

# Housing Element & Fair Share Plan

Adopted October 26, 2020

Township of Rockaway | Morris County, New Jersey



BURGIS  
ASSOCIATES, INC.





COMMUNITY PLANNING  
LAND DEVELOPMENT AND DESIGN  
LANDSCAPE ARCHITECTURE

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# Housing Element and Fair Share Plan

Township of Rockaway  
Morris County, New Jersey

Prepared for the Township of Rockaway  
Planning Board

BA# 3051.20

The original document was appropriately signed and sealed on October 27, 2020 in accordance with Chapter 41 of Title 13 of the State Board of Professional Planners

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# Executive Summary

The following 2020 Housing Element and Fair Share Plan (HE&FSP) of the Master Plan outlines the manner in which the Township of Rockaway will address its affordable housing obligation. Ultimately, pursuant to a settlement agreement between the Township of Rockaway and Fair Share Housing Center (FSHC) dated March 18, 2020, the Township will address the following affordable housing obligations:

Table 1: Summary of Affordable Housing Obligation

Affordable Component	Settlement
Rehabilitation Obligation:	17
Prior Round Obligation (1987-1999)	370
Third Round Prospective Need Obligation (1999-2025)	567

As noted above, the Township has a Prior Round Obligation of three hundred and seventy (370) units. As detailed in the body of this HE&FSP, the Township has fully addressed this Prior Round Obligation through the following components.

Table 2: Summary of Prior Round Components

Plan Component	Status	Total Units	Affordable Units	Rental Bonus Credits	Total Units/ Credits
Green Pond Village	Completed	40	40	0	40
Pleasant View Village	Completed	75	75	0	75
ARC of Morris County	Completed	4	4	0	4
Lakeside Housing Group	Completed	4	4	0	4
Pondview Estates	Under Construction	1,050	100	92	192
RCA w/ East Orange	Completed	---	---	---	55
Total		1,173	223	90	370

In addition to the above, the Township has a Third Round Prospective Need of five hundred and sixty-seven (567) units. The Township is eligible for a vacant land adjustment and has calculated a realistic development potential (RDP) of two hundred and eighty-nine (289) units. Further, the Township is also eligible for a durational adjustment pursuant to NJAC 5:93-4.3 of one hundred and fifty-seven (157) of its two hundred and eighty-nine (289) unit RDP. Non-durationally adjusted RDP may be addressed with any mechanism approved by COAH in NJAC 5:93-5. Durationally adjusted RDP may be addressed with inclusionary overlay zones pursuant to NJAC 5:93-4.3(b) and (d).

The Township proposes to address its Third Round Prospective Need RDP through the following existing and proposed components. As shown, these components comprise a total of two hundred and seventy-six (276) affordable units and sixty-two (62) rental bonus credits, for a total of three hundred and thirty-eight (338) credits to address the Township’s RDP. These three hundred and thirty-eight (338) credits reduce the Township’s total Prospective Round Obligation to two hundred and twenty-nine (229) affordable units.

Table 3: Summary of Prospective Round RDP Components

Plan Component	Total Units/Beds	Affordable Units	Rental Units	Status
Morris Commons	345	52	52	Approved
The Hills by Lennar	142	30	0	Approved
Sanders Road	10	2	2	Completed
Mine Hill Properties	9	2	0	Approved
Allegro Group Home (B 21005 L 2)	4	4	4	Completed
Allies, Inc. (B 10715 L 23)	4	4	4	Completed
Habitat for Humanity (Block 21102 Lots 43-45)	2	2	0	Proposed
Adjustment Overlay Sites				
Rockaway Mall	500	100	0	Proposed
Block 10202 Lots 27 and 28	201	41	0	Proposed
Block 11509 Lots 2, 11, and 12	192	39	0	Proposed
<b>Total</b>	<b>1,409</b>	<b>276</b>	<b>62</b>	

Finally, the Township has an unmet need of two hundred and twenty-nine (229) affordable units. The Township will address this unmet need in part through several overlay zones. As shown, these overlay zones can produce a total of one hundred and fifty-three (153) units, including, thirty-two (32) units of affordable housing.

Table 4: Summary of Unmet Need Components

Plan Component	Area	Density (du/ac)	Total Units	Affordable Units
Block 11116 Lot 43	0.85	12	10	2
Block 11501 Lot 39	5.65	12	67	14
Pawnee Avenue Corridor	1.35	15	20	4
Route 46/Highlands Ave	3.71	15	56	12
20% Set-Aside Ordinance	---	---	---	---
<b>Total</b>			<b>153</b>	<b>32</b>

In addition to those components identified above, the Settlement Agreement also establishes that the Township shall contact the property owner of Block 11116 Lot 42 (Makor, Inc./Garden Home) to discuss the possibility of construction a one hundred percent (100%) affordable housing development consisting of one hundred (100) family rental units. The Settlement Agreement further outlines that the Township shall have an obligation to support such a development if the landowner is interested at any point during the remainder of the Third Round, including working with the landowner and any potential nonprofit developer to enable the development of one hundred (100) affordable family rental units. The Township will cooperate and assist with the owner or non-profit developer in realizing this development including, without limitation, working to obtain a Highlands exemption to allow the construction of the development. However, the Settlement Agreement specifies that the Township shall not have any obligation to bond for the construction of the development if outside financing is not available.



# Section 1: Introduction

The following section provides an introduction to the Township of Rockaway 2020 Housing Element and Fair Share Plan (HE&FSP) of the Master Plan.



# 1.1: What is a Housing Element and Fair Share Plan (HE&FSP)

While technically a discretionary component of a master plan as provided for in NJSA 40:55D-28b of the Municipal Land Use Law (MLUL), a Housing Element and Fair Share Plan (HE&FSP) is nevertheless an effectively obligatory plan element. As established by NJSA 40:55D-62.a, a municipality must have an adopted HE&FSP in order to enact its zoning ordinance. From a public policy perspective, a HE&FSP is therefore an essential community document.

A HE&FSP serves as the blueprint for how a municipality will address its fair share of affordable housing. It is designed to help a community broaden the accessibility of affordable housing. Without a HE&FSP, a municipality may be susceptible to builder's remedy lawsuits.

The Fair Housing Act establishes the required parts of a HE&FSP, which have subsequently been supplemented by rules from the Council on Affordable Housing (COAH). These parts include the following:

1. An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics and type, including the number of units affordable to low- and moderate-income households and substandard housing capable of being rehabilitated;
2. A projection of the municipality's housing stock, including the probable future construction of low- and moderate-income housing for the next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development, and probable residential development of lands;
3. An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level, and age;
4. An analysis of the existing and probable future employment characteristics of the municipality;
5. A determination of the municipality's present and prospective fair share for very-low, low- and moderate-income housing and its capacity to accommodate its housing needs, including its fair share for very-low, low- and moderate-income housing; and
6. A consideration of the lands that are most appropriate for construction of very-low, low- and moderate-income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, very-low, low- and moderate-income housing, including a consideration of lands of developers who have expressed a commitment to provide very-low, low- and moderate-income housing.

Accordingly, the following 2020 Housing Element and Fair Share Plan is divided into the following sections:

❖ Section 1: Introduction

The remainder of this introductory section provides a historic overview of affordable housing issues throughout New Jersey as well as in the Township of Rockaway. It also provides a brief overview of the Township's relationship to the Highlands Regional Master Plan (RMP).

❖ Section 2: Housing Element

Section 2 contains the Housing element for the Township of Rockaway. It offers an overview of its community, as well as back information regarding its population, housing, and employment characteristics. It also provides a projection of the Township's housing stock and its employment projections.

❖ Section 3: Fair Share Obligation

Next, Section 3 provides an overview of the Township's fair share obligation. It includes a brief history of the methodologies utilized to calculate affordable housing obligations throughout the state, as well as a recap of the obligations agreed upon between the Township and the Fair Share Housing Center (FSHC) through their signed settlement agreement.

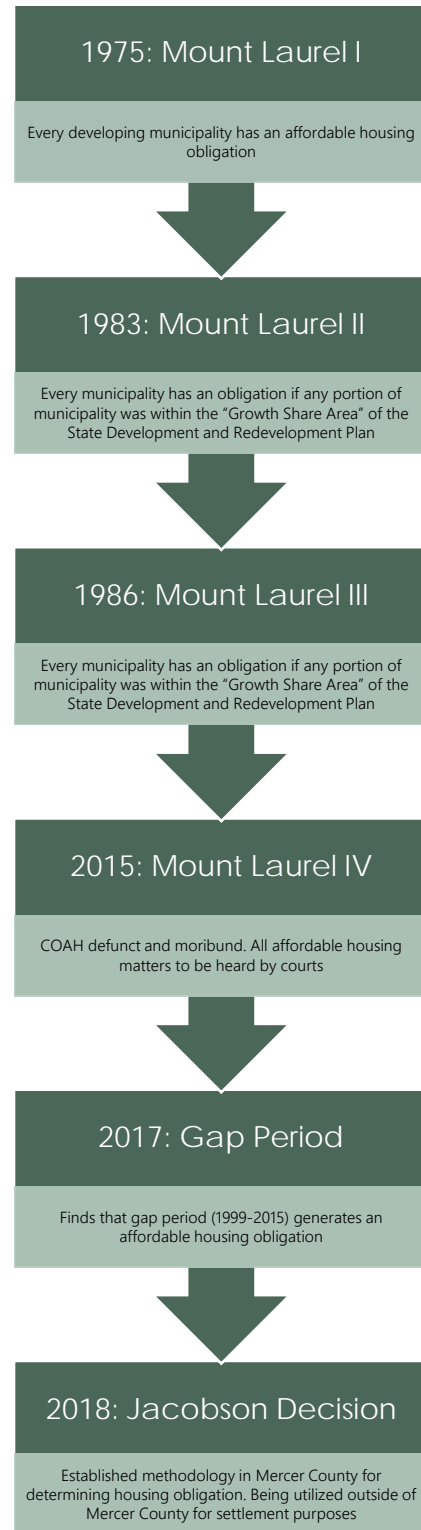
❖ Section 4: Fair Share Plan

Finally, Section 4 details the manner in which the Township will address its rehabilitation, prior round, and third round prospective need obligations.

## 1.2: Historic Overview of the Courts and COAH

The history of affordable housing in New Jersey can be traced back to 1975, when the Supreme Court first decided in *So. Burlington Cty. NAACP v. Township of Mount Laurel* (known as Mount Laurel I) that every developing municipality throughout New Jersey had an affirmative obligation to provide for its fair share of affordable housing. In a subsequent decision in 1983 (known as Mount Laurel II), the Court acknowledged that the vast majority of municipalities had ignored their constitutional obligation to provide affordable housing. As such, the Court refined this obligation to establish that every municipality had an obligation, although those within the growth area of the State Development and Redevelopment Plan (SDRP) had a greater obligation. The Court also called for the state legislature to enact legislation that would save municipalities from the burden of having the courts determine their affordable housing needs. The result of this decision was the adoption of the Fair Housing Act in 1985 as well as the creation of the New Jersey Council on Affordable Housing (COAH), which became the state agency responsible for overseeing the manner in which New Jersey's municipalities address their low and moderate income housing needs.

COAH proceeded to adopt regulations for the First Round obligation, which covered the years 1987 to 1993. It also established the Second Round housing-need numbers that cumulatively covered the years 1987 through 1999. Under both the First and Second Rounds, COAH utilized what is commonly referred to as the "fair share" methodology. COAH utilized a different methodology, known as "growth share," beginning with its efforts to prepare Third Round housing-need numbers. The Third Round substantive and procedural rules were first adopted in 2004. These regulations were challenged and in January 2007, the Appellate Division invalidated various aspects of these rules and remanded considerable portions of the rules to COAH with the directive to adopt revised regulations.



In May 2008, COAH adopted revised Third Round regulations which were published and became effective on June 2, 2008. Coincident to this adoption, COAH proposed amendments to the rules they had just adopted, which subsequently went into effect in October 2008. These 2008 rules and regulations were subsequently challenged, and in an October 2010 decision the Appellate Division invalidated the Growth Share methodology, and also indicated that COAH should adopt regulations pursuant to the Fair Share methodology utilized in Rounds One and Two. The Supreme Court affirmed this decision in September 2013, which invalidated much of the third iteration of the Third Round regulations and sustained the invalidation of growth share. As a result, the Court directed COAH to adopt new regulations pursuant to the methodology utilized in Rounds One and Two.

Deadlocked with a 3-3 vote, COAH failed to adopt newly revised Third Round regulations in October 2014. The Fair Share Housing Center, who was a party in both the 2010 and 2013 cases, responded by filing a motion in aid of litigants' rights with the New Jersey Supreme Court. The Court heard the motion in January 2015, and issued its ruling on March 20, 2015. The Court ruled that COAH was effectively dysfunctional, and consequently returned jurisdiction of affordable housing issues back to the trial courts where it had originally been prior to the creation of COAH in 1985.

This 2015 Court decision created a process in which municipalities may file a declaratory judgment action seeking a declaration that their HE&FSP is constitutionally compliant and receive temporary immunity from affordable housing builders' remedy lawsuits while preparing a new or revised HE&FSP to ensure their plan continues to affirmatively address their local housing need as may be adjusted by new housing-need numbers promulgated by the court or COAH.

Subsequently, the Supreme Court ruled on January 18, 2017 that municipalities are also responsible for obligations accruing during the so-called "gap period," the period of time between 1999 and 2015. However, the Court stated that the gap obligation should be calculated as a never-before calculated component of Present Need, which would serve to capture Gap Period households that were presently in need of affordable housing as of the date of the Present Need calculation (i.e. that were still income eligible, were not captured as part of traditional present need, were still living in New Jersey and otherwise represented a Present affordable housing need).

## 1.3: Historic Overview of the Highlands

At the same time that the aforementioned was occurring, and subsequent to the 2007 Appellate Division ruling, the Highlands Council adopted the Highlands Regional Master Plan (RMP) on July 17, 2008. The RMP provides the basis to determine the capacity of the Highlands Region to accommodate appropriate economic growth while ensuring the sustainability of the resources in the Region.

Rockaway Township is located entirely within the Highlands Region, and as such it participated in the 2009 Plan Conformance Grant Program which was intended to assist municipalities in bringing their plans into conformance with the RMP. As a result of this process, the Township elected to petition the Highlands Council for RMP Plan Conformance on December 8, 2009 for both the Preservation and Planning Area portions of the community. This petition was approved on February 17, 2011.

## 1.4: The Township's Historic Response to its Affordable Housing Obligation

The Township of Rockaway has prepared a number of Housing Element and Fair Share Plans over the years to address its affordable housing obligations. As noted above, COAH had originally adopted a 'fair share' methodology to determine housing-need numbers for all municipalities in the state in 1987 and again in 1994. The adopted, combined first and second round housing need numbers for Rockaway covering the years 1987-1999 initially indicated that the Township had a 412 unit obligation, consisting of a new construction obligation of 370 units and a rehabilitation obligation of 42 units.

In December 2004, COAH adopted new substantive (N.J.A.C. 5:94) and procedural (N.J.A.C. 5:95) rules for the period beginning on December 20, 2004. At the same time, COAH re-adjusted all municipal first and second round housing-need construction numbers and rehabilitation numbers. Rockaway's previously published 370 unit new-construction obligation was reduced to 245 units, and the Township's rehabilitation component was reduced to six units.

However, as a result of an Appellate Division ruling, new substantive and procedural rules were adopted on June 2, 2008 (N.J.A.C. 5:97 and N.J.A.C. 5:96, respectively). In addition, the Legislature adopted A-500, which affected COAH's regulations within the Highlands Region.

The Appellate Division also re-adjusted the Township's first and second round housing obligation need numbers back to pre-2004 levels. As a result, the Township's re-adjusted new construction obligation returned to 370 units while its rehabilitation share was set to 42 units. These numbers, combined with COAH's June 2008 estimated growth share component for the Township of 531 units, indicated that Rockaway had a 943-unit total third round affordable housing obligation.

Nevertheless, due to its aforementioned conformance petition with the Highlands RMP, the Township was able to rely upon the results of the Highlands Municipal Built-Out Report to determine Rockaway's growth share housing need. This July 2009 report established Rockaway's growth share obligation to be 147 affordable units.

As a backdrop to the above, the Township had been involved in on-going affordable housing litigation which resulted in three (3) developers seeking to have their sites designated for inclusionary development. Beginning in August of 2009, the Township met with Special Master Eugene Serpentelli, a retired Superior Court Judge, to develop a compliance plan for Rockaway which included these three (3) inclusionary developments.

## 1.5: The Rehabilitation, Prior Round, and Third Round Obligation and the Township's Response

A Settlement Agreement was signed between the Township and Fair Share Housing Center (FSHC) on March 18, 2020. Pursuant to this settlement agreement, the Township will address the following affordable housing obligations, as detailed below.

Table 5: Summary of Township's Affordable Housing Obligation

Affordable Component	Settlement
Rehabilitation Obligation:	17
Prior Round Obligation (1987-1999)	370
Third Round Prospective Need Obligation (1999-2025)	567

In regard to these obligations, the settlement agreement notes the following:

*FSHC and the Township agree to the terms in this agreement solely for the purposes of settlement of this action. FSHC and the Township, which each have their own methodology consultants, accept the Third Round obligation in the Reading Report of 567 units solely for the purposes of achieving a settlement of the litigation and is without prejudice to the parties' ability to challenge that Third Round number during any proceedings involving subsequent rounds of affordable housing calculations after July 1, 2025.*

# Section 2: Housing Element

The following section provides the housing element for the Township of Rockaway. It offers an overview of its community, as well as back information regarding its population, housing, and employment characteristics. It also provides a projection of the Township's housing stock and its employment projections.



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## Information Regarding Data Sources

*The information contained in Section 2.2 entitled "Population Demographics," Section 2.3 entitled "Inventory of Housing Stock," Section 2.4 entitled "Employment Demographics," and Section 2.5 entitled "Housing & Employment Projections" was obtained from a variety of publicly available data sources. These are summarized below:*

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1. United States Decennial Census

The US Census is described in Article I, Section 2 of the Constitution of the United States, which calls for an enumeration of the people every ten years for the apportionment of seats in the House of Representatives. Since the time of the first Census conducted in 1790, it has become the leading source of data about the nation's people and economy. Please note that all incomes reported in the Census are adjusted for inflation.

2. American Community Survey (ACS)

The American Community Survey is a nationwide ongoing survey conducted by the US Census Bureau. The ACS gathers information previously contained only in the long form version of the decennial census, such as age, ancestry, educational attainment, income, language proficiency, migration, disability, employment, and housing characteristics. It relies upon random sampling to provide ongoing, monthly data collection. Please note that all incomes reported in the ACS are adjusted for inflation.

3. New Jersey Department of Health

The New Jersey Department of Health is a governmental agency of the State of New Jersey. The department contains the Office of Vital Statistics and Registry, which gathers data regarding births, deaths, marriages, domestic partnerships, and civil unions.

4. New Jersey Department of Community Affairs (DCA)

The New Jersey Department of Community Affairs is a governmental agency of the State of New Jersey. Its function is to provide administrative guidance, financial support, and technical assistance to local governments, community development organizations, businesses, and individuals to improve the quality of life in New Jersey.

5. New Jersey Department of Labor and Workforce Development

The New Jersey Department of Labor and Workforce Development is a governmental agency of the State of New Jersey. One of its roles is to collect labor market information regarding employment and wages throughout the state.

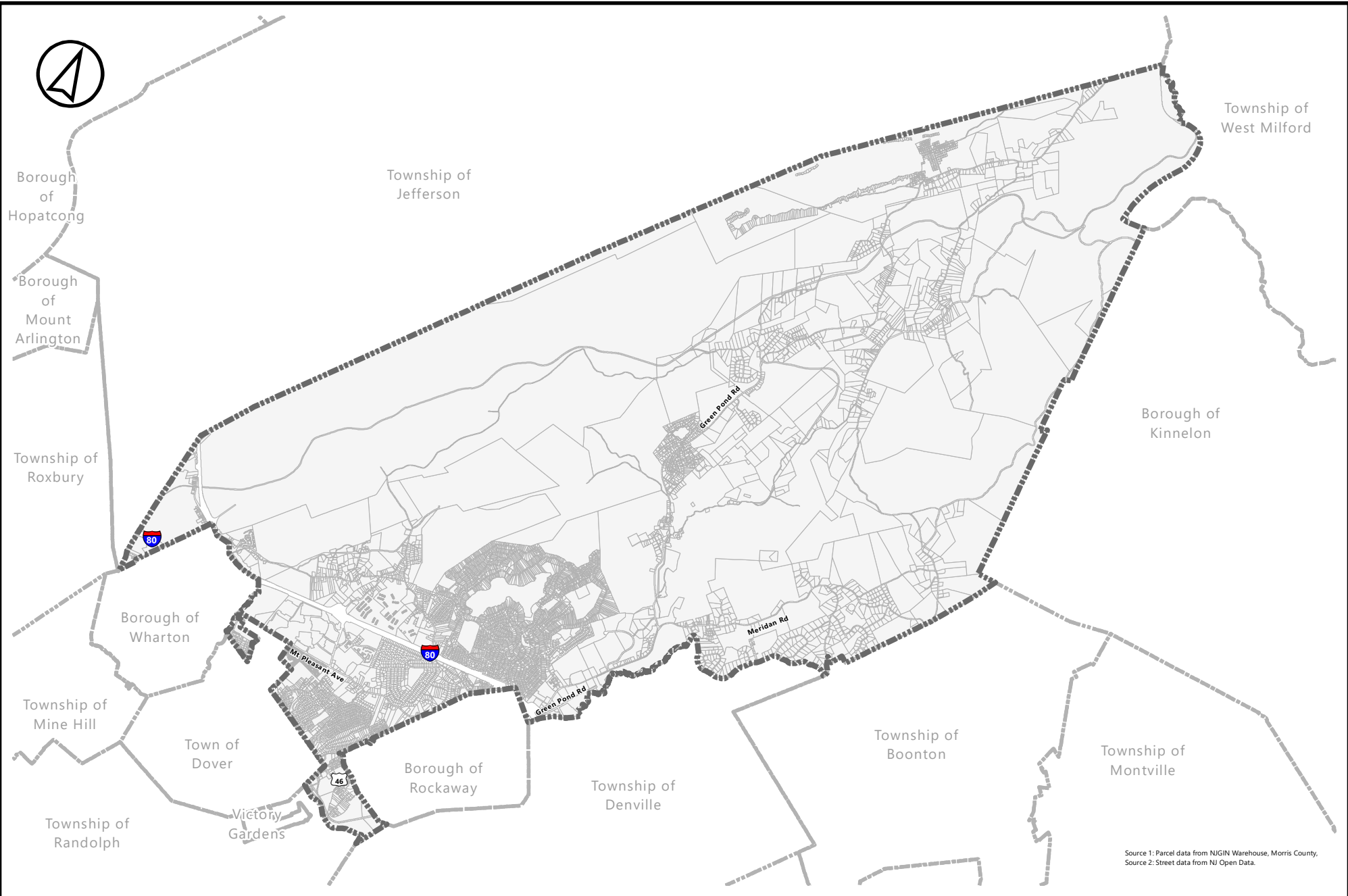
## 2.1: Community Overview

The Township of Rockaway is located in the northwestern portion of Morris County. It is bounded by nine municipalities, including: the Township of West Milford to the north; the Borough of Kinnelon to the northeast; the Town of Boonton, the Township of Denville, and the Borough of Rockaway to the east; the Township of Randolph, the Town of Dover, and the Borough of Wharton to the south; and the Township of Jefferson to the west.

Comprising a total area of 45.55 acres, Rockaway Township is the largest municipality in Morris County. It is located entirely within the Highlands Region, with sixty-one (61%) percent of its land area located in the Highlands Preservation Area and the remaining thirty-nine (39%) percent located in the Highlands Planning Area. The Township is primarily a suburban residential community, with substantial areas devoted to permanent open space and federal governmental uses. Primarily, there are four concentrated areas of residential development, three of which consist of older lake communities. The fourth, Hibernia, is located in the southernmost side of the Township near Dover, wherein older detached dwellings occupy smaller lots. Scattered residential developments can additionally be found throughout the more rural portions of the Township.

Furthermore, Rockaway contains an active business community. The regional Rockaway Townsquare Mall and the surrounding offices at Route 80 and Mount Hope Road, as well as light industrial and warehouse uses along Green Pond Road and retail uses along Route 46, represent the principal areas of non-residential use in the Township.

Regional access to Rockaway is provided by a number of county and state roadways. Routes 15 and 80 provide access to the areas' regional highway network. Green Pond Road, Mount Hope Road, and Mount Pleasant Road are major arterial roadways which provide access through the municipality.



Source 1: Parcel data from NGIN Warehouse, Morris County.  
Source 2: Street data from NJ Open Data.

Dwg. Title

Community Overview

Project No.	Date	Drawn
3051.20	07.07.20	DN

**Legend**

- Municipal Boundary
- Parcels

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Project Title  
**2020 Housing Element and Fair Share Plan**  
 TOWNSHIP OF ROCKAWAY | MORRIS COUNTY, NEW JERSEY

Scale:	Dwg. No.:
1" = 7,500'	map 01

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## 2.2: Population Demographics

Analyzing demographic and population data is a necessary and integral step in planning for the future needs and demands of a community. As such, the following section outlines the demographic changes experienced by the Township of Rockaway over the past several decades.

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### Population Changes

The population of Rockaway has predominantly been growing steadily since 1950, when the total number of residents totaled less than 4,500 people. Throughout the 1950s and 1960s, the Township's population increased approximately 329.04%, from 4,418 people in 1950 to 18,955 in 1970. While the Township's population decreased slightly during the 1980s, it quickly recovered and increased 17.16% between 1990 and 2000.

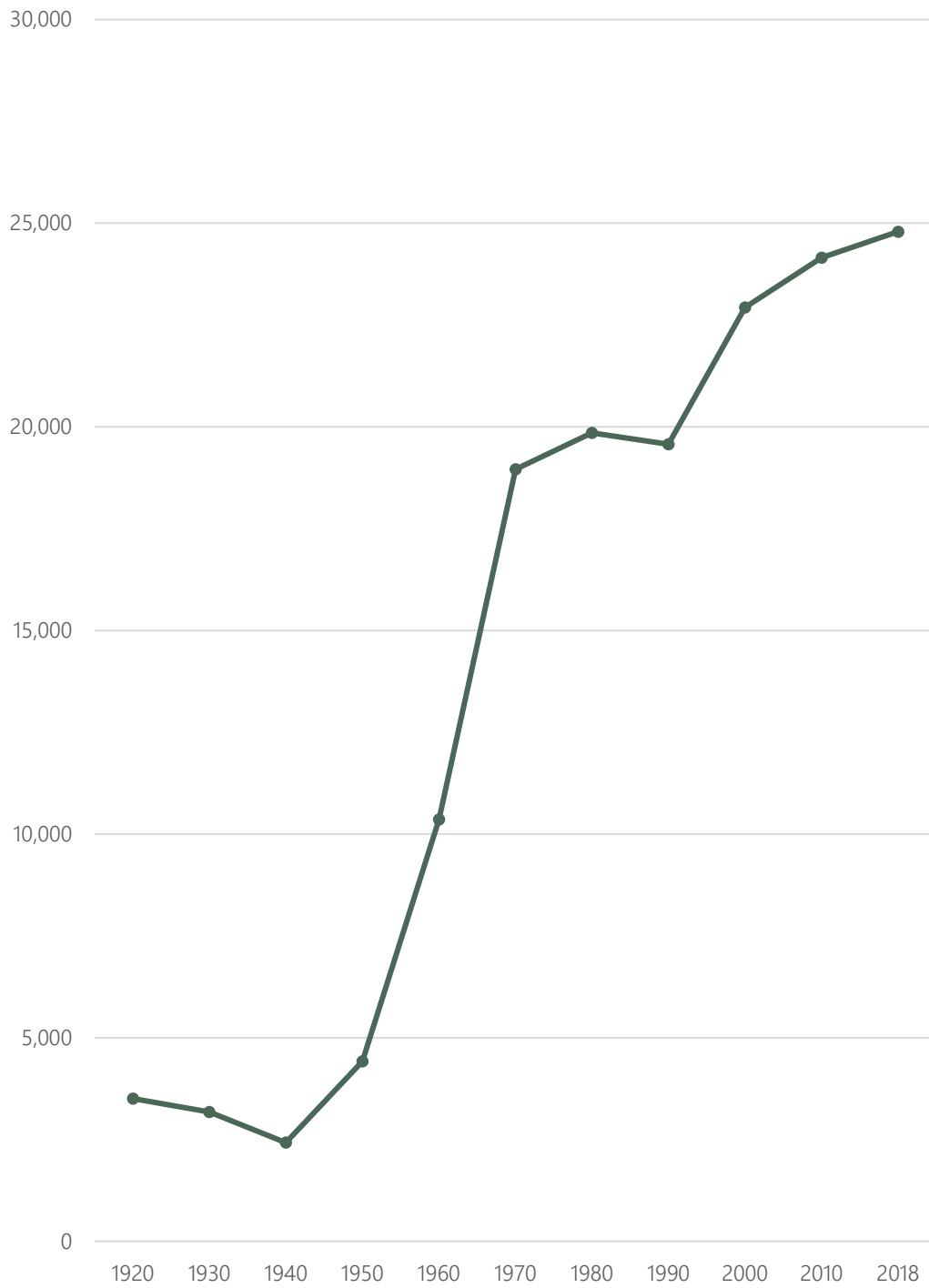
Since that time, the Township's growth rate has decreased slightly. The American Community Survey indicates that Rockaway's estimated growth rate decreased to approximately 8.12% between 2000 and 2018. Nevertheless, due to the ongoing construction of both Pondview and the Hills at Lennar as well as the approval of Morris Commons, the Township's population growth rate is expected to increase.

Table 6: Population Growth, 1920-2018

Year	Population	Population Change	Percent Change
1920	3,505	--	--
1930	3,178	-327	-9.33%
1940	2,423	-755	-23.76%
1950	4,418	1,995	82.34%
1960	10,356	5,938	134.40%
1970	18,955	8,599	83.03%
1980	19,850	895	4.72%
1990	19,572	-278	-1.40%
2000	22,930	3,358	17.16%
2010	24,156	1,226	5.35%
2018	24,792	636	2.63%

Source: US Census Bureau; 2018 American Community Survey 5-Year Estimates.

Figure 1: Population Growth, 1920-2018



Source: US Census Bureau; 2017 American Community Survey 5-Year Estimates.

## Age Characteristics

The Township's population is estimated to have aged during the past several decades.

Overall, the Township's median age increased from 34.1 years in 1990 to 44.1 years in 2018. During this time period, the percentage of those residents under the age of twenty decreased from 26.57% of the total population to 23.61%. However, the total number of residents in this age cohort remained relatively stable, having fluctuated between 5,201 residents in 1990 to an estimated 5,853 residents in 2018.

Meanwhile, the percentage of those over the age of sixty-five increased from 8.36% of the total population to an estimated 17.18% during that same time period. The total number of residents aged sixty-five and over increased by over 160% during this time period, from 1,637 residents in 1990 to 4,259 in 2018.

Table 7: Age Distribution, 1990-2018

Age Group	1990		2000		2010		2018	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Under 5	1,462	7.47%	1,771	7.72%	1,335	5.53%	1,271	5.13%
5-9	1,327	6.78%	1,825	7.96%	1,517	6.28%	1,428	5.76%
10-14	1,209	6.18%	1,719	7.50%	1,738	7.19%	1,335	5.38%
15-19	1,203	6.15%	1,289	5.62%	1,627	6.74%	1,819	7.34%
20-24	1,301	6.65%	868	3.79%	1,076	4.45%	1,463	5.90%
25-29	1,673	8.55%	1,182	5.15%	1,106	4.58%	1,060	4.28%
30-34	1,928	9.85%	1,906	8.31%	1,302	5.39%	1,274	5.14%
35-39	1,815	9.27%	2,294	10.00%	1,582	6.55%	1,648	6.65%
40-44	1,758	8.98%	2,156	9.40%	2,001	8.28%	1,461	5.89%
45-49	1,453	7.42%	1,913	8.35%	2,213	9.16%	1,857	7.49%
50-54	1,052	5.38%	1,693	7.38%	2,076	8.59%	2,202	8.88%
55-59	967	4.94%	1,267	5.53%	1,717	7.11%	2,024	8.16%
60-64	787	4.02%	885	3.86%	1,450	6.00%	1,691	6.82%
65-69	582	2.97%	732	3.19%	1,006	4.16%	1,402	5.65%
70-74	447	2.28%	597	2.60%	827	3.42%	946	3.82%
75-79	287	1.47%	405	1.77%	702	2.91%	776	3.13%
80-84	211	1.08%	266	1.16%	530	2.19%	552	2.23%
85 & older	110	0.56%	162	0.71%	351	1.45%	583	2.35%
Median Age		34.1		37.0		42.1		44.1

Source: US Census Bureau; 2018 American Community Survey 5-Year Estimates.

## Household Type

The majority (71.21%) of the Township’s 9,389 households are comprised of family households. Approximately one-quarter (24.06%) of all households are “married-couple” families with no children under the age of eighteen. Non-family households, which include persons living alone or a householder who is not related to any other person sharing the home, comprise an estimated 28.79% of all households.

Table 8: Household Type (2018)

Type	Number	Percent
Family Households	6,686	71.21%
Married-Couple Family w/no children under 18	2,259	24.06%
Non-Family Households	2,703	28.79%
Total	9,389	100.00%

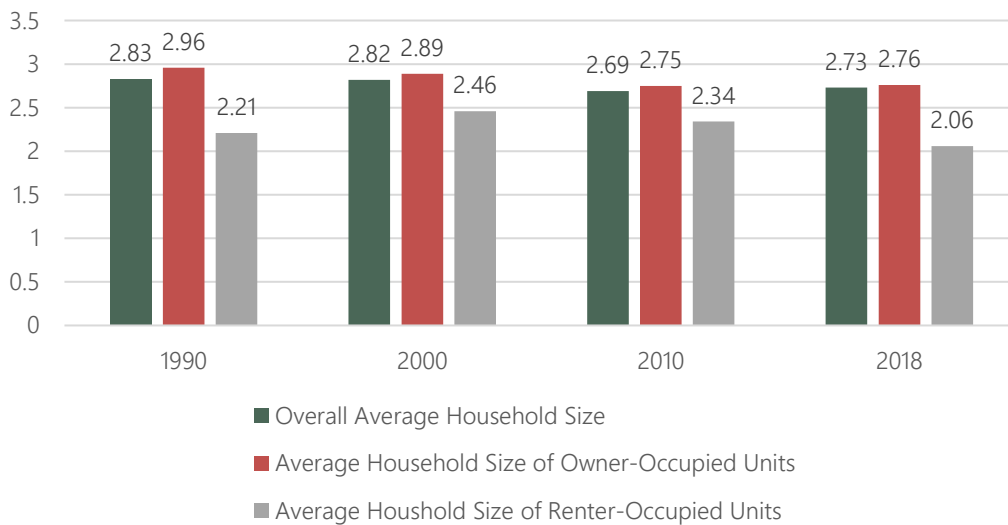
Source: US Census Bureau; 2018 American Community Survey 5-Year Estimates.

## Average Household Size

The average household sizes throughout the Township have generally decreased over the past few decades. In 1990, the average household size was 2.83 persons per unit, which decreased throughout the 2000s and 2010s. The ACS estimates that the average household size in Rockaway was 2.73 persons in 2018.

Similarly, the average household size of owner-occupied units decreased consistently over this same time period, between 2.96 persons in 1990 and 2.65 persons in 2018. Conversely, the average household size of renter-occupied units experienced a decrease during that same time period, from 2.21 persons in 1990 to 2.06 persons in 2018.

Figure 2: Average Household Size (1990-2018)



Source: US Census Bureau; 2018 American Community Survey 5-Year Estimates.

## 2.3: Inventory of Housing Stock

The following section provides an inventory of the Township’s housing stock, as required by the Municipal Land Use Law (MLUL). This inventory details a number of housing characteristics such as age, condition, purchase/rental value, and occupancy.

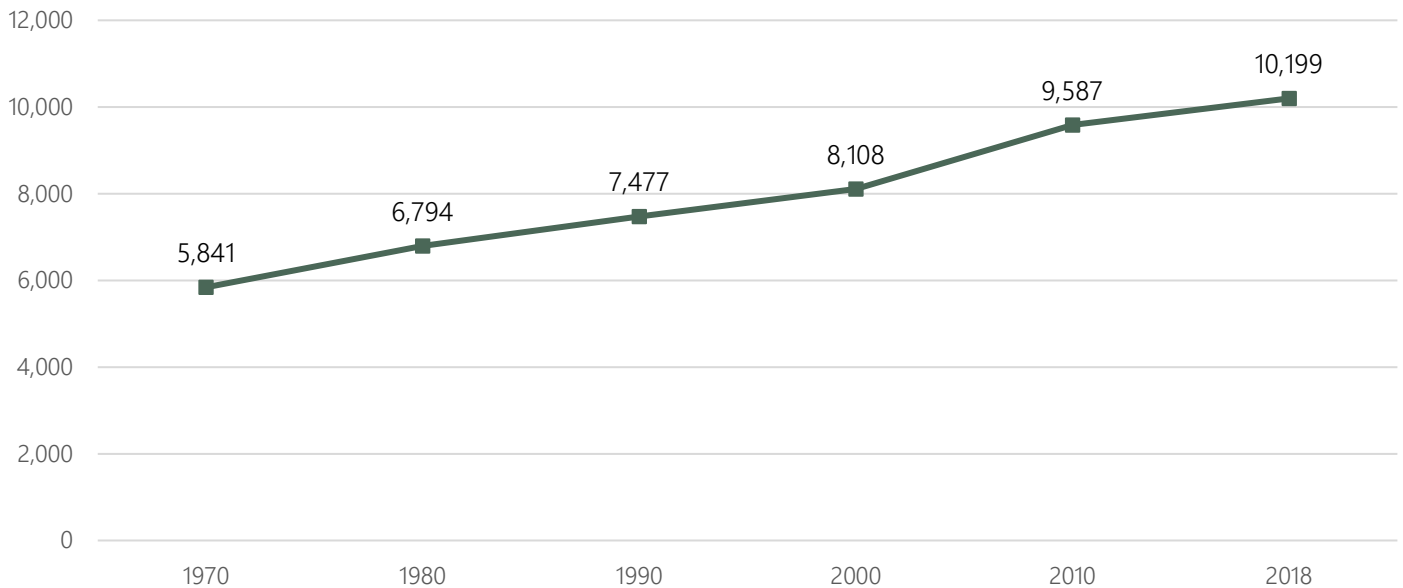
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### Number of Dwelling Units

Between 1970 and 2018, the number of dwelling units in the Township is estimated to have increased approximately 70.18%, from 5,841 units in 1970 to 10,199 units in 2018. The largest percentage increase took place between 2000 and 2010, wherein the number of units increased by approximately 18.24%.

The 2018 ACS estimates that this growth rate has decreased slightly since that time. However, this growth rate is expected to increase over the next few years as the construction of Pondview and the Hills at Lennar continues. When fully constructed, these two multifamily developments will comprise of 1,050 and 142 units, respectively. A third multifamily development known as Morris Commons was also approved by the Planning Board in 2018. This development will consist of 345 units.

Figure 3: Dwelling Units, 1970-2018



Source: US Census Bureau; 2018 American Community Survey 5-Year Estimates.

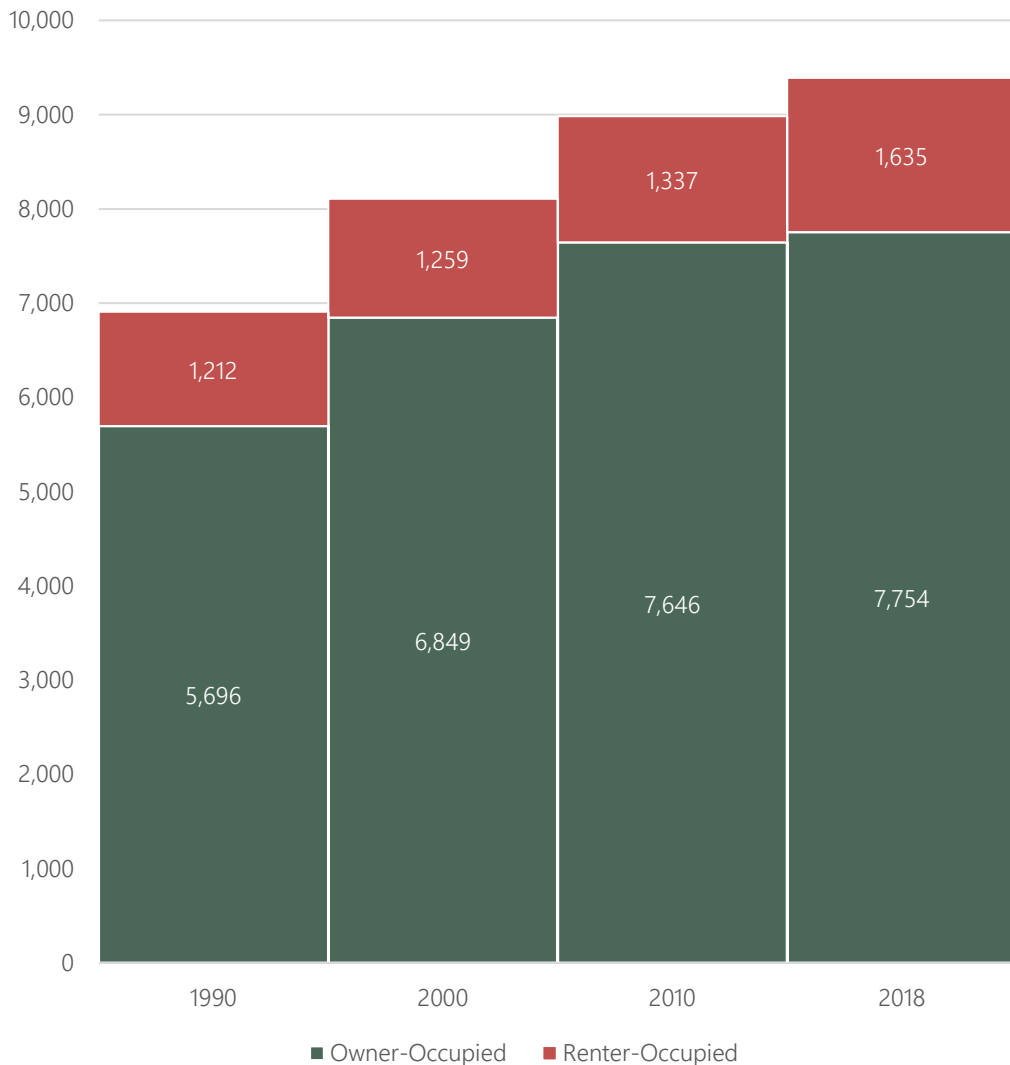
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## Housing Tenure and Occupancy

Over the past several decades, both the number of owner-occupied and renter-occupied units have generally increased. Between 1990 and 2018, the number of owner-occupied units increased by approximately 36.13%, while the number of rental units increased by approximately 34.90%. As of 2018, approximately 82.58% of the Township's housing units were owner-occupied, while the remaining 17.42% were renter-occupied.

The number of renter-occupied units is expected to increase over the next few years due to the ongoing construction of Pondview as well as the Planning Board's approval of Morris Commons.

Figure 4: Owner-Occupied and Renter-Occupied Units, 1990-2018



Source: US Census Bureau; 2018 American Community Survey 5-Year Estimates.

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## Units in Structure

Information regarding the number of dwelling units in housing structures can provide insights into the types of housing which exists throughout the Township. The following table offers insights into the unit-composition of the Township's structures since 2000.

While the number of single-family detached dwellings has increased approximately 12.11% between 2000 and 2018, the overall percentage of single-family households is estimated to have actually decreased from 80.36% in 2000 to 75.13% in 2018. The number of structures containing twenty (20) or more units is estimated to have increased 123.92% over that same time period. This is largely due to the on-going construction of the Township's multifamily developments.

Table 9: Units in Structure, 2000-2018

Units in Structure	2000		2010		2018	
	Number	Percent	Number	Percent	Number	Percent
Single Family, Detached	6,835	80.36%	6,804	73.57%	7,663	75.13%
Single Family, Attached	503	5.91%	672	7.27%	673	6.60%
2 Units	113	1.33%	167	1.81%	190	1.86%
3 to 4 Units	302	3.55%	163	1.76%	272	2.67%
5 to 9 Units	215	2.53%	332	3.59%	220	2.16%
10 to 19 Units	212	2.49%	214	2.31%	420	4.12%
20 to 49 Units	241	2.83%	842	9.10%	461	4.52%
50 or More	85	1.00%	55	0.59%	269	2.64%
Other	0	0.00%	0	0.00%	31	0.30%
Total	8,506	100.00%	9,249	100.00%	9,940	100.00%

Source: US Census Bureau; 2010 and 2018 American Community Survey 5-Year Estimates.

## Bedroom in Structure

The following table outlines the typical number of bedrooms found in the Township's housing structures. The table suggests that there has been a slight increase in the size of housing units over the past few decades. In 1990, approximately one-third (32.4%) of households reported having four (4) or more bedrooms. By 2018, the ACS estimates that this percentage has risen slightly to approximately 35.21%.

Table 10: Bedrooms in Structure

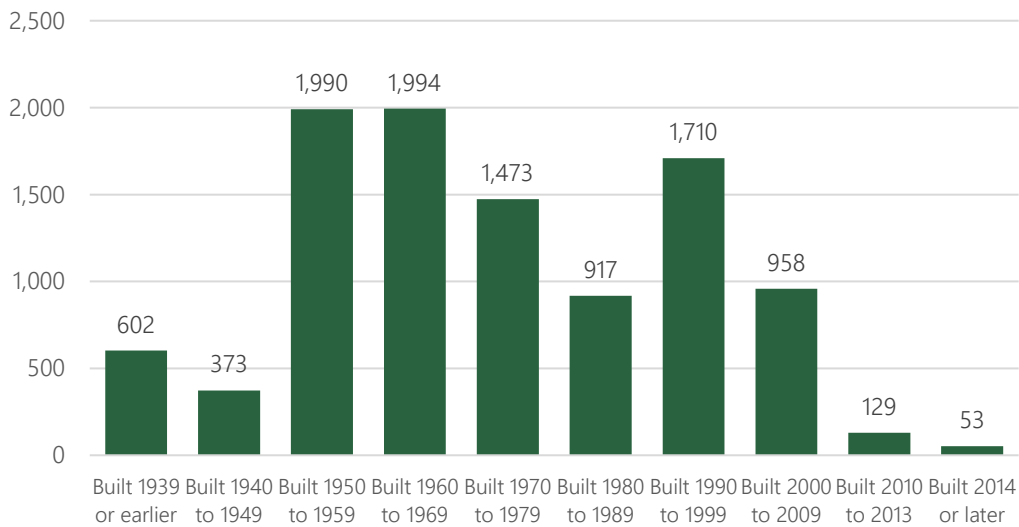
Bedrooms	1990		2000		2010		2018	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Zero	0	0.0%	26	0.3%	137	1.5%	31	0.30%
One	682	9.1%	716	8.4%	1,043	11.3%	1,085	10.64%
Two	1,311	17.5%	1,434	16.9%	1,755	19.0%	1,901	18.64%
Three	3,066	41.0%	3,494	41.1%	3,250	35.1%	3,693	36.21%
Four	2,159	28.9%	2,442	28.7%	2,662	28.8%	2,945	28.88%
Five or More	259	3.5%	394	4.6%	402	4.3%	544	5.33%
Total	7,477	100.0%	8,506	100.0%	*9,249	100.0%	10,199	100.00%

Source: US Census Bureau; 2018 American Community Survey 5-Year Estimates.

## Housing Age

The following figure details the ages of the Township's housing stock. As shown, only 1.78% of the Township's housing stock has been built since 2000. Slightly less than two-thirds (63.07%) of the Township's housing stock was constructed prior to 1980, while 29.07% was constructed prior to 1960. This is largely reflective of the older, established communities located throughout the Township.

Table 11: Age of Housing Stock



Source: 2018 American Community Survey 5-Year Estimates.

## Housing Conditions

While neither the Census nor the ACS classifies housing units as either standard or substandard, they nevertheless can provide an estimate of the number of substandard housing units that are occupied by very-low, low- and moderate-income households throughout the community. This can be accomplished by examining three (3) factors:

1. Homes which are overcrowded;
2. Homes lacking complete plumbing, and;
3. Homes lacking kitchen facilities.

The following table examines the extent to which there is overcrowding in the Township's housing stock. Overcrowding is typically defined as housing units with more than one (1) occupant per room. As shown, the number of occupied housing units considered to be overcrowded as historically been negligible.

Table 12: Occupants per Room

Occupants Per Room	1990		2000		2010		2018	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
1.00 or less	6,854	99.2%	8,006	98.7%	8,718	98.5%	9,371	99.81%
1.01 to 1.50	45	0.7%	79	1.0%	42	0.5%	8	0.08%
1.51 or more	9	0.1%	23	0.3%	88	1.0%	10	0.11%
Total	6,908	100.0%	8,108	100.0%	8,848	100.0%	9,389	100.00%

Source: US Census Bureau; 2010 & 2018 American Community Survey 5-Year Estimates.

The following table presents additional details regarding housing conditions, including the presence of complete plumbing and kitchen facilities as well as the type of heating equipment used. As shown, the percentages of units with complete kitchen and plumbing facilities as well as heating equipment has consistently remained above 99% since 1990. This suggests that a very insignificant number of the Township's dwelling units are substandard.

Table 13: Equipment and Plumbing Facilities

Facilities	1990		2000		2010		2018	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Kitchen:								
With Complete Facilities	6,570	99.89%	8,482	99.72%	8,732	98.69%	9,369	99.79%
Lacking Complete Facilities	7	0.11%	24	0.28%	116	1.31%	20	0.21%
Plumbing:								
With Complete Facilities	6,564	99.80%	8,464	99.51%	8,799	99.45%	9,369	99.79%
Lacking Complete Facilities	13	0.20%	42	0.49%	49	0.55%	20	0.21%

Source: US Census Bureau; 2010 & 2018 American Community Survey 5-Year Estimates.

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## Purchase and Rental Values

The following two tables identify purchase values and rental values for the specified owner-occupied and renter-occupied units in Rockaway.

As shown in Table 14, the overall median value of the Township's owner-occupied housing increased substantially between 2000 and 2010, from \$206,200 to \$402,600. Since that time, however, the ACS estimates that the median value for owner-occupied housing has decreased approximately 12.24% to approximately \$353,300 in 2018. This decrease is reflective of similar trends for Morris County and for New Jersey as a whole, for which median values decreased approximately 4.18% and 3.64%, respectively.

Table 14: Value of Owner-Occupied Units, 2000-2018

Value Range	2000		2010		2018	
	Number	Percent	Number	Percent	Number	Percent
Less than \$50,000	0	0.00%	19	0.24%	139	1.79%
\$50,000 to \$99,999	132	2.05%	98	1.27%	31	0.40%
\$100,000 to \$149,999	658	10.24%	28	0.36%	111	1.43%
\$150,000 to \$199,999	2,186	34.00%	108	1.40%	321	4.14%
\$200,000 to \$299,999	2,541	39.52%	956	12.35%	1,569	20.23%
\$300,000 to \$499,999	686	10.67%	4,391	56.75%	4,124	53.19%
\$500,000 to \$999,999	219	3.41%	1,925	24.88%	1,434	18.50%
\$1,000,000 or More	7	0.11%	213	2.75%	25	0.32%
Total	6,429	100.00%	7,738	100.00%	7,754	100.00%
Township Median Value		\$206,200		\$402,600		\$353,300
Morris County Median Value		\$257,400		\$490,400		\$469,900
New Jersey Median Value		\$170,800		\$357,000		\$344,000

Source: US Census Bureau; 2010 and 2018 American Community Survey 5-Year Estimates.

Conversely, Table 15 shows that the Township’s median gross monthly rents increased an estimated 8.16% between 2010 and 2018, from \$1,409 per month to \$1,524 per month. Historically, the Township’s median gross monthly rents have been higher than the County’s and the State’s as a whole. As of 2018, an estimated 37.86% of units had a monthly rent of \$1,500 or higher.

Table 15: Specified Renter Occupied Housing Units by Rent, 2000-2018

Rent Range	2000		2010		2018	
	Number	Percent	Number	Percent	Number	Percent
Less than \$200	20	1.63%	18	1.52%	14	0.86%
\$200 to \$299	20	1.62%	12	1.02%	30	1.83%
\$300 to \$499	49	3.98%	16	1.35%	15	0.92%
\$500 to \$749	106	8.61%	39	3.31%	104	6.36%
\$750 to \$999	495	40.21%	46	3.90%	23	1.41%
\$1,000 to \$1,499	320	26.00%	549	46.53%	664	40.61%
\$1,500 to \$1,999	108	8.77%	213	18.05%	354	21.65%
\$2,000 or more	5	0.41%	197	16.69%	265	16.21%
No Cash Rent	108	8.77%	90	7.63%	166	10.15%
Total	1,231	100.00%	1,180	100.00%	1,635	100.00%
Median Gross Rent		\$948		\$1,409		\$1,524
Morris County		\$883		\$1,221		\$1,591
New Jersey		\$751		\$1,092		\$1,336

Source: US Census Bureau; 2010 and 2018 American Community Survey 5-Year Estimates.

## 2.4: Employment Demographics

The following section provides an overview of the Township’s economic profile. It offers valuable information on the occupational characteristics of the Township as well as its employment projections.

### Income Level

Household incomes have generally continued to increase throughout the Township since 2000. This is particularly evident in upper-tier incomes. In 2000, an estimated 13.68% of the Township’s total households reported an income of \$150,000 or more. By 2018, this percentage increased to approximately 30.33% of all households.

Overall, the Township’s median income has increased approximately 31.26% over the past few decades, from \$81,206 in 2000 to \$106,385 in 2018. This represents a lower percentage increase than the County’s (44.12%) and the State’s (34.50%) percentage increases over that same time period.

Pursuant to the ACS, an estimated 5.1% of the Township’s residents reported an income below the federal poverty in 2018. This is above the County’s estimated poverty rate (4.6%) but below the State’s estimated poverty rate (10.4%).

Table 16: Household Income, 2000-2018

Income Level	2000		2010		2018	
	Households	Percent	Households	Percent	Households	Percent
Less than \$10,000	172	2.12%	153	1.73%	159	1.69%
\$10,000 to \$14,999	186	2.30%	172	1.94%	205	2.18%
\$15,000 to \$24,999	366	4.51%	334	3.78%	274	2.92%
\$25,000 to \$34,999	438	5.40%	391	4.42%	604	6.43%
\$35,000 to \$49,999	818	10.09%	845	9.55%	712	7.59%
\$50,000 to \$74,999	1,685	20.78%	1,450	16.39%	1,256	13.38%
\$75,000 to \$99,999	1,488	18.35%	1,306	14.76%	1,289	13.73%
\$100,000 to \$149,999	1,846	22.77%	2,029	22.93%	2,042	21.75%
\$150,000 to \$199,999	1,109	13.68%	1,159	13.10%	1,216	12.95%
\$200,000 or more	--	--	1,009	11.40%	1,632	17.38%
Total	8,108	100.00%	8,848	100.00%	9,389	100.00%
Median Income		\$81,206		\$95,530		\$106,385
Morris County		\$77,236		\$96,747		\$111,316
New Jersey		\$55,146		\$69,811		\$74,176

Source: US Census Bureau; 2010 and 2018 American Community Survey 5-Year Estimates.

## Employment Status

The following table and figure provide an overview of the Township’s employment characteristics for residents aged 16 and over. While the number of those aged 16 and over in the labor force increased approximately 8.51% between 2000 and 2018, the overall percentage of those in the labor force decreased slightly from 73.98% to 67.87%.

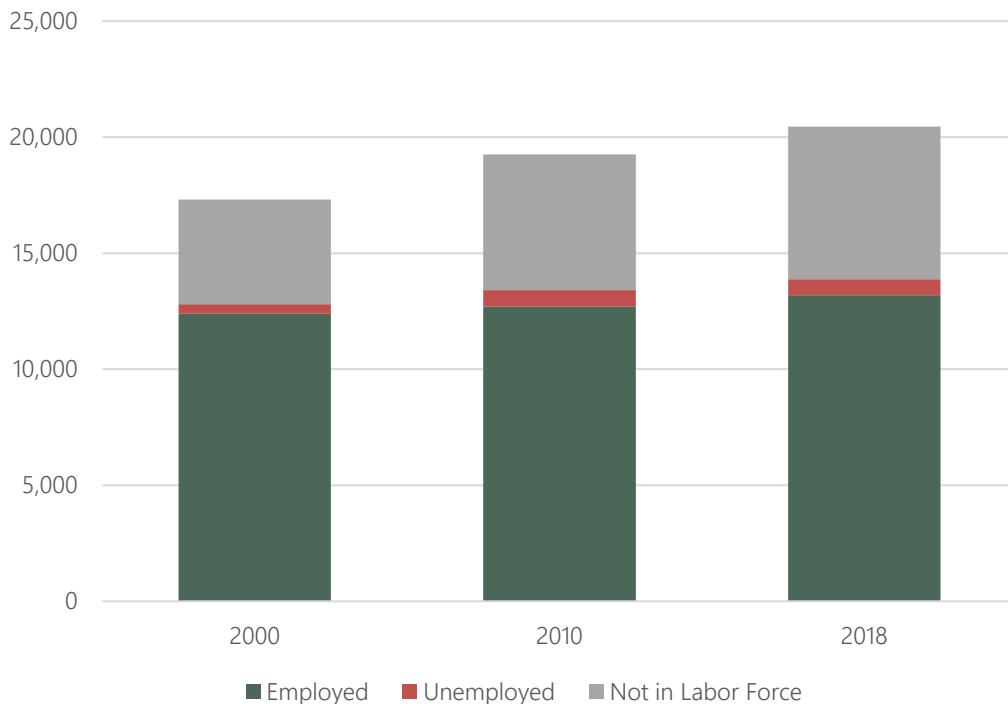
Conversely, the percentage of those not in the labor force increased from 26.02% to 32.13% during that same time period. This may be attributed to the Township’s aging population and the percentage of those entering retirement age, which is largely reflective of general trends throughout New Jersey.

Table 17: Employment Status for Population Age 16 and Over, 2000-2018

Employment Status	2000		2010		2018	
	Number	Percent	Number	Percent	Number	Percent
In labor force	12,804	73.98%	13,414	69.67%	13,894	67.87%
Civilian labor force	12,706	73.42%	13,328	69.22%	13,879	67.80%
Employed	12,287	70.99%	12,612	65.50%	13,187	64.42%
Unemployed	419	2.42%	716	3.72%	692	3.38%
Armed Forces	98	0.57%	86	0.45%	15	0.07%
Not in labor force	4,503	26.02%	5,840	30.33%	6,577	32.13%
Total Population 16 and Over	17,307	100.00%	19,254	100.00%	20,471	100.00%

Source: US Census Bureau; 2010 American Community Survey 5-Year Estimates; 2017 American Community Survey 1-Year Estimate

Figure 5: Employment Status for Population Aged 16 and Over, 2000-2018



Source: US Census Bureau; 2010 American Community Survey 5-Year Estimates; 2018 American Community Survey 5-Year Estimate

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## Employment Trends

The following two tables detail information on the employment and income characteristics of the Township’s employed residents. Table 18 details occupation characteristics, while Table 19 details industry characteristics.

The industry categories utilized by the US Census Bureau and the American Community Survey are derived from the North American Industry Classification System (NAICS), which is published by the Executive Office of the President, Office of Management and Budget. The NAICS was developed to increase compatibility in industry definitions between the United States, Mexico, and Canada. It provides industry classifications that group establishments into industries based on the activities in which they are primarily engaged.

The NAICS provides the following descriptions of the above-mentioned industries:

Industry	Description
Agriculture, Forestry, Fishing and Hunting	Activities of this sector are growing crops, raising animals, harvesting timber, and harvesting fish and other animals from farms, ranches, or the animals' natural habitats.
Mining, Quarrying, and Oil and Gas Extraction	Activities of this sector are extracting naturally occurring mineral solids, such as coal and ore; liquid minerals, such as crude petroleum; and gases, such as natural gas; and beneficiating (e.g., crushing, screening, washing, and flotation) and other preparation at the mine site, or as part of mining activity.
Utilities	Activities of this sector are generating, transmitting, and/or distributing electricity, gas, steam, and water and removing sewage through a permanent infrastructure of lines, mains, and pipe.
Construction	Activities of this sector are erecting buildings and other structures (including additions); heavy construction other than buildings; and alterations, reconstruction, installation, and maintenance and repairs.
Manufacturing	Activities of this sector are the mechanical, physical, or chemical transformation of materials, substances, or components into new products.
Wholesale Trade	Activities of this sector are selling or arranging for the purchase or sale of goods for resale; capital or durable non-consumer goods; and raw and intermediate materials and supplies used in production and providing services incidental to the sale of the merchandise.
Retail Trade	Activities of this sector are retailing merchandise generally in small quantities to the general public and providing services incidental to the sale of the merchandise.
Transportation and Warehousing	Activities of this sector are providing transportation of passengers and cargo, warehousing and storing goods, scenic and sightseeing transportation, and supporting these activities.
Information	Activities of this sector are distributing information and cultural products, providing the means to transmit or distribute these products as data or communications, and processing data.

Finance and Insurance	Activities of this sector involve the creation, liquidation, or change in ownership of financial assets (financial transactions) and/or facilitating financial transactions.
Real Estate and Rental Leasing	Activities of this sector are renting, leasing, or otherwise allowing the use of tangible or intangible assets (except copyrighted works) and providing related services.
Professional, Scientific, and Technical Services	Activities of this sector are performing professional, scientific, and technical services for the operations of other organizations.
Management of Companies and Enterprises	Activities of this sector are the holding of securities of companies and enterprises, for the purpose of owning controlling interest or influencing their management decisions, or administering, overseeing, and managing other establishments of the same company or enterprise and normally undertaking the strategic or organizational planning and decision-making role of the company or enterprise.
Administrative and Support and Waste Management and Remediation Services	Activities of this sector are performing routine support activities for the day-to-day operations of other organizations.
Education Services	Activities of this sector are providing instruction and training in a wide variety of subjects.
Health Care and Social Assistance	Activities of this sector are providing health care and social assistance for individuals.
Arts, Entertainment, and Recreation	Activities of this sector are operating or providing services to meet varied cultural, entertainment, and recreational interests of their patrons.
Accommodation and Food Services	Activities of this sector are providing customers with lodging and/or preparing meals, snacks, and beverages for immediate consumption.
Other Services	Activities of this sector are providing services not elsewhere specified, including repairs, religious activities, grantmaking, advocacy, laundry, personal care, death care, and other personal services.
Public Administration	Activities of this sector are administration, management, and oversight of public programs by Federal, State, and local governments.

As shown on Table 18, the largest percentage of the Township’s residents have typically been employed in management, professional, and related occupations. An estimated 47.55% of the Township’s residents were employed in this occupation in 2000; by 2018, this percentage increased to 52.36%. Sales and office occupations have generally comprised the second largest occupation, although the number of residents employed in this industry has decreased approximately 12.68% since 2000.

Table 18: Employment Status by Occupation, 2000-2018

Occupation	2000		2010		2018	
	Number	Percent	Number	Percent	Number	Percent
Management, professional, and related occupations	5,842	47.55%	5,971	47.16%	6,905	52.36%
Service occupations	1,209	9.84%	1,424	11.25%	1,555	11.79%
Sales and office occupations	3,469	28.23%	3,515	27.76%	3,029	22.97%
Natural resources, construction, and maintenance occupations*	763	6.21%	829	6.55%	605	4.59%
Production, transportation, and material moving occupations	1,004	8.17%	922	7.28%	1,093	8.29%
Total	12,287	100.00%	12,661	100.00%	13,187	100.00%

Source: 2000 US Census Bureau; 2010 and 2018 5-Year American Community Survey  
 \* Formerly called "Construction, extraction, and maintenance occupations"

Table 19 provides additional information regarding the industry of employment for the Township’s residents. Historically, the largest percentage of residents have been employed in the educational services, and health care and social assistance industry. The number of residents employed in this industry has increased approximately 53.36% over the past seventeen years, from 2,183 residents in 2000 to 3,348 in 2018.

In 2000, the manufacturing industry represented the second highest percentage. However, the number of residents employed in that industry has decreased 25.15% since 2000. As of 2018, an estimated 11.16% of residents were employed in manufacturing. The professional, scientific, and management, and administrative and waste management industry has replaced manufacturing as the second largest industry amongst Township residents.

Table 19: Employment Status by Industry, 2000-2018

Industry	2000		2010		2018	
	Number	Percent	Number	Percent	Number	Percent
Agriculture, forestry, fishing and hunting, and mining	9	0.07%	13	0.10%	9	0.06%
Construction	657	5.35%	818	6.46%	558	4.36%
Manufacturing	1,876	15.27%	1,598	12.62%	1,404	11.16%
Wholesale trade	650	5.29%	442	3.49%	466	4.04%
Retail trade	1,290	10.50%	1,428	11.28%	1,074	9.18%
Transportation and warehousing, and utilities	549	4.47%	713	5.63%	596	3.85%
Information	673	5.48%	317	2.50%	528	4.52%
Finance and insurance, and real estate and rental leasing	1,200	9.77%	1,108	8.75%	1,300	9.17%
Professional, scientific, and management, and administrative and waste management services	1,712	13.93%	2,167	17.12%	2,096	15.46%
Educational services, and health care and social assistance	2,183	17.77%	2,527	19.96%	3,348	24.10%
Arts, entertainment, and recreation, and accommodation and food services	583	4.74%	686	5.42%	825	6.28%
Other services, except public administration	417	3.39%	306	2.42%	455	3.50%
Public administration	488	3.97%	538	4.25%	528	4.32%
Total	12,287	100.00%	12,661	100.00%	13,187	100.00%

Source: 2000 US Census Bureau; 2010 and 2017 5-Year American Community Survey

## 2.5: Housing & Employment Projections

The following section identifies the extent to which redevelopment housing and economic development has occurred in the community, which can assist in the determination of future residential and employment projections.

### Projection of the Housing Stock

As shown in the table below, the Township has consistently issued more certificates of occupancy (COs) than demolitions permits, which is consistent with the housing growth data shown in Figure 3. Since 2015, nearly all (96.47%) of the COs issued by the Township have been for multifamily dwellings. This is largely due to the on-going construction of the Township's multifamily projects. This construction is expected to continue for the next several years.

Table 20: Certificates of Occupancy and Demolition Permits, 2000-2018

Year	Housing Certificates				Demos	Net
	1 & 2 Family	Multifamily	Mixed Use	Total		
2000*	--	--	--	44	7	37
2001*	--	--	--	374	5	369
2002*	--	--	--	55	10	45
2003*	--	--	--	201	6	195
2004	35	1	1	37	13	24
2005	35	0	0	35	9	26
2006	34	90	0	124	10	114
2007	24	0	0	24	9	15
2008	10	39	0	49	7	42
2009	10	0	0	10	7	3
2010	6	0	0	6	12	-6
2011	10	45	0	55	1	54
2012	2	0	0	2	2	0
2013	5	39	0	44	10	34
2014	9	0	0	9	0	9
2015	4	39	0	43	2	41
2016	5	391	0	396	0	396
2017	9	171	0	180	0	180
2018	12	219	0	231	3	228
Total	210	1,034	1	1,919	113	1,806

Source: Department of Community Affairs

\* Data not broken down by category

---

## Projection of Employment

Figure 6 and Figure 7 provide data on the Township's covered employment trends between 2004 and 2018, as reported by the New Jersey Department of Labor and Workforce Development. "Covered employment" refers to any employment covered under the Unemployment and Temporary Disability Benefits Law. Generally, nearly all employment in the state is considered to be "covered employment."

Figure 6 depicts the number of reported "employment units" within the Township. An "employment unit" is defined as an individual or organization which employs one or more workers. As shown, the Township gained seventy-five (75) employment units between 2006 and 2007, which represents an increase of 20.95%. This trend reversed slightly between 2007 and 2010, in which the Township lost approximately forty-four (44) employment units, which represents a decrease of 10.16%. This loss could likely be attributed to the effects of the Great Recession. However, the Township recovered its losses by 2011 in which it gained 76 employment units, which represents an increase of 19.54%.

Nevertheless, the Township has continually lost covered employment units since that time. Between 2011 and 2018, the number of covered employment units decreased by 134 units, which represents a decrease of 28.81%. During that same time period, Morris County experienced a slight decrease of 2.92%.

Figure 7, which depicts the average number of covered employees by year within the Township, generally reflects those trends described above from Figure 13. Between 2004 and 2007, the Township's covered employment increased by 22.39%, before decreasing 10.69% the following year. Similar to the total number of employment units, the Township's covered employment largely recovered its losses between 2008 and 2012, and by 2012 the Township had an estimated covered employment of 13,392.

However, the Township has continually experienced a decrease of covered employment since that time. Between 2012 and 2018, the Township's covered employment decreased by 20.10%. This contrasts with Morris County, which experienced an increase of approximately 9.26% during that same time period.

In consideration of the above, it is not presently anticipated that the Township's employment base will grow over the next few years.

Figure 6: Covered Employment Units, 2004 to 2018

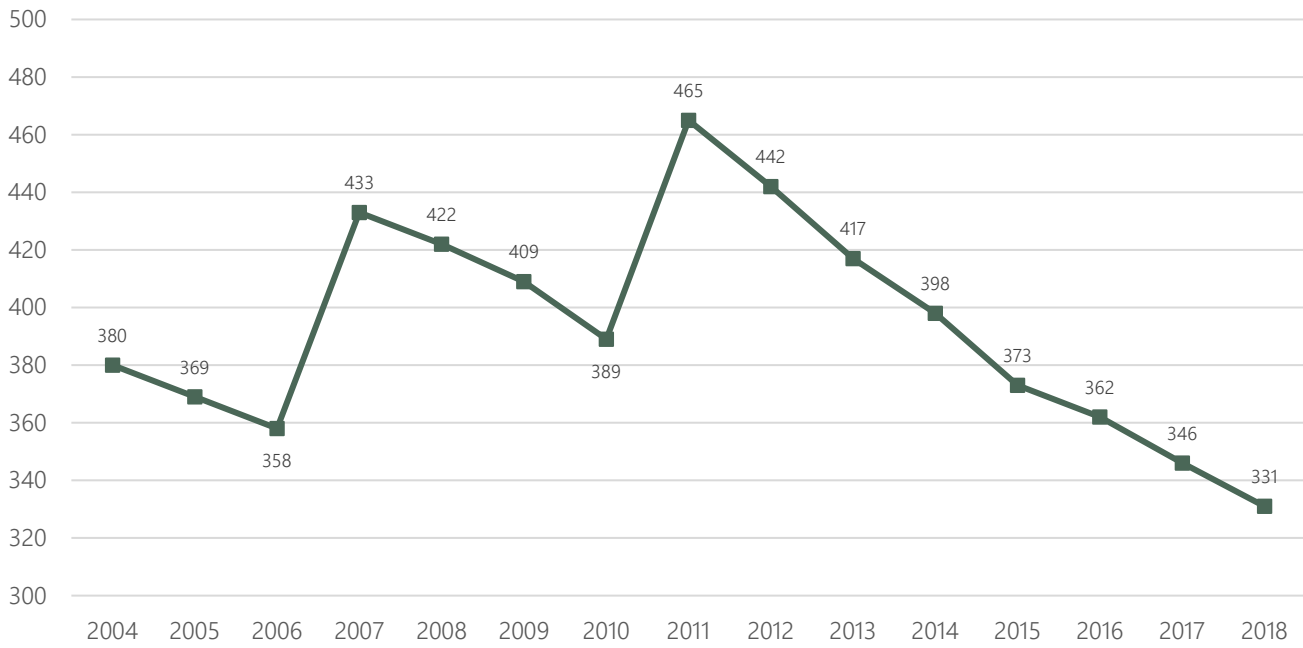


Figure 7: Average Covered Employment, 2004 to 2018



Source: Department of Labor and Workforce Development



# Section 3: Fair Share Obligation

This section provides an overview of the Township's fair share obligation. It includes a brief history of the methodologies utilized to calculate affordable housing obligations throughout the state, as well as a recap of the obligations agreed upon between the Township and the Fair Share Housing Center (FSHC) through their signed settlement agreement.



### 3.1: Summary of Fair Share Obligation

The state of the third round prospective housing obligation for municipalities throughout New Jersey has been a fluid one, given that the Courts, COAH, and/or the legislature have yet to develop a definite set of housing numbers which have been universally accepted.

Initially, two (2) sets of numbers were promulgated and widely discussed. These consisted of projections prepared by Econsult Solution on behalf of a consortium of municipalities, and projections prepared by David Kinsey on behalf of Fair Share Housing Center (FSHC). A third set of numbers was later prepared by Special Master Richard Reading pursuant to the Ninth Revised Case Management Order regarding the declaratory actions filed by municipalities in Ocean County. More, recently, Judge Mary C. Jacobson issued a decision in the matter of Princeton and West Windsor (herein referred to as the Mercer County Trial), wherein the Court found a statewide affordable housing need of 154,481 affordable housing units and thus promulgating a fourth set of numbers.

Table 21: Summary of Statewide Affordable Housing Obligations

Affordable Component	Obligation
Econsult	91,225
FSHC	322,122
Reading	120,415
Mercer County Trial	152,908

Similarly, the numbers established for Rockaway have been markedly different as well, as shown below. It is recognized that these figures may be adjusted again in the future.

Table 22: Summary Township Affordable Housing Obligations

Affordable Component	Econsult	FSHC	Reading	Mercer County
Rehabilitation Obligation (2015-2025)	26	17	26	26
Prior Round Obligation (1987-1999)	370	370	370	370
Third Round Prospective Need Obligation (1999-2025)	42	897	567	567

Ultimately, a settlement agreement was signed between the Township and FSHC on March 18, 2020. Pursuant to this settlement agreement, the Township will address the following affordable housing obligations:

Table 23: Summary of Affordable Housing Obligation

Affordable Component	Settlement
Rehabilitation Obligation:	17
Prior Round Obligation (1987-1999)	370
Third Round Prospective Need Obligation (1999-2025)	567

In regard to these obligations, the settlement agreement notes the following:

*FSHC and the Township agree to the terms in this agreement solely for the purposes of settlement of his action. FSHC and the Township, which each have their own methodology consultants, accept the Third Round obligation in the Reading Report of 567 units solely for the purposes of achieving a settlement of the litigation and is without prejudice to the parties' ability to challenge that Third Round number during any proceedings involving subsequent rounds of affordable housing calculations after July 1, 2025.*

## 3.2: Realistic Development Potential

As established by the Settlement Agreement signed between the Township and FSHC, Rockaway has a realistic development potential (RDP) of **two hundred and eight-nine (289) affordable units**, which was calculated through the following steps.

Table 24: Summary of RDP Calculation

Steps	RDP
Step 1: Original VLA and RDP Calculation, with Amendments	+ 17
Step 2: Revised RDP for Specific Properties Identified by FSHC	+ 220
Step 3: Accounting for Morris Commons Affordable Credits	- 52
Step 4: Plus RDP from Other Components to Address Prospective Round	+ 104
Total	289

The entirety of the Township's VLA and RDP calculation can be found in Appendix A. Each of the steps are summarized throughout this section:

- Step 1: Step 1 provides the original VLA and RDP conducted by the Township, with amendments made based upon comments and feedback from FSHC. This first step generates an affordable housing RDP of seventeen (17) units.
- 
- Step2: Step 2 provides a revised RDP for specific properties identified by FSHC. This generates an additional affordable housing RDP of two hundred and twenty (220) units.
- 
- Step3: Step 3 accounts for the credits generated by the Morris Commons development. Pursuant to a Settlement Agreement signed between Morris Commons, the Township, and FSHC, this accounted for fifty-two (52) affordable credits.
- 
- Step4: Finally, Step 4 calculates the RDP from the Township's components to address its prospective round obligation. This final step accounts for an affordable housing RDP of one hundred and four (104) units.

---

### Step 1: Original VLA and RDP

The original vacant land adjustment (VLA) conducted by the Township had calculated a RDP of thirty-five (35) affordable units. This original VLA can be found in Appendix A.

Subsequently, pursuant to a request from FSHC, a higher density was applied to several sites as indicated in the table below. Furthermore, due to subsequent revisions to the VLA based upon feedback and comments from FSHC, the RDP for the Morris Commons site has been addressed as a separate step.

Accordingly, Table 25 below identifies the sites which were identified by the Township's original VLA as being developable, with edits made based upon the aforementioned increased densities and separate treatment of Morris Commons.

This resulted in a RDP of **seventeen (17) affordable units**.

Table 25: Remaining Unaccounted RDP

ID	Block	Lot	Density Utilized	RDP Generation	Included in Exhibit B	Unaccounted Remaining RDP
105	11209	33	8 du/ac	5	No	5
113	11032	50.01	12 du/ac	8	No	8
121 & 122	11401	35 & 37	8 du/ac	2	No	2
226	20801	63	6 du/ac	2	No	2
397 & 398	22401	3.06 & 3.07	n/a	n/a	Yes	n/a
					Total	17

---

### Step 2: Revised VLA and RDP for Properties Specifically Identified by FSHC

Following the Township's initial VLA and RDP calculation, FSHC requested that a revised VLA and RDP calculation be conducted for specific properties which are identified in Appendix A. Pursuant to that request, this updated VLA excluded environmental buffers associated with wetland areas and category-one streams, as well as any Highlands regulatory controls.

The properties contained in Appendix A generate realistic development potential of 1,284 total units, including two hundred and twenty (220) affordable units. When added with Step 1, this increases the Township's RDP to **two hundred and thirty-seven (237) affordable units**.

---

### Step 3: Accounting for Morris Commons

The next step in calculating the Township's RDP is to account for those credits generated by the Morris Commons development. This is necessary in order to accommodate for the Morris Commons site in Step 4 as described below, which calculates a twenty percent (20%) set-aside based upon the total number of units/bedrooms to be generated for the Township's prospective round obligation.

Morris Commons accounts for fifty-four (52) credits. This subsequently and temporarily reduces the Township's RDP from two hundred and thirty-seven (237) affordable units to **one hundred and eighty-five (185) affordable units**.

Nevertheless, as shown in the following step, the RDP which would have been generated by a typical twenty percent (20%) set-aside for Morris Commons will be factored back into the Township's RDP.

---

### Step 4: Twenty Percent Set-Aside for Previous Components

The final step is to calculate a twenty percent (20%) set-aside based upon the total number of units/bedrooms to be generated for the Township's prospective round obligation. These components are identified below.

Table 26: Previously Proposed Components (Not Accounted for in Step 1)

Plan Component	Total Units/Bedrooms	Status
Morris Commons	345	Approved
The Hills by Lennar	142	Approved
Sanders Road	10	Completed
Mine Hill Properties	9	Approved
Allegro Group Home (B 21005 L 2)	4	Completed
Allies, Inc. (B 10715 L 23)	4	Completed
Habitat for Humanity (Block 21102 Lots 43-45)	2	Proposed
Total	516	

As shown, a total of five hundred and sixteen (516) total units/bedrooms is proposed for the prospective round obligation. After applying a twenty-percent (20%) set-aside, these components generate a RDP of one hundred and four (104) affordable units.

When added to the affordable housing RDP calculated in the previous steps, the Township's RDP would be adjusted to **two hundred and eight-nine (289) affordable units**.

## Section 3.3: Regional Income Limits

Dwelling units are considered affordable to very-low, low-, and moderate-income households if the maximum sales price or rental cost is within their ability to pay such costs, based on a specific formula. COAH historically provided income limits based upon the median gross household income of the affordable housing region in which the household is located. These limits are as follows:

- ❖ A moderate-income household is one with a gross household income equal to or more than 50%, but less than 80%, of the median gross regional household income.
- ❖ A low-income household is one with a gross household income equal to 50% or less of the median gross regional household income.
- ❖ Very-low income households are those with a gross household income equal to 30% or less of the median gross household income.

The Township of Rockaway is located in Region 2, which encompasses Essex, Morris, Union, and Warren Counties. The following table identifies the income limits within this region for varying household sizes.

Table 27: 2019 Affordable Housing Regional Income Limits

Income	Household Size			
	1-Person	2-Person	3-Person	4-Person
Median	\$70,537	\$80,614	\$90,691	\$100,767
Moderate	\$56,430	\$64,491	\$72,553	\$83,838
Low	\$35,269	\$40,307	\$45,345	\$52,399
Very-Low	\$21,161	\$24,184	\$27,207	\$31,439

Source: Affordable Housing Professionals of New Jersey (AHPNJ) – May 2019

# Section 4: Fair Share Plan

This section details the manner in which the Township will address its rehabilitation, prior round, and third round prospective need obligations.



## 4.1: Overview of Obligations

The following Fair Share Plan outlines the components and mechanisms the Township will utilize to address its affordable housing obligation. This obligation consists of three (3) different components, including: the Rehabilitation (Present Need) Obligation; the Prior Round Obligation; and the Third Round Prospective need Obligation. These obligations are summarized as follows:

---

### Rehabilitation (Present Need) Obligation

The Township has a Rehabilitation (Present Need) Obligation of seven (17) units. The purpose of a rehabilitation is described in greater detail later in this section.

---

### Prior Round Obligation

The Township has a Prior Round Obligation of three hundred and seventy (370) affordable units. As established by the Second Round regulations, there are minimum and maximum requirements regarding the development of rental and age-restricted units for the Prior Round Obligation. These requirements are noted below:

- ❖ Age-Restricted Units. Twenty-five percent (25%) of the Township's Prior Round Obligation may be reserved as age-restricted units. Accordingly, Rockaway may therefore age-restrict a maximum of ninety-two (92) units in the Prior Round.
- ❖ Rental Units. In addition, the Township is required to provide a minimum number of rental units; specifically, at least twenty-five percent (25%) of the Township's Prior Round Obligation must be comprised of rental units. Accordingly, Rockaway must provide at least ninety-three (93) rental units in the Prior Round.

Moreover, N.J.A.C. 5:93-5.15(d)3 limits the number of rental bonuses to the minimum required rental obligation. As such, the Township may receive a maximum of ninety-two (92) rental bonuses for the Prior Round.

---

### Third Round Obligation

The Township has a Third Round Prospective Need Obligation of five hundred and sixty-seven (567) affordable units, and a Realistic Development Potential (RDP) of two hundred and eight-nine (289). Similar minimum and maximum unit requirements as described above apply to this obligation:

- ❖ Age-Restricted Units: The Township may age-restrict a maximum of seventy-two (72) units of its RDP.
- ❖ Rental Units. The Township must provide at least seventy-three (73) rental units for its RDP. Once again, N.J.A.C. 5:93-5.15(d)3 limits the number of rental bonuses to the minimum required rental obligation. Therefore, Rockaway may receive a maximum of seventy-two (72) rental bonuses for its RDP.

## 4.2: Rehabilitation Obligation

The Township has a Rehabilitation (Present Need) Obligation of seventeen (17) units.

The purpose of a rehabilitation program is to rehabilitate substandard housing units occupied by very-low, low-, and moderate-income households. A substandard housing unit is defined as a unit with health and safety code violations that require the repair or replacement of a major system. A major system includes weatherization, a roof, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), and/or a load bearing structural system. Upon rehabilitation, housing deficiencies must be corrected, and the house must be brought up to code standard. The standard for evaluating rehabilitation activity shall be the local property maintenance code or, if none is available, the Building Officials and Code Administrators (BOCA) Property Maintenance Code in effect at the time of evaluation. The rehabilitation activity shall not include luxury improvements, the purchase of appliances (with the exception of stoves), or improvements that are strictly cosmetic. A rehabilitated unit is considered complete at the date of final inspection.

To address its rehabilitation obligation, the Township will continue its participation in the Morris County Rehabilitation Program. If it becomes necessary to supplement the Morris County program, the Township will establish a housing rehabilitation program in order to make funds available for the rehabilitation of rental units. This determination is to be made by the Township's Special Master.

## 4.3: Prior Round

As previously noted, the Township has a Prior Round Obligation of three hundred and seventy (370). There are several existing and completed mechanisms which satisfy the entirety of this Prior Round Obligation. These mechanisms are summarized in the following table. As shown, the Township currently has three hundred and seventy (370) credits accumulated to fully meet its prior round obligation.

Table 28: Prior Round Obligation

Plan Component	Total Units/Beds	Affordable Units	Status
<i>New Construction Credits</i>		123	
Green Pond Village	---	40	Completed
Pleasant View Village	---	75	Completed
Arc of Morris County (B 10402 L 49)	4	4	Completed
Lakeside Group Home (B 11205 L 5)	4	4	Completed
<i>Inclusionary Development</i>		192	
Pondview Estates	1,050	100	Under Construction
		Rental Bonus: 92	
Regional Contribution Agreement	55	55	Completed w/East Orange
<b>Total</b>		<b>370</b>	

As per the Second Round regulations, rental bonus credits may only account for twenty-five percent (25%) of the total prior round obligation. As such, while the Township has 100 affordable rental units, only ninety-two (92) bonus credits may be counted towards the prior round obligation, which leaves eight (8) bonus credits unused.

In addition, the Township entered into a memorandum of understanding (MoU) On May 1, 2012 with the United Cerebral Palsy (UCP) of Northern, Central, and Southern NJ, Inc. to provide additional operating funds of \$9,684 per year for thirty (30) years for the Lakeside Group Home. In exchange for this operating assistance, UCP agreed to place new affordability residential deed restrictions on its facility for an additional period of thirty (30) years. A copy of this MoU is provided in Appendix B.



Township of Jefferson

Pondview

Borough of Wharton

Pleasant View Village

Town of Dover

ARC

Lakeside Group Home

Morris County Housing Authority

Township of Denville

Source 1: Parcel data from NJGN Warehouse, Morris County.  
Source 2: Street data from NJ Open Data.

Dwg. Title

Prior Round Components

Project No.	Date	Drawn
3051.20	07.07.20	DN

**Legend**

Municipal Boundary

Parcels

Prior Round Components

Scale:	Dwg. No.:
1" = 2,800'	map 02

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**BURGIS ASSOCIATES, INC.**  
COMMUNITY PLANNING | LAND DEVELOPMENT AND DESIGN | LANDSCAPE ARCHITECTURE  
25 Westwood Avenue  
Westwood, New Jersey 07675

Project Title  
**2020 Housing Element and Fair Share Plan**  
TOWNSHIP OF ROCKAWAY | MORRIS COUNTY, NEW JERSEY

## 4.4: Third Round Prospective Need

Pursuant to its Settlement Agreement, the Township has a Third Round Prospective Need of five hundred and sixty-seven (567) affordable units. This is comprised of two different components, which are discussed in greater detail throughout this section.

**RDP** The Township’s RDP consists of two hundred and eighty-nine (289) affordable units. As detailed within this section, the Township proposes a total of three hundred and thirty-eight (338) credits to address its RDP.

**Unmet Need:** The Township’s unmet need, which is the difference between the Township’s total obligation of five hundred and sixty-seven (567) affordable units and the number of credits anticipated to address its RDP (three hundred and thirty-eight (338) credits. This generates an unmet need of two hundred and twenty-nine (229) units.

---

### RDP Components

The Township has a RDP of two hundred and eight-nine (289) affordable units. This RDP will be addressed as follows.

As shown, three (3) of these components are identified as “durational adjustment sites.” As established by the Settlement Agreement, the Township is entitled to a durational adjustment due to both a lack of “adequate water supply” as well as the Highlands Land Use Capability Zones which discourage development. This enables the Township to utilize overlay zones.

Component	Total Units/ Beds	Affordable Units	Status
Morris Commons	345	52	Approved
The Hills by Lennar	142	30	Under Construction
Sanders Road	10	2	Completed
Mine Hill Properties	9	2	Approved
Allegro Group Home	4	4	Completed
Allies, Inc.	4	4	Completed
Habitat for Humanity	2	2	Proposed
Rental Bonus Credits	--	62	
<b>Durational Adjustment Sites</b>			
Rockaway Mall	500	100	Proposed
Block 10202 Lots 27 and 28	201	41	Proposed
Block 11509 Lots 2, 11, and 12	192	39	Proposed
<b>Total</b>	<b>1,409</b>	<b>338</b>	

The Township can accommodate the entirety of the community's affordable housing RDP in a manner that affirmatively addresses need while at the same time maintaining the overall character of the community. Each of these sites is discussed in greater detail throughout this section.

Furthermore, the following is noted:

1. Development Fees. The Township will impose development fees as permitted by COAH's prior round rules. The funds generated by the collection of development fees will be applied directly towards any activity approved for addressing the municipal fair share. It is recognized that the Township must devote at least 30 percent of the revenues collected from development fees to render units more affordable, as per N.J.A.C. 5:93-8.16.

Development fees of one and one-half (1.5%) percent of the equalized assessed value will be collected on residential development. For non-residential development, development fees of two and one-half (2.5%) percent of the equalized assessed value will be collected.

2. Existing Housing Trust Fund. As of September 30, 2020, the Township has \$2,230,283.87 in its existing Housing Trust Fund. The Township has already contracted with third party entities to utilize its monies in a manner consistent with the Fair Housing Act and COAH's regulations. These entities include:
  - a. A memorandum of understanding with United Cerebral Palsy (UCP) of Northern, Central, and Southern NJ, Inc., in which the Township will provide UCP with additional operating funds of \$9,684 per year for thirty (30) years for its special needs home in the Township. In exchange for this operating assistance, UCP agreed to place new affordable residential deed restrictions (which expired in 2014) on its facility for an additional thirty (30) years (see Appendix B, authorized by Resolution Number 12-92),
  - b. A partnership with the New Jersey Housing Mortgage Finance Agency (HMFA) and Department of Human Services (DHS), in which the Township committed \$389,359.35 for the acquisition and rehabilitation of special needs housing within the Township (see Appendix C, authorized by Resolution Number 12-85)



Source 1: Parcel data from NJGIN Warehouse, Morris County.  
 Source 2: Street data from NJ Open Data.

Dwg. Title		Project No.	Date	Drawn	<b>Legend</b>  Municipal Boundary  Parcels  RDP Components
RDP Components		3051.20	07.13.20	DN	
<b>BURGIS ASSOCIATES, INC.</b> COMMUNITY PLANNING   LAND DEVELOPMENT AND DESIGN   LANDSCAPE ARCHITECTURE 25 Westwood Avenue Westwood, New Jersey 07675 p: 201.666.1811 f: 201.666.2599	Project Title	Scale:	Dwg. No.:		
	2020 Housing Element and Fair Share Plan	1" = 3,000'	map 03		
TOWNSHIP OF ROCKAWAY   MORRIS COUNTY, NEW JERSEY		2020 COPYRIGHT BA - NOT TO BE REPRODUCED			

### Morris Commons

The Morris Commons site is located in the southeasterly portion of the Township, at the terminus of Commons Way. It has an area of 45.1788 acres, and is comprised of two separate lots:

- ❖ Lot 3.06 has an area of 32.83 acres and is irregular in shape. It fronts along Commons Way for approximately 350 feet, and has a depth that varies from approximately 750 feet to 1,800 feet.
- ❖ Lot 3.07 has an area of 20.34 acres and is irregular in shape. It fronts along Commons Way for approximately 600 feet, and has a depth that varies from approximately 750 feet to 1,500 feet.

Once completed, the Morris Commons development consist of three hundred and forty-five (345) total units, of which forty (40) units will be set-aside for very-low, low- and moderate-income households. Of those forty (40) units, ten (10) are required to be marketed as non-age restricted "alternative living arrangements" to be made available to supportive-needs tenants.

The history of this development is discussed in greater detail on the following pages.

Map 4: Morris Commons (1" = 600')



The development history of Morris Commons can be traced back to 2005. Specifically, at the request of the property owner, the Township's 2005 Housing Element and Fair Share Plan (HE&FSP) initially identified a portion of the Morris Commons tract (Lot 3.06) as a potential site to address the Township's affordable housing growth share obligation. In March 2007, the applicant followed up on the rezoning request and was notified by the Township that the rezoning had been delayed due to pending changes to COAH's regulations.

In June 2007, the applicant altered its original request and subsequently requested that the Township consider rezoning both Lots 3.06 and 3.07 for multi-family use with an affordable housing set-aside. In a letter dated August 24, 2007, the Township attorney advised the applicant that the rezoning would not be introduced immediately due to the Township's concerns regarding changes to COAH's regulations, as well as litigation regarding the Pondview Estates development.

Subsequently, in November 2007, after COAH dismissed Rockaway's petition for substantive certification, the applicant filed a builder's remedy lawsuit against the Township. A Special Master was appointed by the Court at the specific request of Morris Commons, LLC.

During and independent of this builder's remedy litigation, the applicant filed a bifurcated use variance application to construct 362 units on the subject site, of which 20% were to be affordable. The application was modified during the proceedings in front of the Zoning Board of Adjustment to 300 units. This application was originally denied by the Zoning Board of Adjustment on October 16, 2012. However, this decision was reversed by Judge Thomas L. Weisenbeck, who ordered a remand of the matter to the Board for the purpose of granting the requested relief and the imposition of conditions of approval. Three hundred (300) units were ultimately approved, of which twenty percent (20%) or sixty (60) units were to be reserved as affordable housing units.

Subsequently, citing economic impracticalities, Morris Commons, LLC requested that the Township consider rezoning the property to permit for an amended site plan design. Following several months of mediation, the Township and the applicant reached an agreement regarding the proposed rezoning request. This was formalized in a settlement agreement, which was adopted by resolution R-17-186 by the Rockaway Township Council at their regular meeting held on September 12, 2017.

A draft ordinance (O-18-05) effectuating the rezoning as specified in the Settlement Agreement was introduced by the Rockaway Township Council at their regularly meeting held on January 11, 2018. It was subsequently referred to the Planning Board for its review pursuant to NJSA 40:55D-26. The Planning Board reviewed the draft ordinance at its regularly scheduled hearing held on February 2, 2018 and reported no issues. The ordinance was then subsequently adopted by the Rockaway Township Council at their regularly scheduled meeting held on March 13, 2018. Following this adoption, Morris Commons submitted a site plan application to the Planning Board which was approved on July 16, 2018.

FSHC subsequently objected to the terms of this agreement by letter dated June 15, 2018, arguing that the proposed 11.6% set-aside was too low and requesting that the Court reject the agreement. Morris Commons and FSHC thus engaged in initial negotiations regarding potential settlement of this objection. Ultimately, and pursuant a May 21, 2019 Settlement Agreement between the Township, Morris Commons, and FSHC, Morris Commons intends to finance, build, own, and manage a total of 40 affordable units in compliance with the Uniform Housing Affordability Controls (UHAC). Morris Commons agrees that ten (10) of these forty (40) affordable units shall be required to be marketed as non-age restricted “alternative living arrangements” to be made available to supportive-needs tenants. The following is noted:

- ❖ Since affordable housing credits are awarded for each bedroom in supportive-needs facilities resulting in additional credits (as compared to traditional affordable housing which receives credit based upon the entire unit), Morris Commons agrees that it shall designate eight (8) two-bedroom affordable units and two (2) three-bedroom affordable units to be marketed and leased as supportive units to supportive-needs providers or facilities. If these units are leased to supportive-needs providers or facilities, the Township would receive twenty-two (22) credits for the supportive units (as compared to ten (10) credits when leased as affordable housing units). Morris Commons shall lease five (5) of the supportive units as moderate-income units, and five (5) of the supportive units as low-income units.
- ❖ Morris Commons shall advertise, market, and otherwise use commercial reasonable diligent efforts to lease the supportive units to supportive needs providers or facilities reasonably acceptable to Morris Commons.
- ❖ Morris Commons shall not be obligated to provide on-site facilities or support personnel or staff, other than its ordinarily retained property management and leasing staff, among which staff Morris Commons agrees to designate an “on-site supportive units coordinator” to coordinate the leasing and operations of the supportive units with any supportive needs provider or facility that succeeds in leasing supportive units at the project
- ❖ If despite using commercially reasonable efforts to market and lease the supportive units over a period of not less than twelve (12) months from the date on which Morris Commons commences its affordable housing marketing program, one or more of the supportive units are not leased to supportive needs providers or facilities, Morris Commons may lease those units to qualified affordable housing unit tenants in the ordinary course.

In the event that Morris Commons is unable to lease the supportive units to supportive-needs providers or facilities, the Township shall only be entitled to ten(10) credits from the designated units. The Township will also be responsible to replace the eliminated supportive unit credits with either similar alternative housing or supportive needs housing or with new family rental units, but only to the extent the additional twelve (12) credits are necessary for the Township to satisfy its RDP.

The Hills by Lennar

The Hills by Lennar site is located in the southeasterly portion of the Township, at the terminus of Commons Way. The site is identified by municipal tax records as Block 22401 Lot 1.01. It has an area of 51.155 acres and is irregularly shaped. It fronts along Green Pond Road for approximately 228 feet, and has a width of nearly 1,900 feet along its rear lot line.

This site is currently under construction. Once completed, it will consist of one hundred and forty-two (142) total units, of which thirty (30) will be set-aside for very-low, low-, and moderate-income households.

The history of this development is discussed in greater detail on the following page.

Map 5: The Hills by Lennar (scale: 1" = 600')



This site has received a number of approvals from the Township. It was initially approved as an age restricted residential development consisting of one hundred and eighty-eight (188) units. Subsequently, after passage of NJSA 45:22A-46.3 by the New Jersey Legislature, the property was approved as a conversion wherein the age restriction was lifted. The applicant then received approval for a multifamily residential development consisting of one hundred and forty (140) units, including twenty-eight (28) affordable units. The entirety of these units were to be contained in a single apartment building.

Most recently, the development received amended site plan approval to convert the aforementioned apartment building into a townhouse layout. As a result of this approval, the overall number of units has increased from one hundred and forty (140) to one hundred and forty-two(142), while the number of affordable housing units increased from twenty-eight (28) to thirty (30). This development is presently under construction.

### Sanders Road

The Sanders Road site is located at the corner of Sanders Road and Green Pond Road. It is identified by municipal tax records as Block 22102 Lot 7. It was approved in 2009 for the development of ten (10) multifamily units, including two (2) affordable housing units. The development has since been constructed.

Map 6: Sanders Road (scale: 1" = 300')



Mine Hill Properties

The Mine Hills development is located in the southwest portion of the Township along Richard Mine Road. The site is identified by municipal tax records as Block 11408 Lot 2 and Block 11409 Lot 2. It has an area of 22.3 acres, with approximately 940 feet of frontage on Richard Mine Road and a depth of nearly 1,200 feet.

The site received revised major subdivision approval to construct nine (9) residential dwellings lots, including two (2) lots which were to be set aside as affordable units. One residential structure has since been built.

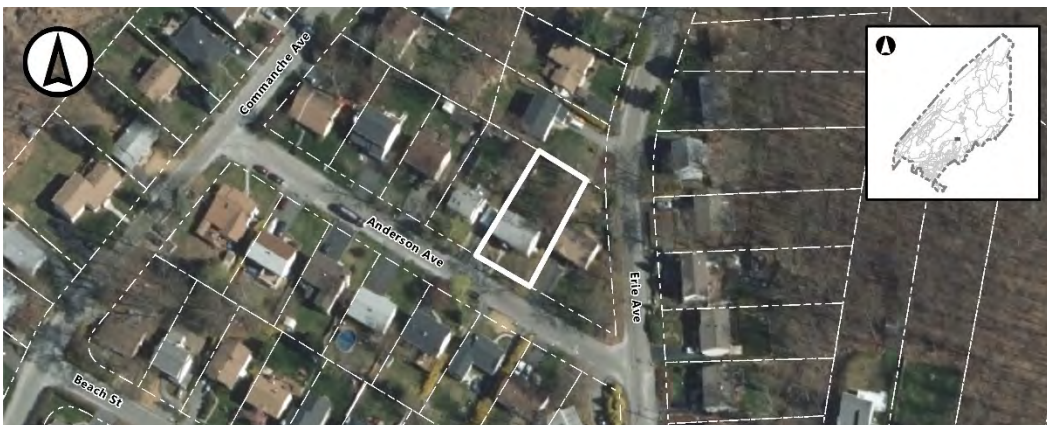
Map 7: Mine Hill Properties (scale: 1" = 800')



Allegro Group Home

This home is located at 10 Anderson Avenue (Block 21005 Lot 2) and contains four (4) bedrooms. It serves people with autism/PDD (Pervasive Developmental Disabilities) and is licensed through the New Jersey Department of Human Services, Division of Developmental Disabilities.

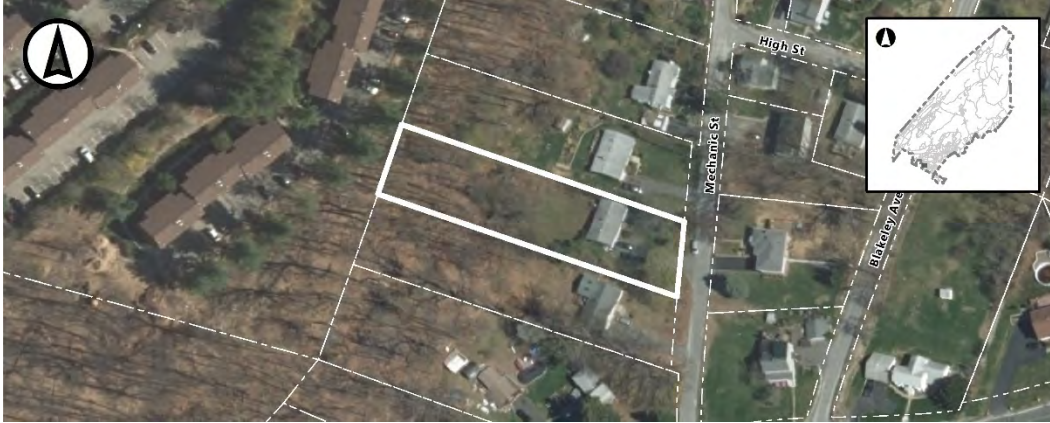
Map 8: Allegro Group Home (scale: 1" = 200')



Allies, Inc.

This home is located at 5 Mechanic Street (Block 10715 Lot 23) and contains four (4) bedrooms. It serves individuals with developmental disabilities.

Map 9: Allies, Inc. (scale: 1" = 200')



Habitat for Humanity

The Township owns three (3) properties along Valley View Drive which are identified by municipal tax records as Block 21102 Lots 43, 44, and 45. These properties comprise a total of approximately one and one-half (1.5) acres.

The Township proposes partnering with Habitat for Humanity or a similar nonprofit to develop two (2) affordable dwellings on this site. As an alternative, the Township could potentially partner with another nonprofit for a one hundred percent (100%) affordable housing development, which could potentially be a group home. Under this scenario, the Township would be eligible to receive additional credits.

Map 10: Habitat for Humanity (scale: 1" = 250')



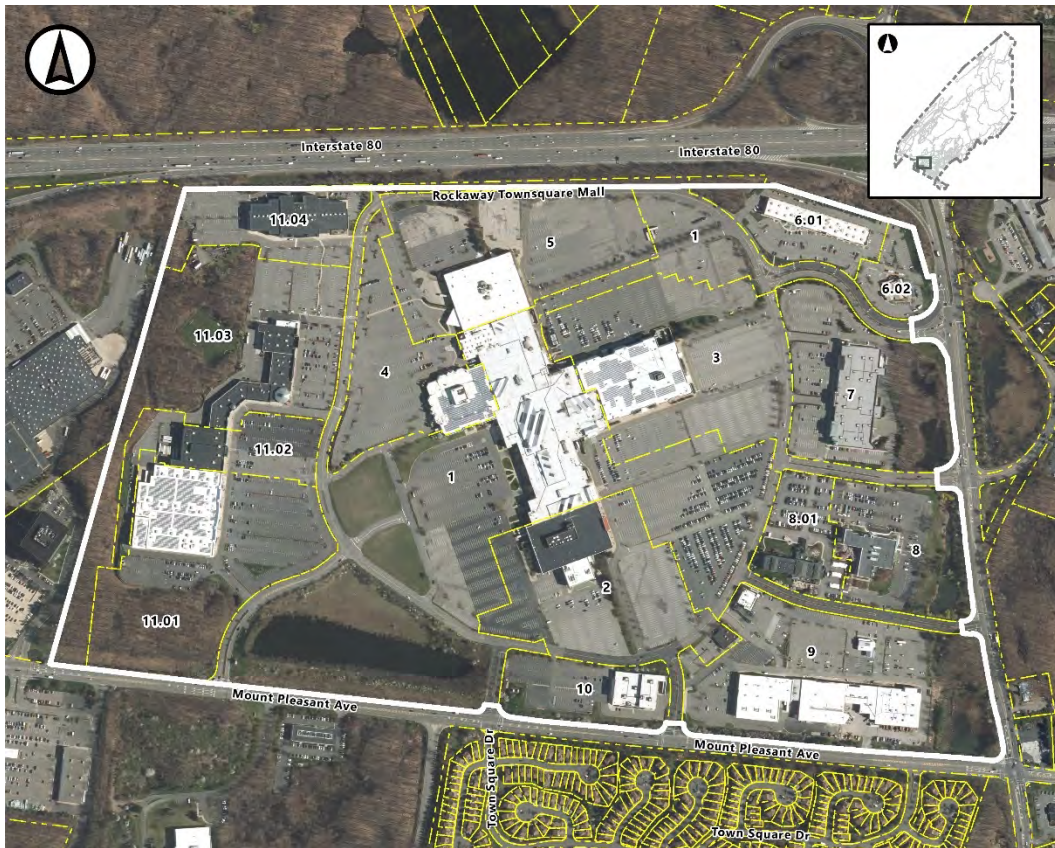
Rockaway Mall Area

The Rockaway Mall Area is located in the southerly portion of the Township, to the south of Interstate Route 80. The site has a total area of approximately two hundred and twenty-two (222) acres and consists of Block 11001 Lots 1, 2, 3, 4, 5, 6.01, 6.02, 7, 8, 8.01, 9, 10, 11.01, 11.02, 11.03, and 11.04.

The Township intends to create a mixed-use overlay zone with nonresidential uses required on the ground floor and residential dwellings located on the upper stories. Parking garages for both residents and customers will also be permitted. In order to promote a greater degree of flexibility for this tract, an overall tract density of 2.2 units per acre is proposed. This density was arrived at identifying potential redevelopment areas in the tract and applying a density of approximately twelve (12) units per acre for those areas.

With an overall tract density of 2.2 units per acre, it is anticipated that this site could potentially accommodate a total of five hundred (500) units, including one hundred (100) affordable units.

Map 11: Rockaway Townsquare Mall (scale: 1" = 1,000')



Block 10202 Lots 27 and 28

Block 10202 Lots 27 and 28 are located within the southern-most tip of the Township, along the southerly side of Route 46. The site has a combined area of approximately 21.26 acres and is irregular in shape. Lot 27 is presently developed with two (2) large strip commercial buildings and associated parking areas, while Lot 28 is developed with a smaller strip commercial building and an associated parking area.

The Township intends to create a mixed-use overlay zone with nonresidential uses required on the ground floor and residential units on the upper stories. This overlay will establish a density of nine and one-half (9.5) units per acre, which would enable the development of two hundred and one (201) total units including forty-one (41) affordable units.

Map 12: Block 10202 Lots 27 and 28 (scale: 1" = 750')



Block 11509 Lots 2, 11, and 12

Block 11501 Lots 2, 11, and 12 are located in the southwesterly portion of the Township, near the intersection of Route 15 and Richard Mine Road. The lots are presently developed with industrial buildings and associated parking and loading areas. The Township intends to create an overlay zone which would permit a density of ten (10) units per acre. This density would enable the development of one hundred and ninety-two (192) total units, including thirty-nine (39) affordable units.

Map 13: Block 11509 Lots 2, 11, and 12 (scale: 1" = 600')



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### Unmet Need Components

As previously noted, the Township has an unmet need of two hundred and twenty-nine (229) affordable units. The Township plans to partially address its unmet need with the following components, which are discussed in greater detail throughout the remainder of this section.

Overlay Zone	Area (ac)	Density (du/ac)	Total Units	Affordable Units
Block 11116 Lot 43	0.85	12	10	2
Block 11501 Lot 39	5.65	12	67	14
Pawnee Avenue Corridor	1.35	15	20	4
Route 46/Highlands Ave	3.71	15	56	12
Total			153	32






Source 1: Parcel data from NJGIN Warehouse, Morris County.  
 Source 2: Street data from NJ Open Data.

Dwg. Title  
**Unmet Need Components**

Project No.	Date	Drawn
3051.20	07.13.20	DN

**Legend**

-  Municipal Boundary
-  Parcels
-  Unmet Need Components

**BURGIS ASSOCIATES, INC.**  
 COMMUNITY PLANNING | LAND DEVELOPMENT AND DESIGN | LANDSCAPE ARCHITECTURE  
 25 Westwood Avenue  
 Westwood, New Jersey 07675  
 p: 201.666.1811  
 f: 201.666.2599

Project Title  
**2020 Housing Element and Fair Share Plan**  
 TOWNSHIP OF ROCKAWAY | MORRIS COUNTY, NEW JERSEY

Scale:	Dwg. No.:
1" = 3,000'	map 04

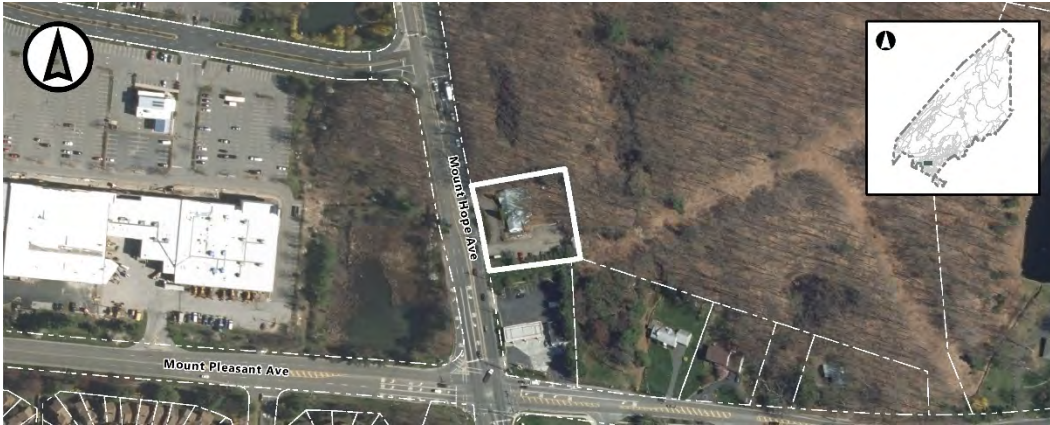
2020 COPYRIGHT BA - NOT TO BE REPRODUCED

Block 11116 Lot 43

Block 11116 Lot 43 is located in the southerly portion of the Township, near the intersection of Mount Hope Ave and Mount Pleasant Ave. It is presently developed with a vacant former day care center.

The Township will adopt an overlay zone for this site which will permit a density of twelve (12) units per acre. This will enable the site to potentially accommodate a total of ten (10) units, including two (2) affordable units.

Map 15: Block 1116 Lot 43 (scale: 1" = 400')



Block 11501 Lot 39

Block 11501 Lot 39 is located in the southwesterly portion of the Township, near the intersection of Route 15 and Hawk Drive. It is presently developed with a landscaping business/nursery.

The Township will adopt an overlay zone for this site which will permit a density of twelve (12) units per acre. This will enable the site to potentially accommodate a total of sixty-seven (67) units, including fourteen (14) affordable units.

Map 16: Block 11501 Lot 39 (scale: 1" = 400')



Pawnee Avenue Corridor

The Pawnee Avenue corridor is located in the easterly portion of the Township, within the White Meadow Community. It is presently developed with a variety of different commercial land uses, as well as vacant buildings and vacant lots. It is comprised of Block 21502 Lots 7, 9, 11, 12, 14, 19, 20, 21, and 22. The Township will adopt an overlay zone for this site which will permit a density of fifteen (15) units per acre. This will enable the site to potentially accommodate a total of twenty (20) units, including four (4) affordable units.

Map 17: Pawnee Avenue Corridor (scale: 1" = 225')

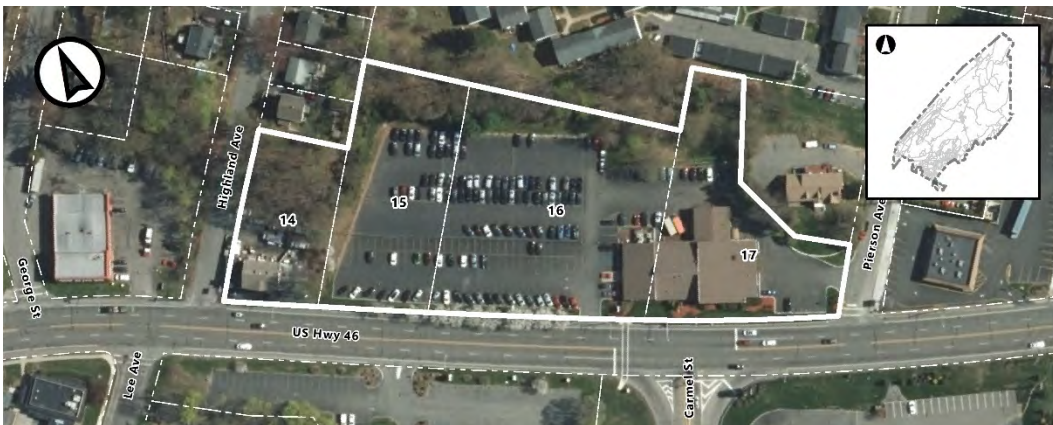


Route 46/Highlands Avenue

The Route 46/Highlands Avenue site is located in the southeasterly corner of the Township, near the corner of Route 46 and Highland Avenue. It is comprised of four (4) separate properties which are identified by municipal tax records as Block 10303 Lots 14, 15, 16, and 17. The majority of the site is utilized as a parking lot for an auto sales establishment. Lot 14 is developed with a small retail building.

The Township will adopt an overlay zone for this site which will permit a density of fifteen (15) units per acre. This will enable the site to potentially accommodate a total of fifty-six (56) total units including twelve (12) affordable units.

Map 18: Route 46/Highlands Avenue (scale: 1" = 225')



Block 11116 Lot 42 (Makor)

Block 11116 Lot 42 is located in the southerly portion of the Township, to the immediate east of the Rockaway Townsquare Mall. The site has an area of approximately 33.07 acres and is undeveloped.

The Township will overlay zone this property for a one hundred percent (100%) affordable housing development. Specifically, the Township will work with the owner and any potential nonprofit developer to enable the development of one hundred (100) affordable family rental units. Although the Township will cooperate and assist the owner or non-profit developer in realizing this one hundred (100) unit one hundred percent (100%) affordable housing development, including, without limitation, working to obtain a Highlands exemption to allow the construction of the project, the Township will not guarantee the funding for such acquisition or construction.

Map 19: Block 11116 Lot 42 - Makor (scale: 1" = 500')



### Mandatory Set-Aside Ordinance

In 2008, the New Jersey Fair Housing Act at N.J.S.A. 52:27D-329.9(a) was amended to require that developments consisting of newly-constructed residential units located within the Highlands Region reserve at least 20 twenty-percent (20%) of the new residential units for occupancy by low- and moderate-income households, to the extent this is economically feasible.

The balance of the Township's unmet need shall be addressed by the adoption of a mandatory set-aside ordinance, which shall be consistent with the above-referenced New Jersey Fair Housing Act amendment. The mandatory set-aside ordinance shall require a minimum twenty-percent (20%) set-aside for all affordable housing on all new multi-family residential developments of five (5) or more dwelling units. This requirement will ensure that any new residential development in Rockaway will provide for its fair share of affordable units while also assisting with the Township's continuous efforts to address its affordable housing obligation.

This provision will not affect residential development on sites that are zoned for inclusionary development as part of the Township's Housing Element and Fair Share Plan, which are subject to the affordable housing set-aside requirements set forth in the applicable zoning.

### Additional Provisions

In addition to the aforementioned components, the Settlement Agreement identifies the following mechanisms which the Township will adopt to address its affordable housing obligation.

- ❖ The Township agrees to require thirteen percent (13%) of all affordable units referenced in its compliance plan, with the exception of units constructed or granted site plan approval prior to July 1, 2008, to be afforded to households earning thirty percent (30%) or less of the regional median income, with half of the very low income units being available to families.
- ❖ At least fifty percent (50%) of the units addressing the Township's Third Round obligation shall be affordable to very low- and low-income households, with the remainder to be affordable to moderate income households.
- ❖ At least twenty-five percent (25%) of the Township's Third Round RDP and Unmet Need shall be met through rental units, including at least at least half in rental units available to families.
- ❖ At least half of the units addressing the Third Round RDP and unmet need in total must be available to families.
- ❖ No more than twenty-five percent (25%) of the affordable units in the Township's Third Round Plan shall be age-restricted.
- ❖ Rental bonuses shall be calculated in accordance with COAH's Second Round rules at NJAC 5:93-5:15(d) and shall not exceed the minimum rental obligation.

- ❖ The Township agrees to add FSHC and various other housing organizations to its affirmative marketing contact list.
- ❖ All affordable housing units created pursuant to the Settlement Agreement will comply with UHAC rules, with the exception that in lieu of ten percent (10%) of affordable units in rental projects being required to be at thirty-five percent (35%) of median income, thirteen percent (13%) of affordable units in rental projects shall be affordable to households earning thirty percent (30%) of median income.
- ❖ The Township will comply with the bedroom distribution requirements set forth in 5:80-26.3 of UHAC
- ❖ The Township prepare, adopt, and endorse a new Housing Element and Fair Share Plan (HE&FSP) which shall incorporate a spending plan.



# Appendices

Appendix A:  
Original VLA and RDP

The Township has a realistic development potential (RDP) of **two hundred and eight-nine (289) affordable units**, which was calculated through the following steps.

Table 29: Summary of RDP Calculation

Steps	RDP
Step 1: Original RDP	+ 17
Step 2: Revised RDP for Specific Properties Identified by FSHC	+ 220
Step 3: Accounting for Morris Commons Affordable Credits	- 52
Step 4: Plus RDP from Other Components to Address Prospective Round	+ 104
Total	289

Accordingly, the remainder of this exhibit is organized as follows:

1. Step 1 provides the original VLA and RDP conducted by the Township, with amendments made based upon comments and feedback from FSHC.
2. Step 2 provides a revised RDP for specific properties identified by FSHC.
3. Step 3 accounts for the credits generated by the Morris Commons development.
4. Step 4 calculates the RDP from the Township's components to address its prospective round obligation.

## Step 1: Original VLA and RDP

The following vacant land adjustment was originally conducted for the Township. As shown, the properties contained in the following table generate realistic development potential of 1,284 total units, including two hundred and twenty (220) affordable units. When added with Step 1, this increases the Township's RDP to **two hundred and thirty-seven (237) affordable units**.

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
1	10001	4	TILCON NEW YORK INC	1.48	No	Does not contribute to RDP. Inadequate lot geometry. Contains powerlines.	0.00	No
2	10002	1	ROCKAWAY TOWNSHIP	58.93	No	Does not contribute to RDP. No EAS/FSSA access. Entirety of site is located in the Preservation Zone. Environmental constraints: Wetlands/Buffers, C-1 Stream/Buffer, 100 Year Flood Zone, Steep Slopes.	12.21	No
3	10002	2	BREEN CAPITAL HOLDING%TAX SERV, LLC	25.73	No	Does not contribute to RDP. No EAS/FSSA access. Entirety of site is located in PZ. Environmental constraints: Wetlands/Buffer, C-1 Buffer, Steep Slopes.	7.68	No
4	10101	26	GORMAN, ETHEL	0.40	FSSA Partial	Does not contribute to RDP. Does not meet minimum area requirement.	0.40	No
5	10101	30.03	NJ DEPT OF TRANSPORTATION	0.36	No	Does not contribute to RDP. NJDOT easement. Fully constrained with Wetlands/Wetlands Buffer, 100 Year Flood Zone, C-1 Stream/Buffer. Does not meet minimum lot area requirement.	0.00	No
6	10101	31	HOWMET CAST & SERV INC % ALOCA INC	9.27	FSSA Partial	Does not contribute to RDP. Entirely constrained by 100 Year Flood Zone, Wetlands/Wetlands Buffer, C-1 Streams/Buffer.	0.00	No
7	10101	32	HOWMET CAST SERV INC % ALOCA INC	12.57	FSSA Partial	Does not contribute to RDP. Entirely constrained by 100 Year Flood Zone, Wetlands/Wetlands Buffer, C-1 Streams/Buffer.	0.00	No
8	10101	33	ASSESSED IN DENVILLE	1.31	No	Does not contribute to RDP. No EAS/FSSA access. Entirely constrained by Wetlands/Wetlands Buffer, C-1 Stream/Buffer, 100 Year Flood Zone	0.00	No
9	10101	35	ASSESSED IN DENVILLE	0.52	FSSA Partial	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Wetlands/Wetlands Buffer, 100 Year Flood Zone, C-1 Buffer.	0.00	No
10	10101	6	ROCKAWAY TOWNSHIP	0.07	FSSA	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Wetlands Buffer.	0.00	No
11	10202	32	ANALAN, INC % FIORE, ANNA	0.36	FSSA	Does not contribute to RDP. When combined with Block 30502 Lot 103.01 (common ownership), does not meet minimum area requirement. Environmental constraints: 100 Year Flood Zone.	0.27	No
12	10202	35	COUNTY OF MORRIS TRANSPORTATION	0.43	FSSA	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer, 100 Year Flood Zone.	0.00	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
13	10202	46	EAST BLACKWELL STREET LLC	0.50	FSSA	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Wetlands Buffer, 100 Year Flood Zone, C-1 Buffer.	0.00	No
14	10202	47	COUNTY OF MORRIS TRANSPORTATION	2.89	FSSA Partial	Does not contribute to RDP. Railroad ROW.	0.00	No
15	10202	48	DOVER UE LLC	9.79	No	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Wetlands/Wetlands Buffer, Steep Slopes, 100 Year Flood Zone, C-1 Buffer.	0.00	No
16	10202	49	ANALAN, INC % FIORE, ANNA	0.16	FSSA	Does not contribute to RDP. When combined with Block 30502 Lot 103.01 (common ownership), does not meet minimum area requirement. Environmental constraints:	0.04	No
17	10202	50	BIANCO, ARCHANGEL & CELESTE	0.61	FSSA	Not developable. Inadequate lot geometry.	0.00	No
18	10301	15	UNKNOWN	0.08	EAS	Does not contribute to RDP. Does not meet minimum area requirement.	0.08	No
19	10301	18.02	KENNEY, JOHN JR & MARGARET	4.60	FSSA	Does not contribute to RDP. Property contains an abandoned iron mine, pursuant to 1992 DOL Report	3.77	No
20	10305	14	UNKNOWN	0.06	EAS	Does not contribute to RDP. Does not meet minimum area requirement.	0.06	No
21	10305	22	UNKNOWN	0.04	EAS	Does not contribute to RDP. Does not meet minimum area requirement.	0.04	No
22	10402	65	TALMADGE, WILLIAM M	0.96	No	Does not contribute to RDP. Only 1,773.97 square feet is in FSSA. Remainder of site is in ECECSZ. Environmental constraints: Steep Slopes.	0.50	No
23	10402	66	TALMADGE, WILLIAM M	0.91	No	Does not contribute to RDP. No EAS/FSSA access. Entirety of site is in ECECSZ. Environmental constraints: Steep Slopes.	0.37	No
24	10402	71.08	LANDMARK HOMES LLC	0.27	FSSA	Does not contribute to RDP. Does not meet minimum area requirement.	0.27	No
25	10501	154.15	HERRICK HILLS HOA, INC C/O FRIEDEL	0.76	FSSA Partial	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 31,304.79 square feet is constrained.	0.04	No
26	10601	41	ROCKAWAY ASSOC LTD % MAZZIE, C	4.91	No	Does not contribute to RDP. No EAS/FSSA access. Completely constrained by Wetlands/Wetlands Buffer.	0.00	No
27	10601	42	ROCKAWAY ASSOC LTD % MAZZIE, C	0.29	No	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Wetland Buffer.	0.00	No
28	10601	44	ROCKAWAY TOWNSHIP	0.10	FSSA	Does not contribute to RDP. Entirely constrained by Wetlands Buffer, Steep Slopes. Does not meet minimum area requirement.	0.00	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
29	10601	46	TALMADGE, WILLIAM	0.30	No	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Wetland Buffer.	0.00	No
30	10610	6	KASKO, KEVIN D & TRACIE HEMINGWAY	0.17	EAS	Does not contribute to RDP. Does not meet minimum area requirement.	0.17	No
31	10611	1	BRUECHE, BRUCE JR & SUZANNE	0.24	FSSA Partial	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer, 100 Year Flood Zone.	0.00	No
32	10611	2	ROCKAWAY TOWNSHIP	0.18	No	Does not contribute to RDP. Entirely constrained by Wetlands/Wetlands Buffer, Flood Hazard Area.	0.00	No
33	10701	2	INAGUASO, GLORIA & CABRARA, ANTONIO	0.37	No	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer, 100 Year Flood Zone, Wetlands/Wetlands Buffer.	0.00	No
34	10706	22	MORAN, KAREN E	0.49	FSSA	Does not contribute to RDP. Environmental constraints: 100 Year Flood Zone. Approximately 3,217.51 square feet is constrained.	0.42	No
35	10706	24	UNKNOWN	0.10	FSSA	Does not contribute to RDP. Does not meet minimum area requirement.	0.10	No
36	10707	6	CRAIG, DAVID & PETER	1.58	No	Does not contribute to RDP. Entirely constrained by Wetlands/Wetlands Buffer, 100 Year Flood Zone.	0.00	No
37	10708	13	LYONS, CHRISTINE FRAZELL ET AL	0.30	No	Does not contribute to RDP. Does not meet minimum lot area requirement. Environmental constraints: Wetlands/Wetlands Buffer.	0.00	No
38	10708	19	LATO, NICOLA S % LATO, BENJAMIN	0.21	FSSA	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Wetlands Buffer.	0.00	No
39	10708	22	CRAIG, DAVID & PETER	2.57	FSSA Partial	Does not contribute to RDP Analysis. Entirely constrained by Wetlands/Wetlands Buffer, 100 Year Flood Zone.	0.00	No
40	10708	4.01	JRV INVESTMENTS LLC	0.15	EAS	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Wetland Buffer.	0.00	No
41	10708	47.02	STRUBLE, JACQUELYN A & NANCY L	0.44	FSSA	Does not contribute to RDP. When combined with Block 10708 Lot 47.02 (common ownership), does not meet minimum area requirement due to environmental constraints: Steep Slopes, Wetland Buffer.	0.04	No
42	10708	47.03	STRUBLE, JACQUELYN A & NANCY L	0.50	FSSA	Does not contribute to RDP. When combined with Block 10708 Lot 47.02 (common ownership), does not meet minimum area requirement due to environmental constraints: Steep Slopes, Wetland Buffer.	0.08	No
43	10708	48	UNKNOWN	0.22	FSSA	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Steep Slopes, Wetlands Buffer.	0.00	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
44	10708	6	RAO, GOPAL U	0.30	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum lot area requirement. Environmental constraints: Wetlands/Wetlands Buffer.	0.00	No
45	10709	3	DOYLE BROTHERS CONST	0.23	No	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Wetland Buffer.	0.00	No
46	10711	7	DOVER-MT HOPE-PCTNNY BUS	0.29	FSSA	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 1,884.49 square feet is constrained.	0.25	No
47	10713	2	NIEVES, JOANNA	0.13	EAS	Does not contribute to RDP. Does not meet minimum area requirement.	0.13	No
48	10715	10	PLEWA, KRZYSZTOF & JOSEFA	0.44	FSSA Partial	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 11,780.78 square feet is constrained.	0.17	No
49	10715	20	ROCKAWAY TOWNSHIP	5.58	No	Does not contribute to RDP. No EAS/FSSA access. Entirety of site is in ECECSZ. Environmental constraints: Steep Slopes. Approximately 225,325.83 square feet is constrained.	0.40	No
50	10715	27	GARIE, BRADLEY J	0.41	FSSA Partial	Does not contribute to RDP. Does not meet minimum area requirement.	0.41	No
51	10715	8	PLEWA, KRZYSZTOF & JOSEFA	0.63	FSSA Partial	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 13,377.42 square feet is square feet is constrained.	0.32	No
52	10715	9	ROCKAWAY TOWNSHIP	3.79	No	Does not contribute to RDP. No EAS/FSSA access. Entirety of site is in ECECSZ. Environmental constraints: Steep Slopes. Approximately 146,719.70 square feet is constrained.	0.42	No
53	10801	32	ROCKAWAY TOWNSHIP	10.01	FSSA Partial	Does not contribute to RDP. FSSA only in NJP&L ROW. Remainder of site is in ECECSZ. FSSA unlikely to be expanded to support development. Environmental constraints: Wetlands/Buffer	2.00	No
54	10801	35.01	FIRST REAL ESTATE INV C/O HEKEMAIN	0.60	FSSA Partial	Does not contribute to RDP. When combined with Block 10801 Lot 35.01 (common ownership), does not meet minimum area requirement due to environmental constraints: Wetlands/Wetlands Buffer.	0.41	No
55	10801	35.02	FIRST REAL ESTATE INV C/O HEKEMAIN	0.55	FSSA	Does not contribute to RDP. When combined with Block 10801 Lot 35.01 (common ownership), does not meet minimum area requirement due to environmental constraints: Wetlands/Wetlands Buffer.	0.00	No
56	10802	32	BNE INVESTORS IX LLC	0.46	FSSA	Does not contribute to RDP. Entirely constrained by Wetlands/Wetlands Buffer.	0.00	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
57	10802	32.01	688 CONSTRUCTION CO LLC	0.46	FSSA	Does not contribute to RDP. Entirely constrained by Wetlands/Wetlands Buffer.	0.00	No
58	10802	32.11	STERLING ACQUISITIONS GRP LLC	0.45	FSSA	Does not contribute to RDP. Entirely constrained by Wetlands/Wetlands Buffer.	0.00	No
59	10802	33.02	<Null>	0.56	FSSA	Does not contribute to RDP. Approved as the Stratton Woods Development. Developer's Agreement was signed. Site work has begun on the property.	0.56	No
60	10802	33.03	<Null>	0.43	FSSA	Does not contribute to RDP. Approved as the Stratton Woods Development. Developer's Agreement was signed. Site work has begun on the property.	0.43	No
61	10802	33.04	<Null>	1.14	FSSA	Does not contribute to RDP. Approved as the Stratton Woods Development. Developer's Agreement was signed. Site work has begun on the property.	0.06	No
62	10802	34.01	<Null>	1.30	FSSA	Does not contribute to RDP. Approved as the Stratton Woods Development. Developer's Agreement was signed. Site work has begun on the property.	0.02	No
63	10802	34.02	<Null>	0.99	FSSA	Does not contribute to RDP. Approved as the Stratton Woods Development. Developer's Agreement was signed. Site work has begun on the property.	0.00	No
64	10802	34.03	<Null>	0.59	FSSA	Does not contribute to RDP. Approved as the Stratton Woods Development. Developer's Agreement was signed. Site work has begun on the property.	0.41	No
65	10802	34.04	<Null>	0.54	FSSA	Does not contribute to RDP. Approved as the Stratton Woods Development. Developer's Agreement was signed. Site work has begun on the property.	0.54	No
66	10802	34.05	<Null>	0.93	FSSA	Does not contribute to RDP. Approved as the Stratton Woods Development. Developer's Agreement was signed. Site work has begun on the property.	0.83	No
67	10802	34.06	<Null>	4.08	FSSA	Does not contribute to RDP. Approved as the Stratton Woods Development. Developer's Agreement was signed. Site work has begun on the property.	1.47	No
68	10802	36.01	SKYVIEW @ ROCKAWAY LLC	1.05	No	Does not contribute to RDP. Entirely constrained by Wetlands/Wetlands Buffer.	0.00	No
69	10802	36.06	SKYVIEW @ ROCKAWAY ASSOC. LLC	0.13	FSSA Partial	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 2,151.85 square feet is constrained.	0.08	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
70	10802	44	WEISBERG, R & LOUCKS, T & J	0.81	EAS	Not developable. Inadequate lot geometry. Environmental constraints: Steep Slopes. Approximately 17,155.60 square feet is constrained.	0.42	No
71	10901	6.01	JCPL % TAX DEPT	1.51	FSSA Partial	Does not contribute to RDP. Entirely constrained by Wetlands/Wetlands Buffer, C-1 Stream/Buffer. 100 Year Flood Zone.	0.00	No
72	10902	7	ROCKAWAY TOWNSHIP	0.39	FSSA Partial	Does not contribute to RDP. Completely constrained by C-1 Stream/Buffer	0.00	No
73	10902	9	ROCKAWAY TOWNSHIP	0.21	No	Does not contribute to RDP. Completely constrained by C-1 Stream/Buffer	0.00	No
74	10905	8	CERVONA,CHRISTOPHER & DREYER,SANDRA	0.12	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.12	No
75	10907	10	UNKNOWN	0.04	No	Does not contribute to RDP. Does not meet minimum area requirement.	0.04	No
76	10907	11	UNKNOWN	0.03	FSSA	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.03	No
77	10907	8	UNKNOWN	0.10	No	Does not contribute to RDP. Does not meet minimum area requirement.	0.10	No
78	10907	9	UNKNOWN	0.06	FSSA Partial	Does not contribute to RDP. Does not meet minimum area requirement.	0.06	No
79	11002	1	ROCKAWAY CNTR ASSOC % PROPERTY TAX	5.31	FSSA Partial	Does not contribute to RDP. Detention basin. Environmental constraints: Wetlands/Wetlands Buffer.	0.00	No
80	11003	1	ROCKAWAY CNTR ASSOC % PROPERTY TAX	0.46	No	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: C-1 Buffer. Approximately 18,040.75 square feet is constrained.	0.05	No
81	11004	1.01	TOWNSQUARE VILLAGE HOA INC	11.45	FSSA	Does not contribute to RDP. Common area for Townsquare Village HOA.	0.00	No
82	11004	1.04	TOWNSQUARE VILLAGE HOA INC	8.02	FSSA	Does not contribute to RDP. Common area for Townsquare Village HOA.	0.00	No
83	11018	1	TOWNSQUARE VILLAGE HOA INC	4.22	FSSA	Does not contribute to RDP. Common area for Townsquare Village HOA.	0.00	No
84	11101	55	ROCKAWAY TWP BOARD OF EDUCATION	3.67	FSSA Partial	Does not contribute to RDP. Common ownership with adjoining lots 55 and 56. Environmental constraints: Wetlands/Wetlands Buffer. Does not meet minimum lot requirement due to constraints.	0.77	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
85	11101	56	ROCKAWAY TWP BD OF EDUCATION	0.11	FSSA Partial	Does not contribute to RDP. Common ownership with adjoining lots 56 and 57. Environmental constraints: Wetlands/Wetlands Buffer. Does not meet minimum lot requirement due to constraints.	0.00	No
86	11101	57	ROCKAWAY TWP BD OF EDUCATION	0.56	FSSA Partial	Does not contribute to RDP. Common ownership with adjoining lots 55 and 57. Environmental constraints: Wetlands/Wetlands Buffer. Does not meet minimum lot requirement due to constraints.	0.00	No
87	11112	30	BOARD OF EDUCATION TWP OF RKWY	16.40	FSSA Partial	Does not contribute to RDP. FSSA located entirely within wetland area. FSSA unlikely to be expanded to support development. Public Property (BOE) and not available for development. Environmental constraints: Wetlands/Buffer.	9.34	No
88	11115	35.02	SHANTIVAN SOLUTIONS, LLC	1.40	FSSA Partial	Does not contribute to RDP. Approved with a single-family dwelling.	1.40	No
89	11115	43.16	WHISPERING RIDGE HOA INC	0.99	FSSA	Does not contribute to RDP. Developed with a detention basin.	0.39	No
90	11116	3	TOWERING OAKS HOA % R RICCIARDI	0.71	EAS	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 486.14 square feet is constrained.	0.70	No
91	11116	30	TOWERING OAKS HOA % R RICCIARDI	0.40	FSSA	Does not contribute to RDP. Does not meet minimum area requirement.	0.40	No
92	11116	39	POINTE AT STONE POA	22.21	EAS Partial	Does not contribute to RDP. Common area for Pointe at Stone. Developed	0.00	No
93	11116	41	OQ AT ROCKAWAY LP	6.39	FSSA Partial	Does not contribute to RDP. Common condo area.	0.00	No
94	11116	42	MAKOR INC	33.07	FSSA Partial	Does not contribute to RDP. FSSA only in NJP&L ROW. Remainder of site is in ECECSZ. FSSA unlikely to be expanded to support development. Environmental constraints: Wetlands/Buffer, Steep Slopes.	19.23	No
95	11116	46.01	CORNELL, ANTHONY JR	0.33	FSSA Partial	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Wetlands/Wetlands Buffer.	0.00	No
96	11116	53	HOFFMAN HOMES LLC	1.11	EAS	Does not contribute to RDP. No ROW access. Environmental constraints: Steep Slopes. Approximately 5,988.03 square feet is constrained.	0.97	No
97	11116	64.12	MAPLEWOODS @ ROCKAWAY HOA INC	0.87	No	Does not contribute to RDP. Does not meet minimum area requirement due to environmental constraints: Steep Slopes. Approximately 21,352.06 square feet is constrained.	0.38	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
98	11117	2	AMY INVESTMENTS INC	0.66	FSSA Partial	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer, 100 Year Flood Zone.	0.00	No
99	11201	2	FERRONE, VINCENT T JR & BROOKES, D	0.91	FSSA Partial	Does not contribute to RDP. Environmental constraints: C-1 Buffer. Approximately 30,580.26 square feet is constrained.	0.21	No
100	11203	1	ROCKAWAY TOWNSHIP	0.35	FSSA Partial	Does not contribute to RDP. Does not meet minimum area requirement.	0.35	No
101	11204	4	ROCKAWAY TOWNSHIP	0.10	EAS	Does not contribute to RDP. Does not meet minimum area requirement.	0.10	No
102	11208	17	UNKNOWN	0.06	EAS	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer, Steep Slopes	0.00	No
103	11208	7	CUMMINGS, DAVID & PUCCIO, LISA	0.18	EAS	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: Steep Slopes, C-1 Buffer. Approximately 4,012.41 square feet is constrained.	0.09	No
104	11209	32	MC MAHON, TERENCE & ALESSANDRA, L	0.18	FSSA	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Steep Slopes, Wetland Buffer.	0.00	No
105	11209	33	AMCHU ASSOCIATES	4.24	FSSA	Contributes to RDP. Environmental constraints: Steep Slopes. Approximately 58,140.26 square feet is constrained.	2.90	Yes
106	11212	22	STRUBLE, LUCCILE A	0.14	FSSA	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 5,704.79 square feet is constrained.	0.01	No
107	11301	10	FOX HILLS @ ROCKAWAY COND ASSOC	0.57	FSSA	Does not contribute to RDP. Condo lot.	0.00	No
108	11301	10	FOX HILLS @ ROCKAWAY COND ASSOC	6.40	No	Does not contribute to RDP. Does not have EAS or FSSA access. Environmental constraints: Wetlands/Buffers.	1.45	No
109	11301	21.02	SAR ONE INC % VALLEY NATIONAL BANK	0.40	No	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Wetlands/Wetlands Buffer.	0.00	No
110	11301	29	<Null>	61.40	EAS and FSSA Partial	Does not contribute to RDP. Fox Hills common area. Developed.	0.00	No
111	11301	38	FARRELL, MARY A	0.44	No	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: Wetland Buffers, Steep Slopes. Approximately 8,487.53 square feet is constrained.	0.24	No
112	11302	48	FOX HILLS AT ROCKAWAY CONDO ASSOC	89.22	EAS and FSSA Partial	Does not contribute to RDP. Fox Hills common area. Developed.	0.00	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
113	11302	50.01	<Null>	4.65	FSSA Partial	Contributes to RDP. Environmental constraints: Steep Slopes, C-1 Buffer, Wetland Buffer. Approximately 75,083.64 square feet is constrained.	2.93	Yes
114	11401	10	ROCKAWAY TOWNSHIP	2.09	No	Does not contribute to RDP. Entirely constrained by Wetlands/Buffer, C-1 Buffer, 100 Year Flood Zone, Steep Slopes	0.00	No
115	11401	11	WELLINGTON, ROBERT % WELLINGTON W	1.87	No	Does not contribute to RDP. No EAS/FSSA access. Does not front along ROW. Environmental constraints: Wetlands/Wetland Buffer, Steep Slopes, C-1 Buffer, 100 Year Flood Zone.	0.04	No
116	11401	12	WHARTON ENTERPRISES	7.75	No	Does not contribute to RDP. Does not have ROW access (located along Route 80)	3.82	No
117	11401	21	HEINLEIN, TIVADAR	0.22	FSSA	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Steep Slopes, C-1 Buffer, Wetlands Buffer, 100 Year Flood Zone.	0.00	No
118	11401	26	LA MONT, JEFFREY S	0.49	No	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Steep Slopes, C-1 Buffer, Wetlands/Wetlands Buffer, 100 Year Flood Zone.	0.00	No
119	11401	27	MACHUGA, PATRICIA C	0.43	No	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Steep Slopes, C-1 Buffer, Wetlands/Wetlands Buffer, 100 Year Flood Zone.	0.00	No
120	11401	28	MAZZOCCHI, NICHOLAS	7.90	No	Does not contribute to RDP. Does not meet minimum area requirement due to environmental constraints. Entirely constrained by Steep Slopes, C-1 Buffer, Wetlands/Wetlands Buffer, 100 Year Flood Zone.	0.00	No
121	11401	35	MORAN, DAVID	0.24	FSSA Partial	Contributes to RDP due to common ownership with adjoining Lot 37	0.24	Yes
122	11401	37	MORAN, DAVID	0.87	FSSA Partial	Contributes to RDP due to common ownership with adjoining Lot 35. Environmental constraints: C-1 Buffer.	0.80	Yes
123	11401	42	ROCKAWAY TOWNSHIP	1.61	FSSA Partial	Does not contribute to RDP. Nearly entirely constrained by Steep Slopes, C-1 Stream/Buffer, Wetlands/Buffer.	0.00	No
124	11401	43	TILCON NEW YORK INC	0.23	EAS	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: Steep Slopes, C-1 Buffer, Wetland Buffer. Approximately 9,758.51 square feet is constrained.	0.00	No
125	11401	44	ROCKAWAY TOWNSHIP	2.95	FSSA Partial	Does not contribute to RDP. Nearly entirely constrained by Steep Slopes, C-1 Stream/Buffer, Wetlands/Buffer.	0.00	No
126	11401	45	RUSCHAK, JOHN & ANN	3.75	No	Does not contribute to RDP. No access to EAS/FSSA. Entirety of site is in Protection Zone.	0.86	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
127	11401	46	WILLIS, ROBERT D	2.41	No	Does not contribute to RDP. Environmental constraints: Wetlands/Buffers, 100 Year Flood Zone. Approximately 74,603.65 square feet is constrained.	0.70	No
128	11401	47	WILLIS, ROBERT	5.51	No	Does not contribute to RDP. No access to EAS/FSSA. Entirety of site is in Protection Zone.	1.99	No
129	11401	6	HULSMAN, CHRISTINE ETALS	1.24	No	Does not contribute to RDP. No ROW access. Entirely constrained by Wetlands/Wetlands Buffer, C-1 Stream/Buffer, Steep Slopes, 100 Year Flood Zone.	0.00	No
130	11403	14	JORO CALI INVEST LLC	26.28	No	Does not contribute to RDP Analysis. Not located in ESA or FFSA. Environmental constraints: Wetlands/Wetlands Buffer, C-1 Stream/Buffer, 100 Year Flood Zone. Approximately 1,121,193.95 is constrained.	0.54	No
131	11403	3	JORO CALI INVEST LLC	2.06	FSSA Partial	Does not contribute to RDP. Nearly entirely constrained by C-1 Stream/Buffer, Wetlands/Wetlands Buffer, Steep Slopes.	0.00	No
132	11403	32	TILCON NEW YORK INC	4.68	No	Does not contribute to RDP. Insufficient lot geometry. Former railroad ROW. Environmental constraints: Wetlands/Wetlands Buffer, C-1 Stream/Buffers, Steep Slopes.	0.00	No
133	11403	35	MC DONOUGH, HEIRS % WASKO, FRANK	0.37	FSSA	Does not contribute to RDP. Does not meet minimum area requirement.	0.37	No
134	11403	35.01	WASKO, FRANK SR	0.14	FSSA	Does not contribute to RDP. When combined with Block 11403 Lots 35.02 and 36 (common ownership), does not meet minimum area requirement.	0.14	No
135	11403	35.02	UNKNOWN % WASKO, FRANK	0.12	FSSA	Does not contribute to RDP. When combined with Block 11403 Lots 35.01 and 36 (common ownership), does not meet minimum area requirement.	0.12	No
136	11403	36	WASKO, JOANNE C	0.31	FSSA	Does not contribute to RDP. When combined with Block 11403 Lots 35.01 and 35.02 (common ownership), does not meet minimum area requirement.	0.13	No
137	11403	37	MC DONOUGH, PETER	0.17	No	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: Steep Slopes, Wetland Buffer. Approximately 3,133.27 square feet is constrained.	0.10	No
138	11403	40	ROCKAWAY TOWNSHIP	14.32	FSSA Partial	Does not contribute to RDP. Former dump site.	6.02	No
139	11404	2.01	SOOY, JOSEPH & SUSAN JAMES	2.27	No	Does not contribute to RDP. No EAS/FSSA access. Entirety of site is located in PZ. Environmental constraints: Steep Slopes, Wetlands Buffer.	1.62	No
140	11404	4	HOWARD, CHARLES R & SARA M	0.24	FSSA	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 4,217.75 square feet is constrained.	0.14	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
141	11406	1	TILCON NEW YORK INC	2.37	No	Does not contribute to RDP. Inadequate lot geometry. Former ROW.	2.22	No
142	11406	10	ROCKAWAY TOWNSHIP	2.31	No	Does not contribute to RDP. No EAS/FSSA access. Entirety of lot is PZ. Environmental constraints: C-1 Buffer, Steep Slopes.	1.22	No
143	11406	13	ROCKAWAY TOWNSHIP	0.20	FSSA	Does not contribute to RDP. Does not meet minimum area requirement.	0.20	No
144	11406	17.01	FAUST, JOHN W JR. & CHERLY L	0.46	FSSA Partial	Does not contribute to RDP. Entirely constrained by Steep Slopes, Wetlands/Wetlands Buffer, C-1 Buffer, 100 Year Flood Zone	0.00	No
145	11406	26	BURROWS, EDGAR R	0.93	No	Does not contribute to RDP. No EAS/FSSA access. Entirety of lot is in PZ.	0.93	No
146	11406	35	RAO, GOPAL U	1.06	No	Does not contribute to RDP. No EAS/FSSA Access. Environmental constraints: Wetlands/Wetlands Buffer. Approximately 44,808.23 square feet is constrained.	0.03	No
147	11406	38	NELSON, ERIC EST % VERRINDER	0.82	No	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: Wetlands Buffer. Approximately 30,607.34 square feet is constrained.	0.12	No
148	11407	12	NELSON, ERIC EST % VERRINDER	1.39	No	Does not contribute to RDP. Does not meet minimum area requirement due to environmental constraints. Entirety of site is constrained by Wetlands/Wetlands Buffer.	0.00	No
149	11407	13	SARAPPO, ELAINE	0.75	No	Does not contribute to RDP. Does not meet minimum area requirement. Entirety of site is constrained by Wetlands/Wetlands Buffer.	0.00	No
150	11409	2	RICHARD MINE ESTATES INC	3.79	FSSA Partial	Does not contribute to RDP. Approved for development.	3.79	No
151	11501	14	HARDEN, ETHEL A	0.16	FSSA	Does not contribute to RDP. Does not meet minimum area requirement.	0.16	No
152	11501	2	ORANGE0, JOSEPH J	0.07	No	Does not contribute to RDP. Does not meet minimum area requirement.	0.07	No
153	11501	26	ROCKAWAY TOWNSHIP	0.56	No	Does not contribute to RDP. Does not meet minimum area requirement.	0.56	No
154	11501	30	UNKNOWN	0.25	FSSA	Does not contribute to RDP. Does not meet minimum area requirement.	0.25	No
155	11501	43	M & M KONNER REALTY CO	2.51	No	Does not contribute to RDP. No EAS/FSSA access. Environmental constraints: Steep Slopes. Approximately 103,765.71 square feet is constrained.	0.13	No
156	11502	2	HIGHLANDS AT MORRIS INC	0.17	No	Does not contribute to RDP. Does not meet minimum area requirement.	0.17	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
157	11503	1	PONDVIEW ESTATES INC % GARDEN HOMES	0.39	No	Does not contribute to RDP. Does not meet minimum area requirement.	0.39	No
158	11506	4	MORRIS COUNTY	0.11	No	Does not contribute to RDP. Does not meet minimum area requirement.	0.11	No
159	11507	8	MOUNTAIN VIEW MANOR POA	30.63	EAS Partial	Does not contribute to RDP. Mountain View Manor PDA. Developed.	0.00	No
160	11508	10	RAO, GOPAL U	0.73	No	Does not contribute to RDP. Does not meet minimum area requirement.	0.73	No
161	11508	2	BOLLER, EMIL & KATHLEEN	0.59	EAS	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: C-1 Buffer. Approximately 19,916.43 square feet is constrained.	0.14	No
162	11509	10	ROCKAWAY TOWNSHIP	7.88	No	Does not contribute to RDP. Entirely constrained by C-1 Stream/Buffer, 100 Flood Zone, Wetlands/Buffer.	0.00	No
163	11509	16	ROCKAWAY TOWNSHIP	8.06	No	Does not contribute to RDP. Entirely constrained by C-1 Stream/Buffer, Wetlands/Buffer, Steep Slopes.	0.00	No
164	11509	7	DCT ROCKAWAY LLC % NXS 09 ROCKAW	1.09	No	Does not contribute to RDP. No EAS/FSSA access. Does not meet minimum area requirement due to environmental constraints: Wetlands Buffer. Approximately 14,491.07 square feet is constrained.	0.76	No
165	11509	9	DCT ROCKAWAY LLC % NXS 09 ROCKAW	0.11	FSSA	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer, Wetland Buffer.	0.00	No
166	20001	4	WHITE MEADOW LAKE COUNTRY CLUB	150.47	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access.	39.08	No
167	20001	5.04	JORO CALI INVEST LLC	12.13	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Wetlands/Buffer, C-1 Buffer.	2.85	No
168	20001	7	TILCON NEW YORK INC	3.13	No	Does not contribute to RDP. Located in Preservation Area. Insufficient lot geometry. Environmental constraints: Wetland Buffers, Steep Slopes.	0.42	No
169	20101	10	KOROLY, MICHAEL	0.07	No	Does not contribute to RDP. Located in Preservation Area. When combined with Block 30502 Lot 9 (common ownership), does not meet minimum area requirement.	0.07	No
170	20101	6	TILCON NEW YORK INC	3.91	No	Does not contribute to RDP. Located in Preservation Area. Completely constrained by Wetlands/Wetlands Buffer, C-1 Stream/Buffer.	0.00	No
171	20101	9	KOROLY, MICHAEL	0.05	No	Does not contribute to RDP. Located in Preservation Area. When combined with Block 30502 Lot 10 (common ownership), does not meet minimum area requirement.	0.05	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
172	20102	7	RAO, GOPAL U	0.42	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Entirely constrained by Wetlands/Wetlands Buffer.	0.00	No
173	20103	1	FIVE LAND CORP % JAMES DE ZAO	0.45	No	Does not contribute to RDP. Located in Preservation Area. Entirely constrained by Wetlands/Wetlands Buffer, C-1 Buffer.	0.00	No
174	20103	10	JORO CALI INVEST LLC	0.49	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. No EAS/FSSA access. Entirely constrained by Wetlands/Wetlands Buffer.	0.00	No
175	20103	11	JORO CALI INVEST LLC	0.46	No	Does not contribute to RDP. Located in Pres Area. When combined with Lots 12, 13 (common ownership), doesn't meet minimum area requirement due to environmental constraints: Wetlands/Wetlands Buffer.	0.00	No
176	20103	12	JORO CALI INVEST LLC	0.64	No	Does not contribute to RDP. Located in Pres Area. When combined with Lots 11 and 13 (common ownership), doesn't meet min. area requirement due to environmental constraints: Wetlands/Wetlands Buffer.	0.00	No
177	20103	13	JORO CALI INVEST LLC	0.67	No	Does not contribute to RDP. Located in Pres Area. When combined with Lots 11 and 12 (common ownership), doesn't meet min area requirement due to environmental constraints: Wetlands/Wetlands Buffer.	0.00	No
178	20103	9	WILLIS, FREDERICK F & ANNA	0.43	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Environmental constraints: Wetlands Buffer. Approximately 14,857.53 square feet is constrained.	0.09	No
179	20104	1	JORO CALI INVEST LLC	0.30	No	Does not contribute to RDP. Located in Pres Area. When combined with Lots 2, 3, 4 (common ownership), doesn't meet minimum area requirement due to environmental constraints: Wetlands/Wetlands Buffer.	0.00	No
180	20104	10	LONG, WILLIAM JR	0.91	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA Access. Environmental constraints: Wetlands/Wetlands Buffer. Approximately 38,271.80 square feet is constrained	0.03	No
181	20104	11.01	COLE, CECILE	1.72	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA Access. Environmental constraints: Wetlands/Wetlands Buffer. Approximately 55,339.75 square feet is constrained.	0.45	No
182	20104	2	JORO CALI INVEST LLC	0.47	No	Does not contribute to RDP. Located in Pres Area. When combined with Lots 1, 3, 4 (common ownership), doesn't meet minimum area requirement due to environmental constraints: Wetlands/Wetlands Buffer.	0.00	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
183	20104	3	JORO CALI INVEST LLC	0.51	No	Does not contribute to RDP. Located in Pres Area. When combined with lots 1, 2, and 4 (common ownership), doesn't meet min area requirement due to environmental constraints: Wetlands/Wetlands Buffer.	0.00	No
184	20104	4	JORO CALI INVEST LLC	0.50	No	Does not contribute to RDP. Located in Pres Area. When combined with Lots 1, 2, 3 (common ownership), does not meet minimum area requirement due to environmental constraints: Wetlands/Wetlands Buffer.	0.00	No
185	20203	13	SMITH, GLENN & MANZIONE, TONI	0.73	No	Does not contribute to RDP. Located in Preservation Area. When combined with Lot 13 (common ownership), doesn't meet minimum area requirement. Environmental constraints: C-1 Buffer, Wetland Buffer.	0.55	No
186	20203	16	SMITH, GLENN & MANZIONE, TONI	0.20	No	Does not contribute to RDP. Located in Pres Area. When combined with Lot 13 (common ownership), doesn't meet minimum area requirement. Environmental constraints: C-1 Buffer, Wetland Buffer.	0.01	No
187	20301	22	MUSCOLINO, ALFRED & ROSEMARY	0.17	EAS	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: Wetland Buffer. Approximately 5,269.66 square feet is constrained.	0.05	No
188	20301	24	FERRONE, VINCENT T JR & DEBORAH A	0.35	EAS	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: Wetland Buffer. Approximately 14,295.91 square feet is constrained.	0.03	No
189	20301	39	ROCKAWAY TOWNSHIP	3.76	EAS Partial	Does not contribute to RDP. No ROW access. Environmental constraints: Wetlands/Buffer. Approximately 47,698.98 square feet is constrained. Site is utilized for drainage.	2.67	No
190	20301	55	ROCKAWAY TOWNSHIP	0.30	EAS	Does not contribute to RDP. Utilized for drainage	0.30	No
191	20306	112	ROCKAWAY TOWNSHIP	0.76	EAS	Does not contribute to RDP. Does not meet minimum area requirement.	0.76	No
192	20306	139	MORIARTY, JOHN P & MARGARET A	0.32	FSSA	Does not contribute to RDP. Does not meet minimum area requirement.	0.32	No
193	20401	11	ROCKAWAY TOWNSHIP	1.57	FSSA Partial	Does not contribute to RDP. Entirely constrained by Wetlands/Buffer, C-1 Stream/Buffer.	0.00	No
194	20401	12.06	NANCY COURT HOA % ZWICKEL, RICHARD	2.34	FSSA	Does not contribute to RDP. Entirely constrained by Wetlands/Wetlands Buffer.	0.00	No
195	20501	10.01	ORESTE, ROBERT C	0.07	FSSA	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer associated with White Meadow Lake.	0.00	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
196	20501	4.01	HERZOG, LESTER M TRUSTEE	0.17	FSSA	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer associated with White Meadow Lake.	0.00	No
197	20501	5.01	HOROWITZ, DAVID & MAXINE	0.28	FSSA	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer associated with White Meadow Lake.	0.00	No
198	20501	6.01	MONAGHAN, ROBERT P & DEBRA J	0.31	FSSA	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer associated with White Meadow Lake.	0.00	No
199	20501	7.01	ROSEN, LESLIE M & ADRIENNE R	0.13	FSSA	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer associated with White Meadow Lake.	0.00	No
200	20501	8.01	SCHAEFER, PAUL & ISABEL	0.10	FSSA	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer associated with White Meadow Lake.	0.00	No
201	20501	9.01	GREENBERG, LINDA	0.08	FSSA	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer associated with White Meadow Lake.	0.00	No
202	20504	7	ROCKAWAY TOWNSHIP	0.33	EAS	Does not contribute to RDP. Entirely constrained by Wetlands/Buffer, C-1 Buffer, 100 Year Flood Zone	0.00	No
203	20504	8	ROCKAWAY TOWNSHIP	0.41	EAS	Does not contribute to RDP. Entirely constrained by Wetlands/Buffer, C-1 Buffer, 100 Year Flood Zone	0.00	No
204	20601	46	ROCKAWAY TOWNSHIP	0.32	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 7,654.56 square feet is constrained.	0.14	No
205	20602	10.01	ROCKAWAY TOWNSHIP	0.24	FSSA Partial	Does not contribute to RDP. No ROW access. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 6,818.33 square feet is constrained.	0.08	No
206	20602	11.01	ROCKAWAY TOWNSHIP	0.24	FSSA Partial	Does not contribute to RDP. No ROW access. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 6,124.02 square feet is constrained.	0.10	No
207	20602	18	VUKOSA, ALDO	0.44	FSSA	Does not contribute to RDP. Does not meet minimum area requirement. Environmental Constraints: Steep Slopes. Approximately 5,483.99 square feet is constrained.	0.31	No
208	20602	22	ZLOTKIN, HOWARD & EVE	0.23	FSSA Partial	Does not contribute to RDP. Does not meet minimum area requirement.	0.23	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
209	20603	23	LATO, BENJAMIN	0.54	FSSA Partial	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Wetlands/Wetlands Buffer, C-1 Buffer	0.00	No
210	20603	6	ROCKAWAY TOWNSHIP	0.49	FSSA Partial	Does not contribute to RDP. Entirely constrained by Wetlands/Buffer, C-1 Buffer.	0.00	No
211	20603	7	TOWNSHIP OF ROCKAWAY	0.53	FSSA Partial	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Wetlands/Wetlands Buffer, C-1 Buffer	0.00	No
212	20603	8	O'CONNELL, JOANNE	0.34	FSSA	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Wetlands/Wetlands Buffer, C-1 Buffer	0.00	No
213	20604	14	NGUYEN, MINH & THIEM	0.36	FSSA Partial	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Wetlands/Wetlands Buffer.	0.00	No
214	20604	15	ROCKAWAY TOWNSHIP	0.24	FSSA Partial	Does not contribute to RDP. Entirely constrained by Wetlands/Buffer	0.00	No
215	20604	16	ROCKAWAY TOWNSHIP	0.24	EAS	Does not contribute to RDP. Entirely constrained by Wetlands/Buffer	0.00	No
216	20604	28	PENNELLA, PETER & PAMELA	0.49	No	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Wetlands/Wetlands Buffer, C-1 Buffer.	0.00	No
217	20701	28	WHITE MEADOW LAKE COUNTRY CLUB	0.54	FSSA	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Wetlands/Wetlands Buffer, C-1 Buffer	0.00	No
218	20701	41	ROCKAWAY TOWNSHIP	0.25	EAS	Does not contribute to RDP. Does not meet minimum area requirement. Environmental Constraints: Steep Slopes. Approximately 7,295.63 square feet is constrained.	0.08	No
219	20702	10.01	INSPECTOR, SOL & SALNY, RON	0.67	EAS	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: Steep Slopes, 100 Year Flood Zone, C-1 Buffer. Approximately 10,252.34 square feet is constrained.	0.44	No
220	20702	15	MILLER, LESTER % MILLER, RONALD EXE	0.44	FSSA	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Steep Slopes, 100 Year Flood Zone, C-1 Buffer associated with White Meadow Lake.	0.00	No
221	20702	18	CONRAD, ALAN & CHARLEEN ANN	0.17	EAS	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer associated with White Meadow Lake and Steep Slopes.	0.00	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
222	20702	27	WHITE MEADOW LAKE COUNTRY CLUB	0.86	FSSA Partial	Does not contribute to RDP. Does not meet minimum area requirement due to environmental constraints: Steep Slopes, 100 Year Flood Zone, C-1 Buffer.	0.00	No
223	20702	32	SMITH, CHERI & HARTNETT, ANNE	0.50	FSSA	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Steep Slopes, 100 Year Flood Zone, C-1 Buffer associated with White Meadow Lake.	0.00	No
224	20702	38	JFP HOLDING LIMITED LIABILITY CO	1.18	FSSA	Does not contribute to RDP. Entirely constrained by Steep Slopes, C-1 Buffer.	0.00	No
225	20801	55	KOENIGSBERG, STEVEN	0.51	FSSA	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 715.98 square feet is constrained.	0.49	No
226	20801	63	ROKHMANNOFF, ALEXEY	1.73	EAS and FSSA	Contributes to RDP. Environmental constraints: Steep Slopes. Approximately 16,666.78 square feet is constrained.	1.35	Yes
227	20801	71	STRYKER FAMILY LIMITED PARTNERSHIP	0.71	FSSA Partial	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 3,365.83 square feet is constrained.	0.63	No
228	20801	85	SABAT, STEVEN	0.40	FSSA	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 2,692.47 square feet is constrained.	0.34	No
229	20802	31	WHITE MEADOW COUNTRY CLUB	0.28	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Environmental constraints: C-1 Buffer. Approximately 1,297.31 square feet is constrained.	0.25	No
230	20901	12	ROCKAWAY TOWNSHIP	0.71	EAS	Does not contribute to RDP. Nearly entirely constrained by 100 Year Flood Zone, Steep Slopes, C-1 Buffer, Wetlands/Buffer.	0.07	No
231	20901	45	ROCKAWAY TOWNSHIP	0.15	EAS	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 3,249.41 square feet is constrained	0.07	No
232	20901	5	WEST SHORE PROPERTY LLC	1.29	FSSA	Does not contribute to RDP. Nearly entirely constrained by Steep Slopes, C-1 Buffer, Wetlands Buffer, 100 Year Flood Zone.	0.05	No
233	20901	56	WHITE MEADOW LAKE COUNTRY CLUB	0.18	EAS	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer associated with White Meadow Lake.	0.00	No
234	20901	66	SLOSSBERG, DAVID H & DIAN L	0.16	FSSA Partial	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer associated with White Meadow Lake.	0.00	No
235	20901	67	STEINBRENNER, DONALD & BETH	0.11	FSSA Partial	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer associated with White Meadow Lake.	0.00	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
236	20902	15	RUSSO, ROBBIE % BRAHMA CONST CO	0.32	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer.	0.00	No
237	20902	8	MATURI, JANET	0.24	EAS	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer, Wetland Buffer.	0.00	No
238	20903	12	ROCKAWAY TOWNSHIP	0.48	FSSA	Does not contribute to RDP. Does not meet minimum area requirement. Nearly entirely constrained by Steep Slopes, C-1 Buffer.	0.02	No
239	20903	26	ROCKAWAY TOWNSHIP	0.17	EAS	Does not contribute to RDP. Does not meet minimum area requirement.	0.17	No
240	20903	36	ADELMAN, ANITA E	0.18	EAS	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Steep Slopes, C-1 Buffer.	0.00	No
241	20903	43	STEINBRENNER, DONALD & BETH	0.28	FSSA	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Steep Slopes, C-1 Buffer.	0.00	No
242	21001	7	ROCKAWAY TOWNSHIP	0.14	EAS	Does not contribute to RDP. Located in Preservation Area. Entirely constrained by C-1 Buffer, Steep Slopes.	0.00	No
243	21002	15	COHEN, MITCHELL	0.55	FSSA	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 10,704.52 square feet is constrained.	0.30	No
244	21002	30	ROCKAWAY TOWNSHIP	0.22	EAS	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: Steep Slopes, C-1 Buffer. Approximately 6,905.76 square feet is constrained.	0.06	No
245	21002	39	ROCKAWAY TOWNSHIP	0.13	EAS	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 164.63 square feet is constrained.	0.13	No
246	21003	34	ROCKAWAY TOWNSHIP	0.13	EAS	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 530.22 square feet is constrained.	0.12	No
247	21004	9	RABIN, SAMUEL & BLASH, DEBRA	0.15	EAS	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 1,412.18 square feet is constrained.	0.12	No
248	21101	10	ROCKAWAY TOWNSHIP	0.37	EAS	Does not contribute to RDP. Does not meet minimum area requirement.	0.37	No
249	21101	22	ROCKAWAY TOWNSHIP	0.32	EAS	Does not contribute to RDP. Entirely constrained by Steep Slopes.	0.00	No
250	21101	36	ROCKAWAY TOWNSHIP	0.55	EAS	Does not contribute to RDP. Entirely constrained by steep Slopes.	0.00	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
251	21101	46	ROCKAWAY TOWNSHIP	0.34	EAS	Does not contribute to RDP. Entirely constrained by Wetlands/Buffer.	0.00	No
252	21101	50	FRITZ, JOSEPH C & CLAIRE	0.54	FSSA Partial	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: Wetland Buffer. Approximately 18,880.35 square feet is constrained.	0.11	No
253	21101	51	ROCKAWAY TOWNSHIP	0.29	FSSA Partial	Does not contribute to RDP. Environmental Constraints: Wetlands Buffer. Approximately 3,349.60 square feet is constrained.	0.21	No
254	21102	16	ROCKAWAY TOWNSHIP	0.20	EAS	Does not contribute to RDP. Does not meet minimum area requirement.	0.20	No
255	21102	17	ROCKAWAY TOWNSHIP	0.04	EAS	Does not contribute to RDP. Does not meet minimum area requirement.	0.04	No
256	21102	43	ROCKAWAY TOWNSHIP	0.47	No	Does not contribute to RDP. Common ownership with adjoining lots 44 and 45. Environmental Constraints: Steep Slopes. Approximately 17,651.27 square feet is constrained.	0.07	No
257	21102	44	ROCKAWAY TOWNSHIP	0.49	No	Does not contribute to RDP. Common ownership with adjoining lots 44 and 45. Environmental Constraints: Steep Slopes. Approximately 16,038.58 square feet is constrained.	0.13	No
258	21102	45	ROCKAWAY TOWNSHIP	0.49	EAS	Does not contribute to RDP. Common ownership with adjoining lots 44 and 45. Environmental Constraints: Steep Slopes. Approximately 11,410.30 square feet is constrained.	0.23	No
259	21102	5	LERMAN, RUSSELL	0.55	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 4,168.97 square feet is constrained.	0.45	No
260	21102	8	CHRISTENSEN, ARTHUR & BARBARA	0.40	EAS	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 10,936.35 square feet is constrained.	0.14	No
261	21102	9.01	ROCKAWAY TOWNSHIP	0.05	EAS	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Drainage easement	0.00	No
262	21201	16	MITTMAN, ENNIS-LF RT MITTMAN, N & L	0.29	EAS	Does not contribute to RDP. Does not meet minimum area requirement.	0.29	No
263	21201	36	ROCKAWAY TOWNSHIP	0.34	FSSA Partial	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 1,185.16 square feet is constrained	0.31	No
264	21201	39	KELDER, LISA & THOMAS	1.06	FSSA Partial	Does not contribute to RDP. Nearly entirely constrained by Steep Slopes, C-1 Buffer	0.00	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
265	21201	46	WHITE MEADOW LK COUNTRY CLUB	50.33	FSSA Partial	Does not contribute to RDP. No direct access to ROW. Only 15,779.32 square feet is located in FSSA. Nearly entirety of site is in ECECSZ. Environmental constraints: Wetlands/Buffer, Steep Slopes.	10.56	No
266	21301	10.01	ROCKAWAY TOWNSHIP	0.20	EAS	Does not contribute to RDP. Entirely constrained by Steep Slopes. No ROW access.	0.00	No
267	21301	11.01	ROCKAWAY TOWNSHIP	0.60	EAS Partial	Does not contribute to RDP. Entirely constrained by Steep Slopes. No ROW access.	0.00	No
268	21301	13.01	ROCKAWAY TOWNSHIP	0.14	No	Does not contribute to RDP. Entirely constrained by Steep Slopes. No ROW access.	0.00	No
269	21301	138	WHITE MEADOW LAKE POA	1.26	FSSA	Does not contribute to RDP. No EAS/FSSA access. Entirely constrained by Wetlands/Wetlands Buffer, Steep Slopes.	0.00	No
270	21301	139	WHITE MEADOW LAKE POA	1.07	No	Does not contribute to RDP. No EAS/FSSA access. Entirely constrained by Wetlands/Wetlands Buffer, Steep Slopes.	0.00	No
271	21301	15.01	ROCKAWAY TOWNSHIP	0.13	EAS	Does not contribute to RDP. Entirely constrained by Steep Slopes. No ROW access.	0.00	No
272	21301	16.01	ROCKAWAY TOWNSHIP	0.06	EAS	Does not contribute to RDP. Entirely constrained by Steep Slopes. No ROW access.	0.00	No
273	21301	169	ARMITT, ALEXANDER & BONNIE JANE	0.20	EAS	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: C-1 Buffer associated with White Meadow Lake. Approximately 5,314.43 square feet is constrained.	0.08	No
274	21301	17.01	ROCKAWAY TOWNSHIP	0.07	EAS	Does not contribute to RDP. Entirely constrained by Steep Slopes. No ROW access.	0.00	No
275	21301	19.01	ROCKAWAY TOWNSHIP	0.12	EAS	Does not contribute to RDP. Entirely constrained by Steep Slopes. No ROW access.	0.00	No
276	21301	2	ROCKAWAY TOWNSHIP	0.90	EAS	Does not contribute to RDP. Entirely constrained by Steep Slopes, Wetlands Buffer.	0.00	No
277	21301	201	PATHAN, KAISER A % NEW HORIZON MAN	0.22	FSSA Partial	Does not contribute to RDP. Environmental constraints: Steep Slopes. Approximately 8,047.58 square feet is constrained.	0.04	No
278	21301	5	ROCKAWAY TOWNSHIP	0.74	EAS	Does not contribute to RDP. Entirely constrained by Steep Slopes, Wetlands Buffer.	0.00	No
279	21301	8	LICATA, GIUSEPPA & JOHN	0.56	FSSA Partial	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Steep Slopes, Wetlands Buffer.	0.00	No
280	21301	8.01	ROCKAWAY TOWNSHIP	0.14	FSSA Partial	Does not contribute to RDP. Entirely constrained by Steep Slopes. No ROW access.	0.00	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
281	21301	84	MEDOFF, JEAN	0.29	EAS	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 10,869.83 square feet is constrained.	0.04	No
282	21301	9	ROCKAWAY TOWNSHIP	0.34	FSSA Partial	Does not contribute to RDP. Nearly entirely constrained by Steep Slopes.	0.00	No
283	21401	11	SHERBROOK ROCKAWAY HOA % MACDONALD	4.01	FSSA Partial	Does not contribute to RDP. Dedicated open space for Sherbrook HOA.	0.00	No
284	21401	49	TROMBITAS, DENNIS	0.25	FSSA Partial	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer.	0.00	No
285	21401	50	LA ROY, RONALD & RITA	0.25	No	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer.	0.00	No
286	21401	51	TROMBITAS, DENNIS	0.25	No	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer.	0.00	No
287	21401	52	LA ROY, RONALD & RITA	0.26	No	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer.	0.00	No
288	21401	53	TROMBITAS, DENNIS	0.26	No	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer.	0.00	No
289	21401	55	TROMBITAS, DENNIS	0.27	FSSA Partial	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer, Wetland Buffer.	0.00	No
290	21401	56	LA ROY, RONALD & RITA	0.24	No	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer, Wetland Buffer.	0.00	No
291	21401	57	ROCKAWAY TOWNSHIP	0.23	No	Does not contribute to RDP. Entirely constrained by Wetlands/Buffer, C-1 Buffer.	0.00	No
292	21401	58	ROCKAWAY TOWNSHIP	0.05	No	Does not contribute to RDP. Entirely constrained by Wetlands/Buffer, C-1 Buffer.	0.00	No
293	21401	59	ROCKAWAY TOWNSHIP	0.23	No	Does not contribute to RDP. Entirely constrained by Wetlands/Buffer, C-1 Buffer.	0.00	No
294	21401	60	WELGOS, ROBERT & JOYCE	0.26	No	Does not contribute to RDP. When combined with Block 21401 Lot 61 (common ownership), does not meet minimum area requirement. Entirely constrained by C-1 Buffer	0.00	No
295	21401	61	WELGOS, ROBERT & JOYCE	0.25	No	Does not contribute to RDP. When combined with Block 21401 Lot 61 (common ownership), does not meet minimum area requirement. Entirely constrained by C-1 Buffer	0.00	No
296	21401	62	ROCKAWAY TOWNSHIP	0.25	No	Does not contribute to RDP. Entirely constrained by Wetlands/Buffer.	0.00	No
297	21401	63	LA ROY, RONALD & RITA	0.24	No	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Wetland Buffer.	0.00	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
298	21401	64	TROMBITAS, DENNIS	0.28	No	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Wetland Buffer.	0.00	No
299	21401	97	SHERBROOK ROCKAWAY HOA % MACDONALD	4.49	FSSA Partial	Does not contribute to RDP. Common area for Sherbrook HOA. Entirely constrained by Wetlands/Wetlands Buffer, C-1 Stream/Buffer.	0.00	No
300	21401	98	SHERBROOK ROCKAWAY HOA % MACDONALD	4.53	FSSA Partial	Does not contribute to RDP. Common area for Sherbrook HOA. Entirely constrained by Wetlands/Wetlands Buffer, C-1 Stream/Buffer.	0.00	No
301	21403	10	SHERBROOK ROCKAWAY HOA % MACDONALD	0.61	FSSA Partial	Does not contribute to RDP. HOA common area. Does not meet minimum area requirement due to environmental constraints: Wetlands/Wetlands Buffer, C-1 Buffer.	0.00	No
302	21403	11	SHERBROOK ROCKAWAY HOA % MACDONALD	2.97	No	Does not contribute to RDP. HOA common area. Does not meet minimum area requirement due to environmental constraints: Wetlands/Wetlands Buffer, C-1 Buffer.	0.00	No
303	21403	9	SHERBROOK ROCKAWAY HOA % MACDONALD	0.52	FSSA Partial	Does not contribute to RDP. HOA common area. Does not meet minimum area requirement due to environmental constraints: Wetlands/Wetlands Buffer, C-1 Buffer.	0.00	No
304	21405	1	SHERBROOK ROCKAWAY HOA % MACDONALD	0.66	FSSA	Does not contribute to RDP. HOA common area. Does not meet minimum area requirement due to environmental constraints: Wetlands Buffer, C-1 Buffer.	0.00	No
305	21405	2	SHERBROOK ROCKAWAY HOA % MACDONALD	0.52	EAS	Does not contribute to RDP. HOA common area. Does not meet minimum area requirement due to environmental constraints: Wetlands Buffer, C-1 Buffer.	0.00	No
306	21501	10	CHABAD CENTER OF NW NJ INC	0.04	No	Does not contribute to RDP. When combined with Block 21501 Lots 8 and 9 (common ownership), does not meet minimum area requirement.	0.04	No
307	21501	11	CICARELLI, ALBERT J	0.04	No	Does not contribute to RDP. Does not meet minimum area requirement.	0.04	No
308	21501	17	FRENDO, ANTHONY & JILL	0.04	No	Does not contribute to RDP. Does not meet minimum area requirement.	0.04	No
309	21501	18	SVIRSKY, ZOFAR & TAMMAN, DAVID	0.10	No	Does not contribute to RDP. Does not meet minimum area requirement.	0.10	No
310	21501	28	SVIRSKY, ZOFAR & TAMMAN, DAVID	0.10	FSSA	Does not contribute to RDP. When combined with Block 21503 Lot 19 (common ownership), does not meet minimum area requirement. Entirely constrained by Steep Slopes.	0.00	No
311	21501	29	SVIRSKY, ZOFAR & TAMMAN, DAVID	0.64	FSSA	Does not contribute to RDP. When combined with Block 21503 Lot 19 (common ownership), does not meet minimum area requirement. Approximately 3,901 square feet are constrained.	0.55	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
312	21501	40	ROCKAWAY TOWNSHIP	0.34	EAS	Does not contribute to RDP. Does not meet minimum area requirement.	0.34	No
313	21501	51	ROCKAWAY TOWNSHIP	0.43	EAS	Does not contribute to RDP. Does not meet minimum area requirement. Environmental Constraints: Steep Slopes. Approximately 13,744.74 square feet is constrained.	0.11	No
314	21501	53	INDIAN SPRINGS CONDO ASS % CASI	7.01	FSSA Partial	Does not contribute to RDP. Common Area for Indian Springs Condo Association.	0.00	No
315	21501	6	LESCH, JEROME	0.05	No	Does not contribute to RDP. Does not meet minimum area requirement.	0.05	No
316	21501	7	GRAZIANO, GRACE & K HEMINGWAY	0.04	No	Does not contribute to RDP. Does not meet minimum area requirement.	0.04	No
317	21501	8	CHABAD CENTER OF NORTHWEST NJ INC	0.08	No	Does not contribute to RDP. When combined with Block 21501 Lots 9 and 10 (common ownership), does not meet minimum area requirement.	0.08	No
318	21501	9	CHABAD CENTER NW NJINC & SPERBER AM	0.08	No	Does not contribute to RDP. When combined with Block 21501 Lots 8 and 10 (common ownership), does not meet minimum area requirement.	0.08	No
319	21502	11	TOWNSHIP OF ROCKAWAY	0.08	No	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: Steep Slopes, C-1 Buffer. Approximately 2,956.19 square feet are constrained.	0.01	No
320	21502	12	CUKOVIC, HANIFE	0.04	FSSA	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 1,076.16 square feet are constrained.	0.01	No
321	21502	21	TAMMAN, DAVID & SVIRSKY, ZOFAR	0.07	EAS	Does not contribute to RDP. When combined with 21502 Lots 9 and 22 (common ownership), does not meet minimum area requirement. Environmental constraints: Steep Slopes, C-1 Buffer.	0.00	No
322	21502	22	TAMMAN, DAVID & SVIRSKY, ZOFAR	0.15	FSSA	Does not contribute to RDP. When combined with 21502 Lots 9 and 21 (common ownership), does not meet minimum area requirement. Environmental constraints: Steep Slopes, C-1 Buffer.	0.00	No
323	21502	9	SVIRSKY, ZOFAR & TAMMAN, DAVID	0.07	No	Does not contribute to RDP. When combined with 21502 Lots 21 and 22 (common ownership), does not meet minimum area requirement. Environmental constraints: Steep Slopes, C-1 Buffer.	0.01	No
324	21503	10	ROCKAWAY TOWNSHIP	0.25	EAS	Does not contribute to RDP. Does not meet minimum area requirement. Environmental Constraints: C-1 Buffer. Approximately 5,797.53 square feet is constrained.	0.12	No
325	21503	18	CHABAD CENTER OF NW NJ	0.18	FSSA Partial	Does not contribute to RDP. Entirely constrained by C-1 Stream/Buffer, Wetlands/Buffer, Steep Slopes, 100 Year Flood Zone.	0.00	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
326	21503	19	MONTI, DENNIS	0.19	FSSA Partial	Does not contribute to RDP. When combined with Block 21503 Lot 19 (common ownership), does not meet minimum area requirement. Entirely constrained by C-1 Buffer, Steep Slopes, Wetland Buffers.	0.00	No
327	21503	20	MONTI, DENNIS	0.10	No	Does not contribute to RDP. When combined with Block 21503 Lot 19 (common ownership), does not meet minimum area requirement. Entirely constrained by C-1 Buffer, Steep Slopes, Wetland Buffers.	0.00	No
328	21503	21	BREGANTE, JOSEPH & POLUMBO, DOMINIC	0.21	No	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Steep Slopes, C-1 Buffer, Wetlands Buffer.	0.00	No
329	21503	22.01	KUO, MEI CHAO & MING FU	0.31	No	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Steep Slopes, C-1 Buffer, Wetlands Buffer.	0.00	No
330	21503	25	KUO, MEI CHAO & MING FU	0.41	FSSA Partial	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Steep Slopes, C-1 Buffer, 100 Year Flood Zone.	0.00	No
331	21503	26	DORN, CHAS EST % PUBLIC ADMIN	0.23	FSSA Partial	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Steep Slopes, C-1 Buffer, 100 Year Flood Zone.	0.00	No
332	21503	27	ROCKAWAY TOWNSHIP	0.08	No	Does not contribute to RDP. Entirely constrained by C-1 Stream/Buffer, 100 Year Flood Zone, Steep Slopes.	0.00	No
333	21503	29	ROCKAWAY TOWNSHIP	0.18	No	Does not contribute to RDP. Entirely constrained by C-1 Stream/Buffer, 100 Year Flood Zone, Steep Slopes.	0.00	No
334	21503	31	ROCKAWAY TOWNSHIP	0.09	No	Does not contribute to RDP. Entirely constrained by C-1 Stream/Buffer, 100 Year Flood Zone, Steep Slopes.	0.00	No
335	21503	32	ROCKAWAY TOWNSHIP	0.07	No	Does not contribute to RDP. Entirely constrained by C-1 Stream/Buffer, 100 Year Flood Zone, Steep Slopes.	0.00	No
336	21503	33	ROCKAWAY TOWNSHIP	0.06	No	Does not contribute to RDP. Entirely constrained by C-1 Stream/Buffer, 100 Year Flood Zone, Steep Slopes.	0.00	No
337	21504	10	ROCKAWAY TOWNSHIP	0.15	No	Does not contribute to RDP. Entirely constrained by C-1 Stream/Buffer, Wetlands/Buffer, 100 Year Flood Zone.	0.00	No
338	21504	11	ROCKAWAY TOWNSHIP	0.26	EAS	Does not contribute to RDP. Entirely constrained by C-1 Stream/Buffer, Wetlands/Buffer, 100 Year Flood Zone.	0.00	No
339	21504	12	ROCKAWAY TOWNSHIP	0.19	FSSA Partial	Does not contribute to RDP. Entirely constrained by C-1 Stream/Buffer, Wetlands/Buffer, 100 Year Flood Zone.	0.00	No
340	21504	13	ROCKAWAY TOWNSHIP	0.20	FSSA	Does not contribute to RDP. Entirely constrained by C-1 Stream/Buffer, Wetlands/Buffer, 100 Year Flood Zone.	0.00	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
341	21504	15	ROCKAWAY TOWNSHIP	0.26	EAS	Does not contribute to RDP. Entirely constrained by C-1 Stream/Buffer, Wetlands/Buffer, 100 Year Flood Zone.	0.00	No
342	21504	24	UNKNOWN	0.52	EAS	Does not contribute to RDP. Inadequate lot configuration. Sanitary sewer easement.	0.00	No
343	21504	31	FRANCO,GAIL & MAUTE,JOHN & DANIELLE	0.22	EAS	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Steep Slopes, C-1 Buffer, Wetlands Buffer, 100 Year Flood Zone.	0.00	No
344	21504	36	ROCKAWAY TOWNSHIP	0.41	FSSA Partial	Does not contribute to RDP. Entirely constrained by C-1 Stream/Buffer, Wetlands/Buffer, 100 Year Flood Zone	0.00	No
345	21504	37	ROCKAWAY TOWNSHIP	0.46	No	Does not contribute to RDP. Entirely constrained by C-1 Stream/Buffer, Wetlands/Buffer, 100 Year Flood Zone	0.00	No
346	21504	38	O'BRIEN, PATRICIA & MICHAEL	0.46	No	Does not contribute to RDP. Entirely constrained by Wetlands/Wetlands Buffer, C-1 Buffer, 100 Year Flood Zone	0.00	No
347	21504	39	ROCKAWAY TOWNSHIP	0.41	EAS	Does not contribute to RDP. Entirely constrained by C-1 Stream/Buffer, Wetlands/Buffer, 100 Year Flood Zone	0.00	No
348	21504	45	WHITE MEADOW COUNTRY CLUB	0.27	EAS	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Wetland Buffer.	0.00	No
349	21504	9	SPECTOR, MARK & FORREST, BENAY	0.21	No	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by 100 Year Flood Zone, C-1 Buffer, Wetlands Buffer.	0.00	No
350	21601	18	GELLMAN, DONNA & ALEXANDER C	0.37	EAS	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer associated with White Meadow Lake.	0.00	No
351	21601	69	KEMPNER, MARK S	0.15	EAS	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer associated with White Meadow Lake.	0.00	No
352	21603	9	ROSALSKY, SAMUAL H & DIANE L	0.13	EAS	Does not contribute to RDP. Does not meet minimum area requirement.	0.13	No
353	21702	34	RYNSKY, ARLENE B & HANDLER,MERYLE N	0.33	FSSA Partial	Does not contribute to RDP. Does not meet minimum area requirement.	0.33	No
354	21801	34	ROCKAWAY TOWNSHIP	0.61	EAS	Does not contribute to RDP. Does not meet minimum area requirement.	0.61	No
355	21806	9	MIZIO, DOMENIC	0.35	FSSA	Does not contribute to RDP. Does not meet minimum area requirement.	0.00	No
356	21902	72.05	VINTAGE ESTATES HOA	0.18	EAS	Does not contribute to RDP. Does not meet minimum area requirement.	0.18	No
357	21906	15	ROCKAWAY TOWNSHIP	0.94	FSSA Partial	Does not contribute to RDP. Lot geometry does not support development.	0.94	No

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358	21909	21	ROCKAWAY TOWNSHIP	1.37	FSSA Partial	Does not contribute to RDP. Lot geometry does not support development.	1.37	No
359	22002	11	STEWART, ALFRED JR	0.22	FSSA	Does not contribute to RDP. Does not meet minimum area requirement. Nearly entirely constrained by Wetlands Buffer.	0.01	No
360	22002	14	ROCKAWAY TOWNSHIP	0.21	No	Does not contribute to RDP. Entirely constrained by Wetlands/Buffer	0.00	No
361	22002	15	ROCKAWAY TOWNSHIP	0.22	No	Does not contribute to RDP. Entirely constrained by Wetlands/Buffer	0.00	No
362	22002	16	ROCKAWAY TOWNSHIP	0.22	No	Does not contribute to RDP. Entirely constrained by Wetlands/Buffer	0.00	No
363	22002	17	ROCKAWAY TOWNSHIP	0.24	FSSA	Does not contribute to RDP. Entirely constrained by Wetlands/Buffer	0.00	No
364	22002	18	ROCKAWAY TOWNSHIP	0.21	FSSA	Does not contribute to RDP. Entirely constrained by Wetlands/Buffer	0.00	No
365	22002	19	ROCKAWAY TOWNSHIP	0.18	FSSA	Does not contribute to RDP. Entirely constrained by Wetlands/Buffer	0.00	No
366	22002	20	ROCKAWAY TOWNSHIP	0.21	No	Does not contribute to RDP. Entirely constrained by Wetlands/Buffer	0.00	No
367	22002	41	KUO, MEI CHAO & MING FU	0.50	FSSA	Does not contribute to RDP. Does not meet minimum area requirement.	0.50	No
368	22004	14	DURSO, HELEN	0.17	FSSA	Does not contribute to RDP. Does not meet minimum area requirement.	0.17	No
369	22004	15	TOMSKI, THOMAS J & PENELOPE E	0.18	FSSA	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.18	No
370	22004	16	ROCKAWAY TOWNSHIP	0.17	EAS	Does not contribute to RDP. Does not meet minimum area requirement.	0.17	No
371	22004	17	ROCKAWAY TOWNSHIP	0.25	FSSA	Does not contribute to RDP. Does not meet minimum area requirement.	0.25	No
372	22004	25	ROCKAWAY TOWNSHIP	0.27	EAS	Does not contribute to RDP. Does not meet minimum area requirement.	0.27	No
373	22006	1	HUELSENBECK, ROGER K & PATRICIA	0.04	FSSA	Does not contribute to RDP. Does not meet minimum area requirement.	0.04	No
374	22006	67.01	ROCKAWAY TOWNSHIP	0.17	No	Does not contribute to RDP. Does not meet minimum area requirement.	0.17	No
375	22006	81	RAO, GOPAL U	0.44	No	Does not contribute to RDP. Does not meet minimum area requirement. Entirely constrained by Steep Slopes, C-1 Buffer, 100 Year Flood Zone.	0.00	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
376	22102	1	CLIMAX, LLC	3.14	FSSA	Does not contribute to RDP. Approved for development.	1.86	No
377	22102	5.02	<Null>	3.82	No	Does not contribute to RDP. Approved for development.	1.83	No
378	22102	8	BRAEMAR POA	5.89	EAS Partial	Does not contribute to RDP. Common area for Braemer Condo development. Developed.	0.00	No
379	22103	17	HIBERNIA MINE RAILROAD	0.31	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Entirely constrained by Wetlands/Wetlands Buffer.	0.00	No
380	22103	2	LIU, CHUNG-FU	22.70	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Wetlands/Buffer, C-1 Stream/Buffer, 100 Year Flood Zone	2.13	No
381	22103	28	ROCKAWAY TOWNSHIP	0.53	EAS	Does not contribute to RDP. Located in Preservation Area. Entirely constrained by Wetlands/Buffer, C-1 Stream/Buffer, 100 Year Flood Zone	0.00	No
382	22103	36	COUNTY OF MORRIS TRANSPORTATION	3.08	No	Does not contribute to RDP. Located in Preservation Area. Railroad ROW.	0.00	No
383	22202	10.01	BRAUN, STEPHEN Z & HARTMAN, BERNARD	0.63	FSSA	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: C-1 Buffer. Approximately 26,224.63 square feet is constrained.	0.03	No
384	22202	7.01	TIMBERCREEK HOA	0.43	EAS	Does not contribute to RDP. Does not meet minimum area requirement. Environmental constraints: Wetlands/Wetlands Buffer. Approximately 8,695.83 square feet is constrained.	0.23	No
385	22203	4	HAMMOND, WILLIAM & CHRISTINE	2.60	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Wetlands/Wetlands Buffers, 100 Year Flood Zone, C-1 Buffer.	0.18	No
386	22203	7	ROCKAWAY TOWNSHIP	3.44	No	Does not contribute to RDP. Located in Preservation Area. Lot configuration does not support development.	0.00	No
387	22204	6	<Null>	2.36	No	Does not contribute to RDP. Environmental constraints: Wetlands/Wetlands Buffer, C-1 Stream/Buffer, Steep Slopes.	0.04	No
388	22301	5.02	UNKNOWN	0.35	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer.	0.00	No
389	22302	1	CHEWEY, PAUL J & RUTH ANN	0.14	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer.	0.00	No
390	22307	1	ROCKAWAY TWP BOARD OF EDUCATION	0.27	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Entirely constrained by C-1 Stream/Buffer, 100 Year Flood Zone	0.00	No

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391	22309	2	COUNTY OF MORRIS	0.73	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Entirely constrained by C-1 Stream/Buffer, Wetlands/Buffer, 100 Year Flood Zone	0.00	No
392	22310	2	MORRIS GENERAL CORPORATION	0.18	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.18	No
393	22310	6	GRAHM, BRIAN & GINA	0.97	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Wetlands Buffer, C-1 Buffer, 100 Year Flood Zone.	0.70	No
394	22311	6	STATE OF NEW JERSEY	0.27	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 5,656.43	0.14	No
395	22401	1.04	ROGERS, MAX	1.27	FSSA	Does not contribute to RDP. Entirely constrained by Steep Slopes, C-1 Buffer.	0.00	No
396	22401	1.05	ROCKAWAY TOWNSHIP	0.08	FSSA	Does not contribute to RDP. Does not meet minimum area requirement.	0.08	No
397	22401	3.06	MORRIS COMMONS LLC	25.45	FSSA Partial	Contributes to RDP. Morris Commons. Environmental constraints: Steep Slopes, Wetlands Buffer. Approximately 255,540.37 square feet is constrained	19.58	Yes
398	22401	3.07	MORRIS COMMONS LLC	19.73	FSSA Partial	Contributes to RDP. Morris Commons. Environmental constraints: Steep Slopes, Wetlands/Buffers, C-1 Buffer. Approximately 802,992.63 square feet is constrained.	1.29	Yes
399	30001	1.01	ROCKAWAY TOWNSHIP	1.09	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Steep Slopes. Approximately 21,065.40 square feet is constrained.	0.61	No
400	30001	23	REILLY, JAMES M	3.21	No	Does not contribute to RDP. Located in Preservation Area. Environmental constraints: Steep Slopes, Wetlands Buffer, C-1 Buffer. Approximately 125,410.33 square feet is constrained.	0.33	No
401	30001	3.01	SOMMERKORN, WALTER	2.15	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Wetlands/Wetlands Buffer. Approximately 64,449.15 square feet is constrained.	0.67	No
402	30001	3.02	SOMMERKORN, EDWARD	2.91	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access.	2.91	No
403	30001	3.03	SOMMERKORN, RICHARD F & GILDA A	3.19	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access.	3.19	No
404	30001	4	ROCKAWAY TOWNSHIP	8.17	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Wetlands/Buffer, C-1 Buffer. Approximately 297,883.66 square feet is constrained.	1.33	No

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405	30101	11.18	SUNRISE @ MARCELLA POA % J SASSO	14.70	No	Does not contribute to RDP. Dedicated open space for homeowners association.	0.00	No
406	30101	11.19	SUNRISE @ MARCELLA POA % J SASSO	13.61	No	Does not contribute to RDP. Dedicated open space for homeowners association.	0.00	No
407	30101	11.34	UNKNOWN	1.50	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA Access. Environmental constraints: Steep Slopes. Approximately 64,282.35 square feet is constrained.	0.02	No
408	30102	1	RADIATION TECHNOLOGY INC	15.43	No	Does not contribute to RDP. Nearly entirely constrained. Located in Preservation Area. No EAS/FSSA access.	0.83	No
409	30102	10	RADIATION TECHNOLOGY INC	9.04	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Wetlands Buffer, C-1 Buffer.	4.46	No
410	30102	11	SCOTT, JAMES EST	6.11	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Does not have any frontage along a ROW. Entirely constrained by Wetlands/Wetlands Buffer.	0.00	No
411	30102	12	SCOTT, JAMES EST	3.69	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Does not have any frontage along a ROW. Entirely constrained by Wetlands/Wetlands Buffer.	0.00	No
412	30102	14	UNKNOWN	0.69	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Entirely constrained by Wetlands/Wetlands Buffer.	0.00	No
413	30102	2	RADIATION TECHNOLOGY INC	8.66	No	Does not contribute to RDP. Located in Preservation Area. Nearly entirely constrained. No EAS/FSSA access. Environmental constraints: Wetlands/Buffer, C-1 Stream/Buffer.	1.64	No
414	30102	4	RADIATION TECHNOLOGY INC	4.68	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Entirely constrained by Wetlands/Wetlands Buffer, Steep Slopes.	0.00	No
415	30102	5	RADIATION TECHNOLOGY INC	6.43	No	Does not contribute to RDP. Located in Pres Area. Constraining lot configuration. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Wetlands/Buffer, C-1 Stream/Buffer.	1.80	No
416	30102	6	RADIATION TECHNOLOGY INC	1.12	No	Does not contribute to RDP. Located in Preservation Area. Constraining lot configuration. No EAS/FSSA access. Environmental constraints: Wetlands/Buffer	0.78	No
417	30102	8	RADIATION TECHNOLOGY INC	3.33	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Wetlands Buffer.	3.02	No
418	30102	9	RADIATION TECHNOLOGY INC	8.08	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Wetlands/Buffer.	4.37	No

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419	30201	13	ROCKAWAY TOWNSHIP	0.34	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Entirely constrained by C-1 Buffer.	0.00	No
420	30201	2	CHURCH OF OUR LADY OF MT CARMEL	0.88	No	Does not contribute to RDP. Located in Preservation Area. No ROW access. Does not meet minimum area requirement due to environmental constraints: Steep Slopes, C-1 Buffer.	0.42	No
421	30201	21	ROCKAWAY TOWNSHIP	0.43	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access.	0.43	No
422	30201	22	ROCKAWAY TOWNSHIP	2.15	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Steep Slopes. Approximately 15,469.17 square feet is constrained.	1.79	No
423	30201	27	KRALL, SAM & JOAN F	5.50	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Does not have frontage along a ROW. Environmental constraints: Wetlands/Wetlands Buffer, C-1 Stream/Buffer, Steep Slopes.	0.89	No
424	30201	38	WAGNER, DAVID F & JAMES A ETAL	9.78	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. No ROW access. Environmental constraints: Wetlands Buffer. Approximately 13,531.91 square feet is constrained.	9.47	No
425	30201	39.01	ROCKAWAY TOWNSHIP	6.78	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental Constraints: Wetlands/Buffer, C-1 Buffer. Approximately 85,875.25 square feet is constrained.	4.81	No
426	30201	39.02	ROCKAWAY TOWNSHIP	4.43	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental Constraints: Steep Slopes. Approximately 54,792.38 square feet is constrained.	3.18	No
427	30201	40	ROCKAWAY TOWNSHIP	0.97	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access.	0.97	No
428	30201	44	ROCKAWAY TOWNSHIP	0.22	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.22	No
429	30301	14	MACKENN, EUNICE ANN	0.10	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer.	0.00	No
430	30301	20	NOR-BU LODGE NO 427	0.35	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Entirely constrained by C-1 Stream/Buffer.	0.00	No
431	30301	36	NOR-BU LODGE NO 427	0.34	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.34	No
432	30301	37	CANCELLIERE, SUSAN L % O'NEILL	0.49	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Does not meet minimum area requirement.	0.49	No

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433	30301	4.01	LAKE TELEMARCK COUNTRY CLUB	0.05	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.05	No
434	30304	14	NOR-BU LODGE NO 427	0.11	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Entirely constrained by C-1 Buffer.	0.00	No
435	30304	15	NOR-BU LODGE NO 427	0.11	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Entirely constrained by C-1 Buffer.	0.00	No
436	30304	16	LAKE TELEMARCK COUNTRY CLUB	0.15	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer associated with White Meadow Lake.	0.00	No
437	30304	29	LAKE TELEMARCK COUNTRY CLUB	0.06	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Entirely constrained by C-1 Stream/Buffer, 100 Year Flood Zone, Steep Slopes.	0.00	No
438	30304	29	LAKE TELEMARCK COUNTRY CLUB	0.06	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Entirely constrained by C-1 Stream/Buffer, 100 Year Flood Zone, Steep Slopes.	0.00	No
439	30304	30	LAKE TELEMARCK COUNTRY CLUB	0.11	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Entirely constrained by C-1 Stream/Buffer, 100 Year Flood Zone, Steep Slopes.	0.00	No
440	30304	30	LAKE TELEMARCK COUNTRY CLUB	0.11	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Entirely constrained by C-1 Stream/Buffer, 100 Year Flood Zone, Steep Slopes.	0.00	No
441	30304	31	LAKE TELEMARCK COUNTRY CLUB	0.40	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Entirely constrained by C-1 Stream/Buffer, 100 Year Flood Zone, Steep Slopes.	0.00	No
442	30304	33	LAKE TELEMARCK COUNTRY CLUB	0.49	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Entirely constrained by C-1 Stream/Buffer, 100 Year Flood Zone, Steep Slopes.	0.00	No
443	30304	6	NAERIS, AINO MUERK & URMAS ALAR	0.26	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Environmental constraints: C-1 Buffer associated with White Meadow Lake.	0.00	No
444	30306	4	ROCKAWAY TOWNSHIP	0.18	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: C-1 Stream/Buffer, 100 Year Flood Zone	0.00	No
445	30306	5	ROCKAWAY TOWNSHIP	0.21	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: C-1 Stream/Buffer, 100 Year Flood Zone	0.00	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
446	30307	7	CARLSON, HANS J & JUNE	0.23	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Environmental constraints: Steep Slopes, C-1 Buffer, Wetland Buffer.	0.02	No
447	30308	5	LOTZ, EDYTHE JOY	0.16	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer associated with White Meadow Lake.	0.00	No
448	30309	18	BAUMEISTER, ANN ESTATE	0.21	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Entirely constrained by Steep Slopes.	0.00	No
449	30309	22	HARRINGTON, TIMOTHY	0.39	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 3,602.53 square feet is constrained.	0.31	No
450	30310	8	BARCELONA, ISABEL C & DENNIS C	0.21	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.21	No
451	30401	1	LAKE TELEMAR COUNTRY CLUB	0.48	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Entirely constrained by C-1 Stream/Buffer, 100 Year Flood Zone.	0.00	No
452	30401	6	MARDEN, MICHAEL L	0.49	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. No EAS/FSSA access. Entirely constrained by C-1 Buffer, Wetlands Buffer, 100 Year Flood Zone	0.00	No
453	30402	13	KALAFSKI, KATHRYN	0.21	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.21	No
454	30402	28	REDLICH, THEODORE J	0.17	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 1,773.22 square feet is constrained.	0.13	No
455	30404	30	GRIFFITH-PRIDEAUX REAL CO % MARSHAL	0.43	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.43	No
456	30405	12.01	NOR-BU LODGE NO 427	0.11	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.11	No
457	30405	29	ROCKAWAY TOWNSHIP	0.26	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Steep Slopes. Approximately 7,989.90 square feet is constrained.	0.08	No
458	30405	7	MEYER, SALLY S	0.27	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Entirely constrained by Wetland Buffer, C-1 Buffer.	0.00	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
459	30406	12	KEIPER, WALTER S JR & A	0.15	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Environmental constraints: C-1 Buffer. Approximately 303.03 square feet is constrained.	0.14	No
460	30406	13	PASSERINI, ROCCO & MASON, JOANNE	0.14	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Environmental constraints: C-1 Buffer. Approximately 1,087.55 square feet is constrained.	0.11	No
461	30406	8	RICALDE, JOSEPHINE	0.32	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.32	No
462	30407	12	UNKNOWN	0.02	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Entirely constrained by Steep Slopes.	0.00	No
463	30501	6.01	ROCKAWAY TOWNSHIP	0.92	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Wetlands/Wetlands Buffer. Approximately 22,809.42 square feet is constrained	0.39	No
464	30502	100	PETONAK, JOHN A & BELL, DENISE A	0.24	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.24	No
465	30502	103.01	MEEHAN, ROBERT F & LORRAINE E	0.17	No	Does not contribute to RDP. Located in Preservation Area. When combined with Block 30502 Lot 103.02 (common ownership), does not meet minimum area requirement.	0.17	No
466	30502	103.02	MEEHAN, ROBERT F & LORRAINE E	0.02	No	Does not contribute to RDP. Located in Preservation Area. When combined with Block 30502 Lot 103.01 (common ownership), does not meet minimum area requirement.	0.02	No
467	30502	105	GRIFFIN, SANDRA A	0.72	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 24,799.82 square feet is constrained.	0.15	No
468	30502	106	FUERTGES, KAREN % CHOVANEC, STEPHEN	0.70	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 6,771.97 square feet is constrained.	0.54	No
469	30502	12	DOLSKY, BETH L	0.14	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.14	No
470	30502	14	COLEMAN, GARY & KAREN A	0.14	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.14	No
471	30502	17	ROBORTACCIO, MICHAEL & JACLYN	0.16	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 5,539.29 square feet is constrained.	0.03	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
472	30502	19	COSTINE, SCOTT & HERRERA, NUVIA	0.15	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Entirely constrained by Steep Slopes.	0.00	No
473	30502	26	JENKINS, JOHN E & KIMBERLY	0.11	No	Does not contribute to RDP. Located in Preservation Area. When combined with Block 30502 Lot 9 (common ownership), does not meet minimum area requirement.	0.11	No
474	30502	32	BLUME, MELISSA D	0.28	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.28	No
475	30502	34	HOEVE, TORUNN TEN	0.15	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.15	No
476	30502	36	LADD, GREGORY N & DIANE S	0.15	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.15	No
477	30502	46	GORSKI, BRIAN & ALEXANDRA	0.16	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Nearly entirely constrained by Steep Slopes.	0.00	No
478	30502	49	DAVIDSON, MARK E	0.26	No	Does not contribute to RDP. Located in Preservation Area. When combined with Lot 49 (common ownership), does not meet minimum area requirement. Entirely constrained by Steep Slopes, C-1 Buffer.	0.00	No
479	30502	50	DAVIDSON, MARK E	0.25	No	Does not contribute to RDP. Located in Preservation Area. When combined with Lot 49 (common ownership), does not meet minimum area requirement. Entirely constrained by Steep Slopes, C-1 Buffer.	0.00	No
480	30502	55	ANDERSEN, RAGNHILD	0.19	No	Does not contribute to RDP. Located in Pres Area. When combined with Block 30502 Lots 56, 57, and 58.01 (common ownership), doesn't meet minimum area requirement. Entirely constrained by Steep Slopes.	0.00	No
481	30502	56	ANDERSEN, RAGNHILD	0.21	No	Does not contribute to RDP. Located in Preservation Area. When combined with Block 30502 Lots 55, 57, and 58.01 (common ownership), does not meet minimum area requirement. Entirely constrained by Steep Slopes.	0.00	No
482	30502	57	ANDERSEN, RAGNHILD	0.25	No	Does not contribute to RDP. Located in Preservation Area. When combined with Lots 55, 56, and 58.01 (common ownership), does not meet minimum area requirement. Entirely constrained by Steep Slopes.	0.00	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
483	30502	58.01	ANDERSEN, RAGNHILD	0.15	No	Does not contribute to RDP. Located in Pres. Area. When combined with Block 30502 Lots 55, 56, and 57 (common ownership), does not meet minimum area requirement. Entirely constrained by Steep Slopes.	0.00	No
484	30502	62	SALBERG, ADAM & LISA	0.30	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.29	No
485	30502	7	JAFFE, SHOSHANA	0.13	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.13	No
486	30502	71	UNKNOWN	0.04	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.04	No
487	30502	74	HARBESON , CHRISTOPHER & JOAN	0.15	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.15	No
488	30502	76	MUELLER, CHARLES A & KELLY ANN	0.23	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.23	No
489	30502	78	JENKINS, JOHN E & KIMBERLY	0.18	No	Does not contribute to RDP. Located in Preservation Area. When combined with Block 30502 Lot 9 (common ownership), does not meet minimum area requirement.	0.18	No
490	30502	79	POWER, ADAM & MURPHY, TRACY	0.17	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.17	No
491	30502	80	GREGSON, JOHN D & JULIA H	0.17	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.17	No
492	30502	81	VROOMAN, KIM N & JUDITH H	0.17	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.17	No
493	30502	83	TUCK, DUNCAN & CAROL	0.21	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 2,786.94 square feet is constrained.	0.15	No
494	30502	85	BISCHER, GARY & UHLEMAN, LISA D	0.18	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 1,513.62 square feet is constrained.	0.15	No
495	30502	91	CAMPBELL, JOHN M	0.15	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.15	No
496	30502	96	BERRY, ANNE MARIE & DOUGLAS R	0.19	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.19	No
497	30503	10.01	JANKOWSKI, MARGARET	0.03	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer.	0.00	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
498	30503	11	JANKOWSKI, MARGARET	0.35	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer, Steep Slopes.	0.00	No
499	30503	14	JANKOWSKI, MARGARET	1.12	No	Does not contribute to RDP. Located in Preservation Area. Environmental constraints: C-1 Buffer, Steep Slopes. Approximately 41,881.71 square feet are constrained.	0.16	No
500	30504	7	BENES, STEPHEN J & TANIS, CINDY L	0.19	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.19	No
501	30505	16	EIDHAMMER, LILLIAN & CARLSEN, JOHN	0.13	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.13	No
502	30601	11	CZARNECKI, JOHN L	0.40	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer.	0.00	No
503	30601	15	UNKNOWN	0.06	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.06	No
504	30601	9	MASON, JOSEPH & ELEANOR	0.12	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer.	0.00	No
505	30602	2	DILLON, DOUGLAS M & TATIANA	0.32	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Entirely constrained by Steep Slopes.	0.00	No
506	30603	2	WIRTZ, KAREN LEE	0.34	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Entirely constrained by Steep Slopes.	0.00	No
507	30603	4	BANFIELD, JOHN A & SUSAN	0.08	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Entirely constrained by Steep Slopes, Wetland Buffer.	0.00	No
508	30701	34	FLYNN, BARBARA	2.62	No	Does not contribute to RDP. Located in Preservation Area. Completely constrained by Wetlands/Wetlands Buffer, C-1 Stream/Buffer, 100 Year Flood Zone.	0.00	No
509	30701	39.37	ROCKAWAY TOWNSHIP	5.07	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Steep Slopes, C-1 Buffer.	0.00	No
510	30701	43	TOWNSHIP OF ROCKAWAY	41.70	No	Does not contribute to RDP. Partially located in Preservation Area. Portion in Planning Area is located in Protection Zone. Environmental constraints: C-1 Stream/Buffer, Wetlands/Buffer, 100 YFZ, Slope	4.93	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
511	30701	43.01	ROCKAWAY TOWNSHIP	1.58	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: 100 Year Flood Zone, Wetlands/Buffer, C-1 Buffer.	0.00	No
512	30701	5	PALUBNIAK, JOHN	1.39	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Entirely constrained by Wetlands/Wetlands Buffer.	0.00	No
513	30701	71	PALICIA, DEBORAH & FILIPPONE, R	0.14	No	Does not contribute to RDP. Does not meet minimum area requirement.	0.14	No
514	30701	85	LIEBMAN, JACK & MABEL % WALDMAN	0.22	No	Does not contribute to RDP. Does not meet minimum area requirement.	0.22	No
515	30703	10	MC MANUS, JOHN & KIM M	0.89	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA Access. Environmental constraints: Steep Slopes.	0.00	No
516	30703	23	PERRAULT, BRENT & WENDY	0.21	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Entirely constrained by Wetlands Buffer.	0.00	No
517	30801	12	CARLYON, ROBERT L & SANDRA M	2.20	No	Does not contribute to RDP. No EAS/FSSA access. Environmental constraints: Wetlands/Wetlands Buffer, C-1 Stream/Buffer. Approximately 94,585.35 square feet is constrained.	0.03	No
518	30801	48	MERIDEN HEIGHTS HOA INC	24.90	No	Does not contribute to RDP. No EAS/FSSA access. Entirety of site is located in PZ. Dedicated open space.	0.00	No
519	30801	48.39	MERIDEN HEIGHTS HOA INC	12.44	No	Does not contribute to RDP. Dedicated open space for homeowners association.	0.00	No
520	30901	5	SEDEK, MICHAEL & KELLEY	1.38	No	Does not contribute to RDP. Roadway.	0.00	No
521	31001	12	JERSEY CITY DIV OF WATER % MUN UTIL	48.09	No	Does not contribute to RDP. Located in Preservation Area. Jersey City Division of Water and Municipal Utilities	0.00	No
522	31001	2	GRAY, GLEN S	2.03	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access.	2.03	No
523	31001	35	DECKER, KENNETH R	1.50	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access.	1.50	No
524	31001	8	PSEG SERVICES CORP % FIERRO, NANCY	3.82	No	Does not contribute to RDP. Located in Preservation Area. Does not have frontage along a ROW. Environmental constraints: Wetlands/Wetlands Buffer, C-1 Stream/Buffer, Steep Slopes.	0.72	No
525	31101	11	KRALL, SAM & JOAN	0.42	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Environmental constraints: C-1 Buffer, Wetland Buffer.	0.34	No

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526	31101	19	ROCKAWAY TOWNSHIP	0.36	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Does not meet minimum area requirement. Environmental Constraints: Steep Slopes. Approximately 10,257.43 square feet is co	0.12	No
527	31101	26	DURKIN, ROBERT D & JUDITH L	2.57	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Wetlands/Buffer, Steep Slopes.	2.02	No
528	31101	55	SARAHS WOODS HOA	27.12	No	Does not contribute to RDP. Dedicated HOA open space.	0.00	No
529	31101	81.2	ROCKAWAY HILLS ASSOC INC	22.50	No	Does not contribute to RDP. Dedicated HOA common open space.	0.00	No
530	31102	81.21	ROCKAWAY HILLS ASSOCIATES, INC	3.11	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Steep Slopes, C-1 Buffer, Wetlands Buffer.	1.06	No
531	40001	1	LAKE END CORPORATION	350.07	No	Does not contribute to RDP. Located in Preservation Area. Green Pond Corporation common area. Contains Green Pond.	0.00	No
532	40101	20	GREEN POND MOUNTAIN CORP	0.37	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Does not meet minimum area requirement. Located on island. Entirely constrained.	0.00	No
533	40101	25	GREEN POND MOUNTAIN CORP	0.22	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Does not meet minimum area requirement. Located on island. Entirely constrained.	0.00	No
534	40101	26	GREEN POND MOUNTAIN CORP	0.24	No	Does not contribute to RDP. Located in Preservation Area. Located in Preservation Area. No EAS/FSSA access. Does not meet minimum area requirement. Located on island. Entirely constrained.	0.00	No
535	40201	11	GREEN POND MOUNTAIN CORP	0.13	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Nearly entirely constrained by Steep Slopes.	0.00	No
536	40201	12	WILSON, TOBY & AMELIA	0.15	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 1,448.18 square feet is constrained.	0.12	No
537	40201	54	GREEN POND MOUNTAIN CORP	0.12	No	Does not contribute to RDP. Located in Preservation Area. Green Pond Corps commonly owned property. No EAS/FSSA access.	0.00	No
538	40201	55	GREEN POND MOUNTAIN CORP	0.44	No	Does not contribute to RDP. Located in Preservation Area. Green Pond Corps commonly owned property. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: C-1 Buffer.	0.31	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
539	40201	56	GREEN POND MOUNTAIN CORP	0.59	No	Does not contribute to RDP. Located in Preservation Area. Green Pond Corps commonly owned property. No EAS/FSSA access. Environmental constraints: C-1 Buffer.	0.33	No
540	40201	60	GREEN POND MOUNTAIN CORP	15.14	No	Does not contribute to RDP. Green Pond Corps commonly owned property. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: C-1 Buffer, Steep Slopes.	10.68	No
541	40202	1	GREEN POND CORP	0.18	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer.	0.00	No
542	40308	24	HIN JUDITH	0.03	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.03	No
543	40309	9	DEVRIES, DORIS	0.09	No	Does not contribute to RDP. Located in Preservation Area. Entirely constrained by C-1 Buffer associated with Green Pond	0.09	No
544	40401	23	GILBERT, JAMES & KATHLEEN	0.40	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 247.01 square feet is constrained.	0.39	No
545	40401	24	BURCH, SCOTT & JOAN	0.29	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.29	No
546	40401	26	COLEMAN, WILLIAM & ROHREY, MARILYN	0.29	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.29	No
547	40401	32	GREEN POND MOUNTAIN CORP	0.07	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.07	No
548	40401	93	GREEN POND MOUNTAIN CORP	22.23	No	Does not contribute to RDP. Green Pond Corps commonly owned property. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: C-1 Buffer, Steep Slopes.	7.89	No
549	40402	14	GREEN POND MOUNTAIN CORP	0.66	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 21,102.21 square feet is constrained.	0.18	No
550	40402	15	GREEN POND MOUNTAIN CORP	1.34	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access.	1.34	No
551	40602	6	WHEELER, JOHN C & LOUISE M	0.32	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer associated with Green Pond.	0.00	No
552	40603	8	HAMNER, CHARLES S & CHRISTINE M	0.65	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer associated with Green Pond.	0.00	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
553	40701	101	RILEY, RICHARD L	0.28	No	Does not contribute to RDP. Located in Preservation Area. When combined with Lots 102 and 103 (common ownership), does not meet minimum area requirement due to environmental constraints: Steep Slopes.	0.19	No
554	40701	102	RILEY, RICHARD L	0.29	No	Does not contribute to RDP. Located in Preservation Area. When combined with Lots 101 and 103 (common ownership), does not meet minimum area requirement due to environmental constraints: Steep Slopes.	0.13	No
555	40701	103	RILEY, RICHARD L	0.34	No	Does not contribute to RDP. Located in Preservation Area. When combined with Lots 101 and 102 (common ownership), does not meet minimum area requirement due to environmental constraints: Steep Slopes.	0.07	No
556	40701	104	KARLSEN, ROY	0.28	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Nearly entirely constrained by Steep Slopes.	0.01	No
557	40701	107	KMIEC, KENNETH & SYLVIA	0.54	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.54	No
558	40701	111	SIMMS, FRANK & LOMBARDI, CHRISTINE	1.62	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Wetlands Buffer, Steep Slopes. Approximately 42,720.24 square feet is constrained.	0.64	No
559	40701	112	ENHOLM, ROBERT W JR	1.11	No	Does not contribute to RDP. Located in Preservation Area. Entirely constrained by Wetlands/Wetlands Buffer, Steep Slopes.	0.00	No
560	40701	123	WATSON, BRUCE & SUSAN DEPAOLA-	0.42	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.42	No
561	40701	127	MATARAZZO, PATSY J & JUDITH ANN	0.37	No	Does not contribute to RDP. Located in Preservation Area. When combined with Block 30502 Lot 103.01 (common ownership), does not meet minimum area requirement.	0.37	No
562	40701	128	MATARAZZO, PATSY J & JUDITH ANN	0.25	No	Does not contribute to RDP. Located in Preservation Area. When combined Lot 103.01 (common ownership), does not meet minimum area requirement.	0.25	No
563	40701	131.01	UNKNOWN	0.14	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.14	No
564	40701	132	CYPRESS ESTATES HOA % BRENNAN, KIM	21.19	No	Does not contribute to RDP. Dedicated open space.	0.00	No
565	40701	132.16	CYPRESS ESTATES HOA % BRENNAN, KIM	4.90	No	Does not contribute to RDP. Located in Preservation Area. Dedicated open space for homeowners association.	0.00	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
566	40701	132.25	CYPRESS ESTATES HOA % BRENNAN, KIM	1.25	No	Does not contribute to RDP. Located in Preservation Area. Developed with a detention basin.	0.00	No
567	40701	146	HESELINK, MARK C	1.80	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Wetlands Buffer.	1.08	No
568	40701	147	HESELINK, MARK C	0.18	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Environmental constraints: Wetlands Buffer. Approximately 581.59 square feet is constrained.	0.17	No
569	40701	150	LINSKEY, BEVERLY S	0.92	No	Does not contribute to RDP. Located in Pres Area. When combined with Block 40701 Lots 151 and 152 (common ownership), does not meet minimum area requirement. Nearly entirely constrained by C-1 Buffer.	0.01	No
570	40701	151	LINSKEY, BEVERLY S	0.12	No	Does not contribute to RDP. Located in Preservation Area. When combined with Block 40701 Lots 150 and 152 (common ownership), does not meet minimum area requirement. Entirely constrained by C-1 Buffer.	0.00	No
571	40701	152	LINSKEY, BEVERLY S	0.10	No	Does not contribute to RDP. Located in Preservation Area. When combined with Block 40701 Lots 150 and 151 (common ownership), does not meet minimum area requirement. Entirely constrained by C-1 Buffer.	0.00	No
572	40701	153	FESTA, STEVEN & HOLLFELDER, JILL	0.10	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer	0.00	No
573	40701	21	RUNGE, JOHN	16.48	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: C-1 Stream/Buffer, Wetlands/Buffer.	0.99	No
574	40701	22	UNITED STATES OF AMERICA	4.94	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Entirely constrained by C-1 Stream/Buffer, Wetlands/Buffer.	0.00	No
575	40701	23	UNITED STATES OF AMERICA	1.38	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Entirely constrained by C-1 Stream/Buffer, Wetlands/Buffer.	0.00	No
576	40701	27	GREEN POND MOUNTAIN CORP	122.29	No	Does not contribute to RDP. Located in Preservation Area. Green Pond Corps commonly owned property. No EAS/FSSA access. Environmental constraints: Steep Slopes, C-1 Buffer, Wetlands Buffer.	76.06	No
577	40701	28	GREEN POND MOUNTAIN CORP	3.71	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Steep Slopes.	2.68	No

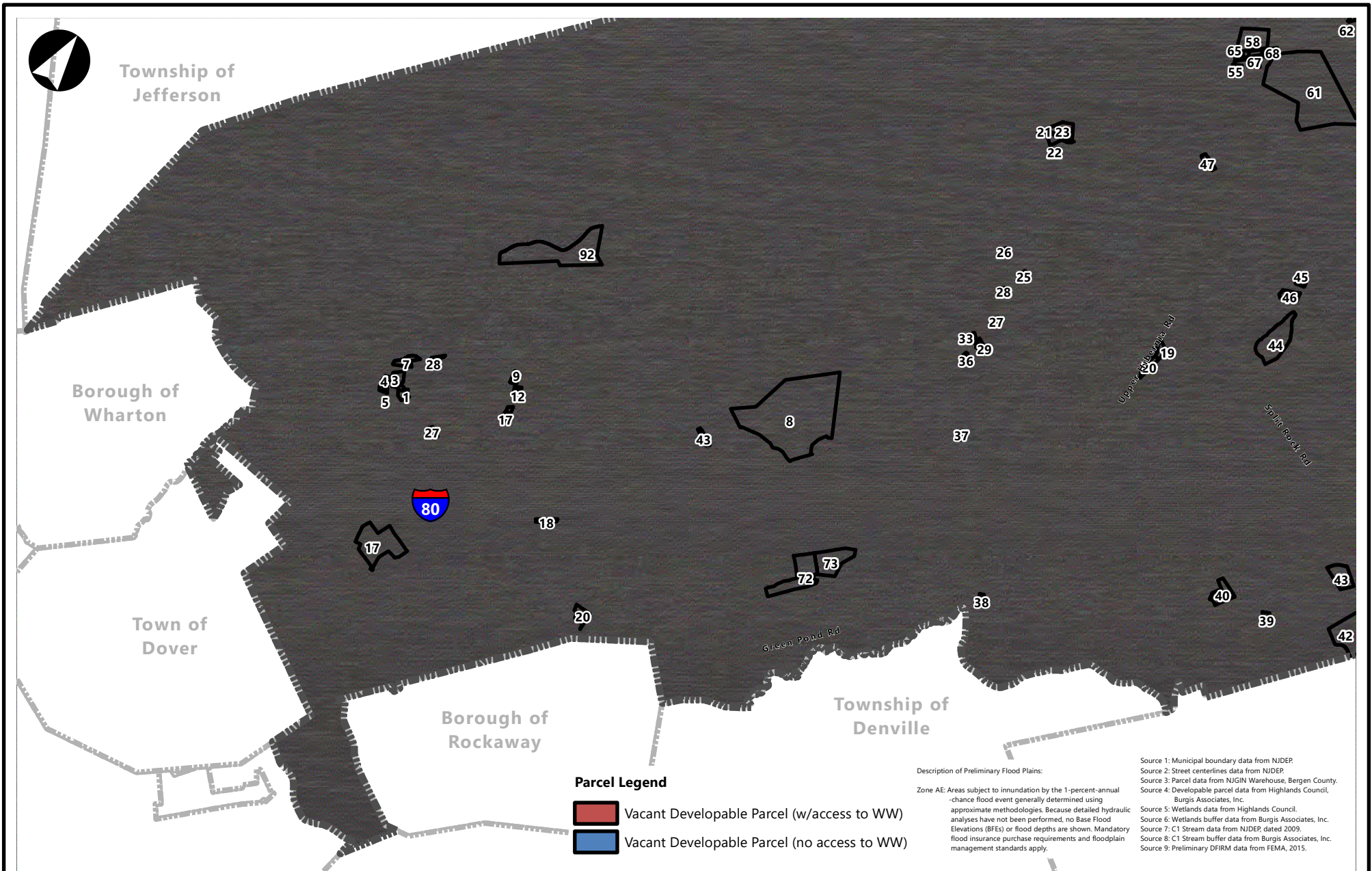
ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
578	40701	55	PACE, DAVID A & JOAN M	1.01	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Entirely constrained by Wetlands Buffer, C-1 Stream/Buffer.	0.00	No
579	40701	65	BOSTEDO, HARRY L & MARILYN	0.67	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 6,825.35 square feet is constrained.	0.52	No
580	40701	78	GOODERMOTE, CHRISTINE W	0.38	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.38	No
581	40701	84	PIVEC, WOLFGANG G	6.27	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Wetlands/Wetlands Buffer, C-1 Buffer. Approximately 261,968.05 is constrained.	0.26	No
582	40701	91	WGG HELLER INVEST 2 LLC	119.09	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Wetlands/Buffer, C-1 Buffer, Steep Slopes	74.30	No
583	40701	96	SCHOLZ, ADELHEID A	0.34	No	Does not contribute to RDP. Located in Preservation Area. When combined with Block 40701 Lot 97 (common ownership), does not meet minimum area requirement.	0.34	No
584	40701	97	SCHOLZ, ADELHEID A	0.33	No	Does not contribute to RDP. Located in Preservation Area. When combined with Block 40701 Lot 96 (common ownership), does not meet minimum area requirement. No EAS/FSSA access.	0.33	No
585	40701	99	CUDILO, JOHN & SEEBECK, NANCY	0.33	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.33	No
586	40702	8	WILSON, HARRY	0.66	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Entirely constrained by C-1 Buffer.	0.00	No
587	40703	11	ROCKAWAY TOWNSHIP	1.11	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Wetlands/Buffer. Approximately 23,804.90 square feet is constrained.	0.57	No
588	40703	3	TINNEY, CHRISTINA	1.85	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Wetlands buffer.	1.62	No
589	40703	6	PELHAM, LARRY & RUTHANNE	2.15	No	Does not contribute to RDP. Located in Preservation Area. Inadequate lot geometry. Former ROW.	1.57	No
590	40703	7	ROCKAWAY TOWNSHIP	1.21	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Wetlands/Buffer. Approximately 11,988.78 square feet is constrained.	0.94	No
591	40703	8	RUNGE, JOHN	0.68	No	Does not contribute to RDP. Located in Preservation Area. Common ownership with adjoining Lot 9. No EAS/FSSA access.	0.68	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
592	40703	9	RUNGE, JOHN	1.94	No	Does not contribute to RDP. Located in Preservation Area. Common ownership with adjoining Lot 8. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Wetlands Buffer.	1.84	No
593	40801	106	KROL, RICHARD J & RAFFAELA M	0.40	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Environmental constraints: Wetlands Buffer. Approximately 5,316.39 square feet is constrained.	0.28	No
594	40801	109	TORNQUIST, CYNTHIA LEIGH	2.31	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Does not have ROW frontage.	2.31	No
595	40801	112	BONFIGLIO, PEGGY	0.81	No	Does not contribute to RDP. Located in Preservation Area. Common ownership with adjoining Lots 113 and 114. No EAS/FSSA access. Environmental constraints: Wetlands Buffer.	0.75	No
596	40801	113	BONFIGLIO, PEGGY	0.69	No	Does not contribute to RDP. Located in Preservation Area. Common ownership with adjoining Lots 112 and 114. No EAS/FSSA access. Environmental constraints: Wetlands Buffer.	0.59	No
597	40801	114	BONFIGLIO, PEGGY	1.18	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Common ownership with adjoining Lots 112 and 113. Environmental constraints: Wetlands Buffer.	1.18	No
598	40801	115	KAMMERER, EILEEN	0.91	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Common ownership with Lots 117 and 119.	0.91	No
599	40801	117	KAMMERER, EILEEN	0.88	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Common ownership with Lots 115 and 119.	0.88	No
600	40801	119	KAMMERER, EILEEN	0.50	No	Does not contribute to RDP. Located in Preservation Area. Common ownership with Lots 115 and 117. No EAS/FSSA access.	0.50	No
601	40801	124	MC DONALD, DALE	2.36	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Wetlands/Wetlands Buffer. Approximately 87,209.02 square feet is constrained.	0.36	No
602	40801	142.06	SENECA WOODS HOA INC	6.07	No	Does not contribute to RDP. Located in Preservation Area. Stormwater management for subdivision development.	0.00	No
603	40801	17	MULLER, MATTHEW & SHANNON	31.17	No	Does not contribute to RDP. Located in Preservation Area. No Access to ROW. Environmental constraints: Wetlands/Wetlands Buffer, C-1 Stream/Buffer, Steep Slopes.	16.61	No
604	40801	24	O'DONNELL, KEVIN & MONICA	0.99	No	Does not contribute to RDP. Located in Preservation Area. Entirely constrained by Wetlands, Wetlands Buffer, C-1 Stream/Buffer.	0.00	No
605	40801	35	GREEN POND CORP	6.13	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Green Pond Corp. property used as roadway.	0.00	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
606	40801	4	RAO, G U	3.34	No	Does not contribute to RDP. Located in Preservation Area. Completely constrained by Wetlands/Wetlands Buffer, C-1 Stream/Buffer.	0.00	No
607	40801	49	TOBAYGO, PHILLIP	0.24	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 5,638.48 square feet is constrained.	0.11	No
608	40801	57	KARLSEN, ROY & MCCAULEY, SUSAN E	0.15	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Environmental constraints: Steep Slopes. Approximately 4,064.07 square feet is constrained.	0.06	No
609	40801	65	KELLER, JEANNIE/BONSIGNORE, ANTHONY	0.26	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.26	No
610	40801	69.01	ALNAZ CORPORATION	0.53	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.53	No
611	40801	78	MAROGI, MAHA	23.44	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Steep Slopes.	23.44	No
612	40801	83	POND REALTY % FENIX	1.76	FSSA	Does not contribute to RDP. Located in Preservation Area. Common area for Green Pond Mews development. Partially developed.	1.76	No
613	40801	85	CITY OF NEWARK C/O NEWARK WATERSHED	1.89	No	Does not contribute to RDP. Located in Preservation Area. City of Newark Watershed.	0.00	No
614	40801	91	MAROGI, MAHA	32.99	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Wetlands/Buffer	31.01	No
615	40801	99	CAVAGNARO, TERESA M	0.41	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.41	No
616	40901	1	GREEN POND MOUNTAIN CORP	61.18	No	Does not contribute to RDP. Located in Preservation Area. Green Pond Corp. owned property. No EAS/FSSA access. Contains access easements. Environmental constraints: Wetlands/Buffer	59.82	No
617	40901	10	CITY OF NEWARK C/O NEWARK WATERSHED	123.38	No	Does not contribute to RDP. Located in Preservation Area. City of Newark Watershed.	0.00	No
618	40901	14	CITY OF NEWARK C/O NEWARK WATERSHED	5.42	No	Does not contribute to RDP. Located in Preservation Area. City of Newark Watershed.	0.00	No
619	40901	16	CITY OF NEWARK C/O NEWARK WATERSHED	4.19	No	Does not contribute to RDP. Located in Preservation Area. City of Newark Watershed.	0.00	No
620	40901	27	CITY OF NEWARK C/O NEWARK WATERSHED	40.62	No	Does not contribute to RDP. Located in Preservation Area. City of Newark Watershed.	0.00	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
621	40901	3	GREEN POND BIBLE CHAPEL % TANIS, J	32.41	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Wetlands/Buffer, C-1 Stream/Buffer.	20.66	No
622	40901	4	GREEN POND MOUNTAIN CORP	13.87	No	Does not contribute to RDP. Green Pond Corps commonly owned property. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Wetlands/Buffer.	12.06	No
623	50001	1	JERSEY CITY DIV OF WATER % MUN UTIL	700.34	No	Does not contribute to RDP. Located in Preservation Area. Jersey City Division of Water and Municipal Utilities	0.00	No
624	50001	11	LARBALESTRIER, MARK	0.75	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement. Environmental constraints: Wetlands Buffer. Approximately 27,253.37 square feet is constrained.	0.13	No
625	50001	15	CITY OF NEWARK C/O NEWARK WATERSHED	533.25	No	Does not contribute to RDP. Located in Preservation Area. City of Newark Watershed.	0.00	No
626	50001	17	CITY OF NEWARK C/O NEWARK WATERSHED	44.89	No	Does not contribute to RDP. Located in Preservation Area. City of Newark Watershed.	0.00	No
627	50001	6	PATRIOTS PATH COUNCIL BSA	25.20	No	Does not contribute to RDP Analysis. Identified by OSRP as nonprofit camp with State Conservation Easement.	0.00	No
628	50003	22	CITY OF NEWARK C/O NEWARK WATERSHED	93.97	No	Does not contribute to RDP. Located in Preservation Area. City of Newark Watershed.	0.00	No
629	50003	3	GRANT, JOHN & LOIS	2.05	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Wetlands/Wetlands Buffer, C-1 Buffer. Approximately 32,530.65 is constrained.	0.75	No
630	50003	8.01	FELTS, PATRICIA E	2.39	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access.	2.39	No
631	50101	11	STATE OF NJ DEP	21.66	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental Constraints: Wetlands/Buffer, C-1 Stream/Buffer, Steep Slopes. Approximately 533,782.75 square feet is const	9.41	No
632	50101	21.02	BAYONNE SCOUT ENDOWMENT, INC	1.76	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access.	1.76	No
633	50101	29	WOLOSKY, JESSE	6.14	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access.	6.14	No
634	50101	31	ULVERSOY, HARRIET	0.86	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access.	0.86	No
635	50101	36	WOLOSKY, JESSE	1.81	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access.	1.81	No

ID	Block	Lot	Owner	Area (ac)	Wastewater Access	Comments	Developable Area	Contributes to RDP?
636	50101	6	FUCETOLA, DIANE	0.15	No	Does not contribute to RDP. Located in Preservation Area. Does not meet minimum area requirement.	0.15	No
637	50102	10	LUND, NANCY	1.93	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Wetlands/Wetlands Buffer, C-1 Buffer. Approximately 77,884.80 square feet is constrained.	0.14	No
638	60001	11.03	MOL, TROY & AILEEN	8.40	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access.	8.40	No
639	60001	2	CITY OF NEWARK C/O NEWARK WATERSHED	130.67	No	Does not contribute to RDP. Located in Preservation Area. City of Newark Watershed.	0.00	No
640	60001	20	CITY OF NEWARK C/O NEWARK WATERSHED	19.91	No	Does not contribute to RDP. City of Newark Watershed.	0.00	No
641	60001	21	CITY OF NEWARK C/O NEWARK WATERSHED	985.52	No	Does not contribute to RDP. Located in Preservation Area. City of Newark Watershed.	0.00	No
642	60001	23	CITY OF NEWARK C/O NEWARK WATERSHED	237.74	No	Does not contribute to RDP. Located in Preservation Area. City of Newark Watershed.	0.00	No
643	60001	24	CITY OF NEWARK C/O NEWARK WATERSHED	42.90	No	Does not contribute to RDP. Located in Preservation Area. City of Newark Watershed.	0.00	No
644	60101	29	HLADKY, GUY T & DAWN E	9.96	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Wetlands/Buffer, C-1 Stream/Buffer.	1.34	No
645	60101	9.01	UNKNOWN	1.60	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Wetlands/Wetland Buffers. Approximately 64,752.65 square feet is constrained.	0.11	No
646	70001	2.01	DOLAND, K % SZCZYGLOWSKI, SOPHIA	32.74	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. Environmental constraints: Wetlands/Buffer, Steep Slopes.	9.80	No
647	70001	5	ROCKAWAY TOWNSHIP	179.58	No	Does not contribute to RDP. Located in Preservation Area. No EAS/FSSA access. No ROW access. Environmental constraints: Steep Slopes. Approximately 5570,143.20 is constrained.	51.70	No



**Parcel Legend**

- Vacant Developable Parcel (w/access to WW)
- Vacant Developable Parcel (no access to WW)

**Description of Preliminary Flood Plains:**

Zone AE: Areas subject to inundation by the 1-percent-annual-chance flood event generally determined using approximate methodologies. Because detailed hydraulic analyses have not been performed, no Base Flood Elevations (BFEs) or flood depths are shown. Mandatory flood insurance purchase requirements and floodplain management standards apply.

Source 1: Municipal boundary data from NJDEP.  
 Source 2: Street centerlines data from NJDEP.  
 Source 3: Parcel data from NIGM Warehouse, Bergen County.  
 Source 4: Developable parcel data from Highlands Council, Burgis Associates, Inc.  
 Source 5: Wetlands data from Highlands Council.  
 Source 6: Wetlands buffer data from Burgis Associates, Inc.  
 Source 7: C1 Stream data from NJDEP, dated 2009.  
 Source 8: C1 Stream buffer data from Burgis Associates, Inc.  
 Source 9: Preliminary DFIRM data from FEMA, 2015.

Dwg Title

**Vacant Land Adjustment (Map 1)**

**BURGIS ASSOCIATES, INC.**  
 COMMUNITY PLANNING | LAND DEVELOPMENT AND DESIGN | LANDSCAPE ARCHITECTURE  
 25 Westwood Avenue  
 Westwood, New Jersey 07675

Project Title

**Housing Plan 2016**

TOWNSHIP OF ROCKAWAY | MORRIS COUNTY, NEW JERSEY

p: 201.666.1811  
 f: 201.666.2599

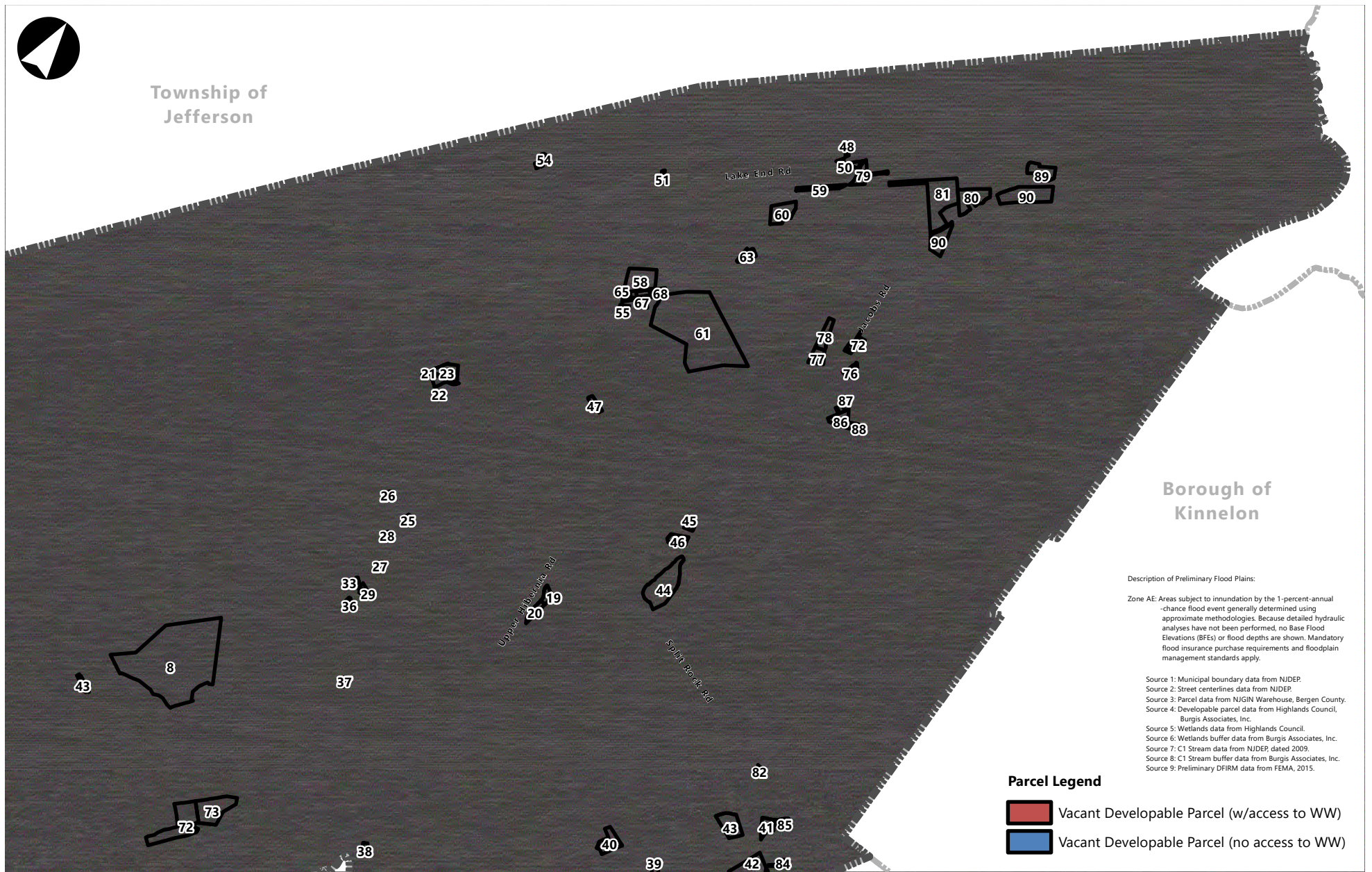
Project No.	Date	Drawn
3051.20	01.10.18	DN
Scale:	Dwg. No.:	
1" = 4,500'	vla1	
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**Environmental Constraints**

- Steep Slopes
- Flood Zone AE
- C-1 Streams
- Wetlands
- C-1 Streams: 300' Buffer
- Wetlands: 150' Buffer



# Township of Jefferson



## Borough of Kinnelon

**Description of Preliminary Flood Plains:**

Zone AE: Areas subject to inundation by the 1-percent-annual-chance flood event generally determined using approximate methodologies. Because detailed hydraulic analyses have not been performed, no Base Flood Elevations (BFEs) or flood depths are shown. Mandatory flood insurance purchase requirements and floodplain management standards apply.

Source 1: Municipal boundary data from NJDEP.  
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 Source 3: Parcel data from NIGIN Warehouse, Bergen County.  
 Source 4: Developable parcel data from Highlands Council, Burgis Associates, Inc.  
 Source 5: Wetlands data from Highlands Council.  
 Source 6: Wetlands buffer data from Burgis Associates, Inc.  
 Source 7: C1 Stream data from NJDEP, dated 2009.  
 Source 8: C1 Stream buffer data from Burgis Associates, Inc.  
 Source 9: Preliminary DFIRM data from FEMA, 2015.

### Parcel Legend

- Vacant Developable Parcel (w/access to WW)
- Vacant Developable Parcel (no access to WW)

Dwg Title  
**Vacant Land Adjustment (Map 2)**

Project No.	Date	Drawn
3051.20	01.10.18	DN

### Environmental Constraints

- Steep Slopes
- Flood Zone AE
- C-1 Streams
- Wetlands
- C-1 Streams: 300' Buffer
- Wetlands: 150' Buffer

**BURGIS ASSOCIATES, INC.**  
 COMMUNITY PLANNING | LAND DEVELOPMENT AND DESIGN | LANDSCAPE ARCHITECTURE  
 25 Westwood Avenue  
 Westwood, New Jersey 07675  
 p: 201.666.1811  
 f: 201.666.2599

Project Title  
**Housing Plan 2016**  
 TOWNSHIP OF ROCKAWAY | MORRIS COUNTY, NEW JERSEY

Scale:	Dwg. No.:
1" = 4,500'	vla2
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## Step 2: Revised RDP for Specific Properties Identified by FSHC

Following the Township’s initial VLA and RDP calculation, FSHC requested that a revised VLA and RDP calculation be conducted for specific properties which are identified in the following table. Pursuant to that request, this updated VLA excluded environmental buffers associated with wetland areas and category-one streams, as well as any Highlands regulatory controls.

As shown, the properties contained in the following table generate realistic development potential of 1,284 total units, including two hundred and twenty (220) affordable units. When added with Step 1, this increases the Township’s RDP to **two hundred and thirty-seven (237) affordable units**.

ID	Block	Lot	Property Location	Owner	Area (ac)	Comments	Developable Area (ac)	Contributes to RDP?	Density (du/ac)	Total Units	Affordable Units
2	10002	1	RICHARD MINE RD	ROCKAWAY TOWNSHIP	58.93	Environmental Constraints: Wetlands, C-1 Stream, 100-Year Flood Hazard Area, Steep Slopes. Approximately 14.88 acres are constrained.	44.04	Yes	6	264	53
3	10002	2	RICHARD MINE RD	BREEN CAPITAL HOLDING%TAX SERV, LLC	25.73	Environmental Constraints: Wetlands, 100-Year Flood Hazard Area, Steep Slopes. Approximately 6.93 acres are constrained.	18.79	Yes	6	112	23
19	10301	18.02	SWEDE MINE RD	KENNEY, JOHN JR & MARGARET	4.60	Environmental Constraints: Steep Slopes. Approximately 0.82 acres are constrained.	3.77	Yes	6	22	5

ID	Block	Lot	Property Location	Owner	Area (ac)	Comments	Developable Area (ac)	Contributes to RDP?	Density (du/ac)	Total Units	Affordable Units
53	10801	32	MT PLEASANT AVE	ROCKAWAY TOWNSHIP	10.05	Environmental Constraints: Wetlands. Approximately 3.61 acres are constrained.	6.43	No. The property contains a reversion clause using the land for municipal purposes only.	n/a	0	0
67	10802	34.06	20 HEATHER COURT	PALMAR ASSOCIATES, LLC	4.10	Owned by Palmar Associates. Environmental Constraints: Steep Slopes. Approximately 2.61 acres are constrained.	1.49	Yes	6	8	2
87	11112	30	FLEETWOOD DR	BOARD OF EDUCATION TWP OF RKWY	16.40	Environmental Constraints: Wetlands, Steep Slopes. Approximately 2.74 acres are constrained.	13.66	Yes	6	82	17
94	11116	42	MT HOPE AVE	MAKOR INC	33.07	Environmental Constraints: Wetlands, Steep Slopes. Approximately 4.75 acres are constrained.	28.32	Yes	6	169	34

ID	Block	Lot	Property Location	Owner	Area (ac)	Comments	Developable Area (ac)	Contributes to RDP?	Density (du/ac)	Total Units	Affordable Units
125	11401	44	MT HOPE AVE	ROCKAWAY TOWNSHIP	2.95	Environmental Constraints: Wetlands, C-1 Stream, Steep Slopes. Approximately 0.69 acres are constrained.	2.25	Yes	Approx. 5	15	3
130	11403	14	RICHARD MINE RD	RED OAK SERVICING CO LLC	26.28	Environmental Constraints: Wetlands, C-1 Stream, 100-Year Flood Hazard Area, Steep Slopes. Approximately 17.16 acres are constrained.	9.11	Yes	6	54	11
150	11409	2	31 TEABO RD	RICHARD MINE ESTATES INC	7.28	Previously approved with Block 11408 Lot 2 for 9 lots, including 2 affordable units. Environmental Constraints: Steep Slopes. Approximately 2.42 acres are constrained.	4.85	Yes	N/A	9	2
265	21201	46	ERIE AVE	WHITE MEADOW LK COUNTRY CLUB	50.33	In common ownership with Block 21201 Lots 138 and 139. Environmental Constraints: Wetlands, Steep Slopes. Approximately 36.87 acres are constrained.	13.46	No. Property is owned by an HOA.	n/a	0	0

ID	Block	Lot	Property Location	Owner	Area (ac)	Comments	Developable Area (ac)	Contributes to RDP?	Density (du/ac)	Total Units	Affordable Units	
376	22102	1	GREEN POND RD	CLIMAX, LLC	3.14	Environmental Constraints: Wetlands. Approximately 0.21 acres are constrained.	2.93	Yes	6	17	4	
377	22102	5.02	15 GREEN POND RD	KETUN LLC % ANA MANAGEMENT	4.26	Environmental Constraints: Wetlands, Steep Slopes. Approximately 2.04 acres are constrained.	2.22	Yes	6	25	5	
397	22401	3.06	700 COMMONS WAY	MORRIS COMMONS LLC	25.45	Part of the Morris Commons Development. Will generate 52 total credits of affordable housing.	20.84	Yes	7.65	345	52	
398	22401	3.07	600 COMMONS WAY	MORRIS COMMONS LLC	19.73	Part of the Morris Commons Development. Will generate 52 total credits of affordable housing.	12.53	Yes				
518	30801	48	3 TIMBER TRL	MERIDEN HEIGHTS HOA INC	24.90	Environmental Constraints: Wetlands, C-1 Stream, Steep Slopes. Approximately 9.60 acres are constrained.	15.30	No. Property is owned by a HOA and is preserved as open space.	n/a	0	0	
n/a	10802	33.01, 34.01-34.06	HEATHER COURT	PALMAR ASSOCIATES, LLC	RDP based upon a conceptual site layout prepared by Matarazzo Engineering, LLC, dated October 21, 2019. Forty-three (43) affordable units were included in the concept plan, of which nine (9) were to be reserved as affordable.						43	9
Totals										1,165	220	

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### Step 3: Accounting for Morris Commons

The next step in calculating the Township’s RDP is to account for those credits generated by the Morris Commons development. This is necessary in order to accommodate for the Morris Commons site in Step 4 as described below, which calculates a twenty percent (20%) set-aside based upon the total number of units/bedrooms to be generated for the Township’s prospective round obligation.

Morris Commons accounts for fifty-four (52) credits. This subsequently and temporarily reduces the Township’s RDP from two hundred and thirty-seven (237) affordable units to **one hundred and eighty-five (185) affordable units**.

Nevertheless, as shown in the following step, the RDP which would have been generated by a typical twenty percent (20%) set-aside for Morris Commons will be factored back into the Township’s RDP.

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### Step 4: Twenty Percent Set-Aside for Previous Components

The final step is to calculate a twenty percent (20%) set-aside based upon the total number of units/bedrooms to be generated for the Township’s prospective round obligation. These components are identified below.

Table 30: Previously Proposed Components (Not Accounted for in Table 2)

Plan Component	Total Units/Bedrooms	Status
Morris Commons	345	Approved
The Hills by Lennar	142	Approved
Sanders Road	10	Completed
Mine Hill Properties	9	Approved
Allegro Group Home (B 21005 L 2)	4	Completed
Allies, Inc. (B 10715 L 23)	4	Completed
Habitat for Humanity (Block 21102 Lots 43-45)	2	Proposed
<b>Total</b>	<b>516</b>	

As shown, a total of five hundred and sixteen (516) total units/bedrooms is proposed for the prospective round obligation. After applying a twenty-percent (20%) set-aside, these components generate a RDP of one hundred and four (104) affordable units.

When added to the affordable housing RDP calculated in the previous steps, the Township’s RDP would be adjusted to **two hundred and eight-nine (289) affordable units**.

Appendix B:  
UCP Memorandum of Understanding  
between New Jersey and Mortgage  
Finance Agency and New Jersey  
Department of Human Services and  
New Jersey Department of Community  
Affairs and Township of Rockaway

word docs\Keli (ROCK-2001-K1)  
UCP MOU  
050312

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
UNITED CEREBRAL PALSY OF NORTHERN, CENTRAL  
AND SOUTHERN NJ, INC.  
AND  
THE TOWNSHIP OF ROCKAWAY**

**THIS MEMORANDUM OF UNDERSTANDING ("MOU"), made this 1<sup>st</sup> day of  
May, 2012, by and**

**between: UNITED CEREBRAL PALSY OF NORTHERN, CENTRAL AND  
SOUTHERN NJ, INC., a non-profit corporation of the State of New Jersey, with  
offices at 245 Main Street, Suite 113, Chester, New Jersey 07930**

**(hereinafter "UCP")**

**and: The TOWNSHIP OF ROCKAWAY, a Municipal corporation in Morris  
County, State of New Jersey, with its office at 65 Mount Hope Road,  
Rockaway, New Jersey 07866**

**(hereinafter "Township" or "Rockaway")**

**WITNESSETH:**

**WHEREAS, UCP owns and maintains an affordable, supportive/special needs home at  
182 Lakeside Drive, Rockaway, New Jersey that currently houses four (4) disabled adults (the  
"Facility"); and**

**WHEREAS, when UCP acquired the Facility in 1994, it utilized HOME funds that  
required that twenty (20) year affordability controls be placed on the Facility such that the  
Township was able to obtain credit against its affordable housing obligation for each of the  
four (4) bedrooms in the Facility during the twenty (20) year control period; and**

**WHEREAS**, the affordability controls on the Facility will expire in 2014 and the Township will no longer be able to obtain credit against its affordable housing obligation for the four (4) bedrooms in the Facility unless new affordability controls are placed on the Facility; and

**WHEREAS**, UCP has advised the Township that, due to cuts in State and County funding and restrictions on the amount of rent that can be collected from the residents of the Facility, UCP can no longer meet the costs of maintaining the Facility; and

**WHEREAS**, UCP inquired if the Township would be willing to provide additional funding necessary for UCP to meet the operating costs for the Facility including utilities, maintenance, landscaping and snow removal, if UCP placed new affordability controls on the Facility after the expiration of the current affordability controls in 2014; and

**WHEREAS**, the Township desires to provide UCP with \$9,684 a year for thirty (30) years from its Affordable Housing Trust Fund ("AHTF") to partially fund the maintenance of the Facility as long as new deed restrictions which require the Facility to be used solely as an affordable residence for disabled individuals are recorded against the Facility for an additional thirty (30) years in accordance with the requirements of the Council on Affordable Housing ("COAH") and the Uniform Housing Affordability Controls ("UHAC"); and

**WHEREAS**, in order to memorialize the terms and conditions of their Agreement, UCP and the Township desire to enter into this Memorandum of Understanding ("MOU").

**NOW, THEREFORE, IN CONSIDERATION OF** the mutual promises and covenants herein contained, the parties hereby establish the following Memorandum of Understanding ("MOU"):

1. Pursuant to an Order dated January 4, 2010 Order in the matter entitled Morris Commons, LLC v. Township of Rockaway, et al., Superior Court of New Jersey, Law Division, Docket No. MRS-L-3271-07, Rockaway must obtain approval from the Honorable Eugene Serpentelli, J.S.C., Retired, the Special Master appointed by the Court to recommend a fair share plan for the Township ("Special Master"), and COAH or its successor (both herein referenced as COAH), before spending any Affordable Housing Trust Fund ("AHTF") monies.
2. Upon execution of this MOU, Rockaway agrees to immediately seek approval from the Special Master and COAH to transfer monies from its AHTF to United Cerebral Palsy of Northern, Central and Southern NJ, Inc. ("UCP") to partially fund the maintenance of the affordable, supportive/special needs home owned by UCP at 182 Lakeside Drive, Rockaway, New Jersey that currently houses four (4) disabled adults (the "Facility").
3. Upon receipt of written confirmation that the Special Master and COAH have approved the transfer of AHTF monies to UCP, \$9,684 shall be provided by Rockaway to UCP once a year for a period of thirty (30) years from Rockaway's AHTF. However, if either the Special Master and/or COAH fail to approve the allocation of AHTF monies to UCP for the purposes described in this MOU, this MOU shall be null and void.
4. UCP is required to use all monies received from Rockaway pursuant to this MOU for the sole purpose of maintaining the Facility and is prohibited from using any monies received from Rockaway for any other purpose including, but not limited to, the maintenance of any other supportive/special needs home owned or maintained by UCP.
5. Prior to the transfer of any monies pursuant to this MOU, UCP shall record a deed restriction against the Facility for an additional thirty (30) years which will begin after the expiration of the current affordability controls in 2014 and which requires that the Facility and

each of the bedrooms/units in the Facility be used solely as affordable supportive/special needs home for disabled individuals. The deed restriction shall be in accordance with COAH requirements and with the UHAC and shall be sufficient to provide the Township with not less than one (1) affordable housing credit for each bedroom/unit in the Facility. The sale of the Facility to a third party within the additional thirty (30) year control period shall not extinguish or release the deed restriction which requires that the Facility and each of the bedrooms/units in the Facility be used solely as affordable supportive/special needs home for disabled individuals.

6. Rockaway's sole responsibility is to provide UCP with \$9,684 a year for a period of thirty (30) years from Rockaway's AHTF to assist UCP in maintaining the Facility as set forth herein and it shall be UCP's obligation to record the required deed restrictions against the Facility and to operate and maintain the Facility as a supportive/special needs home such that the Township can obtain credit against its affordable housing obligation for each of the four (4) bedrooms in the Facility for the additional thirty (30) year control period.

7. Rockaway's obligation to make payments to UCP as set forth in this MOU is subject to the availability of sufficient monies in the AHTF.

ATTESTED BY:

*Gail Cardella*  
**GAIL CARDELLA**  
NOTARY PUBLIC  
STATE OF NEW JERSEY  
My Commission Expires Feb. 23, 2017

UCP OF NORTHERN, CENTRAL AND  
SOTHERN NJ, INC.

By: *[Signature]*

ATTESTED BY:

*Susan R. Fest, RMC*

TOWNSHIP OF ROCKAWAY

By: *[Signature]*

Appendix C:  
Memorandum of Understanding  
between New Jersey and Mortgage  
Finance Agency and New Jersey  
Department of Human Services and  
New Jersey Department of Community  
Affairs and Township of Rockaway

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY  
AND  
NEW JERSEY DEPARTMENT OF HUMAN SERVICES  
AND  
NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS  
AND  
TOWNSHIP OF ROCKAWAY**

**THIS MEMORANDUM OF UNDERSTANDING ("MOU")** is made this May 1, 2012, by and between the **STATE OF NEW JERSEY Housing and Mortgage Finance Agency**, a principal agency established in the Executive Branch of the government of the State of New Jersey (hereafter, "HMFA"), with a place of business at 637 South Clinton Avenue, Trenton, NJ 08650-2085;

**AND**

The **STATE OF NEW JERSEY Department of Human Services**, a principal department established in the Executive Branch of government of the State of New Jersey (hereafter, "DHS"), with a place of business at 222 South Warren Street, Trenton, NJ 08625-0700;

**AND**

The **STATE OF NEW JERSEY Department of Community Affairs**, a principal department established in the Executive Branch of government of the State of New Jersey (hereafter, "DCA"), with a place of business at State of New Jersey Department of Community Affairs, PO Box 800, Trenton, NJ 08625-0800.

**AND**

The **TOWNSHIP OF ROCKAWAY**, a Municipal corporation in Morris County, State of New Jersey (hereinafter "Township" or "Rockaway"), with its office at 65 Mount Hope Road, Rockaway, NJ 07866.

The HMFA, DHS, DCA and Rockaway are referred to collectively as the "Parties".

**PURPOSE**

The purpose of this MOU is to coordinate the efforts of the parties to create appropriate housing for individuals with developmental disabilities in the community through the purchase and conversion of existing residential structures within the municipality.

## DEFINITIONS

*Special Needs Partnership ("SNP")* The NJ Department of Community Affairs, the Housing and Mortgage Finance Agency and the NJ Department of Human Services, collectively working to expand housing opportunities and expedite the process of placing developmentally disabled individuals into community based supportive housing.

*Qualified developer* A housing developer that has been screened by the SNP and meets the standards set by SNP for the purpose described above.

*Unit* A bedroom housing one individual with a developmental disability.

*Cost caps* The sum of the purchase price and renovation cost is not to exceed \$125,000 per unit or \$500,000 per house.

## UNDERSTANDING

Rockaway has Affordable Housing Trust Fund ("AHTF") monies that it desires to allocate for the purpose described in this MOU. Pursuant to an Order dated January 4, 2010 Order in the matter entitled Morris Commons, LLC v. Township of Rockaway, et al., Superior Court of New Jersey, Law Division, Docket No. MRS-L-3271-07, the Township must obtain approval from the Honorable Eugene Serpentelli, J.S.C., Retired, the Special Master appointed by the Court to recommend a fair share plan for the Township ("Special Master"), and the New Jersey Council on Affordable Housing ("COAH") before spending any AHTF monies. Rockaway agrees to immediately seek approval from the Special Master and COAH or its successor to allocate AHTF monies for the purposes described in this MOU.

If the Township receives approval from the Special Master and COAH or its successor, Rockaway will transfer AHTF monies to the HMFA as set forth below and those AHTF monies will be made available to qualified developers who have identified properties to acquire for conversion to community residences for individuals with developmental disabilities. The cost to acquire and rehabilitate one house with three or four bedrooms shall be capped at \$125,000 per bedroom or \$500,000 altogether. The State will match the municipality's trust fund contribution. The \$500,000 per house cap includes the State's contribution and all renovations. The municipal contribution will be 15% of the current balance of the AHTF. Some preference for local residents will be given.

The Township agrees to vest oversight for the expenditure of AHTF monies so transferred for the development of said residences with the HMFA, an entity that has experience and an established process that ensures the completion of the affordable, supportive housing.

## PROCESS

1. If Rockaway receives approval from the Special Master and COAH or its successors for the expenditure of AHTF monies for the purposes described in this MOU and sufficient monies are available from the AHTF, the Township shall transfer \$389,359.35 from its current AHTF balance of \$2,595,729.05 (as of April 24, 2012) to HMFA within 15 business days of the receipt of the approval for the purpose of funding the purchase of existing ranch style homes and other first story residences within the municipality. This MOU shall not become effective unless and until both the Special Master and COAH or its successor approve the expenditure of AHTF monies for the purposes described in this MOU and the MOU is subject to the availability of sufficient monies from the AHTF.
2. HMFA will deposit and hold Rockaway's AHTF money in a separate escrow account for the Township identifiable from other funds.
3. The HMFA and Rockaway will acknowledge the transfer of such money by executing an escrow agreement acceptable to the parties consistent with this MOU.
4. Either the Township or a qualified developer, with the consent of the Township, may identify the property or properties selected for acquisition and renovation within Rockaway.
5. The Township shall approve the property selection prior to the purchase of any house intended to fulfill the requirements of the Special Needs Partnership.
6. The Department of Human Services will determine the suitability of the identified property for the intended population.
7. HMFA will coordinate with DHS such that a site inspection will take place within 15 business days of notification by DHS that the property is suitable and DHS or HMFA will develop an estimate of the cost of necessary renovations including accessibility modifications.
8. The results of each site inspection shall be available at HMFA within 10 business days of said inspection.
9. Upon receiving notification from DHS that a proposed property is suitable, the qualified developer will submit an application to HMFA for consideration. Thereafter, HMFA will order an appraisal of the subject property.
10. HMFA will coordinate the terms by which DHS will provide operational and service funding for the project, and/or terms by which a service provider will demonstrate a source or sources of operating and service subsidy other than DHS.
11. If the developer is unable to enter into a contract to purchase the subject property within 120 days, the Township in its discretion may identify another property or another developer.

12. The disbursement of funds for acquisition will occur at closing.

13. Rockaway shall require the developer to include, in any transfer of ownership, a deed restriction maintaining the use of the premises and any of the units therein as a residence for the sole purpose of housing developmentally disabled individuals for 20 years, the term required by the DHS.

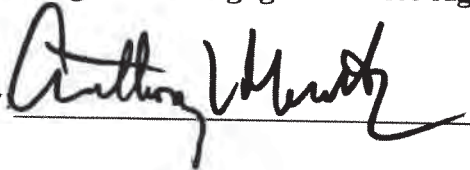
14. Once the property is acquired, HMFA shall issue a close-out report including, but not limited to, the property location, amount awarded to the developer and any other relevant information.

15. DCA shall provide not less than 1 affordable housing credit to the Township for each bedroom made available under this Special Needs Housing Partnership.

**This MOU shall not be effective until signed by all parties. The parties sign this MOU as of the date and year set forth above.**

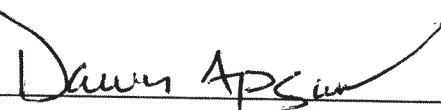
ATTESTED BY:

State of New Jersey  
Housing and Mortgages Finance Agency

By: 

ATTESTED BY:

State of New Jersey  
Department of Human Services

By: 


ATTESTED BY:

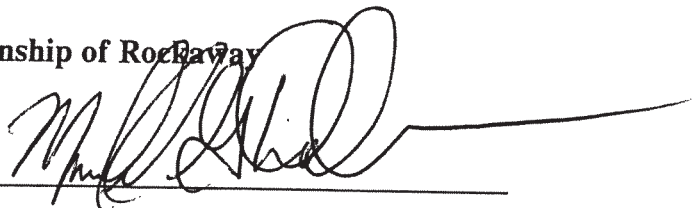
State of New Jersey  
Department of Community Affairs

By: \_\_\_\_\_

ATTESTED BY:

Township of Rockaway



By: 

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## Appendix D: Draft Affordable Housing Ordinance

**ORDINANCE NO. O-20-XX**

**AN ORDINANCE AMENDING CHAPTER 54 ENTITLED “LAND USE AND DEVELOPMENT,” SECTION 45 ENTITLED “FAIR SHARE HOUSING REQUIREMENTS” OF THE CODE OF THE TOWNSHIP OF ROCKAWAY**

**BE IT ORDAINED** by the Council of the Township of Rockaway as follows:

**Section 1.** Chapter 54 of the Code of the Township of Rockaway, Land Use and Development, Section 45, Fair Share Housing Requirements, is deleted in its entirety and replaced with the following:

**§ 54-45.1 Purpose.**

The purpose of this ordinance is to provide for and regulate affordable housing in the Township.

**§ 54-45.2 Definitions**

The following terms when used in this Ordinance shall have the meanings given in this Section:

“Act” means the Fair Housing Act of 1985, P.L. 1985, c. 222 (N.J.S.A. 52:27D-301 et seq.)

“Adaptable” means constructed in compliance with the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7.

“Administrative agent” means the entity designated by the Township to administer affordable units in accordance with this Ordinance, N.J.A.C. 5:93, and UHAC (N.J.A.C. 5:80-26).

“Affirmative marketing” means a regional marketing strategy designed to attract buyers and/or renters of affordable units pursuant to N.J.A.C. 5:80-26.15.

“Affordability average” means the average percentage of median income at which new restricted units in an affordable housing development are affordable to low- and moderate-income households.

“Affordable” means, a sales price or rent level that is within the means of a very-low household as defined as households earning thirty percent (30%) or less of the regional median income by household size, low- or moderate-income household as defined within N.J.A.C. 5:93-7.4, and, in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.6, as may be amended and supplemented, and, in the case of a rental unit, that the rent for the unit

conforms to the standards set forth in N.J.A.C. 5:80-26.12, as may be amended and supplemented.

“Affordable housing development” means a development included in or approved pursuant to the Housing Element and Fair Share Plan or otherwise intended to address the Township’s affordable housing obligation, and includes, but is not limited to, an inclusionary development, a municipal construction project or a hundred percent (100%) affordable housing development.

“Affordable housing program(s)” means any mechanism in a municipal Housing Element and Fair Share Plan prepared or implemented to address a municipality’s fair share obligation.

“Affordable unit” means a housing unit proposed or created pursuant to the Act and approved for crediting by the Court and/or funded through an affordable housing trust fund.

“Agency” means the New Jersey Housing and Mortgage Finance Agency established by P.L. 1983, c. 530 (N.J.S.A. 55:14K-1, et seq.).

“Age-restricted unit” means a housing unit designed to meet the needs of, and exclusively for, the residents of an age-restricted segment of the population such that: 1) all the residents of the development wherein the unit is situated are 62 years of age or older; or 2) at least 80 percent of the units are occupied by one person who is 55 years of age or older; or 3) the development has been designated by the Secretary of the U.S. Department of Housing and Urban Development as “housing for older persons” as defined in Section 807(b)(2) of the Fair Housing Act, 42 U.S.C. § 3607.

"Alternative living arrangement" means a structure in which households live in distinct bedrooms, yet share kitchen and plumbing facilities, central heat and common areas. Alternative living arrangements include, but are not limited to: transitional facilities for the homeless; Class A, B, C, D and E boarding homes as regulated by the State of New Jersey Department of Community Affairs; residential health care facilities as regulated by the New Jersey Department of Health; group homes for the developmentally disabled and mentally ill as licensed and/or regulated by the New Jersey Department of Human Services; and congregate living arrangements.

“Assisted living residence” means a facility that is licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and to assure that assisted living services are available when needed for four or more adult persons unrelated to the proprietor and that offers units containing, at a minimum,

one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance.

“Certified household” means a household that has been certified by an Administrative Agent as a very-low income household, low-income household or moderate-income household.

“COAH” means the Council on Affordable Housing, as established by the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301, et seq.).

“DCA” means the State of New Jersey Department of Community Affairs.

“Deficient housing unit” means a housing unit with health and safety code violations that requires the repair or replacement of a major system. A major system includes weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and/or load bearing structural systems.

“Developer” means any person, partnership, association, company or corporation that is the legal or beneficial owner or owners of a lot or any land included in a proposed development including the holder of an option to contract to purchase, or other person having an enforceable proprietary interest in such land.

“Development” means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any use or change in the use of any building or other structure, or of any mining, excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to N.J.S.A. 40:55D-1, et seq.

“Inclusionary development” means a development containing both affordable units and market rate units. This term includes, but is not limited to: new construction, the conversion of a non-residential structure to residential use and the creation of new affordable units through the gut rehabilitation or reconstruction of a vacant residential structure.

“Low-income household” means a household with a total gross annual household income equal to fifty percent (50%) or less of the regional median household income by household size.

“Low-income unit” means a restricted unit that is affordable to a low-income household.

“Major system” means the primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a building which include but are not limited to, weatherization, roofing, plumbing

(including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and load bearing structural systems.

“Market-rate units” means housing not restricted to very low-, low- and moderate-income households that may sell or rent at any price.

“Median income” means the median income by household size for the applicable housing region, as adopted annually by COAH or a successor entity approved by the Court.

“Moderate-income household” means a household with a total gross annual household income in excess of fifty percent (50%) but less than eighty percent (80%) of the regional median household income by household size.

“Moderate-income unit” means a restricted unit that is affordable to a moderate-income household.

“Non-exempt sale” means any sale or transfer of ownership other than the transfer of ownership between husband and wife; the transfer of ownership between former spouses ordered as a result of a judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor’s deed to a class A beneficiary and the transfer of ownership by court order.

“Random selection process” means a process by which currently income-eligible households are selected for placement in affordable housing units such that no preference is given to one applicant over another except for purposes of matching household income and size with an appropriately priced and sized affordable unit (e.g., by lottery).

“Regional asset limit” means the maximum housing value in each housing region affordable to a four-person household with an income at eighty percent (80%) of the regional median as defined by duly adopted Regional Income Limits published annually by COAH or a successor entity.

“Rehabilitation” means the repair, renovation, alteration or reconstruction of any building or structure, pursuant to the Rehabilitation Subcode, N.J.A.C. 5:23-6.

“Rent” means the gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with allowances published by DCA for its Section 8 program. In assisted living residences, rent does not include charges for food and services.

“Restricted unit” means a dwelling unit, whether a rental unit or an ownership unit, that is subject to the affordability controls of N.J.A.C. 5:80-26.1, as amended and supplemented, but does not include a market-rate unit financed under UHORP or MONI.

“UHAC” means the Uniform Housing Affordability Controls set forth in N.J.A.C. 5:80-26-1, et seq.

“Very low-income household” means a household with a total gross annual household income equal to thirty percent (30%) or less of the regional median household income by household size.

“Very low-income unit” means a restricted unit that is affordable to a very low-income household.

“Weatherization” means building insulation (for attic, exterior walls and crawl space), siding to improve energy efficiency, replacement storm windows, replacement storm doors, replacement windows and replacement doors, and is considered a major system for purposes of a rehabilitation program.

### **§ 54-45.3 Applicability**

- A. The provisions of this Ordinance shall apply to all affordable housing developments and affordable housing units that currently exist and that are proposed to be created within the Township of Rockaway pursuant to the Township’s 2020 Third Round Housing Element and Fair Share Plan.
- B. Moreover, the provisions of this Ordinance shall apply to all developments that contain very low-, low-, and moderate-income housing units, including any currently unanticipated future developments that will provide very low-, low- and moderate-income housing units, and also including projects that may be funded with Low Income Housing Tax Credit financing, which shall comply with the income and bedroom distribution requirements of this Ordinance.
- C. Mandatory Set-Aside
  - (1) Except as otherwise regulated in this chapter, any development application proposing five (5) or more new dwelling units shall be required to set aside twenty percent (20%) of said lots or units for affordable housing.
  - (2) This requirement does not give any developer the right to any such rezoning, variance or other relief, or establish

any obligation on the part of the Township of Rockaway to grant such rezoning, variance or other relief. A property shall not be permitted to be subdivided so as to avoid compliance with this requirement. All affordable units created pursuant to this paragraph shall be governed by the provisions of this Ordinance.

- (3) This provision does not affect residential development on sites that are zoned for inclusionary residential development as part of the Township's Housing Element and Fair Share Plan, which are subject to the affordable housing set-aside requirements set forth in the applicable zoning.

#### **§ 54-45.4 Alternative Living Arrangements**

- A. The administration of an alternative living arrangement shall be in compliance with N.J.A.C. 5:93-5.8 and UHAC, with the following exceptions:
  - (1) Affirmative marketing (N.J.A.C. 5:80-26.15), provided, however, that the units or bedrooms may be affirmatively marketed by the provider in accordance with an alternative plan approved by the Court;
  - (2) Affordability average and bedroom distribution (N.J.A.C. 5:80-26.3).
- B. With the exception of units established with capital funding through a 20-year operating contract with the Department of Human Services, Division of Developmental Disabilities, alternative living arrangements shall have at least 30-year controls on affordability in accordance with UHAC, unless an alternative commitment is approved by the Court.
- C. The service provider for the alternative living arrangement shall act as the Administrative Agent for the purposes of administering the affirmative marketing and affordability requirements for the alternative living arrangement.

#### **§ 54-45.5 Phasing Schedule for Inclusionary Zoning**

- A. In inclusionary developments the following schedule shall be followed:

<i>Maximum Percentage of Market-Rate Units Completed</i>	<i>Minimum Percentage of Very Low-, Low-, and Moderate-Income Units Completed</i>
25	0
25 + 1 unit	10
50	50
75	75
90	100

**§ 54-45.6 New Construction**

A. Low/moderate Split and Bedroom Distribution of Affordable Housing Units:

- (1) The fair share obligation shall be divided equally between very low-, low-, or moderate-income units, except that where there is an odd number of affordable housing units, the extra unit shall be a low income unit. At least thirteen percent (13%) of all restricted rental units shall be very low-income units (affordable to a household earning thirty percent (30%) or less of regional median income by household size). The very low-income units shall be counted as part of the required number of low income units within the development.
- (2) In each affordable development, at least fifty percent (50%) of the restricted units within each bedroom distribution shall be very low or low-income units.
- (3) Affordable developments that are not age-restricted shall be structured in conjunction with realistic market demands such that:
  - (a) The combined number of efficiency and one-bedroom units shall be no greater than twenty percent (20%) of the total very low-, low-, or moderate-income units;
  - (b) At least thirty percent (30%) of all very low-, low-, or moderate-income units shall be two bedroom units;

- (c) At least twenty percent (20%) of all very low-, low- or moderate-income units shall be three bedroom units; and
  - (d) The remaining units may be allocated among two and three bedroom units at the discretion of the developer.
- (4) Affordable developments that are age-restricted shall be structured such that the number of bedrooms shall equal the number of age-restricted very low-, low-, or moderate-income units within the inclusionary development. This standard may be met by having all one-bedroom units or by having a two-bedroom unit for each efficiency unit.

#### B. Accessibility Requirements

- (1) The first floor of all restricted townhouse dwelling units and all restricted units in all other multistory buildings shall be subject to the technical design standards of the Barrier Free SubCode, N.J.A.C. 5:23-7 and the following:
- (2) All restricted townhouse dwelling units and all restricted units in other multistory buildings in which a restricted dwelling unit is attached to at least one other dwelling unit shall have the following features:
  - (a) An adaptable toilet and bathing facility on the first floor; and
  - (b) An adaptable kitchen on the first floor; and
  - (c) An interior accessible route of travel on the first floor; and
  - (d) An adaptable room that can be used as a bedroom, with a door or the casing for the installation of a door, on the first floor; and
  - (e) If not all of the foregoing requirements in b.1) through b.4) can be satisfied, then an interior accessible route of travel must be provided between stories within an individual unit, but if all of the terms of paragraphs b.1) through b.4) above have been satisfied, then an interior accessible route of

travel shall not be required between stories within an individual unit; and

- (f) An accessible entranceway as set forth at P.L. 2005, c. 350 (N.J.S.A. 52:27D-311a, et seq.) and the Barrier Free SubCode, N.J.A.C. 5:23-7.
- (g) Full compliance with the foregoing provisions shall not be required where an entity can demonstrate that it is “site impracticable” to meet the requirements. Determinations of site impracticability shall be in compliance with the Barrier Free SubCode, N.J.A.C. 5:23-7.

#### C. Design

- (1) In inclusionary developments, to the extent possible, very low-, low-, or moderate-income units shall be integrated with the market units.
- (2) In inclusionary developments, very low-, low-, or moderate-income units shall have access to all of the same common elements and facilities as the market units.

#### D. Maximum Rents and Sales Prices

- (1) In establishing rents and sales prices of affordable housing units, the Administrative Agent shall follow the procedures set forth in UHAC, utilizing the regional income limits established by COAH or a successor entity.
- (2) The maximum rent for restricted rental units within each affordable development shall be affordable to households earning no more than sixty percent (60%) of median income, and the average rent for restricted rental units shall be affordable to households earning no more than fifty-two percent (52%) of median income.
- (3) The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units, provided that at least thirteen percent (13%) of all low- and moderate-income rental units shall be affordable to very low-income households, earning thirty percent (30%) or less of the regional median household income,

with such very low income units counted toward the low income housing requirement.

- (4) The maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than seventy percent (70%) of median income, and each affordable development must achieve an affordability average of fifty-five percent (55%) for restricted ownership units; in achieving this affordability average, moderate-income ownership units must be available for at least three different sales prices for each bedroom type, and low-income ownership units must be available for at least two different sales prices for each bedroom type.
- (5) In determining the initial sales prices and rent levels for compliance with the affordability average requirements for restricted units other than assisted living facilities and age-restricted developments, the following standards shall be used:
  - (a) A studio shall be affordable to a one-person household;
  - (b) A one-bedroom unit shall be affordable to a one and one-half person household;
  - (c) A two-bedroom unit shall be affordable to a three-person household;
  - (d) A three-bedroom unit shall be affordable to a four and one-half person household; and
  - (e) A four-bedroom unit shall be affordable to a six-person household.
- (6) In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted units in assisted living facilities and age-restricted developments, the following standards shall be used:
  - (a) A studio shall be affordable to a one-person household;

- (b) A one-bedroom unit shall be affordable to a one and one-half person household; and
  - (c) A two-bedroom unit shall be affordable to a two-person household or to two one-person households.
- (7) The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the unit, including principal and interest (based on a mortgage loan equal to ninety-five percent (95%) of the purchase price and the Federal Reserve H.15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed twenty-eight percent (28%) of the eligible monthly income of the appropriate size household as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.
- (8) The initial rent for a restricted rental unit shall be calculated so as not to exceed thirty percent (30%) of the eligible monthly income of the appropriate size household, including an allowance for tenant paid utilities, as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the rent shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.
- (9) The price of owner-occupied very low-, low- and moderate-income units may increase annually based on the percentage increase in the regional median income limit for each housing region. In no event shall the maximum resale price established by the Administrative Agent be lower than the last recorded purchase price.
- (10) The rent of very low-, low- and moderate-income units may be increased annually based on the permitted percentage increase in the Housing Consumer Price Index for the United States. This increase shall not exceed nine percent in any one year. Rents for units constructed

pursuant to low- income housing tax credit regulations shall be indexed pursuant to the regulations governing low- income housing tax credits.

**§ 54-45.7 Utilities**

- A. Affordable units shall utilize the same type of heating source as market units within an inclusionary development.
- B. Tenant-paid utilities included in the utility allowance shall be set forth in the lease and shall be consistent with the utility allowance approved by HUD for the Section 8 program.

**§ 54-45.8 Occupancy Standards**

- A. In referring certified households to specific restricted units, the Administrative Agent shall, to the extent feasible and without causing an undue delay in the occupancy of a unit, strive to:
  - (1) Provide an occupant for each bedroom;
  - (2) Provide children of different sexes with separate bedrooms;
  - (3) Provide separate bedrooms for parents and children; and
  - (4) Prevent more than two persons from occupying a single bedroom.

**§ 54-45.9 Control Periods for Restricted Ownership Units and Enforcement Mechanisms**

- A. Control periods for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.5, as may be amended and supplemented, and each restricted ownership unit shall remain subject to the requirements of this Ordinance for a period of at least thirty (30) years, until the Township of Rockaway takes action to release the unit from such requirements; prior to such action, a restricted ownership unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented.
- B. The affordability control period for a restricted ownership unit shall commence on the date the initial certified household takes title to the unit.
- C. Prior to the issuance of the initial certificate of occupancy for a restricted ownership unit and upon each successive sale during

the period of restricted ownership, the Administrative Agent shall determine the restricted price for the unit and shall also determine the non-restricted, fair market value of the unit based on either an appraisal or the unit's equalized assessed value without the restrictions in place.

- D. At the time of the initial sale of the unit, the initial purchaser shall execute and deliver to the Administrative Agent a recapture note obligating the purchaser (as well as the purchaser's heirs, successors and assigns) to repay, upon the first non-exempt sale after the unit's release from the restrictions set forth in this Ordinance, an amount equal to the difference between the unit's non-restricted fair market value and its restricted price, and the recapture note shall be secured by a recapture lien evidenced by a duly recorded mortgage on the unit.
- E. The affordability controls set forth in this Ordinance shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to restricted ownership units.
- F. A restricted ownership unit shall be required to obtain a Continuing Certificate of Occupancy or a certified statement from the Construction Official stating that the unit meets all Code standards upon the first transfer of title following the removal of the restrictions provided under N.J.A.C. 5:80-26.5(a), as may be amended and supplemented.

**§ 54-45.10 Price Restrictions for Restricted Ownership Units, Homeowner Association Fees and Resale Prices.**

- A. Price restrictions for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, including:
  - (1) The initial purchase price for a restricted ownership unit shall be approved by the Administrative Agent.
  - (2) The Administrative Agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the foregoing standards.
  - (3) The master deeds of inclusionary developments shall provide no distinction between the condominium or homeowner association fees and special assessments paid

by very low-, low- and moderate-income purchasers and those paid by market purchasers.

- (4) The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of anticipated capital improvements. Eligible capital improvements shall be those that render the unit suitable for a larger household or the addition of a bathroom. See Section 13.

#### **§ 54-45.11 Buyer Income Eligibility**

- A. Buyer income eligibility for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, such that low-income ownership units shall be reserved for households with a gross household income less than or equal to fifty percent (50%) of median income and moderate-income ownership units shall be reserved for households with a gross household income less than eighty percent (80%) of median income.
- B. Notwithstanding the foregoing, the Administrative Agent may, upon approval by the Township Council, and subject to the Court's approval, permit a moderate-income purchaser to buy a low-income unit if and only if the Administrative Agent can demonstrate that there is an insufficient number of eligible low-income purchasers in the housing region to permit prompt occupancy of the unit and all other reasonable efforts to attract a low income purchaser, including pricing and financing incentives, have failed. Any such low-income unit that is sold to a moderate-income household shall retain the required pricing and pricing restrictions for a low-income unit.
- C. A certified household that purchases a restricted ownership unit must occupy it as the certified household's principal residence and shall not lease the unit; provided, however, that the Administrative Agent may permit the owner of a restricted ownership unit, upon application and a showing of hardship, to lease the restricted unit to another certified household for a period not to exceed one year.
- D. The Administrative Agent shall certify a household as eligible for a restricted ownership unit when the household is a low-income household or a moderate-income household, as applicable to the

unit, and the estimated monthly housing cost for the particular unit (including principal, interest, taxes, homeowner and private mortgage insurance and condominium or homeowner association fees, as applicable) does not exceed thirty-three percent (33%) of the household's eligible monthly income.

**§ 54-45.12 Limitations on Indebtedness Secured by Ownership Unit; Subordination**

- A. Prior to incurring any indebtedness to be secured by a restricted ownership unit, the owner shall apply to the Administrative Agent for a determination in writing that the proposed indebtedness complies with the provisions of this Section, and the Administrative Agent shall issue such determination prior to the owner incurring such indebtedness.
- B. With the exception of First Purchase Money Mortgages, neither an owner nor a lender shall at any time cause or permit the total indebtedness secured by a restricted ownership unit to exceed ninety-five percent (95%) of the maximum allowable resale price of the unit, as such price is determined by the Administrative Agent in accordance with N.J.A.C.5:80-26.6(b).

**§ 54-45.13 Capital Improvements to Ownership Units**

- A. The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of capital improvements made since the purchase of the unit. Eligible capital improvements shall be those that render the unit suitable for a larger household or that add an additional bathroom. In no event shall the maximum sales price of an improved housing unit exceed the limits of affordability for the larger household.
- B. Upon the resale of a restricted ownership unit, all items of property that are permanently affixed to the unit or were included when the unit was initially restricted (for example, refrigerator, range, washer, dryer, dishwasher, wall-to-wall carpeting) shall be included in the maximum allowable resale price. Other items may be sold to the purchaser at a reasonable price that has been approved by the Administrative Agent at the time of the signing of the agreement to purchase. The purchase of central air conditioning installed subsequent to the initial sale of the unit and not included in the base price may be made a condition of the unit

resale provided the price, which shall be subject to 10-year, straight-line depreciation, has been approved by the Administrative Agent. Unless otherwise approved by the Administrative Agent, the purchase of any property other than central air conditioning shall not be made a condition of the unit resale. The owner and the purchaser must personally certify at the time of closing that no unapproved transfer of funds for the purpose of selling and receiving property has taken place at the time of or as a condition of resale.

**§ 54-45.14 Control Periods for Restricted Rental Units**

- A. Control periods for restricted rental units shall be in accordance with N.J.A.C. 5:80-26.11, as may be amended and supplemented, and each restricted rental unit shall remain subject to the requirements of this Ordinance for a period of at least thirty (30) years, until Rockaway takes action to release the unit from such requirements. Prior to such action, a restricted rental unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented.
- B. Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property, and the deed restriction shall be filed by the developer or seller with the records office of the County of Morris. The deed shall also identify each affordable unit by apartment number and/or address and whether that unit is designated as a very low, low or moderate-income unit. Neither the unit nor its affordability designation shall change throughout the term of the deed restriction. A copy of the filed document shall be provided to the Administrative Agent within thirty (30) days of the receipt of a Certificate of Occupancy.
- C. A restricted rental unit shall remain subject to the affordability controls of this Ordinance despite the occurrence of any of the following events:
  - (1) Sublease or assignment of the lease of the unit;
  - (2) Sale or other voluntary transfer of the ownership of the unit; or
  - (3) The entry and enforcement of any judgment of foreclosure on the property containing the unit.

**§ 54-45.15 Rent Restrictions for Rental Units; Leases**

- A. A written lease shall be required for all restricted rental units and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. A copy of the current lease for each restricted rental unit shall be provided to the Administrative Agent.
- B. No additional fees or charges shall be added to the approved rent (except, in the case of units in an assisted living residence, to cover the customary charges for food and services) without the express written approval of the Administrative Agent.
- C. Application fees (including the charge for any credit check) shall not exceed five percent of the monthly rent of the applicable restricted unit and shall be payable to the Administrative Agent to be applied to the costs of administering the controls applicable to the unit as set forth in this Ordinance.
- D. No rent control ordinance or other pricing restriction shall be applicable to either the market units or the affordable units in any development in which at least fifteen percent (15%) of the total number of dwelling units are restricted rental units in compliance with this Ordinance.

**§ 54-45.16 Tenant Income Eligibility**

- A. Tenant income eligibility shall be in accordance with N.J.A.C. 5:80-26.13, as may be amended and supplemented, and shall be determined as follows:
  - (1) Very low-income rental units shall be reserved for households with a gross household income less than or equal to thirty percent (30%) of the regional median household income by household size.
  - (2) Low-income rental units shall be reserved for households with a gross household income less than or equal to fifty percent (50%) of the regional median household income by household size.
  - (3) Moderate-income rental units shall be reserved for households with a gross household income less than eighty percent (80%) of the regional median household income by household size.

B. The Administrative Agent shall certify a household as eligible for a restricted rental unit when the household is a very low-income household, low-income household or a moderate-income household, as applicable to the unit, and the rent proposed for the unit does not exceed thirty-five percent (35%) (forty percent (40%) for age-restricted units) of the household's eligible monthly income as determined pursuant to N.J.A.C. 5:80-26.16, as may be amended and supplemented; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:

- (1) The household currently pays more than thirty-five percent (35%) (forty percent (40%) for households eligible for age-restricted units) of its gross household income for rent, and the proposed rent will reduce its housing costs;
- (2) The household has consistently paid more than thirty-five percent (35%) (forty percent (40%) for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;
- (3) The household is currently in substandard or overcrowded living conditions;
- (4) The household documents the existence of assets with which the household proposes to supplement the rent payments; or
- (5) The household documents reliable anticipated third-party assistance from an outside source such as a family member in a form acceptable to the Administrative Agent and the owner of the unit.

C. The applicant shall file documentation sufficient to establish the existence of the circumstances in a.1. through b.5. above with the Administrative Agent, who shall counsel the household on budgeting.

#### **§ 54-45.17 Administrative Agent**

An Administrative Agent shall be an independent entity serving under contract to and reporting to the municipality. The fees of the Administrative Agent shall be paid by the owners of the affordable units for which the services of the Administrative Agent are required. The Administrative Agent shall perform the duties and responsibilities of an

Administrative Agent as set forth in UHAC, including those set forth in Sections 5:80-26.14, 16 and 18 thereof, which includes:

A. Affirmative Marketing:

- (1) Conducting an outreach process to affirmatively market affordable housing units in accordance with the Affirmative Marketing Plan of the Township of Rockaway and the provisions of N.J.A.C. 5:80-26.15; and
- (2) Providing counseling or contracting to provide counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.

B. Household Certification:

- (1) Soliciting, scheduling, conducting and following up on interviews with interested households;
- (2) Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;
- (3) Providing written notification to each applicant as to the determination of eligibility or non-eligibility;
- (4) Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in Appendices J and K of N.J.A.C. 5:80-26.1 et seq.;
- (5) Creating and maintaining a referral list of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are located;
- (6) Employing a random selection process as provided in the Affirmative Marketing Plan of the Township of Rockaway when referring households for certification to affordable units; and

- (7) Notifying the following entities of the availability of affordable housing units in the Township of Rockaway: Fair Share Housing Center, the New Jersey State Conference of the NAACP, the Latino Action Network, the Morris County Chapter of the NAACP, Newark NAACP, East Orange NAACP, Housing Partnership for Morris County, Community Access Unlimited, Inc., Northwest New Jersey Community Action Program, Inc. (NORWESCAP), Homeless Solutions of Morristown, and the Supportive Housing Association.

C. Affordability Controls:

- (1) Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for recording at the time of conveyance of title of each restricted unit;
- (2) Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded mortgage and note, as appropriate;
- (3) Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and properly filed with the Morris County Register of Deeds or Morris County Clerk's office after the termination of the affordability controls for each restricted unit;
- (4) Communicating with lenders regarding foreclosures; and
- (5) Ensuring the issuance of Continuing Certificates of Occupancy or certifications pursuant to N.J.A.C. 5:80-26.10.

D. Resales and Re-rentals:

- (1) Instituting and maintaining an effective means of communicating information between owners and the Administrative Agent regarding the availability of restricted units for resale or re-rental; and
- (2) Instituting and maintaining an effective means of communicating information to low- (or very low-) and moderate-income households regarding the availability of restricted units for resale or re-rental.

E. Processing Requests from Unit Owners:

- (1) Reviewing and approving requests for determination from owners of restricted units who wish to take out home equity loans or refinance during the term of their ownership that the amount of indebtedness to be incurred will not violate the terms of this Ordinance;
- (2) Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the depreciated cost of central air conditioning systems;
- (3) Notifying the municipality of an owner's intent to sell a restricted unit; and
- (4) Making determinations on requests by owners of restricted units for hardship waivers.

F. Enforcement:

- (1) Securing annually from the municipality a list of all affordable housing units for which tax bills are mailed to absentee owners, and notifying all such owners that they must either move back to their unit or sell it;
- (2) Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the Administrative Agent;
- (3) Posting annually, in all rental properties (including two-family homes), a notice as to the maximum permitted rent together with the telephone number of the Administrative Agent where complaints of excess rent or other charges can be made;

- (4) Sending annual mailings to all owners of affordable dwelling units, reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.18(d)4;
- (5) Establishing a program for diverting unlawful rent payments; and
- (6) Creating and publishing a written operating manual for each affordable housing program administered by the Administrative Agent, to be approved by the Township Council and the Court, setting forth procedures for administering the affordability controls.

G. Additional Responsibilities:

- (1) The Administrative Agent shall have the authority to take all actions necessary and appropriate to carry out its responsibilities hereunder.
- (2) The Administrative Agent shall prepare monitoring reports for submission to the Municipal Housing Liaison in time to meet the Court-approved monitoring and reporting requirements in accordance with the deadlines set forth in this Ordinance.
- (3) The Administrative Agent shall attend continuing education sessions on affordability controls, compliance monitoring, and affirmative marketing at least annually and more often as needed.

**§ 54-45.18 Affirmative Marketing Requirements**

- A. The Township of Rockaway shall adopt by resolution an Affirmative Marketing Plan, subject to approval of the Court, that is compliant with N.J.A.C. 5:80-26.15, as may be amended and supplemented.
- B. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer, sponsor or owner of affordable housing. The Affirmative Marketing Plan is intended to target those potentially eligible persons who are least likely to

apply for affordable units in that region. It is a continuing program that directs marketing activities toward Housing Region 2 and is required to be followed throughout the period of restriction.

- C. The Affirmative Marketing Plan shall provide a regional preference for all households that live and/or work in Housing Region 2, comprised of Essex, Morris, Union, and Warren Counties.
- D. In implementing the Affirmative Marketing Plan, the Administrative Agent shall provide a list of counseling services to very low-, low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
- E. The Affirmative Marketing Plan shall describe the media to be used in advertising and publicizing the availability of housing. In implementing the Affirmative Marketing Plan, the Administrative Agent shall consider the use of language translations where appropriate.
- F. The affirmative marketing process for available affordable units shall begin at least four (4) months (one hundred and twenty (120) days) prior to the expected date of occupancy.
- G. Applications for affordable housing shall be available in several locations, including, at a minimum, the County Administration Building and/or the County Library for each county within the housing region; the municipal administration building and the municipal library in the municipality in which the units are located; and the developer's rental office. Applications shall be mailed to prospective applicants upon request.
- H. In addition to other affirmative marketing strategies, the Administrative Agent shall provide specific notice of the availability of affordable housing units in Rockaway, and copies of the application forms, to the following entities: Fair Share Housing Center, the New Jersey State Conference of the NAACP, the Latino Action Network, the Morris County Chapter of the NAACP, Newark NAACP, East Orange NAACP, Housing Partnership for Morris County, Community Access Unlimited, Inc., Northwest New Jersey Community Action Program, Inc. (NORWESCAP), Homeless Solutions of Morristown, and the Supportive Housing Association.

- I. The costs of advertising and affirmative marketing of the affordable units shall be the responsibility of the developer, sponsor or owner.

**§ 54-45.19 Enforcement of Affordable Housing Regulations**

- A. Upon the occurrence of a breach of any of the regulations governing an affordable unit by an Owner, Developer or Tenant, the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, tenant eviction, a requirement for household recertification, acceleration of all sums due under a mortgage, recuperation of any funds from a sale or rental in violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.
- B. After providing written notice of a violation to an Owner, Developer or Tenant of a low- or moderate-income unit and advising the Owner, Developer or Tenant of the penalties for such violations, the municipality may take the following action(s) against the Owner, Developer or Tenant for any violation that remains uncured for a period of sixty (60) days after service of the written notice:
  - (1) The municipality may file a court action pursuant to N.J.S.A. 2A:58-11 alleging a violation or violations of the regulations governing the affordable housing unit. If the Owner, Developer or Tenant is adjudged by the Court to have violated any provision of the regulations governing affordable housing units the Owner, Developer or Tenant shall be subject to one or more of the following penalties, at the discretion of the Court:
    - (a) A fine of not more than \$500.00 per day or imprisonment for a period not to exceed ninety (90) days, or both, provided that each and every day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not a continuation of the initial offense;
    - (b) In the case of an Owner who has rented a very low-, low- or moderate-income unit in violation of the regulations governing affordable housing units,

payment to the Township of the gross amount of rent illegally collected;

- (c) In the case of an Owner who has rented a very low-, low- or moderate-income unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's reasonable relocation costs, as determined by the Court.
- (2) The municipality may file a court action in the Superior Court seeking a judgment that would result in the termination of the Owner's equity or other interest in the unit, in the nature of a mortgage foreclosure. Any such judgment shall be enforceable as if the same were a judgment of default of the First Purchase Money Mortgage and shall constitute a lien against the very low-, low- or moderate-income unit.
- (a) The judgment shall be enforceable, at the option of the municipality, by means of an execution sale by the Sheriff, at which time the very low-, low- or moderate-income unit of the violating Owner shall be sold at a sale price which is not less than the amount necessary to fully satisfy and pay off any First Purchase Money Mortgage and prior liens and the costs of the enforcement proceedings incurred by the municipality, including attorney's fees. The violating Owner shall have his right to possession terminated as well as his title conveyed pursuant to the Sheriff's sale.
  - (b) The proceeds of the Sheriff's sale shall first be applied to satisfy the First Purchase Money Mortgage lien and any prior liens upon the very low-, low- or moderate-income unit. The excess, if any, shall be applied to reimburse the municipality for any and all costs and expenses incurred in connection with either the court action resulting in the judgment of violation or the Sheriff's sale. In the event that the proceeds from the Sheriff's sale are insufficient to reimburse the municipality in full as aforesaid, the violating Owner shall be personally responsible for the full extent of such

deficiency, in addition to any and all costs incurred by the municipality in connection with collecting such deficiency. In the event that a surplus remains after satisfying all of the above, such surplus, if any, shall be placed in escrow by the municipality for the Owner and shall be held in such escrow for a maximum period of two years or until such earlier time as the Owner shall make a claim with the municipality for such. Failure of the Owner to claim such balance within the two-year period shall automatically result in a forfeiture of such balance to the municipality. Any interest accrued or earned on such balance while being held in escrow shall belong to and shall be paid to the municipality, whether such balance shall be paid to the Owner or forfeited to the municipality.

- (c) Foreclosure by the municipality due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as the same apply to the very low-, low- or moderate-income unit. Title shall be conveyed to the purchaser at the Sheriff's sale, subject to the restrictions and provisions of the regulations governing the affordable housing unit. An Owner determined to be in violation of the provisions of this plan and from whom title and possession were taken by means of the Sheriff's sale shall not be entitled to any right of redemption.
- (d) If there are no bidders at the Sheriff's sale, or if insufficient amounts are bid to satisfy the First Purchase Money Mortgage and any prior liens, the municipality may acquire title to the very low-, low- or moderate-income unit by satisfying the First Purchase Money Mortgage and any prior liens and crediting the violating owner with an amount equal to the difference between the First Purchase Money Mortgage and any prior liens and costs of the enforcement proceedings, including legal fees and the maximum resale price for which the very low-,

low- or moderate-income unit could have been sold under the terms of the regulations governing affordable housing units. This excess shall be treated in the same manner as the excess which would have been realized from an actual sale as previously described.

- (e) Failure of the very low-, low- or moderate-income unit to be either sold at the Sheriff's sale or acquired by the municipality shall obligate the Owner to accept an offer to purchase from any qualified purchaser which may be referred to the Owner by the municipality, with such offer to purchase being equal to the maximum resale price of the very low-, low- or moderate income unit as permitted by the regulations governing affordable housing units.
- (f) The Owner shall remain fully obligated, responsible and liable for complying with the terms and restrictions of governing affordable housing units until such time as title is conveyed from the Owner.

### **§ 54-45.19 Appeals**

Appeals from all decisions of an Administrative Agent pursuant to this Ordinance shall be filed in writing with the Court.

**Section 2.** Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

**Section 3.** This Ordinance shall take effect immediately upon final passage and publication as required by law.

Appendix E:  
Draft Mandatory Development Fee  
Ordinance

**ORDINANCE NO. O-20-XX**

**AN ORDINANCE REPLACING CHAPTER 53 ENTITLED “MANDATORY DEVELOPMENT FEE” OF THE CODE OF THE TOWNSHIP OF ROCKAWAY**

**BE IT ORDAINED** by the Council of the Township of Rockaway as follows:

**Section 1.** Chapter 53 of the Code of the Township of Rockaway, Mandatory Development Fee, is deleted in its entirety and replaced with the following:

**Chapter 53 Mandatory Development Fee**

**§ 53-1 Purpose.**

This article establishes standards for the collection, maintenance, and expenditure of development fees that are consistent with COAH's regulations developed in response to P.L. 2008, c. 46, Sections 8 and 32-38 (N.J.S.A. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (N.J.S.A. 40:55D-8.1 through 8.7). Fees collected pursuant to this article shall be used for the purpose of providing very-low, low- and moderate-income housing in accordance with a Court-approved spending plan.

**§ 53-2 Definitions**

The following terms when used in this Ordinance shall have the meanings given in this Section:

“Affordable Housing Development” shall mean a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipally-sponsored construction project or a 100% affordable housing development.

“COAH or the Council” shall mean the New Jersey Council on Affordable Housing established under the Fair Housing Act, or any successor agency charged with the administration of the Act.

“Court” shall mean the Superior Court of New Jersey, Law Division, Morris County.

“Developer” shall mean the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.

“Development Fee” shall mean money paid by a developer for the improvement of property as authorized by Holmdel Builder's Association v. Holmdel Borough, 121 N.J. 550 (1990) and the Fair Housing Act of 1985, N.J.S.A. 52:27d-301, et seq., and regulated by applicable COAH Rules.

“Equalized Assessed Value” shall mean the assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with Sections 1, 5, and 6 of P.L. 1973, c. 123 (N.J.S.A. 54:1-35a through c).

“Green Building Strategies” shall mean strategies that minimize the impact of development on the environment, and enhance the health, safety and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

### **§ 53-3 Residential Development Fees**

#### A. Imposed fees.

- (1) Within all districts, residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of 1.5% of the equalized assessed value for residential development, provided no increased density is permitted.
- (2) When an increase in residential density is permitted pursuant to a "d" variance granted under N.J.S.A. 40:55D-70d(5), developers shall be required to pay a "bonus" development fee of 6% of the equalized assessed value for each additional unit that may be realized, except that this provision shall not be applicable to a development that will include affordable housing. If the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application. Example: If an approval allows four units to be constructed on a site that was zoned for two units, the fees could equal 1.5% of the equalized assessed value on the first two units; and 6% of the equalized assessed value for the two additional units, provided zoning on the site has not

changed during the two-year period preceding the filing of such a variance application.

B. Eligible extractions, including exactions and exemptions for residential developments.

- (1) Affordable housing developments and/or developments where the developer has made a payment in lieu of on-site construction of affordable units, if permitted by ordinance or by agreement with the Township of Rockaway, shall be exempt from the payment of development fees.
- (2) Developments that have received preliminary or final site plan approval prior to the adoption of the Township's initial development fee ordinance shall be exempt from the payment of development fees, unless the developer seeks a substantial change in the original approval. Where site plan approval does not apply, a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for this purpose. The fee percentage shall be vested on the date that the building permit is issued.
- (3) Development fees shall be imposed and collected when there is an addition to an existing structure or when an existing structure undergoes a change to a more intense use or, except as provided in Subsection B(4), is demolished and replaced. The development fee shall be calculated on the increase in the equalized assessed value of the improved structure.
- (4) Owners of residential structures that are demolished and replaced as a result of a fire, flood or natural disaster.
- (5) Not-for-profit developers shall be exempt.

**§ 53-4 Nonresidential Development Fees**

A. Imposed fees.

- (1) Within all zoning districts, nonresidential developers, except for developers of the types of developments specifically exempted, shall pay a fee equal to 2.5% of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.

- (2) Nonresidential developers, except for developers of the types of developments specifically exempted below, shall also pay a fee equal to 2.5% of the increase in equalized assessed value resulting from any additions to existing structures to be used for nonresidential purposes.
- (3) Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of 2.5% shall be calculated on the difference between the equalized assessed value of the preexisting land and improvements and the equalized assessed value of the newly improved structure, i.e., land and improvements, at the time the final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the nonresidential development fee shall be zero.

B. Eligible exactions, ineligible exactions and exemptions for nonresidential development.

- (1) The nonresidential portion of a mixed-use inclusionary or market rate development shall be subject to a 2.5% development fee, unless otherwise exempted below.
- (2) The fee of 2.5% development fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within the existing footprint, reconstruction, renovations and repairs.
- (3) Nonresidential developments shall be exempt from the payment of nonresidential development fees in accordance with the exemptions required pursuant to the Statewide Non-Residential Development Fee Act (N.J.S.A. 40:55D-8.1 through 8.7), as specified in Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption." Any exemption claimed by a developer shall be substantiated by that developer.
- (4) A developer of a nonresidential development exempted from the nonresidential development fee pursuant to the Statewide Non-Residential Development Fee Act shall be subject to the fee at such time as the basis for the exemption no longer applies, and shall make the payment of the

nonresidential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy for the nonresidential development, whichever is later.

- (5) If a property which was exempted from the collection of a nonresidential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid nonresidential development fees under these circumstances may be enforceable by the Township of Rockaway as a lien against the real property of the owner.

#### **§ 53-5 Collection Procedures**

- A. Upon the granting of a preliminary, final or other applicable approval for a development, the applicable approving authority or entity shall notify or direct its staff to notify the Construction Official responsible for the issuance of a building permit.
- B. For nonresidential developments only, the developer shall also be provided with a copy of Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" to be completed as per the instructions provided. The developer of a nonresidential development shall complete Form N-RDF as per the instructions provided. The Construction Official shall verify the information submitted by the nonresidential developer as per the instructions provided in the Form N-RDF. The Tax Assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.
- C. The Construction Official responsible for the issuance of a building permit shall notify the local Tax Assessor of the issuance of the first building permit for a development which is subject to a development fee.
- D. Within 90 days of receipt of such notification, the municipal Tax Assessor, based on the plans filed, shall provide an estimate of the equalized assessed value of the development.
- E. The Construction Official responsible for the issuance of a final certificate of occupancy shall notify the local Tax Assessor of any

and all requests for the scheduling of a final inspection on a property which is subject to a development fee.

- F. Within 10 business days of a request for the scheduling of a final inspection, the municipal Tax Assessor shall confirm or modify the previously estimated equalized assessed value of the improvements of the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
- G. Should the Township of Rockaway fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in Subsection b. of Section 37 of P.L. 2008, c. 46 (N.J.S.A. 40:55D-8.6).
- H. Fifty percent of the development fee shall be collected at the time of issuance of the building permit. The remaining portion shall be collected at the time of issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at the issuance of the certificate of occupancy. No certificate of occupancy shall be issued to the developer until all remaining developer fees have been paid in full.
- I. Appeal of development fees.
  - (1) A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, collected fees shall be placed in an interest-bearing escrow account by Rockaway Township. Appeals from a determination of the Board may be made to the Tax Court in accordance with the provisions of the State Tax Uniform Procedure Law, N.J.S.A. 54:48-1, et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.
  - (2) A developer may challenge nonresidential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest-

bearing escrow account by Rockaway Township. Appeals from a determination of the Director may be made to the Tax Court in accordance with the provisions of the State Tax Uniform Procedure Law, N.J.S.A. 54:48-1, et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

**§ 53-6 Affordable Housing Trust Fund**

- A. There is hereby created a separate, interest-bearing Housing Trust Fund to be maintained by the Chief Financial Officer for the purpose of depositing development fees collected from residential and nonresidential developers and proceeds from the sale of units with extinguished controls.
  
- B. The following additional funds shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:
  - (1) Payments in lieu of on-site construction of affordable units;
  - (2) Developer-contributed funds to make 10% of the adaptable entrances in a townhouse or other multistory attached dwelling unit development accessible;
  - (3) Rental income from municipally operated units;
  - (4) Repayments from affordable housing program loans;
  - (5) Recaptured funds;
  - (6) Proceeds from the sale of affordable units; and
  - (7) Any other funds collected in connection with the Township of Rockaway's affordable housing program.
  
- C. In the event of a failure by the Township of Rockaway to comply with trust fund monitoring and reporting requirements or to submit accurate monitoring reports; or a failure to comply with the conditions of the judgment of compliance or a revocation of the judgment of compliance; or a failure to implement the approved spending plan and to expend funds within the applicable required time period as set forth in In re Tp. of Monroe, 442 N.J. Super. 565

(Law Div. 2015) (aff'd 442 N.J. Super. 563); or the expenditure of funds on activities not approved by the Court; or for other good cause demonstrating the unapproved use(s) of funds, the Court may authorize the State of New Jersey, Department of Community Affairs, Division of Local Government Services ("LGS"), to direct the manner in which the funds in the Affordable Housing Trust Fund shall be expended, provided that all such funds shall, to the extent practicable, be utilized for affordable housing programs within the Township of Rockaway, or, if not practicable, then within the County.

- (1) Any party may bring a motion before the Superior Court presenting evidence of such condition(s), and the Court may, after considering the evidence and providing the municipality a reasonable opportunity to respond and/or to remedy the noncompliant condition(s), and upon a finding of continuing and deliberate noncompliance, determine to authorize LGS to direct the expenditure of funds in the Trust Fund. The Court may also impose such other remedies as may be reasonable and appropriate to the circumstances.

D. Interest accrued in the Affordable Housing Trust Fund shall only be used to fund eligible affordable housing activities approved by the Court.

#### **§ 53-7 Use of Funds**

- A. The expenditure of all funds shall conform to a spending plan approved by the Superior Court. Funds deposited in the Affordable Housing Trust Fund may be used for any activity approved by the Court to address Rockaway Township's fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to preservation or purchase of housing for the purpose of maintaining or implementing affordability controls; housing rehabilitation; new construction of affordable housing units and related costs; accessory apartments; a market to affordable program; regional housing partnership programs; conversion of existing nonresidential buildings to create new affordable units; green building strategies designed to be cost saving and in accordance with accepted national or state standards; purchase of land for affordable housing; improvement of land to be used for affordable housing; extensions or improvements of roads and infrastructure to affordable housing sites; financial assistance designed to increase affordability; administration necessary for

implementation of the Housing Element and Fair Share Plan; and/or any other activity permitted by the Court and specified in the approved spending plan.

- B. Funds shall not be expended to reimburse Rockaway Township for past housing activities.
- C. At least 30% of all development fees collected and interest earned on such fees shall be used to provide affordability assistance to very low-, low- and moderate-income households in affordable units included in the municipal Fair Share Plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30% or less of the median income for Housing Region 2, in which Rockaway is located.
  - (1) Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowners' association or condominium fees and special assessments, and assistance with emergency repairs. The specific programs to be used for affordability assistance shall be identified and described within the spending plan.
  - (2) Affordability assistance to households earning 30% or less of median income may include buying down the cost of low- or moderate-income units in the municipal Fair Share Plan to make them affordable to households earning 30% or less of median income. The specific programs to be used for very-low-income affordability assistance shall be identified and described within the spending plan.
  - (3) Payments in lieu of constructing affordable housing units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.
- D. Rockaway Township may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including its programs for affordability assistance.
- E. No more than 20% of all revenues collected from development fees may be expended on administration, including but not limited to

salaries and benefits for municipal employees or consultants' fees necessary to develop or implement a new construction program, prepare a Housing Element and Fair Share Plan, and/or administer an affirmative marketing program or a rehabilitation program.

- (1) In the case of a rehabilitation program, the administrative costs of the rehabilitation program shall be included as part of the 20% of collected development fees that may be expended on administration.
- (2) Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with monitoring requirements.

### **§ 53-8 Monitoring**

The Township of Rockaway shall provide annual reporting of Affordable Housing Trust Fund activity to the New Jersey Department of Community Affairs, COAH and Local Government Services or other entity designated by the State of New Jersey, using forms developed for this purpose by the New Jersey Department of Community Affairs, COAH or Local Government Services.

### **§ 53-9 Ongoing collection of fees**

- A. The ability of Rockaway Township to impose, collect and expend development fees shall be permitted through the expiration of the repose period covered by its judgment of compliance and shall continue thereafter so long as Rockaway Township has filed an adopted Housing Element and Fair Share Plan with the Court or with a designated state administrative agency, has petitioned for a judgment of compliance from the Court or for substantive certification or its equivalent from a state administrative agency authorized to approve and administer municipal affordable housing compliance and has received approval of its development fee ordinance from the entity that will be reviewing and approving the Housing Element and Fair Share Plan.
- B. If the Township of Rockaway fails to renew its ability to impose and collect development fees after the expiration of its judgment of compliance and repose, it may be subject to forfeiture of any or all funds remaining within its Affordable Housing Trust Fund. Any funds so forfeited shall be deposited into the "New Jersey Affordable

Housing Trust Fund" established pursuant to Section 20 of P.L. 1985, c. 222 (N.J.S.A. 52:27D-320).

- C. After the expiration of the judgment of compliance and repose, if the Township does not pursue or obtain continued authorization, Rockaway Township shall not impose a residential development fee on a development that receives preliminary or final site plan approval, retroactively impose a development fee on such a development, or expend any of its collected development fees.

**Section 2.** Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

**Section 3.** This Ordinance shall take effect immediately upon final passage and publication as required by law.

## Appendix F: Draft Mandatory Set-Aside Ordinance

**ORDINANCE NO. O-20-XX**

**AN ORDINANCE ESTABLISHING CHAPTER 54 ENTITLED “LAND USE AND DEVELOPMENT,” SECTION 48 ENTITLED “MANDATORY AFFORDABLE HOUSING SET-ASIDE” OF THE CODE OF THE TOWNSHIP OF ROCKAWAY**

**BE IT ORDAINED** by the Council of the Township of Rockaway as follows:

**Section 1.** Chapter 54 of the Code of the Township of Rockaway, Land Use and Development, Section 48, Mandatory Affordable Housing Set-Aside, is hereby created as follows:

**§ 54-48.1 Requirements.**

- A. Except as otherwise regulated in this chapter, any development application proposing five (5) or more new dwelling units shall be required to set aside twenty percent (20%) of said lots or units for affordable housing.
- B. This requirement shall apply for all new multi-family residential developments of five (5) or more units that become permissible through either a use variance, a density variance increasing the permissible density at the site, a rezoning permitting multi-family residential housing where not previously permitted, or new redevelopment plan.
- C. This requirement does not give any developer the right to any such rezoning, variance or other relief, or establish any obligation the part of the Township of Rockaway to grant such rezoning, variance or other relief. A property shall not be permitted to be subdivided so as to avoid compliance with this requirement.

**Section 2.** Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

**Section 3.** This Ordinance shall take effect immediately upon final passage and publication as required by law.

Appendix G:  
Draft Affirmative Marketing Resolution  
and Plan

**RESOLUTION R-20-XX**

**RESOLUTION ADOPTING AN AFFIRMATIVE MARKETING PLAN FOR  
THE TOWNSHIP OF ROCKAWAY**

**WHEREAS**, pursuant to the Preliminary Judgment of Compliance and Repose filed on \_\_\_\_\_, Superior Court of New Jersey, Law Division, Morris County, Docket No. MRS-L-3271-07, and pursuant to the Settlement Agreement between the Township and Fair Share Housing Center, dated March 18, 2020, and the terms of the Township's Affordable Housing Ordinance, Ordinance No. \_\_\_\_\_, adopted on \_\_\_\_\_, the Township is required to adopt, by Resolution, an Affirmative Marketing Plan to ensure that all affordable housing units created within the Township are affirmatively marketed to very-low, low-, and moderate-income households, particularly those living and/or working within Housing Region 2, the Housing Region encompassing the Township of Rockaway.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Township of Rockaway, County of Morris, State of New Jersey as follows:

1. The governing body hereby adopts the Affirmative Fair Housing Marketing Plan for Affordable Housing in Region 2 in the form annexed hereto and made a part hereof.
2. All affordable units in the Township of Rockaway shall be marketed in accordance with the provision of this Resolution and the attached form of Affirmative Fair Housing Marketing Plan for Affordable Housing in Region 2 unless otherwise provided by law or regulation of the State of New Jersey.
3. The attached Affirmative Fair Housing Marketing Plan shall apply to all developments in the jurisdiction of the Township that contain or will contain very low-, low- and moderate-income units, including those that are part of the Township's Fair Share Plan and those that may be constructed in future developments not yet anticipated by the Fair Share Plan.
4. All developers/owners of existing affordable housing units and their respective Administrative Agents shall amend their Affirmative Marketing Plan and comply with the regional marketing strategies set forth in this Resolution and the attached Affirmative Fair Housing Marketing Plan adopted by the Township.

5. The Affirmative Fair Housing Marketing Plan shall be implemented by a qualified Administrative Agent under contract to the developer/owner of the affordable housing units, whose designation is approved by a resolution of the governing body. All of the costs associated with the services of the Administrative Agent, advertising and affirmative marketing of the affordable housing units shall be borne by the developer/owner of the affordable housing units.
6. In implementing the Affirmative Fair Housing Marketing Plan, all Administrative Agents shall undertake, at a minimum, the following strategies:
  - a. Publication of one advertisement in a newspaper of general circulation throughout the entire Housing Region 2.
  - b. Broadcast of one advertisement by a radio station broadcasting throughout the entire Housing Region 2.
  - c. At least one additional regional marketing strategy using one of the other sources listed on the attached Affirmative Marketing Plan.
  - d. Provide notice of available housing units to the following groups/organizations: Fair Share Housing Center, the New Jersey State Conference of the NAACP, The Latino Action Network, the Morris County Chapter of the NAACP, Newark NAACP, East Orange NAACP, Housing Partnership for Morris County, Community Access Unlimited, Inc., Northwest New Jersey Community Action Program, Inc., (NORWESCAP), Homeless Solutions of Morristown, and the Supportive Housing Association.
7. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer or sponsor of affordable housing. The Affirmative Marketing Plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in the region. It is a continuing program that directs all marketing activities towards the Housing Region in which the

municipality is located and covers the entire period of the deed restriction for each restricted housing unit. The Township of Rockaway is located in Housing Region 2, consisting of Essex, Morris, Union and Warren Counties.

8. The Affirmative Marketing Plan is a continuing program intended to be followed throughout the entire period of restrictions and shall meet the following minimum requirements:
  - a. All newspaper articles, announcements, advertisements and requests for applications for very low-, low-, and moderate-income units shall appear in the Star Ledger.
  - b. The primary marketing shall take the form of at least one press release and a paid advertisement in the above newspapers at the start of the affirmative marketing process. Additional advertising and publicity shall be on an “as needed” basis. All press releases and advertisements shall be approved in advance by the Administrative Agent designated for the affordable housing units. The developer/owner shall disseminate all public service announcements and pay for display advertisements. The developer/owner shall provide proof of publication to the Administrative Agent designated for the affordable housing units.
  - c. All advertisements shall include at a minimum a description which includes:
    - i. The location of the units;
    - ii. Directions to the units;
    - iii. Range of prices for the units;
    - iv. Size of units as measured in number of bedrooms
    - v. Maximum income permitted to qualify for the units;
    - vi. Location of applications;
    - vii. Business hours when interested households may obtain an application; and

- viii. Application fees, if any.
- d. Newspaper articles, announcements and information on where to request applications for very low-, low-, and moderate-income housing shall appear at least once a week for four consecutive weeks in at least three locally oriented weekly newspapers within the region, one of which shall be circulated primarily within Morris County and the other two of which shall be circulated primarily outside of Morris County but within Housing Region 2.
- e. Applications, brochures, signs and/or posters used as part of the affirmative marketing program shall be available/posted in the following locations:
  - i. Rockaway Township Municipal Building;
  - ii. Rockaway Township Public Library
  - iii. Hibernia Library
  - iv. Morris County Library
  - v. Morris County Administration Building
  - vi. Developer's Sales/Rental Office
- f. Applications shall be mailed by the Administrative Agent designated for the affordable housing units to prospective applicants upon request. Applications shall also be available at the developer's sales/rental office and shall be mailed to prospective applicants upon request.
- g. The Administrative Agent shall develop, maintain and update a list of community contact person(s) and/or organization(s) in Essex, Morris, Union, and Warren Counties that will aid in the affirmative marketing program with particular emphasis on contacts that will reach out to groups that are least likely to apply for housing within the region, including the groups/organizations and major regional employers identified on the Rockaway Affirmative Fair Housing

Marketing Plan for Affordable Housing in Region 2, attached hereto and made a part of this Resolution.

- h. A random selection method to select occupants of very low-, low- and moderate-income housing units will be used by the respective Administrative Agent designated for the affordable housing units in conformance with N.J.A.C. 5:80-26.16. The Affirmative Marketing Plan shall provide a regional preference for all households that live and/or work in Housing Region 2 comprised of Essex, Morris, Union, and Warren Counties.
- i. The respective Administrative Agent for affordable housing units shall administer the Affirmative Marketing Plan. The respective Administrative Agent has the responsibility to income qualify very low-, low-, and moderate-income households; to place income eligible households in very low-, low- and moderate-income units upon initial occupancy; to provide for the initial occupancy of very low-, low-, and moderate-income units with income qualified households; to continue to qualify households for re-occupancy of units as they become vacant during the period of affordability controls; to assist with outreach to very low-, low-, and moderate-income households; and to enforce the terms of the deed restriction and mortgage loan, if applicable, as per N.J.A.C. 5:80-26.1 et seq.
- j. The respective Administrative Agent for affordable housing units shall provide or direct qualified very low-, low- and moderate-income applicants to counseling services on subjects such as budgeting, credit issues, mortgage qualifications, rental lease requirements and landlord/tenant law and shall develop, maintain and update a list of entities and lenders willing and able to perform such services.
- k. All developers/owners of very low-, low- and moderate-income housing units in the Township shall be required to undertake and pay the costs of the marketing of the affordable units in their respective developments, subject to the direction and supervision of their contracted Administrative Agent.

1. The implementation of the Affirmative Marketing Plan for a development that includes affordable housing shall commence at least 120 days before the issuance of either a temporary or permanent certificate of occupancy. The implementation of the Affirmative Marketing Plan shall continue until all very low-, low- and moderate-income housing units are initially occupied and for as long as affordable units exist that remain deed restricted and for which the occupancy or re-occupancy of units continues to be necessary.
- m. The respective Administrative Agent shall provide the Municipal Housing Liaison for the Township of Rockaway with the information required to comply with monitoring and reporting requirements pursuant to N.J.A.C. 5:80-26.1 et seq.
- n. A copy of this Resolution and the attached Rockaway Affirmative Fair Housing Marketing Plan for Affordable Housing in Region 2 shall be provided to all designated Administrative Agents for existing affordable housing units in the Township and to all developers/owners of future affordable housing units.
- o. This Resolution shall take effect immediately.

# Appendix H: Spending Plan

# Township of Rockaway

## Morris County, New Jersey October 2020 Spending Plan

### Introduction

The Township of Rockaway has prepared a Housing Element and Fair Share Plan (HE&FSP) that addresses its regional fair share of the affordable housing need in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), the Fair Housing Act (N.J.S.A. 52:27D-301) and the affordable housing regulations of the New Jersey Department of Community Affairs (the Department) (N.J.A.C. 5:91 et seq. and N.J.A.C. 5:93 et seq.). A development fee ordinance creating a dedicated revenue source for affordable housing was approved through a Judgment of Compliance on July 2, 2003 and adopted by the municipality.

As of September 30, 2020, the Township of Rockaway's Affordable Housing Trust Fund has a balance of \$2,230,283.87. All development fees, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, and interest generated by the fees are deposited in a separate interest-bearing affordable housing trust fund in Provident Bank for the purposes of affordable housing. These funds shall be spent in accordance with the applicant affordable housing regulations, as described in the sections that follow.

### 1. Revenues for Certification Period

It is anticipated that, during the period of Third Round substantive certification, the Township of Rockaway will add an additional \$765,000 to its affordable housing trust fund. This is detailed below:

- (a) Development Fees. It is anticipated that the Township of Rockaway will collect an average of \$150,000 per year in development fees for its Affordable Housing Trust Fund during the Third Round. As such, the Township anticipates that a total of \$750,000 in development fees will be generated between January 1, 2021 and December 31, 2025.
- (b) Payment in lieu (PIL) or Other Funds. The Township of Rockaway does not currently anticipate the contribution of any payments in lieu or other funds towards the municipal affordable housing trust fund during the period of Third Round substantive certification.
- (c) Interest. The Township of Rockaway anticipates that the projected revenue in the municipal affordable housing trust fund will generate approximately \$15,000 in total interest between January 1, 2021 and December 31, 2025.

Source of Funds	Projected Revenues – Affordable Housing Trust Fund 2021 through 2025					
	2021	2022	2023	2024	2025	Total
(a) Development Fees	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$750,000
(b) Payment in Lieu of Construction	\$0	\$0	\$0	\$0	\$0	\$0
(c) Other Funds	\$0	\$0	\$0	\$0	\$0	\$0
(d) Interest	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$15,000
Total	\$153,000	\$153,000	\$153,000	\$153,000	\$153,000	\$765,000

In sum, the Township of Rockaway projects a total of \$765,000 in revenue to be collected between January 1, 2021 and December 31, 2025. This projected amount, when added to the Township’s current trust fund balance of \$2,230,283.87, results in a total anticipated trust fund balance of \$2,995,283.27 available to fund and administer the Township’s affordable housing plan. All interest earned on the account shall be used only for the purposes of affordable housing.

## 2. Administrative Mechanism to Collect and Distribute Funds

The following procedural sequence for the collection and distribution of development fee revenues shall be followed by the Township of Rockaway:

a. Collection of Development Fee Revenues

Collection of development fee revenues shall be consistent with the Township of Rockaway's ordinance for both residential and non-residential developments in accordance with the Department's rules and P.L.2008, c.46, sections 8 (C. 52:27D-329.2) and 32-38 (C. 40:55D-8.1 through 8.7).

b. Distribution of Development Fee Revenues

The administration of Rockaway's development fee spending plan will be undertaken by the governing body and the Township treasurer. First, the governing body will approve the expenditure of development fee revenues. The governing body will then review the request for consistency with the spending plan. If consistent with the plan, the governing body will adopt a resolution authorizing the use and release of trust fund monies. Upon approval of the governing body resolution, the Borough treasurer will be authorized to release the funds.

## 3. Description of Anticipated Use of Affordable Housing Funds

The Township anticipates its affordable housing funds to be utilized as follows:

a. New Construction

The Township presently owns three (3) properties along Valley View Drive which are identified by municipal tax records as Block 21102 Lots 43, 44, and 45. These properties comprise a total of approximately one and one-half (1.5) acres.

As established by the Township's Settlement Agreement with FSHC dated March 18, 2020 as well as the Township's HE&FSP, Rockaway shall partner with Habitat for Humanity or a similar nonprofit to develop at least two (2) affordable dwellings this site. As an alternative, the Township could potentially partner with another nonprofit for a one hundred percent (100%) affordable housing development, which could potentially be a group home. Under this scenario, the Township would be eligible to receive additional credits.

To assist with the development of these units, the Township shall set-aside \$150,000. As noted in Part 5 of this Spending Plan, the Township may set-aside additional funding for the construction of these units, provided that an excess of funds exist.

b. United Cerebral Palsy of Northern, Central, and Southern New Jersey, Inc.

A Memorandum of Understanding (MOU) was signed between United Central Palsy of Northern, Central, and Southern New Jersey, Inc. (UCP) and the Township of Rockaway on May 1, 2012. As established by that MOU, the Township has pledged to provide UCP's facility located at 182 Lakeside Drive \$9,684 a year for thirty (30) years to partially fund its facility, provided that new deed

restrictions which require the facility to be used solely as an affordable residence for disabled individuals are recorded against the facility for an additional thirty (30) years in accordance with the requirements of the Council on Affordable Housing (COAH) and the Uniform Housing Affordability Controls (UHAC).

As such, the Township shall provide \$9,684 a year for this facility. This will amount to \$48,420 for the remainder of the Third Round substantive certification. In the event that UCP no longer manages the facility in the future, the Township shall provide the aforementioned funds to another provider of special needs and/or assisted living.

c. New Jersey Housing and Mortgage Finance Agency and New Jersey Department of Human Services and New Jersey Department of Community Affairs

A Memorandum of Understanding (MOU) was signed between the New Jersey Housing and Mortgage Finance Agency (HMFA), the New Jersey Department of Human Services (DHS), the New Jersey Department of Community Affairs (DCA), and the Township of Rockaway on May 1, 2012. As established by that MOU, the Township shall transfer monies from its affordable housing trust fund to the HMFA which shall be made available to qualified developers who have identified properties to acquire for conversion to community residences for individuals with developmental disabilities.

Specifically, the MOU outlines that the Township shall transfer \$389,359.35 from its affordable housing trust fund to HMFA, subject to the review and approval of the Special Master and COAH or its successor.

d. Affordability Assistance

Pursuant to N.J.A.C. 5:93-8.16(c), the Township will commit to spend at least thirty percent (30%) of the revenues collected from development fees towards affordability assistance to very-low, low- and moderate-income households. One-third of that amount must be dedicated to very low-income households. However, development fees collected to finance a rehabilitation program or new construction project are exempt from this requirement.

The Township will dedicate thirty percent (30%) of its development fee revenues, less its housing activity (both existing and proposed) and its proposed rehabilitation expenditures, towards its affordability assistance program. As of October 1, 2020, the Township has collected \$5,797,067.56 in fees and interest, and has spent \$3,097,087.94 for housing activities as well as \$375,000 for affordability assistance. The Township further plans to allocate \$587,779.35 toward new construction activities for the remainder of the Third Round.

As shown in the accompanying table, the Township projects that \$488,160.08 will be available from the affordable housing trust fund for this purpose through 2025, one-third of which is required to be dedicated for very-low income households. The Township's affordability assistance program will include down payment assistance, special condominium assessment assistance, emergency repair assistance, emergency/hardship mortgage payment assistance, and rental assistance.

Table 1: Affordability Calculator

Actual development fees and interest through 09/30/2020		\$5,797,067.56
Development fees projected 2021-2025	+	\$750,000.00
Interest projected 2021-2025	+	\$15,000.00
Less housing activity expenditures through 09/30/20	-	\$3,097,087.94
Less "New Construction" housing activity expenditures 2021-2025	-	\$587,779.35
Total	=	\$2,877,200.27
Calculate 30 percent	x .30 =	\$863,160.08
Less Affordability assistance expenditures through 09/30/20	-	\$375,000.00
PROJECTED MINIMUM Affordability Assistance Requirement 2021-2025	=	\$488,160.08
PROJECTED MINIMUM Very Low-Income Affordability Assistance Requirement 2021-2025	÷ 3 =	\$162,720.03

e. Administrative Expenses

Per N.J.A.C. 5:93-8.16(e), no more than 20% of the revenues collected from development fees shall be expended on administration. The Borough projects that a maximum of \$883,743.67 of housing trust funds will be permitted to be used for administrative purposes through 2025. Projected administrative expenditures, subject to the 20% cap, include the salaries and benefits for municipal employees and consultant fees necessary to develop or implement the following:

1. An updated Housing Element and Fair Share Plan.
2. An affirmative marketing program.
3. An affordability assistance program.

Table 2: Administrative Expenses

Actual dev fees and interest thru 09/30/2020		\$5,797,067.56
Projected dev fees and interest 2021 through 2025	+	\$765,000.00
Payments-in-lieu of construction and other deposits thru 09/30/20	+	\$0.00
Less RCA expenditures thru 09/30/20	-	\$1,142,208.59
Total	=	\$5,419,858.97
Calculate 20 percent	x .20 =	\$1,083,971.79
Less admin expenditures thru 09/30/20	-	\$200,228.12
PROJECTED MAXIMUM available for administrative expenses 1/1/2021 thru 12/31/2025	=	\$883,743.67

## 4. Expenditure Schedule

The Township of Rockaway intends to use affordable housing trust fund revenues for the creation and/or rehabilitation of housing units. Where applicable, the creation/rehabilitation funding schedule below parallels the implementation schedule set forth in the Housing Element and Fair Share Plan and is summarized as follows.

*Table 3: Projected Expenditure Schedule 2021-2025*

Projects/Programs	2021	2022	2023	2024	2025	Total
New Construction						
Habitat for Humanity	\$150,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$150,000.00
MOU UCP	\$9,684.00	\$9,684.00	\$9,684.00	\$9,684.00	\$9,684.00	\$48,420.00
MOU HMFA	\$0.00	\$389,359.35	\$0.00	\$0.00	\$0.00	\$389,359.35
Affordability Assistance	\$97,632.02	\$97,632.02	\$97,632.02	\$97,632.02	\$97,632.02	\$488,160.08
Administration	\$176,748.73	\$176,748.73	\$176,748.73	\$176,748.73	\$176,748.73	\$883,743.67
Total	\$434,064.75	\$673,424.10	\$284,064.75	\$284,064.75	\$284,064.75	\$1,959,683.10

## 5. Excess or Shortfall of Funds

In the event of any expected or unexpected shortfall if the anticipated revenues are not sufficient to implement the plan, the Township of Rockaway will handle the shortfall of funds through adopting a resolution with an intent to bond.

In the event of excess funds, or in the event that the amount spent on administration is less than projected, any remaining funds above the amount necessary to satisfy the municipal affordable housing obligation will be reserved for additional affordable housing activity. Specifically, the Township will allocate additional funding towards its affordability assistance program as well as toward new construction costs.

## 6. Summary

The Township of Rockaway intends to spend affordable housing trust fund revenues pursuant to N.J.A.C. 5:91 et seq. and N.J.A.C. 5:93 et seq. consistent with the housing programs outlined in the Housing Plan Element dated \_\_\_\_\_.

The Township of Rockaway has a balance of \$2,230,283.87 as of October 1, 2020, and anticipates an additional \$765,000.00 in revenues through 2025 for a total of \$2,995,283.87.

The Township will dedicate \$587,779.35 towards new construction, \$488,160.88 to render units more affordable, and \$883,743.67 to administrative costs. Any shortfall of funds will be offset by a resolution to bond. The Township will dedicate any excess funds or remaining balance toward new construction and/or affordability assistance program.

Table 4: Spending Plan Summary

SPENDING PLAN SUMMARY		
Balance as of October 1, 2020		\$2,230,283.87
PROJECTED REVENUE 2021-2025		
Development fees	+	\$750,000.00
Payments in lieu of construction	+	\$0.00
Other funds	+	\$0.00
Interest	+	\$15,000.00
TOTAL PROJECTED REVENUE	=	\$2,995,283.87
PROJECTED EXPENDITURES 2021-2025		
Funds used for New Construction	-	\$587,779.35
Affordability Assistance	-	\$488,160.08
Administration	-	\$883,743.67
TOTAL PROJECTED EXPENDITURES	=	\$1,959,683.11
EXCESS FUNDS OR REMAINING BALANCE RESERVED FOR ADDITIONAL AFFORDABLE HOUSING ACTIVITY		
1. <i>Additional Funds for New Construction</i>	-	\$517,800.38
2. <i>Additional Funds for Affordability Assistance</i>	-	\$517,800.38
REMAINING BALANCE	=	\$0.00

# Appendix I: Draft Zoning Ordinances to Address RDP

**ORDINANCE NO. O-20-XX**

**AN ORDINANCE ESTABLISHING CHAPTER 54 ENTITLED “LAND USE AND DEVELOPMENT,” SECTION 54-30.52 ENTITLED “R-B MFO REGIONAL BUSINESS MULTIFAMILY OVERLAY DISTRICT” OF THE CODE OF THE TOWNSHIP OF ROCKAWAY**

**BE IT ORDAINED** by the Council of the Township of Rockaway as follows:

**Section 1.** Section 54-30.51, R-B Regional Business, Subsection D, Prohibited Uses, Item 1, of Chapter 54 of the Code of the Township of Rockaway, Land Use and Development, is hereby deleted in its entirety and replaced by the following:

1. Any type of residential construction or use unless otherwise permitted by the R-B MFO Regional Business Multifamily Overlay District;

**Section 2.**, Section 54-30.52, R-B MFO Regional Business Multifamily Overlay District, of Chapter 54 of the Code of the Township of Rockaway, Land Use and Development, is hereby created as follows:

**§ 54-30.52 R-B MFO Regional Business Multifamily Overlay District.**

- A. Purpose. The purpose of the R-B MFO District is to encourage the development of a mixed-use environment consisting of residential, retail, office, and commercial uses designed as a distinctive walkable center with a sense of place. This district is also intended to encourage the production of very-low, low-, and moderate-income housing units within a mixed-use environment in conformance with the latest procedural and substantive rules for affordable housing, as determined by the courts or other applicable authority, by permitting an inclusionary multifamily development subject to the following regulations.
- B. Description. The R-B MFO District shall encompass Block 11001 Lots 1, 2, 3, 4, 5, 6.01, 6.02, 7, 8, 8.01, 9, 10, 11.01, 11.02, 11.03, and 11.04.
- C. Permitted Principal Uses. No building shall be erected, enlarged, altered, arranged or designed to be used, in whole or in part, except for one or more of the following uses:
  - (1) Those uses permitted in the R-B District.

- (2) Multifamily uses located on an upper-story.

D. Permitted Accessory Uses. Accessory uses and structures permitted in the B-2 MFO District are those uses and structures which are customarily incidental and subordinate to permitted to the permitted uses. Accessory uses and structures shall include, but not be limited to, the following:

- (1) Those accessory uses permitted in the R-B District.
- (2) Recreational and open space facilities, including, but not limited to, pools, walkways, courtyards and plazas.
- (3) Off-street parking and loading, including parking structures attached to buildings with principal permitted uses, appropriately screened from public view.
- (4) Street furnishings, planters, street lights, and exterior, garden-type shade structures.
- (5) Fences and walls, which shall complement the architectural style, type and design of the building and the overall project design.
- (6) Decks, patios and terraces (including rooftop facilities), which shall complement the architectural style, type and design of the building and the overall project design.
- (7) Open-air structures such as gazebos, pavilions, children's play areas and pet parks.

E. Prohibited Uses. Any use prohibited in the R-B District.

F. Required Standards. In addition to those standards established in Section 54-30.51E., the following standards are required:

- (1) Minimum tract area: The entirety of the District, which shall be conceptually planned in a comprehensive integrated manner showing the proposed development for the entire District.
- (2) Maximum permitted density. The maximum permitted density shall be two and two-tenths (2.2) dwelling units per

acre, provided that the district shall contain no more than five hundred (500) total residential units.

- (3) Maximum height. No structure shall have a height exceeding fifty (50) feet, except that mall buildings shall have a maximum height limitation of sixty-five (65) feet. Roof structures, such as elevator shafts, air conditioning apparatus, water storage tanks and related equipment shall be permitted above the height limitations, provided that such structures do not exceed fifteen percent (15%) of the total roof area and do not exceed the height limitations by more than ten (10) feet.
- (4) Floor Use. Except for parking structures, nonresidential uses are required on the first story, and residential uses are required on the upper stories. Residential amenities including but not limited to lobbies and leasing offices may be permitted on a first story.
- (5) Affordable Housing
  - (a) A minimum of twenty percent (20%) of the total number of units shall be set-aside for very-low, low- and moderate-income units if they are for sale or for rent. All affordable units are to be constructed on-site and integrated among buildings throughout the development so that such buildings contain a mix of affordable and market rate units.
  - (b) All very-low, low- and moderate-income housing units shall be in conformance with the requirements of the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq. ("FHA"); applicable regulations of the New Jersey Council on Affordable Housing ("COAH"); applicable requirements of the Courts of the State of New Jersey; and all applicable regulations on affordability controls and other regulations of the New Jersey Housing and Mortgage Finance Agency ("NJHMFA") including, without limitation, the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq. ("UHAC").

- (c) Bedroom distribution of very-low, low- and moderate-income housing units. The bedroom distribution of very-low, low- and moderate-income units for affordable units constructed in the RMFO-10 Overlay District shall be as follows.

- [1] No more than 20% of the very-low, low- and moderate-income units shall be one-bedroom units.

- [2] At least 20% of the very-low, low- and moderate-income units shall be three-bedroom units.

- [3] At least 30% of the very-low, low- and moderate-income units shall be two-bedroom units.

- (d) Very-low, Low- and moderate-income unit split. At least 50% of the affordable units will be available to very low income and low income households and the remainder of which will be available to moderate income households as defined in the FHA and UHAC and other applicable statutes and regulations. A minimum of 13% of the affordable units will be made available to very low income households, defined as households earning 30% or less of the regional median income by household size.

- (e) Procedures regarding affirmative marketing of very-low, low- and moderate-income units and other requirements of inclusionary development units are subject to and determined by UHAC and COAH rules or other rules determined appropriate by the court.

(6) Design Standards

- (a) Facade design.

- [1] For every sixty (60) feet of building length, there shall be a plane-break along the facade comprised of an offset of at least twelve (12) inches in depth by at least fifteen (15) feet in length. The offset shall extend from grade to the highest story.
  - [2] Buildings with expansive blank walls on any facade are discouraged. Side and rear elevations should receive architectural treatments comparable to front facades.
  - [3] Varying decorative and architectural features at entrances, cornices, windows and articulation between dwelling units, buildings or complexes of buildings are encouraged, provided that such are architecturally compatible with the style, materials, colors and details of the building.
  - [4] Complementary building colors and materials shall be consistent with the general theme of the development.
  - [5] Horizontal articulation. Each facade should be designed to have a delineated floor line between street level and the upper floors. This delineation may be in the form of, but not limited to, a belt course, a lintel, a cornice line, or similar trim features and elements
- (b) Materials. Exterior building materials shall be classified as either primary, secondary, or accent materials. The facade shall be designed in accordance with the following:
- [1] The primary material shall cover at least 60% of the facade of the building.
  - [2] Secondary materials shall cover not more than 40% of the facade.

- (c) Exterior-mounted mechanical and electrical equipment exposed to the public view shall be architecturally screened. Roof-mounted equipment and projections should be painted the same color as the roof and, where possible, located to the rear of the building, away from the public view.
- (d) Varying architectural embellishments to roofs between dwelling units, buildings or complexes of buildings including roof elements such as dormers, belvederes, masonry chimneys and similar elements, provided that such are architecturally compatible with the style, materials, colors and details of the building.
- (e) Streetscape. Streetscape elements along all frontages shall be encouraged, and may include, but not be limited, to benches and sitting areas, trees, decorative lighting, landscaping, and paving patterns.
- (f) Landscaping standards.

[1] A landscape plan prepared by a licensed Landscape Architect, licensed by the New Jersey State Board of Architects, or other qualified individual shall be submitted with any plan for development.

[2] All portions of the property not utilized by buildings or paved surfaces shall be landscaped utilizing combinations such as landscaped fencing, shrubbery, lawn areas, ground cover, existing vegetation, and the planting of coniferous and/or deciduous trees native to the area in order to maintain or reestablish the vegetation in the area and lessen the visual impact of the structures and paved areas.

[3] Plants and other landscaping materials shall be selected in terms of aesthetic and functional

considerations. The landscape design shall create visual diversity and contrast through variation in size, shape, texture, and color. The selection of plants in terms of susceptibility to disease and insect damage, wind and ice damage, habitat (wet-site, drought, sun and shade tolerance), soil conditions, growth rate, longevity, root pattern, maintenance requirements, etc. shall be considered. Consideration shall be given to accenting site entrances and unique areas with special landscaping treatment. Flowerbed displays are encouraged.

- [4] Landscaping shall be designed to achieve a thorough integration of the various elements of site design, including building and parking placement and natural features.
- [5] Landscaping within sight triangles shall not exceed a mature height of thirty (30) inches. Shade trees shall be pruned up to an eight-foot branching height above grade.
- [6] The use of indigenous/native plant material is to be encouraged to establish sustainable landscapes that blend with the natural environment, reduce the use of pesticides, and reduce irrigation.
- [7] The use of passive systems such as raingardens to offset stormwater discharge shall be utilized to the extent feasible.
- [8] Water conservation measures such as drip irrigation and soil moisture-sensing irrigation systems shall be used where practicable.

- (7) Nonresidential Signage. Nonresidential signage shall be in accordance to those standards established for the R-B District.
- (8) Residential signage.
  - (a) One (1) freestanding sign shall be permitted at each vehicular entrance to the development, provided that there shall be no more than three such signs.
  - (b) The area of each sign shall not exceed 50 square feet.
  - (c) The height of each sign shall not exceed six feet.
  - (d) All signs shall be set back at least 10 feet from any street right-of-way.
  - (e) The sign shall be an identification sign only, limited to the name and address of the development on site.
  - (f) The design of the sign shall be complementary to the architectural design of the buildings located on site, and shall be subject to the review and approval of the Planning Board.

**Section 2.** Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

**Section 3.** This Ordinance shall take effect immediately upon final passage and publication as required by law.

**ORDINANCE NO. O-20-XX**

**AN ORDINANCE AMENDING CHAPTER 54 ENTITLED “LAND USE AND DEVELOPMENT” OF THE CODE OF THE TOWNSHIP OF ROCKAWAY CREATING A NEW SECTION 54-30.53 ENTITLED “B-2 MFO HIGHWAY BUSINESS MULTIFAMILY RESIDENTIAL OVERLAY DISTRICT”**

**BE IT ORDAINED** by the Council of the Township of Rockaway as follows:

**Section 1.** Section 54-30.53, B-2 MFO Highway Business Multifamily Residential Overlay District, of Chapter 54 of the Code of the Township of Rockaway, Land Use and Development, is hereby created as follows:

**§ 54-30.53 RMFO-10 Multifamily Residential Overlay District.**

- A. Purpose. The purpose of the B-2 MFO Highway Business Multifamily Residential Overlay District is to encourage the development of a mixed-use environment consisting of residential, retail, office, and commercial uses designed as a distinctive walkable center with a sense of place. This district is also intended to encourage the production of very-low, low-, and moderate-income units within a mixed-use environment in conformance with the latest procedural and substantive rules for affordable housing, as determined by the courts or other applicable authority, by permitting an inclusionary multifamily development subject to the following regulations.
- B. Description. The B-2 MFO District shall encompass Block 10202 Lots 27 and 28.
- C. Permitted Principal Uses. The B-2 MFO District shall permit the following uses:
  - (1) Those uses permitted in the B-2 District, except for storage buildings and yards, fuel distributing plants, lumber yards, warehouses, and wholesale distribution centers.
  - (2) Multifamily uses located on an upper-story.
- D. Permitted Accessory Uses. Accessory uses and structures permitted in the B-2 MFO District are those uses and structures which are customarily incidental and subordinate to permitted to the permitted uses. Accessory uses and structures shall include, but not be limited to, the following:

- (1) Those accessory uses permitted in the B-2 District.
- (2) Recreational and open space facilities, including, but not limited to, pools, walkways, courtyards and plazas.
- (3) Off-street parking and loading, including parking structures attached to buildings with principal permitted uses, appropriately screened from public view.
- (4) Street furnishings, planters, street lights, and exterior, garden-type shade structures.
- (5) Fences and walls, which shall complement the architectural style, type and design of the building and the overall project design.
- (6) Decks, patios and terraces (including rooftop facilities), which shall complement the architectural style, type and design of the building and the overall project design.
- (7) Open-air structures such as gazebos, pavilions, children's play areas and pet parks.

E. Permitted Conditional Uses

- (1) None

F. Prohibited Uses

- (1) Any use other than those uses specifically permitted above are prohibited.

G. Required Standards. The following requirements shall be complied with for all multifamily.

- (1) Minimum tract area: The entirety of the District, which shall be conceptually planned in a comprehensive integrated manner showing the proposed development for the entire District.
- (2) Maximum permitted density. The maximum permitted density shall be nine and one-half (9.5) dwelling units per acre.

- (3) Minimum setbacks.
  - (a) Minimum front yard. There shall be a front yard of not less than fifty (50) feet.
  - (b) Minimum side yards. No side yard shall be less than twenty-five (25) feet, except a fifty (50) foot setback shall be provided for side yards which front along a property used or zoned for residential purposes.
  - (c) Minimum rear yard. There shall be a rear yard of at least fifty (50) feet.
  - (d) No building except for structured parking shall be closer than ten (10) feet to any parking area.
- (4) Maximum height.
  - (a) No multifamily residential building shall exceed three (3) stories or forty-two (42) feet. An additional five (5) feet of building height may be added for decorative architectural elements, such as a parapet wall or a cupola.
  - (b) No clubhouse building shall exceed two (2) stories or thirty-five (35) feet.
- (5) Minimum distance between buildings. No building shall be located closer to another building than a distance that is at least the height of the higher building.
- (6) Floor Use. Except for parking structures, nonresidential uses are required on the first story, and residential uses are required on the upper stories. Residential amenities including but not limited to lobbies and leasing offices may be permitted on a first story.
- (7) Maximum impervious coverage. The total impervious coverage on any lot shall not exceed sixty percent (60%) of the total lot area, irrespective of the CWR district.

(8) Affordable Housing

- (a) A minimum of twenty percent (20%) of the total number of units shall be set-aside for very-low, low- and moderate-income units if they are for sale or for rent. All affordable units are to be constructed on-site and integrated among buildings throughout the development so that such buildings contain a mix of affordable and market rate units.
- (b) All very-low, low- and moderate-income housing units shall be in conformance with the requirements of the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq. ("FHA"); applicable regulations of the New Jersey Council on Affordable Housing ("COAH"); applicable requirements of the Courts of the State of New Jersey; and all applicable regulations on affordability controls and other regulations of the New Jersey Housing and Mortgage Finance Agency ("NJHMFA") including, without limitation, the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq. ("UHAC").
- (c) Bedroom distribution of very-low, low- and moderate-income housing units. The bedroom distribution of very-low, low- and moderate-income units for affordable units constructed in the RMFO-10 Overlay District shall be as follows.
  - [1] No more than 20% of the very-low, low- and moderate-income units shall be one-bedroom units.
  - [2] At least 20% of the very-low, low- and moderate-income units shall be three-bedroom units.
  - [3] At least 30% of the very-low, low- and moderate-income units shall be two-bedroom units.

- (d) Very-low, Low- and moderate-income unit split. At least 50% of the affordable units will be available to very low income and low income households and the remainder of which will be available to moderate income households as defined in the FHA and UHAC and other applicable statutes and regulations. A minimum of 13% of the affordable units will be made available to very low income households, defined as households earning 30% or less of the regional median income by household size.
- (e) Procedures regarding affirmative marketing of very-low, low- and moderate-income units and other requirements of inclusionary development units are subject to and determined by UHAC and COAH rules or other rules determined appropriate by the court.

(9) Design Standards

(a) Facade design.

- [1] For every sixty (60) feet of building length, there shall be a plane-break along the facade comprised of an offset of at least twelve (12) inches in depth by at least fifteen (15) feet in length. The offset shall extend from grade to the highest story.
- [2] Buildings with expansive blank walls on any facade are discouraged. Side and rear elevations should receive architectural treatments comparable to front facades.
- [3] Varying decorative and architectural features at entrances, cornices, windows and articulation between dwelling units, buildings or complexes of buildings are encouraged, provided that such are architecturally compatible with the style, materials, colors and details of the building.

- [4] Complementary building colors and materials shall be consistent with the general theme of the development.
  - [5] Horizontal articulation. Each facade should be designed to have a delineated floor line between street level and the upper floors. This delineation may be in the form of, but not limited to, a belt course, a lintel, a cornice line, or similar trim features and elements
- (b) Materials. Exterior building materials shall be classified as either primary, secondary, or accent materials. The facade shall be designed in accordance with the following:
- [1] The primary material shall cover at least 60% of the facade of the building.
  - [2] Secondary materials shall cover not more than 40% of the facade.
- (c) Exterior-mounted mechanical and electrical equipment exposed to the public view shall be architecturally screened. Roof-mounted equipment and projections should be painted the same color as the roof and, where possible, located to the rear of the building, away from the public view.
- (d) Varying architectural embellishments to roofs between dwelling units, buildings or complexes of buildings including roof elements such as dormers, belvederes, masonry chimneys and similar elements, provided that such are architecturally compatible with the style, materials, colors and details of the building.
- (e) Streetscape. Streetscape elements along all frontages shall be encouraged, and may include, but not be limited, to benches and sitting areas, trees, decorative lighting, landscaping, and paving patterns.

- (f) Landscaping standards.
- [1] A landscape plan prepared by a licensed Landscape Architect, licensed by the New Jersey State Board of Architects, or other qualified individual shall be submitted with any plan for development.
  - [2] All portions of the property not utilized by buildings or paved surfaces shall be landscaped utilizing combinations such as landscaped fencing, shrubbery, lawn areas, ground cover, existing vegetation, and the planting of coniferous and/or deciduous trees native to the area in order to maintain or reestablish the vegetation in the area and lessen the visual impact of the structures and paved areas.
  - [3] Plants and other landscaping materials shall be selected in terms of aesthetic and functional considerations. The landscape design shall create visual diversity and contrast through variation in size, shape, texture, and color. The selection of plants in terms of susceptibility to disease and insect damage, wind and ice damage, habitat (wet-site, drought, sun and shade tolerance), soil conditions, growth rate, longevity, root pattern, maintenance requirements, etc. shall be considered. Consideration shall be given to accenting site entrances and unique areas with special landscaping treatment. Flowerbed displays are encouraged.
  - [4] Landscaping shall be designed to achieve a thorough integration of the various elements of site design, including building and parking placement and natural features.
  - [5] Landscaping within sight triangles shall not exceed a mature height of thirty (30) inches.

Shade trees shall be pruned up to an eight-foot branching height above grade.

[6] The use of indigenous/native plant material is to be encouraged to establish sustainable landscapes that blend with the natural environment, reduce the use of pesticides, and reduce irrigation.

[7] The use of passive systems such as raingardens to offset stormwater discharge shall be utilized to the extent feasible.

[8] Water conservation measures such as drip irrigation and soil moisture-sensing irrigation systems shall be used where practicable.

(10) Nonresidential Signage. Nonresidential signage shall be in accordance to those standards established for the B-2 District.

(11) Residential signage.

(a) One (1) freestanding sign shall be permitted at each vehicular entrance to the development, provided that there shall be no more than three such signs.

(b) The area of each sign shall not exceed 50 square feet.

(c) The height of each sign shall not exceed six feet.

(d) All signs shall be set back at least 10 feet from any street right-of-way.

(e) The sign shall be an identification sign only, limited to the name and address of the development on site.

(f) The design of the sign shall be complementary to the architectural design of the buildings located on

site, and shall be subject to the review and approval of the Planning Board.

**Section 2.** Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

**Section 3.** This Ordinance shall take effect immediately upon final passage and publication as required by law.

**ORDINANCE NO. O-20-XX**

**AN ORDINANCE AMENDING CHAPTER 54 ENTITLED “LAND USE AND DEVELOPMENT” OF THE CODE OF THE TOWNSHIP OF ROCKAWAY CREATING A NEW SECTION 54-30.66 ENTITLED “RMFO-10 MULTIFAMILY RESIDENTIAL OVERLAY DISTRICT”**

**BE IT ORDAINED** by the Council of the Township of Rockaway as follows:

**Section 1.** Section 54-30.66, RMFO-10 Multifamily Residential Overlay District, Chapter 54 of the Code of the Township of Rockaway, Land Use and Development, is hereby created as follows:

**§ 54-30.66 RMFO-10 Multifamily Residential Overlay District.**

- A. Purpose. The purpose of the RMFO-10 Multifamily Residential Overlay District is to encourage the production of very-low, low-, and moderate-income housing units in conformance with the latest procedural and substantive rules for affordable housing, as determined by the courts or other applicable authority, by permitting an inclusionary multifamily development subject to the following regulations.
- B. Description. The RMFO-10 District shall encompass Block 11509 Lots 2, 11, and 12.
- C. Permitted Principal Uses. The RMFO-10 District shall permit multifamily residential use.
- D. Permitted Accessory Uses. Accessory uses and structures permitted in the RMFO-10 Overlay District are those uses and structures which are customarily incidental and subordinate to permitted multifamily use. Accessory uses and structures shall include, but not be limited to, the following:
  - (1) Recreational and open space facilities, including, but not limited to, pools, walkways, courtyards and plazas.
  - (2) Off-street parking and loading, including parking structures attached to buildings with principal permitted uses, appropriately screened from public view.
  - (3) Street furnishings, planters, street lights, and exterior, garden-type shade structures.

- (4) Fences and walls, which shall complement the architectural style, type and design of the building and the overall project design.
- (5) Decks, patios and terraces (including rooftop facilities), which shall complement the architectural style, type and design of the building and the overall project design.
- (6) Open-air structures such as gazebos, pavilions, children's play areas and pet parks.

E. Permitted Conditional Uses

- (1) None

F. Prohibited Uses

- (1) Any use other than those uses specifically permitted above are prohibited.

G. Required Standards. The following requirements shall be complied with for all multifamily.

- (1) Minimum lot area. There shall be a minimum lot area of four (4) acres.
- (2) Maximum permitted density. The maximum permitted density shall be ten (10) dwelling units per acre.
- (3) Minimum setbacks.
  - (a) No building shall be closer than forty (40) feet to any street right-of-way line or other property line, nor closer than twenty (20) feet from the curblines or edge of pavement from any internal private road.
  - (b) No building except for structured parking shall be closer than ten (10) feet to any parking area.
- (4) Maximum Height.

- (a) No multifamily residential building shall exceed three (3) stories or forty-two (42) feet. An additional five (5) feet of building height may be added for decorative architectural elements, such as a parapet wall or a cupola.
  - (b) No clubhouse building shall exceed two (2) stories or thirty-five (35) feet.
- (5) Minimum distance between buildings. No building shall be located closer to another building than a distance that is at least the height of the higher building.
- (6) Maximum building length: 200 feet.
- (7) Maximum units per structure: No multifamily structure shall contain more than thirty-six (36) units
- (8) Maximum impervious coverage. The total impervious coverage on any lot shall not exceed sixty percent (60%) of the total lot area, irrespective of the CWR district.
- (9) Affordable Housing
  - (a) A minimum of twenty percent (20%) of the total number of units shall be set-aside for very-low, low- and moderate-income units if they are for sale or for rent. All affordable units are to be constructed on-site and integrated among buildings throughout the development so that such buildings contain a mix of affordable and market rate units.
  - (b) All very-low, low- and moderate-income housing units shall be in conformance with the requirements of the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq. ("FHA"); applicable regulations of the New Jersey Council on Affordable Housing ("COAH"); applicable requirements of the Courts of the State of New Jersey; and all applicable regulations on affordability controls and other regulations of the New Jersey Housing and Mortgage Finance Agency

("NJHMFA") including, without limitation, the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq. ("UHAC").

- (c) Bedroom distribution of very-low, low- and moderate-income housing units. The bedroom distribution of very-low, low- and moderate-income units for affordable units constructed in the RMFO-10 Overlay District shall be as follows.

- [1] No more than 20% of the very-low, low- and moderate-income units shall be one-bedroom units.

- [2] At least 20% of the very-low, low- and moderate-income units shall be three-bedroom units.

- [3] At least 30% of the very-low, low- and moderate-income units shall be two-bedroom units.

- (d) Very-low, Low- and moderate-income unit split. At least 50% of the affordable units will be available to very low income and low income households and the remainder of which will be available to moderate income households as defined in the FHA and UHAC and other applicable statutes and regulations. A minimum of 13% of the affordable units will be made available to very low income households, defined as households earning 30% or less of the regional median income by household size.

- (e) Procedures regarding affirmative marketing of very-low, low- and moderate-income units and other requirements of inclusionary development units are subject to and determined by UHAC and COAH rules or other rules determined appropriate by the court.

(10) Design Standards

(a) Facade design.

- [1] For every sixty (60) feet of building length, there shall be a plane-break along the facade comprised of an offset of at least twelve (12) inches in depth by at least 15 feet in length. The offset shall extend from grade to the highest story.
- [2] Buildings with expansive blank walls on any facade are discouraged. Side and rear elevations should receive architectural treatments comparable to front facades.
- [3] Varying decorative and architectural features at entrances, cornices, windows and articulation between dwelling units, buildings or complexes of buildings are encouraged, provided that such are architecturally compatible with the style, materials, colors and details of the building.
- [4] Complementary building colors and materials shall be consistent with the general theme of the development.
- [5] Horizontal articulation. Each facade should be designed to have a delineated floor line between street level and the upper floors. This delineation may be in the form of, but not limited to, a belt course, a lintel, a cornice line, or similar trim features and elements

(b) Materials. Exterior building materials shall be classified as either primary, secondary, or accent materials. The facade shall be designed in accordance with the following:

- [1] The primary material shall cover at least 60% of the facade of the building.
- [2] Secondary materials shall cover not more than 40% of the facade.

- (c) Exterior-mounted mechanical and electrical equipment exposed to the public view shall be architecturally screened. Roof-mounted equipment and projections should be painted the same color as the roof and, where possible, located to the rear of the building, away from the public view.
- (d) Varying architectural embellishments to roofs between dwelling units, buildings or complexes of buildings including roof elements such as dormers, belvederes, masonry chimneys and similar elements, provided that such are architecturally compatible with the style, materials, colors and details of the building.
- (e) Streetscape. Streetscape elements along all frontages shall be encouraged, and may include, but not be limited, to benches and sitting areas, trees, decorative lighting, landscaping, and paving patterns.
- (f) Landscaping standards.

[1] A landscape plan prepared by a licensed Landscape Architect, licensed by the New Jersey State Board of Architects, or other qualified individual shall be submitted with any plan for development.

[2] All portions of the property not utilized by buildings or paved surfaces shall be landscaped utilizing combinations such as landscaped fencing, shrubbery, lawn areas, ground cover, existing vegetation, and the planting of coniferous and/or deciduous trees native to the area in order to maintain or reestablish the vegetation in the area and lessen the visual impact of the structures and paved areas.

- [3] Plants and other landscaping materials shall be selected in terms of aesthetic and functional considerations. The landscape design shall create visual diversity and contrast through variation in size, shape, texture, and color. The selection of plants in terms of susceptibility to disease and insect damage, wind and ice damage, habitat (wet-site, drought, sun and shade tolerance), soil conditions, growth rate, longevity, root pattern, maintenance requirements, etc. shall be considered. Consideration shall be given to accenting site entrances and unique areas with special landscaping treatment. Flowerbed displays are encouraged.
- [4] Landscaping shall be designed to achieve a thorough integration of the various elements of site design, including building and parking placement and natural features.
- [5] Landscaping within sight triangles shall not exceed a mature height of 30 inches. Shade trees shall be pruned up to an eight-foot branching height above grade.
- [6] The use of indigenous/native plant material is to be encouraged to establish sustainable landscapes that blend with the natural environment, reduce the use of pesticides, and reduce irrigation.
- [7] The use of passive systems such as raingardens to offset stormwater discharge shall be utilized to the extent feasible.
- [8] Water conservation measures such as drip irrigation and soil moisture-sensing irrigation systems shall be used where practicable.

(11) Signage

- (a) One (1) freestanding sign shall be permitted at each vehicular entrance to the development, provided that there shall be no more than three such signs.
- (b) The area of each sign shall not exceed 50 square feet.
- (c) The height of each sign shall not exceed six feet.
- (d) All signs shall be set back at least 10 feet from any street right-of-way.
- (e) The sign shall be an identification sign only, limited to the name and address of the development on site.
- (f) The design of the sign shall be complementary to the architectural design of the buildings located on site, and shall be subject to the review and approval of the Planning Board.

**Section 2.** Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

**Section 3.** This Ordinance shall take effect immediately upon final passage and publication as required by law.

# Appendix J: Draft Zoning Ordinances to Address Unmet Need

**ORDINANCE NO. O-20-XX**

**AN ORDINANCE AMENDING CHAPTER 54 ENTITLED “LAND USE AND DEVELOPMENT” OF THE CODE OF THE TOWNSHIP OF ROCKAWAY CREATING A NEW SECTION 54-30.67 ENTITLED “RMFO-12 MULTIFAMILY RESIDENTIAL OVERLAY DISTRICT”**

**BE IT ORDAINED** by the Council of the Township of Rockaway as follows:

**Section 1.** Section 54-30.67, RMFO-12 Multifamily Residential Overlay District, of Chapter 54 of the Code of the Township of Rockaway, Land Use and Development, is hereby created as follows:

**§ 54-30.67 RMFO-12 Multifamily Residential Overlay District.**

- A. Purpose. The purpose of the RMFO-12 Multifamily Residential Overlay District is to encourage the production of very-low, low-, and moderate-income housing units in conformance with the latest procedural and substantive rules for affordable housing, as determined by the courts or other applicable authority, by permitting an inclusionary multifamily development subject to the following regulations.
- B. Description. The RMFO-12 Overlay District shall encompass Block 11116 Lot 53.
- C. Permitted Principal Uses. The RMFO-12 Overlay District shall permit multifamily residential use.
- D. Permitted Accessory Uses. Accessory uses and structures permitted in the RMFO-12 Overlay District are those uses and structures which are customarily incidental and subordinate to permitted multifamily use. Accessory uses and structures shall include, but not be limited to, the following:
  - (1) Recreational and open space facilities, including, but not limited to, pools, walkways, courtyards and plazas.
  - (2) Off-street parking and loading, including parking structures attached to buildings with principal permitted uses, appropriately screened from public view.
  - (3) Street furnishings, planters, street lights, and exterior, garden-type shade structures.

- (4) Fences and walls, which shall complement the architectural style, type and design of the building and the overall project design.
- (5) Decks, patios and terraces (including rooftop facilities), which shall complement the architectural style, type and design of the building and the overall project design.
- (6) Open-air structures such as gazebos, pavilions, children's play areas and pet parks.

E. Permitted Conditional Uses

- (1) None

F. Prohibited Uses

- (1) Any use other than those uses specifically permitted above are prohibited.

G. Required Standards. The following requirements shall be complied with for all multifamily.

- (1) Minimum lot area. There shall be a minimum lot area of 34,000 square feet.
- (2) Maximum permitted density. The maximum permitted density shall be twelve (12) dwelling units per acre.
- (3) Minimum setbacks.
  - (a) There shall be front yard setback of not less than thirty-five (35) feet.
  - (b) No side yard shall be less than twelve (12) feet.
  - (c) No rear yard shall be less than thirty (30) feet.
  - (d) No building shall be closer than ten (10) feet to any parking area.

- (4) Minimum distance between buildings. No building shall be located closer to another building than a distance that is at least the height of the higher building.
- (5) Maximum Height.
  - (a) No multifamily residential building shall exceed two (2) stories or thirty-five (35) feet. An additional five (5) feet of building height may be added for decorative architectural elements, such as a parapet wall or a cupola.
  - (b) No clubhouse building shall exceed two (2) stories or thirty-five (35) feet.
- (6) Maximum impervious coverage. The total impervious coverage on any lot shall not exceed sixty percent (60%) of the total lot area, irrespective of the CWR district.
- (7) Affordable Housing
  - (a) A minimum of twenty percent (20%) of the total number of units shall be set-aside for very-low, low- and moderate-income units if they are for sale or for rent. All affordable units are to be constructed on-site and integrated among buildings throughout the development so that such buildings contain a mix of affordable and market rate units.
  - (b) All very-low, low- and moderate-income housing units shall be in conformance with the requirements of the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq. ("FHA"); applicable regulations of the New Jersey Council on Affordable Housing ("COAH"); applicable requirements of the Courts of the State of New Jersey; and all applicable regulations on affordability controls and other regulations of the New Jersey Housing and Mortgage Finance Agency ("NJHMFA") including, without limitation, the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq. ("UHAC").

- (c) Bedroom distribution of very-low, low- and moderate-income housing units. The bedroom distribution of very-low, low- and moderate-income units for affordable units constructed in the RMFO-12 Overlay District shall be as follows.
  - [1] No more than 20% of the very-low, low- and moderate-income units shall be one-bedroom units.
  - [2] At least 20% of the very-low, low- and moderate-income units shall be three-bedroom units.
  - [3] At least 30% of the very-low, low- and moderate-income units shall be two-bedroom units.
- (d) Very-low, Low- and moderate-income unit split. At least 50% of the affordable units will be available to very low income and low income households and the remainder of which will be available to moderate income households as defined in the FHA and UHAC and other applicable statutes and regulations. A minimum of 13% of the affordable units will be made available to very low income households, defined as households earning 30% or less of the regional median income by household size.
- (e) Procedures regarding affirmative marketing of very-low, low- and moderate-income units and other requirements of inclusionary development units are subject to and determined by UHAC and COAH rules or other rules determined appropriate by the court.

#### (8) Design Standards

- (a) Facade design.

- [1] For every sixty (60) feet of building length, there shall be a plane-break along the facade comprised of an offset of at least twelve (12) inches in depth by at least 15 feet in length. The offset shall extend from grade to the highest story.
  - [2] Buildings with expansive blank walls on any facade are discouraged. Side and rear elevations should receive architectural treatments comparable to front facades.
  - [3] Varying decorative and architectural features at entrances, cornices, windows and articulation between dwelling units, buildings or complexes of buildings are encouraged, provided that such are architecturally compatible with the style, materials, colors and details of the building.
  - [4] Complementary building colors and materials shall be consistent with the general theme of the development.
  - [5] Horizontal articulation. Each facade should be designed to have a delineated floor line between street level and the upper floors. This delineation may be in the form of, but not limited to, a belt course, a lintel, a cornice line, or similar trim features and elements
- (b) Materials. Exterior building materials shall be classified as either primary, secondary, or accent materials. The facade shall be designed in accordance with the following:
- [1] The primary material shall cover at least 60% of the facade of the building.
  - [2] Secondary materials shall cover not more than 40% of the facade.

- (c) Exterior-mounted mechanical and electrical equipment exposed to the public view shall be architecturally screened. Roof-mounted equipment and projections should be painted the same color as the roof and, where possible, located to the rear of the building, away from the public view.
- (d) Varying architectural embellishments to roofs between dwelling units, buildings or complexes of buildings including roof elements such as dormers, belvederes, masonry chimneys and similar elements, provided that such are architecturally compatible with the style, materials, colors and details of the building.
- (e) Streetscape. Streetscape elements along all frontages shall be encouraged, and may include, but not be limited, to benches and sitting areas, trees, decorative lighting, landscaping, and paving patterns.
- (f) Landscaping standards.

[1] A landscape plan prepared by a licensed Landscape Architect, licensed by the New Jersey State Board of Architects, or other qualified individual shall be submitted with any plan for development.

[2] All portions of the property not utilized by buildings or paved surfaces shall be landscaped utilizing combinations such as landscaped fencing, shrubbery, lawn areas, ground cover, existing vegetation, and the planting of coniferous and/or deciduous trees native to the area in order to maintain or reestablish the vegetation in the area and lessen the visual impact of the structures and paved areas.

[3] Plants and other landscaping materials shall be selected in terms of aesthetic and

functional considerations. The landscape design shall create visual diversity and contrast through variation in size, shape, texture, and color. The selection of plants in terms of susceptibility to disease and insect damage, wind and ice damage, habitat (wet-site, drought, sun and shade tolerance), soil conditions, growth rate, longevity, root pattern, maintenance requirements, etc. shall be considered. Consideration shall be given to accenting site entrances and unique areas with special landscaping treatment. Flowerbed displays are encouraged.

- [4] Landscaping shall be designed to achieve a thorough integration of the various elements of site design, including building and parking placement and natural features.
- [5] Landscaping within sight triangles shall not exceed a mature height of 30 inches. Shade trees shall be pruned up to an eight-foot branching height above grade.
- [6] The use of indigenous/native plant material is to be encouraged to establish sustainable landscapes that blend with the natural environment, reduce the use of pesticides, and reduce irrigation.
- [7] The use of passive systems such as raingardens to offset stormwater discharge shall be utilized to the extent feasible.
- [8] Water conservation measures such as drip irrigation and soil moisture-sensing irrigation systems shall be used where practicable.

#### (9) Signage

- (a) One (1) freestanding sign shall be permitted at each vehicular entrance to the development,

provided that there shall be no more than three such signs.

- (b) The area of each sign shall not exceed 50 square feet.
- (c) The height of each sign shall not exceed six feet.
- (d) All signs shall be set back at least 10 feet from any street right-of-way.
- (e) The sign shall be an identification sign only, limited to the name and address of the development on site.
- (f) The design of the sign shall be complementary to the architectural design of the buildings located on site, and shall be subject to the review and approval of the Planning Board.

**Section 2.** Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

**Section 3.** This Ordinance shall take effect immediately upon final passage and publication as required by law.

**ORDINANCE NO. O-20-XX**

**AN ORDINANCE AMENDING CHAPTER 54 ENTITLED “LAND USE AND DEVELOPMENT” OF THE CODE OF THE TOWNSHIP OF ROCKAWAY CREATING A NEW SECTION 54-30.68 ENTITLED “RMFO-12A MULTIFAMILY RESIDENTIAL OVERLAY DISTRICT”**

**BE IT ORDAINED** by the Council of the Township of Rockaway as follows:

**Section 1.** Section 54-30.68, RMFO-12A Multifamily Residential Overlay District, of Chapter 54 of the Code of the Township of Rockaway, Land Use and Development, is hereby created as follows:

**§ 54-30.68 RMFO-12A Multifamily Residential Overlay District.**

- A. Purpose. The purpose of the RMFO-12A Multifamily Residential Overlay District is to encourage the production of very-low, low-, and moderate-income housing units in conformance with the latest procedural and substantive rules for affordable housing, as determined by the courts or other applicable authority, by permitting an inclusionary multifamily development subject to the following regulations.
- B. Description. The RMFO-12A Overlay District shall encompass Block 11501 Lot 39.
- C. Permitted Principal Uses. The RMFO-12A Overlay District shall permit multifamily residential use.
- D. Permitted Accessory Uses. Accessory uses and structures permitted in the RMFO-12A Overlay District are those uses and structures which are customarily incidental and subordinate to permitted multifamily use. Accessory uses and structures shall include, but not be limited to, the following:
  - (1) Recreational and open space facilities, including, but not limited to, pools, walkways, courtyards and plazas.
  - (2) Off-street parking and loading, including parking structures attached to buildings with principal permitted uses, appropriately screened from public view.
  - (3) Street furnishings, planters, street lights, and exterior, garden-type shade structures.

- (4) Fences and walls, which shall complement the architectural style, type and design of the building and the overall project design.
- (5) Decks, patios and terraces (including rooftop facilities), which shall complement the architectural style, type and design of the building and the overall project design.
- (6) Open-air structures such as gazebos, pavilions, children's play areas and pet parks.

E. Permitted Conditional Uses

- (1) None

F. Prohibited Uses

- (1) Any use other than those uses specifically permitted above are prohibited.

G. Required Standards. The following requirements shall be complied with for all multifamily.

- (1) Minimum lot area. There shall be a minimum lot area of five (5) acres.
- (2) Maximum permitted density. The maximum permitted density shall be twelve (12) dwelling units per acre.
- (3) Minimum setbacks.
  - (a) No building shall be closer than thirty (30) feet to any street right-of-way line or other property line, nor closer than twenty (20) feet from the curblineline or edge of pavement from any internal private road.
  - (b) No building except for structured parking shall be closer than ten (10) feet to any parking area.
- (4) Minimum distance between buildings. No building shall be located closer to another building than a distance that is at least the height of the higher building.

- (5) Maximum Height.
  - (a) No multifamily residential building shall exceed three (3) stories or forty-two (42) feet. An additional five (5) feet of building height may be added for decorative architectural elements, such as a parapet wall or a cupola.
  - (b) No clubhouse building shall exceed two (2) stories or thirty-five (35) feet.
- (6) Maximum impervious coverage. The total impervious coverage on any lot shall not exceed sixty percent (60%) of the total lot area, irrespective of the CWR district.
- (7) Affordable Housing
  - (a) A minimum of twenty percent (20%) of the total number of units shall be set-aside for very-low, low- and moderate-income units if they are for sale or for rent. All affordable units are to be constructed on-site and integrated among buildings throughout the development so that such buildings contain a mix of affordable and market rate units.
  - (b) All very-low, low- and moderate-income housing units shall be in conformance with the requirements of the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq. ("FHA"); applicable regulations of the New Jersey Council on Affordable Housing ("COAH"); applicable requirements of the Courts of the State of New Jersey; and all applicable regulations on affordability controls and other regulations of the New Jersey Housing and Mortgage Finance Agency ("NJHMFA") including, without limitation, the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq. ("UHAC").
  - (c) Bedroom distribution of very-low, low- and moderate-income housing units. The bedroom distribution of very-low, low- and moderate-

income units for affordable units constructed in the RMFO-12A Overlay District shall be as follows.

- [1] No more than 20% of the very-low, low- and moderate-income units shall be one-bedroom units.
  - [2] At least 20% of the very-low, low- and moderate-income units shall be three-bedroom units.
  - [3] At least 30% of the very-low, low- and moderate-income units shall be two-bedroom units.
- (d) Very-low, Low- and moderate-income unit split. At least 50% of the affordable units will be available to very low income and low income households and the remainder of which will be available to moderate income households as defined in the FHA and UHAC and other applicable statutes and regulations. A minimum of 13% of the affordable units will be made available to very low income households, defined as households earning 30% or less of the regional median income by household size.
- (e) Procedures regarding affirmative marketing of very-low, low- and moderate-income units and other requirements of inclusionary development units are subject to and determined by UHAC and COAH rules or other rules determined appropriate by the court.

#### (8) Design Standards

- (a) Facade design.
  - [1] For every sixty (60) feet of building length, there shall be a plane-break along the facade comprised of an offset of at least twelve (12) inches in depth by at least 15 feet in length.

The offset shall extend from grade to the highest story.

- [2] Buildings with expansive blank walls on any facade are discouraged. Side and rear elevations should receive architectural treatments comparable to front facades.
  - [3] Varying decorative and architectural features at entrances, cornices, windows and articulation between dwelling units, buildings or complexes of buildings are encouraged, provided that such are architecturally compatible with the style, materials, colors and details of the building.
  - [4] Complementary building colors and materials shall be consistent with the general theme of the development.
  - [5] Horizontal articulation. Each facade should be designed to have a delineated floor line between street level and the upper floors. This delineation may be in the form of, but not limited to, a belt course, a lintel, a cornice line, or similar trim features and elements
- (b) Materials. Exterior building materials shall be classified as either primary, secondary, or accent materials. The facade shall be designed in accordance with the following:
- [1] The primary material shall cover at least 60% of the facade of the building.
  - [2] Secondary materials shall cover not more than 40% of the facade.
- (c) Exterior-mounted mechanical and electrical equipment exposed to the public view shall be architecturally screened. Roof-mounted equipment and projections should be painted the same color as the roof and, where possible,

located to the rear of the building, away from the public view.

- (d) Varying architectural embellishments to roofs between dwelling units, buildings or complexes of buildings including roof elements such as dormers, belvederes, masonry chimneys and similar elements, provided that such are architecturally compatible with the style, materials, colors and details of the building.
- (e) Streetscape. Streetscape elements along all frontages shall be encouraged, and may include, but not be limited, to benches and sitting areas, trees, decorative lighting, landscaping, and paving patterns.
- (f) Landscaping standards.

[1] A landscape plan prepared by a licensed Landscape Architect, licensed by the New Jersey State Board of Architects, or other qualified individual shall be submitted with any plan for development.

[2] All portions of the property not utilized by buildings or paved surfaces shall be landscaped utilizing combinations such as landscaped fencing, shrubbery, lawn areas, ground cover, existing vegetation, and the planting of coniferous and/or deciduous trees native to the area in order to maintain or reestablish the vegetation in the area and lessen the visual impact of the structures and paved areas.

[3] Plants and other landscaping materials shall be selected in terms of aesthetic and functional considerations. The landscape design shall create visual diversity and contrast through variation in size, shape, texture, and color. The selection of plants in terms of susceptibility to disease and insect

damage, wind and ice damage, habitat (wet-site, drought, sun and shade tolerance), soil conditions, growth rate, longevity, root pattern, maintenance requirements, etc. shall be considered. Consideration shall be given to accenting site entrances and unique areas with special landscaping treatment. Flowerbed displays are encouraged.

- [4] Landscaping shall be designed to achieve a thorough integration of the various elements of site design, including building and parking placement and natural features.
- [5] Landscaping within sight triangles shall not exceed a mature height of 30 inches. Shade trees shall be pruned up to an eight-foot branching height above grade.
- [6] The use of indigenous/native plant material is to be encouraged to establish sustainable landscapes that blend with the natural environment, reduce the use of pesticides, and reduce irrigation.
- [7] The use of passive systems such as raingardens to offset stormwater discharge shall be utilized to the extent feasible.
- [8] Water conservation measures such as drip irrigation and soil moisture-sensing irrigation systems shall be used where practicable.

#### (9) Signage

- (a) One (1) freestanding sign shall be permitted at each vehicular entrance to the development, provided that there shall be no more than three such signs.
- (b) The area of each sign shall not exceed 50 square feet.

- (c) The height of each sign shall not exceed six feet.
- (d) All signs shall be set back at least 10 feet from any street right-of-way.
- (e) The sign shall be an identification sign only, limited to the name and address of the development on site.
- (f) The design of the sign shall be complementary to the architectural design of the buildings located on site, and shall be subject to the review and approval of the Planning Board.

**Section 2.** Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

**Section 3.** This Ordinance shall take effect immediately upon final passage and publication as required by law.

**ORDINANCE NO. O-20-XX**

**AN ORDINANCE AMENDING CHAPTER 54 ENTITLED “LAND USE AND DEVELOPMENT” OF THE CODE OF THE TOWNSHIP OF ROCKAWAY CREATING A NEW SECTION 54-30.69 ENTITLED “RMFO-15 MULTIFAMILY RESIDENTIAL OVERLAY DISTRICT”**

**BE IT ORDAINED** by the Council of the Township of Rockaway as follows:

**Section 1.** Section 54-30.69, RMFO-15 Multifamily Residential Overlay District, of Chapter 54 of the Code of the Township of Rockaway, Land Use and Development, is hereby created as follows:

**§ 54-30.69 RMFO-15 Multifamily Residential Overlay District.**

- A. Purpose. The purpose of the RMFO-15 Multifamily Residential Overlay District is to encourage the production of very-low, low-, and moderate-income housing units within a mixed-use environment in conformance with the latest procedural and substantive rules for affordable housing, as determined by the courts or other applicable authority, by permitting an inclusionary multifamily development subject to the following regulations.
- B. Description. The RMFO-15 Overlay District shall encompass Block 21502 Lots 7, 9, 11, 12, 14, 19, 20, 21, and 22.
- C. Permitted Principal Uses. The RMFO-15 Overlay District shall permit those uses permitted in the B-1 District as well as multifamily residential use.
- D. Permitted Accessory Uses. Accessory uses and structures permitted in the RMFO-15 Overlay District are those uses and structures which are customarily incidental and subordinate to the permitted uses. Accessory uses and structures shall include, but not be limited to, the following:
  - (1) Recreational and open space facilities, including, but not limited to, pools, walkways, courtyards and plazas.
  - (2) Off-street parking and loading, including parking structures attached to buildings with principal permitted uses, appropriately screened from public view.

- (3) Street furnishings, planters, street lights, and exterior, garden-type shade structures.
- (4) Fences and walls, which shall complement the architectural style, type and design of the building and the overall project design.
- (5) Decks, patios and terraces (including rooftop facilities), which shall complement the architectural style, type and design of the building and the overall project design.
- (6) Open-air structures such as gazebos, pavilions, children's play areas and pet parks.
- (7) Accessory uses permitted in the B-1 District.

E. Permitted Conditional Uses

- (1) None

F. Prohibited Uses

- (1) Any use other than those uses specifically permitted above are prohibited.

G. Required Standards. The following requirements shall be complied with for all multifamily.

- (1) Minimum lot area. There shall be a minimum lot area of 17,500 square feet.
- (2) Maximum permitted density. The maximum permitted density shall be fifteen (15) dwelling units per acre.
- (3) Minimum setbacks.
  - (a) Minimum front yard. There shall be a front yard of not less than ten (10) feet.
  - (b) Minimum side and rear yard. There shall be a side and rear yard of not less than five (5) feet.

- (c) No building shall be closer than ten (10) feet to any parking area.
- (4) Maximum Height. No building shall exceed two (2) stories or thirty-five (35) feet.
- (5) Minimum distance between buildings. No building shall be located closer to another building than a distance that is at least the height of the higher building.
- (6) Maximum impervious coverage. The total impervious coverage on any lot shall not exceed sixty percent (60%) of the total lot area, irrespective of the CWR district.
- (7) Affordable Housing
  - (a) A minimum of twenty percent (20%) of the total number of units shall be set-aside for very-low, low- and moderate-income units if they are for sale or for rent. All affordable units are to be constructed on-site and integrated among buildings throughout the development so that such buildings contain a mix of affordable and market rate units.
  - (b) All very-low, low- and moderate-income housing units shall be in conformance with the requirements of the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq. ("FHA"); applicable regulations of the New Jersey Council on Affordable Housing ("COAH"); applicable requirements of the Courts of the State of New Jersey; and all applicable regulations on affordability controls and other regulations of the New Jersey Housing and Mortgage Finance Agency ("NJHMFA") including, without limitation, the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq. ("UHAC").
  - (c) Bedroom distribution of very-low, low- and moderate-income housing units. The bedroom distribution of very-low, low- and moderate-

income units for affordable units constructed in the RMFO-15 Overlay District shall be as follows.

- [1] No more than 20% of the very-low, low- and moderate-income units shall be one-bedroom units.
  - [2] At least 20% of the very-low, low- and moderate-income units shall be three-bedroom units.
  - [3] At least 30% of the very-low, low- and moderate-income units shall be two-bedroom units.
- (d) Very-low, Low- and moderate-income unit split. At least 50% of the affordable units will be available to very low income and low income households and the remainder of which will be available to moderate income households as defined in the FHA and UHAC and other applicable statutes and regulations. A minimum of 13% of the affordable units will be made available to very low income households, defined as households earning 30% or less of the regional median income by household size.
- (e) Procedures regarding affirmative marketing of very-low, low- and moderate-income units and other requirements of inclusionary development units are subject to and determined by UHAC and COAH rules or other rules determined appropriate by the court.

#### (8) Design Standards

- (a) Facade design.
  - [1] For every sixty (60) feet of building length, there shall be a plane-break along the facade comprised of an offset of at least twelve (12) inches in depth by at least 15 feet in length.

The offset shall extend from grade to the highest story.

- [2] Buildings with expansive blank walls on any facade are discouraged. Side and rear elevations should receive architectural treatments comparable to front facades.
  - [3] Varying decorative and architectural features at entrances, cornices, windows and articulation between dwelling units, buildings or complexes of buildings are encouraged, provided that such are architecturally compatible with the style, materials, colors and details of the building.
  - [4] Complementary building colors and materials shall be consistent with the general theme of the development.
  - [5] Horizontal articulation. Each facade should be designed to have a delineated floor line between street level and the upper floors. This delineation may be in the form of, but not limited to, a belt course, a lintel, a cornice line, or similar trim features and elements
- (b) Materials. Exterior building materials shall be classified as either primary, secondary, or accent materials. The facade shall be designed in accordance with the following:
- [1] The primary material shall cover at least 60% of the facade of the building.
  - [2] Secondary materials shall cover not more than 40% of the facade.
- (c) Exterior-mounted mechanical and electrical equipment exposed to the public view shall be architecturally screened. Roof-mounted equipment and projections should be painted the same color as the roof and, where possible,

located to the rear of the building, away from the public view.

- (d) Varying architectural embellishments to roofs between dwelling units, buildings or complexes of buildings including roof elements such as dormers, belvederes, masonry chimneys and similar elements, provided that such are architecturally compatible with the style, materials, colors and details of the building.
- (e) Streetscape. Streetscape elements along all frontages shall be encouraged, and may include, but not be limited, to benches and sitting areas, trees, decorative lighting, landscaping, and paving patterns.
- (f) Landscaping standards.

[1] A landscape plan prepared by a licensed Landscape Architect, licensed by the New Jersey State Board of Architects, or other qualified individual shall be submitted with any plan for development.

[2] All portions of the property not utilized by buildings or paved surfaces shall be landscaped utilizing combinations such as landscaped fencing, shrubbery, lawn areas, ground cover, existing vegetation, and the planting of coniferous and/or deciduous trees native to the area in order to maintain or reestablish the vegetation in the area and lessen the visual impact of the structures and paved areas.

[3] Plants and other landscaping materials shall be selected in terms of aesthetic and functional considerations. The landscape design shall create visual diversity and contrast through variation in size, shape, texture, and color. The selection of plants in terms of susceptibility to disease and insect

damage, wind and ice damage, habitat (wet-site, drought, sun and shade tolerance), soil conditions, growth rate, longevity, root pattern, maintenance requirements, etc. shall be considered. Consideration shall be given to accenting site entrances and unique areas with special landscaping treatment. Flowerbed displays are encouraged.

- [4] Landscaping shall be designed to achieve a thorough integration of the various elements of site design, including building and parking placement and natural features.
  - [5] Landscaping within sight triangles shall not exceed a mature height of 30 inches. Shade trees shall be pruned up to an eight-foot branching height above grade.
  - [6] The use of indigenous/native plant material is to be encouraged to establish sustainable landscapes that blend with the natural environment, reduce the use of pesticides, and reduce irrigation.
  - [7] The use of passive systems such as raingardens to offset stormwater discharge shall be utilized to the extent feasible.
  - [8] Water conservation measures such as drip irrigation and soil moisture-sensing irrigation systems shall be used where practicable.
- (9) Nonresidential Signage. Nonresidential signage shall be in accordance to those standards established for the B-1 District.
- (10) Residential Signage.
- (a) One (1) freestanding sign shall be permitted at each vehicular entrance to the development, provided that there shall be no more than three such signs.

- (b) The area of each sign shall not exceed 50 square feet.
- (c) The height of each sign shall not exceed six feet.
- (d) All signs shall be set back at least 10 feet from any street right-of-way.
- (e) The sign shall be an identification sign only, limited to the name and address of the development on site.
- (f) The design of the sign shall be complementary to the architectural design of the buildings located on site, and shall be subject to the review and approval of the Planning Board.

**Section 2.** Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

**Section 3.** This Ordinance shall take effect immediately upon final passage and publication as required by law.

**ORDINANCE NO. O-20-XX**

**AN ORDINANCE AMENDING CHAPTER 54 ENTITLED “LAND USE AND DEVELOPMENT” OF THE CODE OF THE TOWNSHIP OF ROCKAWAY CREATING A NEW SECTION 54-30.70 ENTITLED “RMFO-15A MULTIFAMILY RESIDENTIAL OVERLAY DISTRICT”**

**BE IT ORDAINED** by the Council of the Township of Rockaway as follows:

**Section 1.** Section 54-30.70, RMFO-15A Multifamily Residential Overlay District, of Chapter 54 of the Code of the Township of Rockaway, Land Use and Development, is hereby created as follows:

**§ 54-30.70 RMFO-15A Multifamily Residential Overlay District.**

- A. Purpose. The purpose of the RMFO-15A Multifamily Residential Overlay District is to encourage the production of very-low, low-, and moderate-income housing units within a mixed-use environment in conformance with the latest procedural and substantive rules for affordable housing, as determined by the courts or other applicable authority, by permitting an inclusionary multifamily development subject to the following regulations.
- B. Description. The RMFO-15A Overlay District shall encompass Block 10303 Lots 14, 15, 16, and 17.
- C. Permitted Principal Uses. The RMFO-15A Overlay District shall permit multifamily residential use.
- D. Permitted Accessory Uses. Accessory uses and structures permitted in the RMFO-15A Overlay District are those uses and structures which are customarily incidental and subordinate to permitted multifamily use. Accessory uses and structures shall include, but not be limited to, the following:
  - (1) Recreational and open space facilities, including, but not limited to, pools, walkways, courtyards and plazas.
  - (2) Off-street parking and loading, including parking structures attached to buildings with principal permitted uses, appropriately screened from public view.
  - (3) Street furnishings, planters, street lights, and exterior, garden-type shade structures.

- (4) Fences and walls, which shall complement the architectural style, type and design of the building and the overall project design.
- (5) Decks, patios and terraces (including rooftop facilities), which shall complement the architectural style, type and design of the building and the overall project design.
- (6) Open-air structures such as gazebos, pavilions, children's play areas and pet parks.

E. Permitted Conditional Uses

- (1) None

F. Prohibited Uses

- (1) Any use other than those uses specifically permitted above are prohibited.

G. Required Conditions. The following requirements shall be complied with for all multifamily.

- (1) Minimum lot area. There shall be a minimum lot area of one and one-half (1.5) acres.
- (2) Maximum permitted density. The maximum permitted density shall be twelve (15) dwelling units per acre.
- (3) Minimum setbacks.
  - (a) No building shall be closer than forty (40) feet to any street right-of-way line or other property line, nor closer than twenty (20) feet from the curblineline or edge of pavement from any internal private road.
  - (b) No building except for structured parking shall be closer than ten (10) feet to any parking area.
- (4) Maximum Height.
  - (a) No multifamily residential building shall exceed three (3) stories or forty-two (42) feet. An additional

five (5) feet of building height may be added for decorative architectural elements, such as a parapet wall or a cupola.

- (b) No clubhouse building shall exceed two (2) stories or thirty-five (35) feet.
- (5) Minimum distance between buildings. No building shall be located closer to another building than a distance that is at least the height of the higher building.
- (6) Maximum building length: 150 feet.
- (7) Maximum units per structure: No multifamily structure shall contain more than thirty (30) units
- (8) Maximum impervious coverage. The total impervious coverage on any lot shall not exceed sixty percent (60%) of the total lot area, irrespective of the CWR district.
- (9) Affordable Housing
  - (a) A minimum of twenty percent (20%) of the total number of units shall be set-aside for very-low, low- and moderate-income units if they are for sale or for rent. All affordable units are to be constructed on-site and integrated among buildings throughout the development so that such buildings contain a mix of affordable and market rate units.
  - (b) All very-low, low- and moderate-income housing units shall be in conformance with the requirements of the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq. ("FHA"); applicable regulations of the New Jersey Council on Affordable Housing ("COAH"); applicable requirements of the Courts of the State of New Jersey; and all applicable regulations on affordability controls and other regulations of the New Jersey Housing and Mortgage Finance Agency ("NJHMFA") including, without limitation, the

Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq. ("UHAC").

- (c) Bedroom distribution of very-low, low- and moderate-income housing units. The bedroom distribution of very-low, low- and moderate-income units for affordable units constructed in the RMFO-15A Overlay District shall be as follows.

- [1] No more than 20% of the very-low, low- and moderate-income units shall be one-bedroom units.

- [2] At least 20% of the very-low, low- and moderate-income units shall be three-bedroom units.

- [3] At least 30% of the very-low, low- and moderate-income units shall be two-bedroom units.

- (d) Very-low, Low- and moderate-income unit split. At least 50% of the affordable units will be available to very low income and low income households and the remainder of which will be available to moderate income households as defined in the FHA and UHAC and other applicable statutes and regulations. A minimum of 13% of the affordable units will be made available to very low income households, defined as households earning 30% or less of the regional median income by household size.

- (e) Procedures regarding affirmative marketing of very-low, low- and moderate-income units and other requirements of inclusionary development units are subject to and determined by UHAC and COAH rules or other rules determined appropriate by the court.

(10) Design Standards

- (a) Facade design.

- [1] For every sixty (60) feet of building length, there shall be a plane-break along the facade comprised of an offset of at least twelve (12) inches in depth by at least 15 feet in length. The offset shall extend from grade to the highest story.
  - [2] Buildings with expansive blank walls on any facade are discouraged. Side and rear elevations should receive architectural treatments comparable to front facades.
  - [3] Varying decorative and architectural features at entrances, cornices, windows and articulation between dwelling units, buildings or complexes of buildings are encouraged, provided that such are architecturally compatible with the style, materials, colors and details of the building.
  - [4] Complementary building colors and materials shall be consistent with the general theme of the development.
  - [5] Horizontal articulation. Each facade should be designed to have a delineated floor line between street level and the upper floors. This delineation may be in the form of, but not limited to, a belt course, a lintel, a cornice line, or similar trim features and elements
- (b) Materials. Exterior building materials shall be classified as either primary, secondary, or accent materials. The facade shall be designed in accordance with the following:
- [1] The primary material shall cover at least 60% of the facade of the building.
  - [2] Secondary materials shall cover not more than 40% of the facade.

- (c) Exterior-mounted mechanical and electrical equipment exposed to the public view shall be architecturally screened. Roof-mounted equipment and projections should be painted the same color as the roof and, where possible, located to the rear of the building, away from the public view.
- (d) Varying architectural embellishments to roofs between dwelling units, buildings or complexes of buildings including roof elements such as dormers, belvederes, masonry chimneys and similar elements, provided that such are architecturally compatible with the style, materials, colors and details of the building.
- (e) Streetscape. Streetscape elements along all frontages shall be encouraged, and may include, but not be limited, to benches and sitting areas, trees, decorative lighting, landscaping, and paving patterns.
- (f) Landscaping standards.

[1] A landscape plan prepared by a licensed Landscape Architect, licensed by the New Jersey State Board of Architects, or other qualified individual shall be submitted with any plan for development.

[2] All portions of the property not utilized by buildings or paved surfaces shall be landscaped utilizing combinations such as landscaped fencing, shrubbery, lawn areas, ground cover, existing vegetation, and the planting of coniferous and/or deciduous trees native to the area in order to maintain or reestablish the vegetation in the area and lessen the visual impact of the structures and paved areas.

[3] Plants and other landscaping materials shall be selected in terms of aesthetic and

functional considerations. The landscape design shall create visual diversity and contrast through variation in size, shape, texture, and color. The selection of plants in terms of susceptibility to disease and insect damage, wind and ice damage, habitat (wet-site, drought, sun and shade tolerance), soil conditions, growth rate, longevity, root pattern, maintenance requirements, etc. shall be considered. Consideration shall be given to accenting site entrances and unique areas with special landscaping treatment. Flowerbed displays are encouraged.

- [4] Landscaping shall be designed to achieve a thorough integration of the various elements of site design, including building and parking placement and natural features.
- [5] Landscaping within sight triangles shall not exceed a mature height of 30 inches. Shade trees shall be pruned up to an eight-foot branching height above grade.
- [6] The use of indigenous/native plant material is to be encouraged to establish sustainable landscapes that blend with the natural environment, reduce the use of pesticides, and reduce irrigation.
- [7] The use of passive systems such as raingardens to offset stormwater discharge shall be utilized to the extent feasible.
- [8] Water conservation measures such as drip irrigation and soil moisture-sensing irrigation systems shall be used where practicable.

(11) Signage

- (a) One (1) freestanding sign shall be permitted at each vehicular entrance to the development,

provided that there shall be no more than three such signs.

- (b) The area of each sign shall not exceed 50 square feet.
- (c) The height of each sign shall not exceed six feet.
- (d) All signs shall be set back at least 10 feet from any street right-of-way.
- (e) The sign shall be an identification sign only, limited to the name and address of the development on site.
- (f) The design of the sign shall be complementary to the architectural design of the buildings located on site, and shall be subject to the review and approval of the Planning Board.

**Section 2.** Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

**Section 3.** This Ordinance shall take effect immediately upon final passage and publication as required by law.