

HOUSING ELEMENT AND FAIR SHARE PLAN

Hardyston Township
Sussex County, New Jersey

Adopted by Planning Board
December 2, 2008

Prepared By:

Heyer, Gruel & Associates
63 Church Street, 2nd Floor
New Brunswick, NJ 0890
(732) 828-2200

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INTRODUCTION

In the case of Southern Burlington County NAACP v. the Township of Mount Laurel, (commonly known as Mount Laurel I), the New Jersey Supreme Court established the doctrine that developing municipalities in New Jersey have a constitutional obligation to provide a realistic opportunity for the construction of low and moderate income housing in their communities. In its Mount Laurel decision, decided on January 20, 1983 (Mount Laurel II), the Supreme Court expanded the Mount Laurel doctrine by stating that this constitutional responsibility extended to all municipalities in New Jersey. The Court also established various remedies, including the "builder remedy" or court-imposed zoning, to ensure that municipalities actually addressed this obligation.

In response to the Mount Laurel II decision, the New Jersey Legislature adopted the Fair Housing Act in 1985 (Chapter 222, Laws Of New Jersey, 1985). The Fair Housing Act established a Council on Affordable Housing (COAH) as an administrative alternative to the courts. COAH was also given the responsibility of establishing various housing regions in the state, determining regional and municipal fair share affordable housing obligations and adopting regulations establishing the guidelines and approaches that municipalities may use in addressing their affordable housing need.

Under COAH's regulations, low income households are defined as those with incomes no greater than 50 percent of the median household income, adjusted for household size, of the housing region in which the municipality is located, and moderate-income households are those with incomes no greater than 80 percent and no less than 50 percent of the median household income, adjusted for household size, of the housing region. For the Township of Hardyston, the housing region is defined by COAH as Region 1 and is comprised of Sussex, Bergen, Hudson, and Passaic counties. In Region 1 the median income for a four-person household is \$77,072, the moderate-income level is \$61,658 and low-income is \$38,536.

Pursuant to both the Fair Housing Act and the Municipal Land Use Law (MLUL), municipalities in New Jersey are required to include a housing element in their master plans. The principal purpose of the housing element is to provide for methods of achieving the goal of access to affordable housing to meet the municipality's low and moderate income housing needs. The statutory required contents of the housing element are:

- a. 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;
- b. A projection of the municipality's housing stock, including the probable future construction of low and moderate income housing, for the ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;
- c. An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age;
- d. An analysis of the existing and probable future employment characteristics of the municipality;
- e. A determination of the municipality's present and prospective fair share for low and moderate income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low and moderate income housing; and
- f. A consideration of the lands that are most appropriate for construction of low and moderate income housing and of the existing structures most appropriate for conversion to, or rehabilitation for low and moderate income housing, including a consideration of lands of developers who have expressed a commitment to provide low and moderate income housing.

COAH THIRD ROUND METHODOLOGY

Unlike the previous two rounds, the Third Round methodology determines a municipality's affordable housing need based on the growth of the municipality. The need for affordable housing in a municipality is calculated through the sum of the following:

- Existing Deficient housing units within the municipality occupied by low and moderate income households which is referred to as rehabilitation share;
- Remaining Prior Round (1987 – 1999) Obligation assigned to a municipality by the Council or the court for the period 1987 through 1999; and

- The share of the affordable housing need generated by a municipality's actual growth (2004 – 2018) based upon the number of new housing units constructed and the number of new jobs created as a result of non-residential development.

The rehabilitation share for affordable housing is the number of existing housing units as of April 1, 2000 that are both deficient and occupied by households of low or moderate income and is calculated by COAH. The Remaining Prior Round (1987 – 1999) Obligations from the first and second fair share rounds have been recalculated to include data from the 2000 Census and are also provided by COAH.

With the Third Round Rules, the Council has implemented a growth share approach to affordable housing, thereby linking the actual production of affordable housing with municipal development and growth, based upon the number of new housing units constructed and the number of new jobs created as a result of non-residential development.

When developing a Housing Element and Fair Share Plan to provide affordable housing between 2004 and 2018, municipalities may rely on the COAH Growth Projections as the baseline for potential growth over the 2004-2018 period. However, the official growth share obligation accrued by each municipality as calculated by 2018 will be based on actual residential and non-residential growth, not COAH projections.

Projected growth from COAH is converted into the affordable housing obligation which the municipality must plan for by applying the following ratios:

- For every five residential units constructed, the municipality shall be obligated to include one affordable unit (i.e. 1 affordable unit in every 5 residential units for inclusionary development or 1 affordable unit for every four market rate units).
- For every 16 jobs created, the municipality shall be obligated provide one affordable unit. (i.e. 1 affordable unit for every 16 jobs created).

The projected growth share obligation will be converted into an actual growth share obligation when the ratios above are applied to market-rate units and newly constructed and expanded non-residential developments receiving permanent certificates of occupancy.

MUNICIPAL SUMMARY

Hardyston Township is 32 square miles in size and has localized developed areas with less developed environmentally constrained outlying areas, especially in the west. The Township is bounded by several municipalities including Vernon Township, West Milford Township, Jefferson Township, Sparta Township, Borough of Ogdensburg, Lafayette Township, and Wantage Township. Moreover, Township itself surrounds the Borough of Hamburg and the Borough of Franklin.

The population of Hardyston Township has increased from 5,275 in 1990 to 6,171 in 2000. The 2000 median age in Hardyston Township was 36.7 years, which was slightly younger than the Sussex County median age of 38.4 years. The median household size dropped slightly from the 1990 level of 2.78 persons to 2.66 persons in 2000.

The housing stock of the Township is predominantly single-family detached dwelling units of which a majority was built between the 1950's and the 1980's. The Township is not a job intensive area compared with the counties of the surrounding region. According to the guidelines established by COAH, Hardyston Township is located in the affordable housing Region 1, a region that consists of Sussex, Bergen, Hudson and Passaic counties.

According to the Third Round rules Hardyston Township has a rehabilitation obligation of 9 units and a Prior Round Obligation (1987-1999) of 18 units. The Township is relying on the Council on Affordable Housing's household and employment growth projections to determine Hardyston's 2004-2018 growth share obligation. Based on COAH's projections it is expected that the Township will grow by 611 residential units and 1,451 additional jobs resulting in a growth share obligation of 213 affordable units. The Township proposes to address its overall 240 unit obligation through the following:

- Affordable Housing Rehabilitation Program
- Market to Affordable Program
- Existing and Planned Group Home Facilities
- Inclusionary Zoning

This report constitutes the Housing Element/Fair Share Plan of Hardyston Township. It consists of six parts, as follows:

- PART I. DEMOGRAPHIC CHARACTERISTICS
- PART II. EXISTING HOUSING CHARACTERISTICS
- PART III. EMPLOYMENT DATA
- PART IV. PROJECTED FUTURE GROWTH
- PART V. FAIR SHARE DETERMINATION
- PART VI. FAIR SHARE PLAN

I. DEMOGRAPHICS CHARACTERISTICS

POPULATION

The 2000 population of Hardyston Township was 6,171, which was an increase of 896 people from the 1990 population. The population trends experienced in Hardyston Township, Sussex County and the State of New Jersey from 1930 through 2000 are shown below. Hardyston has followed the trends of the State and Sussex County, which have seen steady growth since the 1930's, with large population swells occurring during the sixties and seventies.

Populations Trends, 1930 to 2000									
Year	Hardyston Township			Sussex County			New Jersey		
	Population	Change		Population	Change		Population	Change	
		Number	Percent		Number	Percent		Number	Percent
1930	947	-	-	27,830	-	-	4,041,334	-	-
1940	1,034	88	9.3	29,632	1,802	6.5	4,160,165	118,831	2.9
1950	1,279	245	23.7	34,423	4,791	16.2	4,835,329	675,164	16.2
1960	2,206	927	72.5	49,255	14,832	43.1	6,066,782	1,231,453	20.3
1970	3,499	1,293	58.6	77,528	28,273	57.4	7,171,112	1,104,330	18.2
1980	4,553	1,054	30.1	116,119	38,591	49.8	7,365,011	463,899	6.5
1990	5,275	722	15.9	130,943	14,824	12.8	7,730,188	365,177	5.0
2000	6,171	896	3.7	144,166	13,223	10.1	8,414,350	684,162	8.9

POPULATION COMPOSITION BY AGE

The largest increases in the Township occurred in the 45 to 54 and 55 to 64 year age cohorts, which experienced increases of 50.7% and 86.2%, respectively. There was a significant decline in the 25 to 34 age cohort (-22.7%) and little growth in the under 5 age group.

Population by Age 1990 and 2000, Hardyston Township						
Population	1990		2000		Change, 1990 to 2000	
	Number	Percent	Number	Percent	Number	Percent
Under 5	400	7.6	424	6.9	24	6
5 to 14	740	14.1	913	14.7	173	23.4
15 to 24	670	12.7	581	9.4	-89	13.3
25 to 34	994	18.8	768	12.4	-226	-22.7
35 to 44	971	18.4	1,200	19.4	229	23.6
45 to 54	661	12.5	996	16.1	335	50.7
55 to 64	354	6.7	659	10.6	305	86.2
65 and over	485	9.1	630	10.3	145	29.9
Total	5,275	100	6,171	100	896	17

Population by Age, 1990 and 2000, Sussex County						
Population	1990		2000		Change, 1990 to 2000	
	Number	Percent	Number	Percent	Number	Percent
Under 5	10,894	8.3	9,815	6.8	-1,079	-9.9
5 to 14	19,925	15.2	23,876	16.6	3,951	19.8
15 to 24	16,542	12.6	15,517	10.7	-1,025	-6.2
25 to 34	23,503	17.9	17,501	12.1	-6,002	-25.5
35 to 44	24,385	18.6	27,881	19.3	3,498	14.3
45 to 54	15,206	11.6	23,384	16.2	8,178	53.8
55 to 64	8,804	6.7	13,040	9	4,236	48.1
65 and over	11,684	8.9	13,152	9.1	1,468	12.6
Total	130,943	100	144,166	100	13,223	10.1

The County also saw significant increases in the 45 to 54 and 55 to 64 age cohort, and a significant decrease in the 25 to 34 age cohort. The median age of Hardyston Township in 2000 was 36.7 years. Analysis of age group characteristics provides insight in the actual changes in population. This comparison is helpful in determining impacts these changes have on housing needs, community facilities and services for the municipality and the County overall.

HOUSEHOLDS

A household is defined as one or more persons, whether related or not, living together in a dwelling unit. In 2000, there were a total of 2,319 households in Hardyston Township. The average number of persons per household for the Township in 2000 was 2.66 slightly lower than the County's average of 2.80. Both the Township's and the County's largest percentage of households was two-person households (32.7 and 30.9 respectively)

HOUSEHOLD SIZE- Occupied Housing Units Hardyston Township and Sussex County				
	Township	Percent	County	Percent
1-person household	500	21.5	9,595	18.8
2-person household	759	32.7	15,742	30.9
3-person household	422	18.1	9,361	18.4
4-person household	407	17.5	9,880	19.4
5-person household	167	7.2	4,535	8.9
6-person household	50	2.1	1,231	2.4
7-or-more-person household	14	0.6	487	0.9
Average Household Size	2.66		2.80	

Family households are defined as two or more persons, living in the same household related by blood, marriage or adoption. The largest percentage of households was family households

comprising 73.9 percent with the average family size being 3.12. Furthermore, the majority of the family households were married-couple family (62.3) with 30.3 of them having children under the age of 18. Only 21.5 percent of households were one-person households with 11.8 percent being female and 9.7 percent being male.

In providing more detail of American households, the 2000 Census included the sub-groups of non-traditional households (Other family) and of Non-family households. Non-family households are defined a household that consists of a householder living alone or where the householder shares the home exclusively with people whom he/she is not related. These households only comprised 4.4 percent of the Township while other family households comprised 11.5 percent.

Household Size and Type Hardyston Township		
	Total	Percent
	2,319	100
1-person household:	500	21.5
Male householder	225	9.7
Female householder	275	11.8
2 or more person household:	1,819	78.4
Family households:	1,715	73.9
Married-couple family:	1,447	62.3
With own children under 18 years	703	30.3
No own children under 18 years	744	32
Other family:	268	11.5
Male householder, no wife present:	85	3.6
With own children under 18 years	40	1.7
No own children under 18 years	45	1.9
Female householder, no husband present:	183	7.8
With own children under 18 years	76	3.2
No own children under 18 years	107	4.6
Non-family households:	104	4.4
Male householder	60	2.5
Female householder	44	1.8
Average Family Size	3.12	

INCOME

Hardyston Township had a higher median household income compared to the County and the State. As measured in 1999, the median income in Hardyston Township was \$65,511, only \$245 more than the County but \$10,365 more than the State's median income. Approximately 37 percent of the households within the Township had a household income within the range of \$35,000 to \$75,000. Those whole fell into the \$75,000 to 150,000 equaled approximately 33 percent.

Per Capita and Household Income 1999 Hardyston Township, Sussex County, New Jersey		
	1999 Per Capita	1999 Median Household
Hardyston Township	28,457	65,511
Sussex County	26,992	65,266
New Jersey	27,006	55,146

Households Income In 1999 Hardyston Township and Sussex County				
	Hardyston Township		Sussex County	
	Number	Percent	Number	Percent
Total households	2,292	100	50,789	100
Less than \$10,000	87	3.8	1,967	3.8
\$10,000 to \$14,999	61	2.7	1,589	3.1
\$15,000 to \$24,999	127	5.5	3,450	6.7
\$25,000 to \$34,999	248	10.8	3,956	7.7
\$35,000 to \$49,999	331	14.4	7,088	13.9
\$50,000 to \$74,999	471	20.5	11,734	23.1
\$75,000 to \$99,999	383	16.7	9,053	17.8
\$100,000 to \$149,999	417	18.2	8,014	15.7
\$150,000 to \$199,999	72	3.1	2,375	4.6
\$200,000 or more	95	4.1	1,563	3.0
Median household income	65,511		65,266	

POVERTY STATUS

Of the 6,171 persons in Hardyston in 1999, 280 or 4.7 percent lived in poverty. Of this 4.7 percent, the majority (63%) fell into the age range of 18 to 65 years old. Only 35 persons or 12 percent of those living in poverty are considered elderly (over 65).

Poverty Status 1999 Hardyston Township and Sussex County				
	Hardyston Township		Sussex County	
	Number	Percent	Number	Percent
Total persons	6,171	100	144,166	100
Total persons below poverty level	285	4.7	5,639	4
Under 18	72	25	1,642	1.1
18 to 65	178	63	3,286	2.2
Over 65	35	12	654	0.4

HOUSEHOLD COSTS

The tables below show the expenditures for housing for those who own and rent in Hardyston Township. Nearly 30 percent of renters spend 30 percent or more of their household income on housing. Moreover, approximately 29 percent of owners spent 30 percent or more of their household income on housing. The general affordability standard used is that no more than 30 percent of gross income should be allocated for housing costs.

Selected Monthly Owner Costs As A Percentage Of Household Income in Hardyston Township 1999		
	Number	Percent
Total owner-occupied housing units	1,744	100
Less than 15 percent	431	24.7
15 to 19 percent	291	16.7
20 to 24 percent	307	17.6
25 to 29 percent	200	11.5
30 to 34 percent	96	5.5
35 percent or more	407	23.3
Not computed	12	0.7

Gross Rent As A Percentage Of Household Income Hardyston Township 1999		
	Number	Percent
Total renter-occupied housing units	422	100
Less than 15 percent	54	12.8
15 to 19 percent	76	18
20 to 24 percent	72	17.1
25 to 29 percent	64	15.2
30 to 34 percent	12	2.8
35 percent or more	122	28.9
Not computed	22	5.2

II. EXISTING HOUSING CONDITIONS

HOUSING UNIT DATA

According to the 2000 Census, Hardyston Township had a total of 2,690 housing units. This is an increase from 2,244 units in 1990. Of those units, 1,892 or 70.3 percent were owner occupied while 427 or 15.8 percent were renters. The housing structures were being built at a steady and even pace from the years 1950 to 1990. Between those years, approximately 64 percent of the housing stock was constructed. It took a sharp decline in the early 1990's, down to 7.9 percent, but has been on the rise since. The median year that the housing stock was built in Hardyston Township is 1972.

Housing Data Hardyston Township		
	Total	Percent
HOUSING UNITS		
Total	2,690	100
TENURE		
Owner occupied	1,892	70.3
Renter occupied	427	15.8
YEAR STRUCTURE BUILT		
Built 1995 to March 2000	368	13.6
Built 1990 to 1994	214	7.9
Built 1980 to 1989	424	15.7
Built 1970 to 1979	402	14.9
Built 1960 to 1969	461	17.1
Built 1950 to 1959	453	16.8
Built 1940 to 1949	190	7
Built 1939 or earlier	173	6.3
Median year structure built	1972	

HOUSING TYPE AND SIZE

A majority of the housing stock in Hardyston Township is single-family detached housing. In 2000, there were 2,002 single-family detached homes representing 74.5 percent of the housing stock. The second largest type, with only 12.6 percent, was single-family attached. All multi-family housing represented approximately 11.9 percent of the housing stock within the Township with no single structure containing more than 20 units.

The median number of rooms within housing structures in the Township was 5.9 with the largest percentage of structure (22.1%) having six rooms. Approximately 59 percent of the structures had six or more rooms while only 22.7 percent had four or less rooms.

Housing Type and Size Hardyston Township		
UNITS IN STRUCTURE		
Total	2,685	100
1, detached	2,002	74.5
1, attached	340	12.6
2	33	1.2
3 or 4	16	0.5
5 to 9	109	4
10 to 19	169	6.2
20 to 49	0	
50 or more	0	
Mobile home	16	0.5
Boat, RV, van, etc.	0	
ROOMS		
1 room	0	
2 rooms	205	7.6
3 rooms	135	5
4 rooms	272	10.1
5 rooms	495	18.4
6 rooms	594	22.1
7 rooms	385	14.3
8 rooms	323	12
9 or more rooms	276	10.2
Median number of rooms	5.9	

OCCUPANCY

According to the 2000 Census, out of the 2,685 units in Hardyston Township, 2,311 or 86 percent were occupied while 374 or 13.9 percent were vacant. Of those units that were vacant, 13.3 percent were for sale units and only 2.4 percent were for rent units. The largest percent (73.2%) were classified as seasonal, recreational or occasional use.

OCCUPANCY STATUS Hardyston Township		
	Total	Percent
Total	2,685	100
Occupied	2,311	86

Vacant	374	13.9
VACANCY STATUS		
Total	374	100
For rent	9	2.4
For sale only	50	13.3
Rented or sold, not occupied	18	4.8
For seasonal, recreational, or occasional use	274	73.2
For migrant workers	0	
Other vacant	20	5.3

HOUSING VALUES AND CONTRACT RENTS

Housing values for owner-occupied housing units in 2000 are listed in the table below along with the contract rents. Almost 43 percent of the owner-occupied housing has a value that falls within \$100,000 to \$149,999. The second highest value range was \$150,000 to 199,999 followed by housing values in the \$200,000 to \$299,000 range. The median value in Hardyston Township was \$154,100 and, of the owner-occupied units 421 or 22.2 percent have no mortgage.

VALUE FOR ALL OWNER-OCCUPIED HOUSING UNITS Hardyston Township		
	Total	Percent
Total	1,889	100
Less than \$50,000	12	0.6
\$50,000- \$99,999	76	4
\$100,000- \$149,999	804	42.5
\$150,000- \$199,999	500	26.4
\$200,000 to \$299,999	401	21.2
\$300,000 to \$499,999	72	3.8
\$500,000 +	24	1.2
Median value	154,100	
MORTGAGE STATUS		
Housing units with a mortgage, contract to purchase, or similar debt:	1,323	
With either a second mortgage or home equity loan, but not both:	373	
Second mortgage only	192	
Home equity loan only	181	
Both second mortgage and home equity loan	19	
No second mortgage and no home equity loan	931	
Housing units without a mortgage	421	

The median contract rent in Hardyston Township in 2000 was \$638. The largest group of renters (60.1%) paid rents between \$500 and \$699. Those who paid \$700 or more comprised 28.6 percent.

CONTRACT RENT Hardyston Township		
	Total	Percent
Total renter occupied units	422	100
Less than \$200	0	
\$200- \$499	31	7.3
\$500-\$699	254	60.1
\$700-\$899	41	9.7
\$900 to \$999	14	3.3
\$1,000 to \$1,999	66	15.6
\$2,000 or more	0	
Median Contract Rent	638	

HOUSING CONDITIONS

The table below details the condition of housing within Hardyston Township based on heating fuel, plumbing facilities, kitchen facilities, telephone service and overcrowding. These factors are utilized in determining housing deficiency. According to the 2000 Census, Hardyston Township only had 76 units lacking in plumbing facilities and 56 lacking in complete kitchen facilities. Moreover, only 42 or 2.2 percent of the units had no telephone service. Over crowding is not an issue in Hardyston Township.

Housing Conditions Hardyston Township		
	Total	Percent
House Heating Fuel- Occupied housing units		
Total	2,311	100
Utility gas	531	22.9
Bottled, tank, or LP gas	146	6.3
Electricity	354	15.3
Fuel oil, kerosene, etc.	1,189	51.4
Coal or coke	8	0.3
Wood	83	3.5
Solar energy	0	

Other fuel	0	
No fuel used	0	
Occupants per Room-Occupied housing units		
Total	2,311	100
Owner Occupants per Room (Over 1.0)	8	0.3
Renter Occupants per Room (Over 1.0)	0	
Facilities- Total units		
Total	2,685	100
Lacking complete plumbing facilities	76	2.8
Lacking complete kitchen facilities	56	2
Telephone Service- Occupied housing units		
Total	2,311	100
No service	13	0.5

III. EMPLOYMENT DATA

The following tables detail changes in employment from 1994 to 2003 for Hardyston Township, Sussex County and New Jersey. The number of those who are employed has increased over the last decade as the labor force has increased overall. Hardyston Township has seen a drop and an eventual rise of the unemployment rate between 1994 and 2007 with the lowest point being in 2000. The same trend was seen in both the County and the State.

Employment and Resident Labor Force, 1994 - 2007, Hardyston Township				
	Labor Force	Employment	Unemployment	Unemployment Rate
1994	3,072	2,915	157	5.1
1995	3,144	2,998	146	4.6
1996	3,196	3,059	137	4.3
1997	3,252	3,139	113	3.5
1998	3,239	3,145	94	2.9
1999	3,322	3,230	92	2.8
2000	3,215	3,139	76	2.4
2001	3,219	3,124	95	3.0
2002	3,263	3,129	134	4.1
2003	3,305	3,160	145	4.4
2004	3,627	3,450	177	4.9
2005	3,700	3,519	181	4.9
2006	3,758	3,567	192	5.1
2007	3,745	3,563	183	4.9

Employment and Resident Labor Force, 1994 - 2007, Sussex County				
	Labor Force	Employment	Unemployment	Unemployment Rate
1994	72,851	68,228	4,623	6.3
1995	74,446	70,168	4,278	5.7
1996	75,622	71,601	4,021	5.3
1997	76,809	73,487	3,322	4.3
1998	76,361	73,610	2,751	3.6
1999	78,309	75,614	2,695	3.4
2000	75,691	73,466	2,225	2.9
2001	75,911	73,128	2,783	3.7
2002	77,181	73,243	3,938	5.1
2003	78,238	73,966	4,272	5.5
2004	83,180	79,538	3,642	4.4
2005	83,720	80,435	3,285	3.9
2006	84,933	81,440	3,493	4.1
2007	84,657	81,345	3,312	3.9

Employment and Resident Labor Force, 1994 - 2003, New Jersey				
	Labor Force	Employment	Unemployment	Unemployment Rate
1994	4,016,000	3,742,500	273,500	6.8
1995	4,064,200	3,803,700	260,500	6.4
1996	4,143,500	3,878,400	256,100	6.1
1997	4,192,300	3,976,900	215,400	5.1
1998	4,144,300	3,953,000	191,300	4.6
1999	4,205,500	4,012,200	193,200	4.6
2000	4,187,900	4,030,500	157,400	3.8
2001	4,179,500	4,003,800	175,700	4.2
2002	4,367,800	4,112,800	255,000	5.8
2003	4,375,000	4,118,000	256,983	5.9

CLASS OF WORKER AND OCCUPATION

The majority of workers living in Hardyston Township were a part of the private wage and salary worker group (78.8%). The second largest category was government workers (15.4%) followed by those who were self-employed (5.5%). Those that worked within the private wage field were concentrated heavily in management /professional positions and sales and office occupations. These two categories of worker equaled 62.6 percent of employed residents within Hardyston Township (36.1% and 26.5% respectively).

Class of Worker, 2000 Hardyston Township		
	Number	Percent
Total	3,213	100
Private wage and salary worker	2,533	78.8
Government worker	495	15.4
Self-employed worker	178	5.5
Unpaid family worker	7	0.2

Occupation, 2000 Hardyston Township		
	Number	Percent
Employed civilian population 16 years and over	3,213	100
Management, professional, and related occupations	1,160	36.1
Service occupations	409	12.7
Sales and office occupations	851	26.5
Farming, fishing, and forestry occupations	11	0.3
Construction, extraction, and maintenance occupations	404	12.6
Production, transportation, and material moving occupations	378	11.8

COMMUTING TO WORK

According to the 2000 Census, the mean travel time to work for those who lived in Hardyston Township was approximately forty (40) minutes. Twenty-eight percent traveled more than an hour to get to work while 16.9 percent only traveled less than fifteen minutes. The largest proportion of workers commuted by automobile (95%). Of the percentage that traveled by automobile, an overwhelming 86.3 percent of them drove alone while only 9.1 percent carpooled. Those who used public transportation only comprised of 1.4 percent.

Travel Time To Work, 2000 Hardyston Township		
	Number	Percent
Workers who did not work at home	3,064	100
Less than 10 minutes	238	7.7
10 to 14 minutes	284	9.2
15 to 19 minutes	253	8.2
20 to 24 minutes	188	6.1
25 to 29 minutes	104	3.3
30 to 34 minutes	229	7.4
35 to 44 minutes	316	10.3
45 to 59 minutes	581	18.9
60 to 89 minutes	671	21.8
90 or more minutes	200	6.4
Mean travel time to work (minutes)	41.6	

Means Of Commute, 2000 Hardyston Township		
	Number	Percent
Workers 16 years and over	3,126	100
Car, truck, or van		
Drove alone	2,699	86.3
Carpooled	284	9.1
Public transportation	43	1.4
Walked	30	1
Other means	8	0.3
Worked at home	62	2

Covered Employment

There is currently very limited information available on actual job opportunities within municipalities. The Department of Labor collects information on covered employment, which is employment and wage data for private employees covered by unemployment insurance. The tables below provide a snapshot of private employers located within Hardyston Township. The first table reflects the number of jobs covered in private employment from 2004 through 2006. The second table reflects the disbursement of jobs by industry as per NAICS classification and salaries in 2003.

Private Wage Covered Employment*: 2004-2006, Hardyston

Year	Number of Jobs	# Change	% Change
2004	975	-	-
2005	1,021	46	4.7%
2006	1,117	96	9.4%

*Third Quarter Numbers

According to the New Jersey employment & wages annual municipality report by sector (NAICS based), in 2003 there were no agriculture, forestry, fishing and hunting, mining, utilities, transportation and warehousing, information, administrative and waste services, and educational services industries within the municipality. The largest number of jobs in 2003 was in the health care and social assistance industry while the highest annual wage could be found in the wholesale trade industry.

Private Employment and Wages 2003, Hardyston Township

Industry	Employment				Wages	
	March	June	September	December	Weekly	Annual
Construction	44	70	81	88	\$634	\$32,954
Manufacturing	93	22	27	21	\$698	\$36,281
Wholesale trade	7	7	7	7	\$838	\$43,571
Retail trade	40	41	43	38	\$269	\$13,976
Finance and insurance	9	32	29	32	\$650	\$33,802
Real estate and rental and leasing	20	32	29	56	\$786	\$40,873
Professional and technical services	40	44	43	47	\$665	\$34,592
Health care and social assistance	141	160	155	168	\$446	\$23,216
Arts, entertainment, and recreation	68	168	161	89	\$359	\$18,673
Accommodation and food services	88	115	108	85	\$211	\$10,956
Other services, except public administration	40	54	62	59	\$368	\$19,143
Unclassified entities	30	17	20	17	\$536	\$27,876
Private Sector Total	778	933	905	873	\$462	\$24,025

IV. PROJECTED FUTURE GROWTH

As previously noted, the Third Round methodology includes a municipality's "growth share obligation", which is based on a municipality's actual market-rate residential and non-residential growth. A municipality's provision of affordable housing must coincide with the obligation generated by actual residential and non-residential growth.

Municipalities are required to prepare a Housing Element and Fair Share Plan that includes a projection of a municipality's probable future construction of housing and future jobs and employment characteristics that covers the fourteen year period of January 1, 2004 through January 1, 2018.

The Council on Affordable Housing has established household and employment projections. COAH's projections are based on the New Jersey Department of Labor and Workforce Development's county projections; which were then allocated to each municipality based on historical trends and the extent to which each municipality has reached build-out capacity

In order to project the Township's future growth, municipalities may rely on the COAH Growth Projections as the baseline for potential growth over the 2004-2018 period. However, the official growth share obligation accrued by each municipality as calculated by 2018 will be based on actual residential and non-residential growth, not COAH's projections.

RESIDENTIAL AND NON-RESIDENTIAL GROWTH

Council on Affordable Housing Projections

Council on Affordable Housing Employment & Residential Unit Projections					
				# Change	% Change
Hardyston Township	2002	2004	2018	2004-2018	2004-2018
Employment	975	1,124	2,575	1,451	129
Household	3,166	3,335	3,946	611	18.3
Sussex County	2002	2004	2018	# Change	% Change
Employment	37,626	41,328	54,110	12,783	30.9
Household	58,628	59,645	67,963	8,318	13.9

A break down of the overall numbers to determine actual household and employment growth reflective of the plan timeline (2004-2018) is shown below. Hardyston will utilize these numbers as a guide to determine the residential and employment growth share obligation that will result from projected residential and non-residential growth. Using the Council on Affordable Housing's information, the Township is expected to see a household growth of 661 units and employment growth of 1,451 jobs.

Hardyston Township- Residential Unit Projections			
	COAH 2018	COAH 2004	# Change 2018-2004
Households	3946	3335	611

Hardyston Township- Employment Projections			
	COAH 2018	COAH 2004	# Change 2018-2004
Employment	2,575	1,124	1,451

V. FAIR SHARE DETERMINATION

PROJECTING GROWTH SHARE OBLIGATION

The new Third Round rules and regulations outline how municipalities must project their 2004-2018 growth share obligations. The growth share obligation is determined based on the household and employment projections provided by the Council on Affordable Housing.

For residential development, a municipality must plan for one affordable unit among every five residential units to be constructed. In other words, to calculate the residential portion of the growth share obligation, the municipality shall divide the total household growth projection by five.

For non-residential development, a municipality must plan for one affordable housing unit for every 16 newly created jobs. Job growth is measured by the square footage of new or expanded construction as outlined by use group. In other words, to calculate the non-residential portion of the growth share obligation, the municipality shall divide the total employment growth projection by 16.

The residential growth share obligation added to the non-residential growth share obligation will determine the municipality's total growth share obligation.

Hardyston Township's total growth share obligation, based on COAH's growth projections is represented in the following table.

Hardyston Township Growth Share Obligation Determination (Using Appendix F (2) at N.J.A.C 5:97-1 et seq.)			
	Residential		Non-Residential
Growth Projections	611		1451
Subtract Residential Exclusions Pursuant to 5:97-2.4(a)	0		0
Subtract Residential Exclusions Pursuant to 5:97-2.4(b)	0		0
Net Growth Projections	611		1451
Projected Growth Obligation (Conversion to Affordable Units by dividing households by 5 and jobs by 16)	122.2		90.69
Total Projected Growth Share Obligation			213

DETERMINATION OF TOTAL OBLIGATION

The Third Round methodology for determining a municipality's obligation is now composed of three parts:

- Deficient housing units occupied by low and moderate income households which is referred to as rehabilitation share;
- Remaining Prior Round (1987 – 1999) Obligation assigned to a municipality by the Council or the court for the period 1987 through 1999; and
- The share of the affordable housing need generated by a municipality's actual growth (2004 – 2018) based upon the number of new market-rate housing units constructed and the number of new jobs created as a result of non-residential development.

Hardyston Township's total obligation is represented in the table below. As determined by the Council, the Township has a rehabilitation obligation for the years 1999-2018 of nine (9) units and a 1987-1999 Prior Round obligation of eighteen (18) units. Adding in the previously determined growth Share obligation of 213 units, the Township's total obligation is two hundred forty (240) units.

Hardyston Township Obligation	
Rehabilitation Share 1999-2018	9
1987-1999 Prior Round Obligation	18
Growth Share	213
Total Obligation	240

ZONING ANALYSIS-MEETING THE NEED

A zoning analysis, as required in the new Third Round regulations, is utilized to help determine how the Township will meet its expected growth and affordable housing need. This analysis covers how existing zoning and planned zoning changes provide adequate capacity to accommodate residential and non-residential growth projections and includes the following:

- An analysis of the available existing and planned infrastructure

- The anticipated demand for types of uses permitted by zoning based on present and anticipated future demographic characteristics of the Borough and anticipated land use patterns
- The Township's economic development policies and constraints on development with existing or planned measures to address constraints

Infrastructure

In 2001, the Sussex Countywide Wastewater Management Plan (WMP) was approved by the Sussex County Freeholders and the New Jersey Department of Environmental Protection. The planning area for the Hardyston Township in this Wastewater Management Plan is the entire Township.

The Sussex County Municipal Utilities Authority is currently in the process of expanding the Upper Walkkill Valley Water Pollution Control Facility (U.W.U.P.C.P). The developments in Hardyston Township which transmit sewer flow to the U.W.U.P.C.P include: Carlton Village/Walden Village/Ridgefield Commons, Indian Field (formerly known as Forest Hill Village), Crystal Springs, Hardyston Park Plaza (Formerly Pilz), North Church Technical Center, Walkkill Valley Regional High School and Sussex County YMCA. New sewers mains and pumping stations are to be provided for several of these developments in Hardyston as the partially constructed project progress. These developments include Carlton Village/Walden Village/Ridgefield Commons, Indian Field and Crystal Springs.

Existing Wastewater Disposal Facilities

Domestic Wastewater Treatment Facilities

Upper Walkkill Valley Water Pollution Control Facility (U.W.U.P.C.P.)

This existing wastewater treatment facility (NJPDES Permit No.NJ0053350), located on Route 94 North in Hardyston Township, serves Hamburg Borough, Franklin Borough, Hardyston Township (Hardyston Township MUA and the Walkkill Sewer Company, Vernon Township, the Borough of Sussex, Sparta Township, Wantage Township, SCMUA Sludge/Septage Recycle and leachate from the SCMUA Landfill. The current annual average flow for this facility is approximately 1,800,000 GPD. The permitted discharge from this facility to the Walkkill River is 3,000,000 GPD. This facility is owned and operated by the Sussex County Municipal Utilities Authority. The planning agencies for sewers in Hardyston Township are the Hardyston Township Municipal Utilities Authority and the Walkkill Sewer Company.

On-site Wastewater Disposal Systems

There are several facilities within Hardyston Township which have onsite wastewater discharges based on NJPDES permit program. These facilities include Skylands Ice World along Route 23, Ballyowen Golf Club on Wheatsworth Road and the Hardyston Township Middle School on Wheatsworth Road. The remaining developed portions of the Township rely upon on-site septic system for wastewater disposal.

Sewer Allocations to the Upper Walkkill Valley Water Pollution Control Facility

The total sewer allocation to Hardyston Township is 695,000 GPD of which 540,000 GPD is administered through the Hardyston Township MUA and 155,000 GPD is administered through the Walkkill Sewer Company. Sewer allocations in the Township are described as follows:

- Carlton/Walden Village/Ridgefield Commons - This residential and commercial development is located along Route 94 just south and abutting the Indian Field Development noted below. The Walkkill Sewer Company has reserved 155,000 gpd of sewer allocation for this sewer service area.
- Indian Field - This residential and commercial development is located along NJSH Route 94 just south of the intersection of Beaver Run Road (County Route 661) and Route 94. The Hardyston Township MUA has reserved 152,500 gpd of sewer allocation for this project.
- Crystal Springs – This residential and commercial village center development is located along both sides Route 94 just north of Hamburg Borough municipal boundary. The Hardyston Township MUA has reserved 327,500 gpd of sewer allocation for this project.
- Hardyston Park Plaza – This commercial development is located along the east side Route 94 at the intersection of Route 94 and Beaver Run Road (County Route 661). The Hardyston Township MUA has reserved 35,000 gpd of sewer allocation for this project.
- North Church Technical Center – This industrial development is located along North Church Road (County Route 631) just west of the Franklin Borough Municipal Boundary. Franklin Borough has reserved sewer allocation for this project.
- Walkkill Valley Regional High School – This regional high school is located at the intersection of Grumm Road (County Route 673) and Beaver Run Road. The Hardyston Township MUA has reserved 17,000 gpd of sewer allocation for this facility.
- Sussex County YMCA – This facility is located along Wits End Road abutting the Carlton/Walden Village/Ridgefield Commons Development. While this facility is located in the sewer service area of the Walkkill Sewer Company, due to limited allocation

available to Walkill Sewer Company, the Hardyston Township MUA has reserved 8,000 gpd of sewer allocation for this regional facility.

Water Systems

There are several public community water systems in Hardyston Township. These include Lake Stockholm which is owned and operated by the Lake Stockholm Community Association, Lake Tamarack which is owned and operated by the Lake Tamarack Community Association, Summit Lake which is owned and operated by Sparta Township, Crystal Springs Water System and Indian Field Water System which are both owned and operated by the Hardyston Township MUA and the Walkill Water Company which owns and operates the system serving Carlton/Walden Village/Ridgefield Commons. Each of these systems use groundwater wells as their source of water for each of these water systems. All other development within Hardyston Township is serviced by individual on-site wells.

Anticipated Demand and Land Use Patterns

Hardyston Township is 32 square miles in area, consisting of localized developed areas with less developed environmentally constrained outlying areas. Hardyston's 2003 Master Plan addressed its land use needs based on demographics, planning assumptions, stated vision and community goals and objectives. The Land Use Plan outlined a comprehensive framework to guide the physical, economic, environmental and social development of the Township. The Land Use Plan created the Township's current zoning regulations which establish 15 different zoning districts.

According to COAH's projections, Hardyston will have an additional 611 households and 1,451 jobs by 2018. The current and anticipated demand for residential and employment growth will be met through Hardyston's prior development plan approvals and its current zoning.

Land Use

The existing pattern of development consists mostly of amenity-oriented neighborhoods such as golf course and lake communities and corridors of development. Residential, commercial, industrial, public, quasi-public and open space uses exist in the Township, along with significant areas of environmentally constrained land and vacant properties. The patterns of these uses have evolved over many years.

Residential

Single-family houses are the predominant type of residence in most of the Township. The areas of single-family residential homes are fairly stable and well established. There are seven (7) residential use zones, three of which are low density (10, 5 and 3 acres per unit). These low-density residential areas include areas that do not have sewer service and are environmentally constrained. The other four (4) areas that allow residential development include the Lakeside Residential Zone, Medium Residential Zone, Commercial Recreation Zone and the Residential Commercial Zone.

Lakeside Residential

The Lakeside Residential Zone includes areas that either have been developed or should be developed for single-family detached housing on a minimum lot of 15,000 square feet. One of the primary purposes of this land use category is to maintain the density and character of the Township's existing single-family neighborhoods around the Township's lakes. Another of the primary purposes of this land use category is to support continued investment and maintenance in the Township's single-family housing stock.

Medium Density Residential

The sole location of the Medium Density Residential district is north of Route 94, just west of Route 661. This district is designed to acknowledge existing medium density residential development and ensure its protection and maintenance.

Commercial Recreation

Commercial Recreation Zone includes the golf course communities located between Scenic Lake Road, Route 517 and along Route 94. This district is designed to accommodate the Crystal Springs development and the surrounding uses, which is included in this Plan. Along with the golf courses and residences that are the primary focus of this development, commercial uses have been allowed in this district.

Village Center

The Village Center is located along Route 94, which is the most significant commercial and industrial corridor in the Township. The Village Center zone (RC-VC) is part of the Commercial Recreation Zone that includes the golf course communities located between Scenic Lake Road,

Route 517 and along Route 94. This district was designed to accommodate the Crystal Springs development and the surrounding uses.

The main purpose of the Village Center Ordinance is to provide for a compact mixed-use core of development to serve as the village center for the Township and is intended to be a traditional neighborhood and pedestrian-friendly design. It is to be considered a form-based planned development with various types of development permitted in the Village Center including Fringe Residential, Transitional Residential, Core Residential, Hotel, Highway Business/Commercial, and Mixed-Use Village Core. Open spaces within the Center include Public Plaza and Residential Parks.

The Village Center requires a minimum of 50,000 square feet of ground floor retail sales and services to be provided in the mixed-use Village core in a "Main Street" form, and no more than 1,056 residential units which includes any on-site affordable units. Additionally, the ordinance requires that the maximum number of residential units in the Village Center and the adjacent Commercial Recreation Zone shall not exceed a total of 2,738 units. As a condition of development in the CR Village Center zone, a deed restriction is required for the existing Wild Turkey and Crystal Springs golf courses limiting the use of the golf course properties to active and/or passive recreation or open space uses including, but not limited to, golf course uses. These restrictions are enforceable by the Township.

Residential Commercial

The Residential Commercial district allows a mixture of uses that include some businesses and retail alongside residences. The minimum lot size is 40,000 square feet. The purpose of the zone is to provide an area for commercial development mixed with residential development. The Residential Commercial district is intended to handle the traffic, parking requirements, and lower level of pedestrian activity that are typical in such regional commercial corridors.

Commercial

Beyond the mixed residential/commercial areas mentioned above, Hardyston Township has three (3) other areas that strictly allow for varying types of non-residential commercial development. These areas include the Neighborhood Commercial Zone, the Highway Commercial Zone and the Large Scale Retail Commercial Zones.

Neighborhood Commercial

The Neighborhood Commercial district provides a higher-density, mixed-use area that provides for the daily needs of the residents throughout the Township. The minimum lot size is 20,000 square feet. The Neighborhood Commercial districts are located around central developed areas of Hardyston including areas along Route 94, Route 631 and portions of Route 23.

Highway Commercial

The Highway Commercial zone is mainly located along Route 94 and accommodates auto-orientated non-residential commercial development, including hotels and motels. All development must accommodate for on-site parking and lot area of not less than 40,000 square feet with a minimum width of 200 feet. This zoning also applies to Stockholm Village, a neighborhood that is located along both sides of Route 23 in the southeastern area of the Township and contains many historic and natural resources.

Large Scale Retail Commercial

The Large Scale Retail Commercial zone is designed to serve a regional population base that is found in the form of large chain stores with a national presence. The zone is located off of Route 94 and includes large tracts of land. The minimum tract size is 20 acres.

Industrial

The existing industrial uses are restricted to industrial parks and older industrial areas, and therefore do not unduly encroach on other surrounding uses. The industrial uses of the Township are not as intense or frequent as many other New Jersey towns, and therefore cause few problems. The industrial park on Route 631 is the only industrial park in county with remaining sewer allocation. This allows the industrial park to have future development potential. The minimum lot size is 3 acres.

There is another industrial zone situated on the border with Wantage and Lafayette. The Walkkill River Macrosite Natural Heritage Priority Site encompasses part of this zone and therefore constrains some of these lands. The presence of wetlands and floodprone areas additionally restricts the development potential of this area. The quarry takes up part of this zone, and retains its current use.

Golf Course

There are two (2) areas that are zoned for golf courses. This zone designation is to protect existing golf courses, as they are an important means of recreation and tourism. This designation consists solely of the Black Bear Country Club and the Ballyowen Golf Course located along the Boroughs of Hamburg and Franklin. The Crystal Springs courses, which are included in this Plan, are not included in this zone as they are already included within the Commercial Recreation District.

Open Space/Government Use

This land use category highlights the extent of public lands and open space in the Township and reinforces the "environs" principles that protect Newark Watershed lands consistent with State environmental policies. Approximately 4,200 acres of the Township of Newark Watershed lands are located in the Township. Principal permitted uses for this area includes public uses, Board of Education facilities; municipal, state and federal open space, and single-family residences on a minimum lot of 25 acres.

Economic Policies and Constraints on Development

Economic

The Township's economy has been transformed by structural changes resulting from the decline of agriculture and manufacturing and the expansion of services. The majority of employment growth is expected to occur in the service sector rather than manufacturing or agriculture. It is the policy of the Township to maximize the effect of the growth of the service industry.

Existing Conditions

Commercial development in the Township is primarily concentrated along the Routes 23, 94, and 631 corridors. Other commercial businesses and industries are scattered through the Township.

- Route 94 is the most significant commercial and industrial corridor in the Township. It contains many different types of businesses along its entire length.
- Route 23 south of Franklin contains businesses mixed with residences, between large expanses of undeveloped land.

- Route 23 north of Hamburg contains a neighborhood business zone and a light industrial zone.
- Route 631 contains commercial zones along its entire length, and this commercial corridor extends into Franklin, connecting with the downtown area.

There are several types and scales of commercial development. Highway businesses serve not only Township residents, but also residents of other towns and commuters traveling through Hardyston. Neighborhood Commercial businesses are designed to serve only local residents within short distances and provide only a limited range of services. Such uses as cleaners, laundromats, beauty salons, groceries, variety stores, and banks are the services most needed on a regular basis, and therefore these occupations make up a significant portion of the job base.

The economic development strategies to reach to maintain and develop the economic base within Hardyston include focusing growth and development into existing commercial areas throughout the Township, preserving the existing commercial and industrial base, coordinating infrastructure investment with development plans and targeting sectors of the economy where the Township has a competitive advantage for further development.

Environmental Constraints

Due to the large amount of environmental constraints, there is little developable land in Hardyston. Much of the developable land has already been built upon or is planned for development. The land in Hardyston is limited by wetlands, floodplains, steep slopes, natural species habitats, unsuitable soils, lack of utilities and other environmental concerns restrict development potential. These issues require the careful planning of all development.

Wetlands

Wetlands are an important aspect of the hydrologic and hydraulic characteristics of the Township and serve several purposes. They support wildlife and distinct species of plant life. They also act as a retention basin for floodwaters and control various types of water pollution. Wetlands and their required transition areas are the most significant regulatory constraints to development. The total acreage of wetlands in the Township is 3,954.5 acres, or 17% of the total land area. The majority of the wetlands are located in the 10 and 5 acre residential zones.

Floodplains

Floodplains are areas adjacent to streams, rivers, ponds and lakes. Development in these areas is highly restricted in order to avoid destruction of flood areas and the destruction of property that has been improperly located in the floodplain and therefore subject to flooding. The floodplain areas in the Township are dispersed throughout. There are total 2,637.6 acres of the Township located in floodplain areas.

Topography

Slopes of 25 percent or greater are located throughout the Township. Severe slopes indicate environments with limitations on development in terms of run-off control, soil erosion, suitability of terrain for specific land uses, and potential for safe road access. Slopes of 25 percent or more make up 12 percent of the total area of the Township. A large amount of this acreage is located along Hamburg Mountain in the existing 10 and 5 zones.

Natural Heritage Priority Sites

The Township has five Natural Heritage Priority sites (NHRS) that indicate that rare species and/or natural communities may be present in a given area based on historical records of sightings or identification of an area as a probable habitat for rare or endangered species. The priority sites are located along the western and eastern boundaries of the Township, along Route 94 in the northwest part of the Township, and along the border with Sparta. These areas cover approximately 5,900 acres or 28 percent of the total land area of the Township.

Water Supply Well Head Protection Areas

The Township contains six areas that are constrained due to water supply wellhead protection. Approximately 95 percent of the citizens of Hardyston get their drinking water from a well. Major Wellhead Protection Areas in the Township are located just east of Route 94 around the Crystal Springs area, the Route 94 South area, and the area around Lake Tamarack. Smaller areas also exist on Franklin's eastern border near Ogdensburg, the eastern border with Vernon and West Milford, and the area around Lake Stockholm. These conditions further constrain these lands and inhibit development. These protection areas make up over a quarter of the land in the Township.

Known Contaminated Sites

Hardyston Township has several contaminated sites. These sites are under the oversight of the NJDEP Site Remediation Program and have or had contamination present at levels greater than the applicable clean up criteria for soil, ground water standards and/or maximum contamination levels (MSL's) of the Safe Drinking Water Standards. The sites are listed in the following table below. The Township currently does not have a plan to remediate these known sites.

Sites with On-site Source(s) of Contamination	
Site address	Status
16 Lakeshore Road West	active
3 Fox Trail	active
32 Lakeside avenue	active
3374 Route 94	active
35 Shady Lane	active
44 Deer Trail	active
8 Hilary Court	active
Route 94 & North Church Road	active
Kaminski road	pending
Route 23 N	active
120 Route 23	pending
Silver Lake Road	pending

Land Ownership

A majority of land within the Township falls under private ownership. There is only approximately 4,800 acres that are publicly owned with the Township itself owning only 40 acres. There are several large tracts that are currently open space including 4,476 acres owned by the New Jersey Department of Environmental Protection (NJDEP) and 174 acres owned by the United States government.

According to the most recent tax data, Hardyston has approximately 6,365 acres of vacant land in which the Township owns none. Some of the vacant land is environmentally constrained and is not slated for future development while other major tracts are part of Crystal Springs, Ridgefield Commons and Indian Fields approved developments outlined within this Plan.

Newark Watershed Properties

A significant section of Southern Hardyston is owned by the Newark Watershed Conservation and Development Corporation. The lands owned by the NWCDC make up approximately

35,000 acres in the region in three counties and several municipalities. The land within Hardyston itself constitutes 4,274 acres. This land constitutes the main potable water supply for the City of Newark. These lands are under moratorium by the State and no development can occur on these lands at this time. These lands can be seen in the accompanying Newark Watershed Properties Map.

Regional Planning Regulations

State Development and Redevelopment Plan

The State Plan Policy Map of the SDRP divides the State into five Planning Areas, each of which has specific policy recommendations associated with it. As shown on the State Planning Areas Map, Hardyston Township lies in three planning areas:

- The southwest corner of the Township is located in Planning Area 4, Rural Planning Area;
- An area in the western portion of the Township bordering the Borough of Franklin and Hamburg extending into Lafayette and Sparta Townships is identified as Planning Area 4B and
- The remaining parts of the Township are located in Planning Area 5, Environmentally Sensitive Planning Area.

The State Plan policy guidelines for these Planning Areas concentrate development within Centers to utilize existing infrastructure resources and protect the natural resources of the municipality.

Highlands

Hardyston Township is also a part of the Highlands Region. The New Jersey Highlands Region (Highlands Region) is an area of 859,358 acres located in the northwest part of the State, and includes 88 municipalities and parts of seven Highlands counties – Bergen, Hunterdon, Morris, Passaic, Somerset, Sussex, and Warren.

The Highlands Water Protection and Planning Act was enacted on August 10, 2004. The Act serves to protect, preserve and enhance water resources, open space and natural resources within the Highlands Region, limit development which is incompatible with such preservation, and encourage appropriate development consistent with the State Plan. The latest Highlands Regional Master Plan was approved on July 17, 2008 by the Highlands Water Protection and Planning Council (Highlands Council).

As currently mapped, the eastern part of the Township is included in the Highlands Preservation Area - 12,557 acres or about 60% of the Township area; while the western part is part of the

Highlands Planning Area - 8,254 acres or about 40% of the Township. Both of these designations affect how development can and will occur in the Township since specific regulations vary depending on whether a site or municipality is within the Highlands Planning Area or the more restrictive Highlands Preservation Area. According to the 2008 Highlands Regional Master Plan, "The fundamental distinction between the Preservation and Planning Areas is that municipal and county conformance with the Regional Master Plan is required in the Preservation Area and is voluntary in the Planning Area."

V. FAIR SHARE PLAN

As stated in the Third Round regulations, a Fair Share Plan shall include at least the following requirements:

- Descriptions of the operational and financial feasibility of any specific project(s) intended to provide for the total 1987-2018 municipal fair share of affordable housing, which shall include rehabilitation programs, ECHO units, municipally sponsored construction projects, supportive and special needs housing, assisted living residences, market to affordable programs, accessory apartments, zoning for inclusionary development, municipally sponsored and 100 percent affordable programs, assisted living residences, affordable housing partnership programs, extension of expiring controls, and other innovative approaches.
- Descriptions of any adjustments or waivers that are being requested regarding the fair share obligation
- An implementation schedule that sets forth a detailed timetable for units to be provided within the period of substantive certification.
- Draft and or adopted ordinances necessary for the implementation of the mechanisms designed to satisfy the fair share obligation.
- A spending plan that projects anticipated affordable housing trust fund revenue and details how funds will be expended to meet the municipality's fair share obligation for the period of substantive certification from 2004-2018.

As outlined previously, Hardyston Township has a total obligation of 240 units; a rehabilitation share of 9 units, 18 prior round units and 213 growth share units. Hardyston Township is part of Region 1 where the median income for a four-person household is \$77,072, the moderate-income level is \$61,658 and the low-income level is \$38,536. The following outlines the measures that the Township will enlist to meet its fair share obligation and constitutes the Township's Fair Share Plan.

Prior Round Obligation

Hardyston Township received COAH 2nd round substantive certification in November of 2001. In the second round, the Township had a new construction obligation of 18 units. Under the second round, COAH permitted municipalities to receive credit for alternative living arrangements; including group homes regulated by the New Jersey Department of Human Services. The unit of credit for group homes is the bedroom. The Township has satisfied their prior

round obligation through three existing group homes located in the Township. The three group homes have a total of ten bedrooms that are eligible for credit. The existing group homes are operated by Willowglen Academy and the Sussex County Association for Retarded Citizens. Further crediting information on these group home facilities is provided in Appendix C.

Furthermore, under the 2nd round rules municipalities are eligible for rental bonus credits for each rental unit addressing its prior round rental obligation. Hardyston Township has a prior round rental obligation of 5 units. Therefore, the Township is eligible to receive 5 rental bonus credits from the existing group homes.

Accounting for the existing group homes and rental bonus credits, the Township has a remaining prior round obligation of 3 units. The Township plans to address the remaining three unit obligation through the creation of an additional 3 bedroom group home. The Township will partner with an established supportive housing provider to create an additional group home. The Township will fund a percentage of the acquisition or construction costs for the project with funds from the affordable housing trust fund.

Rehabilitation Share Obligation

Hardyston Township has a rehabilitation share obligation of 9 units. Hardyston has met its rehab obligation through a joint affordable housing rehabilitation program that was funded through a regional Small Cities Grant. The Franklin Borough and Hardyston Township were awarded a \$300,000 Small Cities Block Grant to fund the rehabilitation of 25 units, 12 in Hardyston Township and 13 in Franklin Borough. The program was administered by the Township and provided an average of \$10,000 per unit. Under the program, Hardyston completed its 9 rehabilitation unit obligation. All rehabilitation unit monitoring has been completed and submitted to COAH.

If for any reason our rehabilitation obligation should increase; the Township is currently operating a new rehab program that is being funded by monies that have recaptured from the sales of those homes that were completed under the past programs.

Growth Share Obligation

Hardyston has a projected growth share obligation of 213 units based on the future growth projections provided by the Council on Affordable Housing's rules at N.J.A.C 5:97-1 et seq. The Township recognizes that the Growth Share Obligation will be based on actual certificates of occupancy issued and that COAH will conduct biennial plan evaluations to verify that the

construction or provision of affordable housing has been in proportion to the actual residential and employment growth that has occurred in the municipality. To this end, the Township will be utilizing approved mechanisms to meet the Third Round Fair Share Obligation and these mechanisms will include:

- Market to Affordable Program
- Supportive and Special Needs Housing
- Inclusionary Zoning

Market to Affordable Housing Program

The new third round rules permit municipalities to operate a market to affordable program. In a market to affordable program units are purchased at market rate prices and then sold or rented to low and moderate income households. The new affordable units must have 30 year deed restrictions and comply with the Uniform Housing Affordability Controls. Under the 3rd round rules, the number of market to affordable units that a municipality can use to address the fair share obligation is limited to a maximum of 10 percent of the total fair share obligation.

Hardyston Township plans to meet a portion of the Township's total growth share obligation with twenty-one (21) market to affordable units. The Township will utilize trust fund monies to purchase structurally sound houses and then re-sell the units to income qualified households at the low to moderate income sales prices with 30 year deed restrictions. The money received from the sale of the unit would go back to the trust fund essentially establishing a revolving fund for the purchase of affordable units.

The recent down turn in the economy along with the unfortunate increase in the number of foreclosures has increased the number of units in the housing stock available for purchase through the market to affordable program. The Township plans to acquire a number of existing townhouses and condos located in existing developments throughout the Township. The Township anticipates being able to purchase existing units at approximately \$250,000, the Township would then be able to re-sell the units to a moderate income household at approximately \$126,000 for a per unit cost of approximately \$124,000. A more detailed explanation of the phasing and costs of the market to affordable program are provided in the Township's spending plan located in Appendix L. A listing of available market-rate units within the Township, from realtor.com, demonstrating that the program is viable is provided in Appendix D.

Supportive and Special Needs Housing

The third round rules permit supportive and special needs housing as compliance mechanism for addressing a municipality's fair share obligation. Supportive and special needs housing include; group homes for the developmentally disabled and mentally ill as licensed and/or regulated by the New Jersey Department of Human Services. The unit of credit for group homes under COAH's rules is based on the bedroom. The units are required to be affordable to low-income households, must serve populations that are 18 years of age or older.

Hardyston Township plans to address a portion of the Township's growth share obligation with fourteen (14) group home credits. The Township will implement two projects to develop six to seven group homes for a total of 14 bedrooms.

SEED Corp. Group Home Partnership Project –

Hardyston Township is currently working with the non-profit housing development organization Start Easy Eagle Development Corp. (SEED, Corp.) to form a partnership to create three to four new group homes for individuals with special needs. The group home project will include the acquisition and rehabilitation of existing single family and townhome dwellings throughout Hardyston. Based on COAH's standards the group homes will be eligible for credit based on the number of bedrooms, and the Township anticipates that most of the individuals that will reside in the homes will meet the income requirements necessary to satisfies COAH's very low income obligation.

The Township will partner with SEED Corp. to help fund the acquisition and rehabilitation of the proposed group homes. SEED Corp. anticipates receiving funding from the Special Needs Housing Trust Fund, and the State Division of Developmental Disabilities. The Township will provide 20 percent of the total acquisition costs from the Township's existing Affordable Housing Trust Fund. SEED Corp. has already identified several acquisitions sites, and in partnership with the Township has begun moving forward with the development of the project. All units will meet the necessary COAH requirements and will be affirmatively marketed. A more detailed implementation schedule and additional documentation is provided in Appendix E.

Municipal Partnership Group Home Project –

The Township will partner with an established supportive housing provider to create four to five group homes for an additional 9 group home credits. The Township will fund a percentage of the acquisition or construction costs for the project with funds from the affordable housing trust fund. The Township will secure sites for the development of newly constructed group homes or they will acquire and rehabilitate existing residential properties to convert the units into group homes for individuals with mental or developmental disabilities. A more detailed implementation schedule is provided in Appendix F.

Inclusionary Zoning

Hardyston Township currently has six inclusionary development sites that have received prior land use approvals. Combined, the six inclusionary development sites will produce one-hundred-twenty-five (125) units of affordable housing. The following sites are included in the Township's plan to address their growth share obligation for the 2004-2018 time period of substantive certification:

- Crystal Springs Village Center South
- Crystal Springs Grand Cascades Hotel
- Ridgefield Commons: Phases 5 -12
- Indian Fields: Phases IV & V
- Forest Knolls
- Emerald Estates – CJS

Crystal Springs Village Center South

The Village Center was proposed as Inclusionary Zoning as part of the previous Third Round Plan dated December 6, 2005. The Village Center Ordinance was adopted as Ordinance No. 2007-09 by the Township on July 2, 2007 (attached as Appendix O). The Crystal Springs Village Center South received preliminary site plan and minor subdivision approval in November 2007. Prior to the site being zoned as the Village Center District, the site was part of the Commercial Recreation zone.

Pursuant to this ordinance and the developer's agreement, at least 143 affordable units shall be constructed as part of the Village Center South Planned Development i.e. the planned

development in the Village Center on the south side of Route 94. The site is located at Block 16; Lots 8.01, 8.03, 3.03, 3.05, 3.06, and 3.07. A minimum of 30 units are to be provided in the mixed use Village Core in the Village Center South. Affordable units may be located on the ground level in the Village Core provided they do not front on "Main Street". The ordinance will adhere to the Uniform Housing Affordability Controls, NJAC 5:80-26.1, in terms of the phasing, bedroom mix and low and moderate-income housing split. Once the ordinance is completed, the Township will also comply with the regulations set forth in NJAC 5:94-4 to obtain approval from COAH.

See the maps located in the infrastructure, zoning, and land use analysis in Section V of the Housing Element regarding further details on the site suitability and constraints. The inclusionary zoning completeness checklist and additional documentation regarding land use approvals and existing developer's agreements are provided in Appendix G.

In order for the Village Center South to be considered an inclusionary project there must be a 15% set-aside of affordable rental units to exclude the market rate units in the growth share calculation. There are currently 436 market rate units approved for the village center south, which requires a set-aside of 65 affordable rental units, leaving 78 affordable units to be applied to the Township's total growth share obligation.

In addition, the Council on Affordable Housing permits municipalities to receive a compliance bonus for each affordable housing unit that is included in an inclusionary development that received preliminary or final approval between December 20, 2004 and June 2, 2008. The Village Center South will be eligible for 53 compliance bonus credits.

Crystal Springs Grand Cascades Lodge

The Crystal Springs Grand Cascades Lodge is located in the Crystal Springs Resort Development. The property location is designated as Block 16, Lot 1.08. The Hotel is part of the Commercial Recreation zone. The Grand Cascades Lodge is a 240,000 square foot condominium hotel and conference center. The Grand Cascades Lodge received preliminary and final site plan approval on June 29, 2004, and was completed in the early fall of 2007. As part of the conditions for development approval the owner and developer, Crystal Springs Builders, LLC, entered into a developer's agreement dated May 23, 2006 to provide for 8 units of affordable housing which are to be located off-site. The location for the 8 units of affordable housing has yet to be determined. In the event that Crystal Springs does not construct 8 units of affordable housing, a

letter of credit has been secured for a payment in lieu contribution of 1.38 million dollars. The inclusionary zoning completeness checklist and additional documentation regarding land use approvals and existing developer's agreements are provided in Appendix H.

Ridgefield Commons

Ridgefield Commons, owned by Pottersville Properties, LLC, is a residential development located off of Route 94 in Hardyston Township. The proposed inclusionary site is located in the MIDD-3 zone, at Block 67, Lot 2.01. The proposed inclusionary development received amended preliminary site plan approval on May 25, 2006. The preliminary site plan approval included a phasing plan for phases 5 through 12. The approvals permit the construction of 191 market rate residential units. As a condition of the approval, Ridgefield Commons will provide twenty-four (24) affordable housing units in connection with the construction of the market rate units.

See the maps located in the infrastructure, zoning, and land use analysis in Section V of the Housing Element regarding further details on the site suitability and constraints. The inclusionary zoning completeness checklist and additional documentation regarding land use approvals and existing developer's agreements are provided in Appendix I.

Indian Fields Phases IV & V

Indian Fields Phases IV & V, owned by HFH Development Corporation, are part of the larger Indian Fields residential development. Indian Fields is a residential and commercial development located along Route 94 just south of the intersection of Beaver Run Road (County Route 661) and Route 94. The proposed inclusionary development is located in the R-4 zone.

Phase IV is located at Block 67.3, Lot 1. Phase IV received amended preliminary and final major subdivision and amended preliminary and final site plan approval from the Hardyston Township Planning Board on October 27, 2005. Phase IV of Indian Fields is to consist of 28 market rate residential units.

Phase V is located at Block 67.29, Lot 1. Phase V received amended preliminary and final major subdivision and amended preliminary and final site plan approval from the Hardyston Township Planning Board on November 13, 2006. Phase V of Indians Fields is to consist of 28 market rate residential units.

As part of the Indian Fields development, the developer submitted an application for an affordable housing plan for the construction of eight (8) affordable family units in Phases IV and V. Four units are to be located in Phase IV, and four units are to be located in Phase V. The affordable housing plan received Hardyston Township Planning Board approval on September 28, 2006.

See the maps located in the infrastructure, zoning, and land use analysis in Section V of the Housing Element regarding further details on the site suitability and constraints. The inclusionary zoning completeness checklist and additional documentation regarding land use approvals are provided in Appendix J.

Forest Knolls

Forest Knolls, owned by Peter Babalo and Andrea Zeibekis, is a proposed residential development located at the intersection of Franek Road and Route 94 in Hardyston Township, Block 72, Lots 5.01 and 21. The proposed inclusionary development is located in the MIDD-5 zone. The development project received preliminary and final subdivision approval from the Township Planning Board on February 28, 2008. The project received approval to subdivide the above mentioned parcels into 26 lots. As a condition of approval, the developer is required to enter into a developer's agreement with the Township to locate 3 units of affordable housing on one of the lots. Currently, the developer has not entered into an approved developer's agreement, but will be required to do so prior to construction beginning.

See the maps located in the infrastructure, zoning, and land use analysis in Section V of the Housing Element regarding further details on the site suitability and constraints. The inclusionary zoning completeness checklist and additional documentation regarding land use approvals are provided in Appendix K.

Emerald Estates- CJS Investments

Emerald Estates, owned by CJS Investments, is a proposed residential development located on Wheatsworth Road in Hardyston Township, Block 63, Lots 26 and 27. The proposed inclusionary development is located in the MIDD-5 zone. The development project received preliminary and final subdivision approval from the Township Planning Board on September 27, 2007. The residential development will include twenty-nine (29) single family market rate lots, and one lot which will contain four affordable housing units. The developer entered into a developer's

agreement with the Township on July 1, 2008 for the construction of four affordable housing units to be located at Block 63, Lot 26.01. The development project will be required to construct the affordable units in connection with the construction of the market rate units.

See the maps located in the infrastructure, zoning, and land use analysis in Section V of the Housing Element regarding further details on the site suitability and constraints. The inclusionary zoning completeness checklist and additional documentation regarding land use approvals and existing developer's agreements are provided in Appendix L.

Summary of Total Fair Share Obligation

Hardyston Township Obligation 2004-2018	
Rehabilitation Share	9
<i>Small Cities Rehab Program</i>	-9
Total Obligation	0
Prior Round	18
<i>Alternative Living Arrangements</i>	-13
<i>Rental Bonus Credits</i>	-5
Total Obligation	0
Growth Share	213
<i>Crystal Springs Village Center South</i>	-78
<i>Grand Cascades Lodge</i>	-8
<i>Ridgefield Commons</i>	-24
<i>Indian Fields</i>	-8
<i>Forest Knolls</i>	-3
<i>Emerald Estates</i>	-4
<i>Market to Affordable</i>	-21
<i>SEED Corp. Group Homes</i>	-8
<i>Municipal Partnership Group Homes</i>	-6
<i>Compliance Bonus</i>	-53
Total Obligation	0