

RESOLUTION NO. 2025-044

A RESOLUTION ADOPTING THE TOWNSHIP'S FAIR SHARE AFFORDABLE HOUSING OBLIGATION FOR THE FOURTH ROUND

WHEREAS, the New Jersey Supreme Court, through its rulings in Southern Burlington County NAACP v. Mount Laurel, 67 13 N.J. 151 (1975) and Southern Burlington County NAACP 14 v. Mount Laurel, 92 N.J. 158 (1983), determined that every municipality in New Jersey has a constitutional obligation to provide through its land use regulations a realistic opportunity for its fair share of its region's present and prospective needs for housing for low- and moderate-income families; and

WHEREAS, on March 20, 2024, Governor Murphy signed P.L.2024, c.2. into law, establishing a new framework for determining and enforcing municipalities' affordable housing obligations under the New Jersey Supreme Court's Mount Laurel doctrine and the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et al.); and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.1(f)(1)(b), (the "Amended Act") each municipality must adopt a binding resolution no later than January 31, 2025 determining its present and prospective fair share obligation for the Fourth Round; and

WHEREAS, pursuant to Administrative Directive #14-24 issued by the Administrative Office of the Courts on December 13, 2024, "[a] municipality seeking a certification of compliance with the [Amended Act] shall file an action in the form of a declaratory judgment complaint and Civil Case Information Statement (Civil CIS) in the county in which the municipality is located" within 48 hours of adopting the municipal resolution of fair share obligations; and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.1(d), the New Jersey Department of Community Affairs issued "a report on the calculations of regional need and municipal

obligations for each region of the State” on or about October 18, 2024 (the “DCA Report”) providing its estimate of the obligation of all municipalities based on its interpretation of the Amended Act; and

WHEREAS, the DCA Report set the municipal obligation for Roxbury Township as follows:

Present Need: 59
Prospective Need: 989

WHEREAS, the Amended Act provides that the DCA Report is non-binding, thereby inviting municipalities to demonstrate that the Amended Act would support lower calculations of Fourth Round affordable housing obligations; and

WHEREAS, Township Planning Consultant Joanna Slagle, AICP, PP issued a memorandum to the Township dated January 20, 2025 containing an evaluation of the accuracy of the DCA information and calculations used to determine the municipal obligation for the Township of Roxbury. A copy of this Memorandum is attached hereto; and

WHEREAS, the Township Planners analysis focused on a review of the developable land identification in the DCA analysis which resulted in the Land Capacity factor for the Township being 10.87%. Utilizing the data, data sources, methodology, criteria, and formulas relied upon by the DCA in accordance with N.J.S.A. 52:27D-304.2 and 304.3, the number of acres in Roxbury meeting the statutory criteria for inclusion in the Land Capacity factor was reduced from 582.61 acres to 79.63 acres. This correction in the acreage actually meeting the criteria for inclusion as developable reduced the Land Capacity Factor to 1.6% which then reduced the total housing prospective need from 989 units to 358 units.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Roxbury, in the County of Morris and State of New Jersey, as follows:

1. Roxbury Township hereby determines, based on the DCA Report and the evaluation of the accuracy of the DCA information and calculations by the Municipal Planner, to modify the obligations set forth in the DCA Report and declare the municipal Affordable Housing obligation to be:

Present Need: 59

Prospective Need: 358

2. The Township's Fourth Round Affordable Housing Obligation herein established shall be subject to adjustments made to account for future decisions of a court of competent jurisdiction on any challenges to the Amended Act or DCA methodology, any legislative changes adjusting obligations, adjustments in response to any third party challenge to the obligations herein established, and any durational adjustment or vacant land adjustments which will be adopted as part of the municipality's Fourth Round Housing Element and Fair Share Plan.
3. The Municipal Clerk and Municipal Attorney are authorized to take all actions required by N.J.S.A. 52:27D-304.1(f)(1)(b), including:
 - a. Filing a declaratory judgment action with the Superior Court and filing a copy of this Resolution with the Department of Community Affairs within forty-eight hours following adoption of this Resolution.
 - b. Publishing this Resolution on the Township's website.
4. This Resolution shall take effect immediately.

ADOPTED: January 28, 2025

Attest:




Amy E. Rhead, RMC
Township Clerk

**ROXBURY TOWNSHIP
MORRIS COUNTY**

**REPORT ON THE ROUND 4 LAND CAPACITY FACTOR
JANUARY 23, 2025**

**IDENTIFIED IN THE NJDCA FAIR SHARE HOUSING OBLIGATIONS FOR
2025-2035 (FOURTH ROUND)
OCTOBER 2024**


Prepared by Joana Slagle, PP/ATCP License #33LI00595500 1/23/25
Date

INTRODUCTION

The purpose of this report is to identify the results of Roxbury Township's review and analysis of the Land Capacity Factor as identified in the October 2024 report entitled NJDCA Fair Share Housing Obligations for 2025-2035 (Fourth Round)("DCA Report"). The analysis results in adjustments that warrant a recalculation of the Land Capacity Factor. The results of the review indicate a Round 4 Prospective Share of 358 units for Roxbury Township as described below.

According to P.L. 2024, c. 2, the process for Fourth Round affordable housing compliance and the criteria, methodology, and formulas each municipality must rely upon to determine its present and prospective need obligation are set forth within N.J.S.A. 52:27D-304.1 thru N.J.S.A. 52:27D - 304.3 of the Fair Housing Act. The March 8, 2018, unpublished decision of the Superior Court, Law Division, Mercer Count, In re Application of Municipality of Princeton ("Jacobson Decision") is also to be referenced as to datasets and methodologies that are not explicitly addressed in N.J.S.A. 52:27D-304.3. The determinations set forth in the October 2024 DCA report, as required in the Fair Housing Act Amendments of 2024, have been reviewed in this report.

On behalf of the Roxbury Township we have considered the DCA Report, along with the underlying data and data sets relied upon by the DCA in reaching its non-binding calculations for the Township. We have further carefully considered and analyzed the most up-to-date localized data pertaining to the Township, including among other verifiable information, status of land development, land use approvals, environmental constraints (including wetlands, wetland buffers, and steep slopes), construction permits and MOD-IV data maintained and on file with the Township, conservation easements, other deed restrictions, other site-specific information that may not have been available to the DCA and factors unique to the parcels identified by the DCA.

Based upon our analysis of the DCA Report, the data and data sets relied upon by the DCA, and our analysis of the Township's up-to-date localized verifiable data, we have determined that the Township's Land Capacity Factor warrants adjustments. The analysis relied in part upon outdated, incorrect, or inaccurate data, including geospatial artifacts or anomalies. The following analysis addresses only the Land Capacity Factor identified for Roxbury Township by the NJDCA in the October 2024 report.

LAND CAPACITY FACTOR

The DCA Report identified a total of 582 acres of developable land that constituted the basis for the Land Capacity Factor used in the Fourth Round Prospective Share responsibility identified for Roxbury Township. These parcels and polygons are depicted on a map generated by the NJDCA entitled the Land Capacity Analysis GIS Composite Layer published on the NJDCA website: https://www.nj.gov/dca/dlps/4th_Round_Numbers.shtml.

Each parcel in Roxbury Township was reviewed to determine its status as either appropriate or inappropriate as the basis for DCA's calculation of the Land Capacity Factor. The results of Roxbury Township's review are summarized in Exhibit 1 of this report, entitled Roxbury Township, Morris County, Round 4, Land Capacity Factor Analysis, and dated January 2025. The associated parcel data is provided in Appendix A.

REVIEW OF PARCELS USED TO CALCULATE LAND CAPACITY FACTOR

Stone Water Village (formerly Block 11201, Lots 1, 2, and 3) - These parcels are now fully developed with a single-family residential development. It includes extensive areas of residential development, stormwater management facilities and associated utilities, and open space areas. The development status of this parcel warrants removal of 26.55 acres from the Land Capacity Factor.

Parkview/McNeary Site Plan Approval (Block 10001, Lots 1 through 7) - This site consisted of a former rock and sand quarry located along Kings Highway and Ledgewood Landing Road. The site has been consolidated and received site plan approval for warehouse development. The development status of this parcel warrants the removal of 3.55 acres from the Land Capacity Factor.

3rd Round Affordable Housing Sites - The DCA data includes several areas within properties designated for inclusionary development as part of the 3rd Round Settlement Agreement and ongoing negotiations and is therefore unavailable as developable land for the Round Four land capacity factor. The Round 3 inclusionary zoning and Settlement Agreement status of these parcels warrants removal of 64.50 acres from the Land Capacity Factor.

- Block 6601, 33.01(Fullerton/Roxbury Garden Center)
- Block 2701, Lots 2 and Block 2702, Lot 19.01 (Halsey)
- Block 2702, Lots 24 and 25 (Mittelstadt)
- Block 9202, Lots 1, 2, and 10 (Blue Vista)
- Block 10901, Lot 4 (Center St)
- Block 5203, Lot 46.01(Porfido)
- Block 9301, Lot 2 (Cheyenne)
- Block 4002, Lot 5 (Hercules)
- Block 9401, Lots 5, 11 and 12 (Polo)
- Block 9402, Lots 7 and 8 (Southwinds)
- Block 9603, Lot 4 (Woodmount)

Miscellaneous—Additionally, we found 64.49 acres associated with properties dedicated to open space, currently developed with residential or non-residential uses, lands within properties designated for water and wastewater utilities, stormwater management facilities, or with no viable access to the property. The status and use of these parcels warrant their removal from the Land Capacity Factor.

Kenvil Work Facility/Hercules (Block 6701, Lot 1) - The largest area that warrants removal from the Land Capacity Factor in the 4th round is the Remediation Area of the Kenvil Works Facility, otherwise known as Hercules, located on Block 6701, Lot 1. As detailed in Appendix B, the property includes over 800 acres of an NJDEP-delineated and approved remediation area to remediate explosives and energetics and their byproducts. The property is unique based on 150 years of such manufacturing, including deadly explosions and industrial accidents. Hercules contributed 371.99 acres of “developable lands” according to the DCA October report. There are

345.98 “developable lands” within the Kenvil Works Remediation Area and 26.01 acres of “developable lands” outside of the remediation area (Exhibit 2).

The site is currently vacant, the majority of the prior industrial buildings destroyed or removed and was granted Farmland Assessment. There is a package treatment plant that previously serviced the facility and is now used as part of the remediation plan. These factors combined resulted in the DCA Vacant Land output model identifying the site as “developable.” However, as will be demonstrated, the property is not suitable or available to provide a realistic development opportunity for affordable housing for the 4th round. The goal of the Township and Hercules is to eventually bring some economic vitality to the site, although the majority of the site will be developed for non-residential uses.

The NJDEP and EPA have approved a Remedial Action Plan and recently begun the TNT and PCB remediation. The estimated time for remediation of the TNT area is at least eight years, with long-term monitoring commencing after final remedial work for compliance.

The Fair Housing Act requires that the Department of Community Affairs calculate the regional need and municipal present and prospective obligations at the beginning of each new 10-year round of housing. The FHA requires that any site intended for affordable housing must demonstrate that the site is appropriate for low and moderate-income housing and must be demonstrated as “approvable, available, developable, and suitable” in the Housing Element and Fair Share Plan.

Kenvil Works site is unique due to the vast extent and unusual nature of much of the contamination and the time that will be required for remediation. The remediation of the site and final determination of appropriate uses will extend throughout the 4th round. The uses considered in the Phase II assessment for the remediation area include industrial, open space, and recreation areas and are not intended to be used for residences or farming (Exhibit 3). Until Hercules completes all work required to achieve closure status or a “letter of no further action”, it will not be approvable, available, developable, and suitable for residential development. The status of this parcel warrants its removal of the Remediation Area from the Land Capacity Factor.

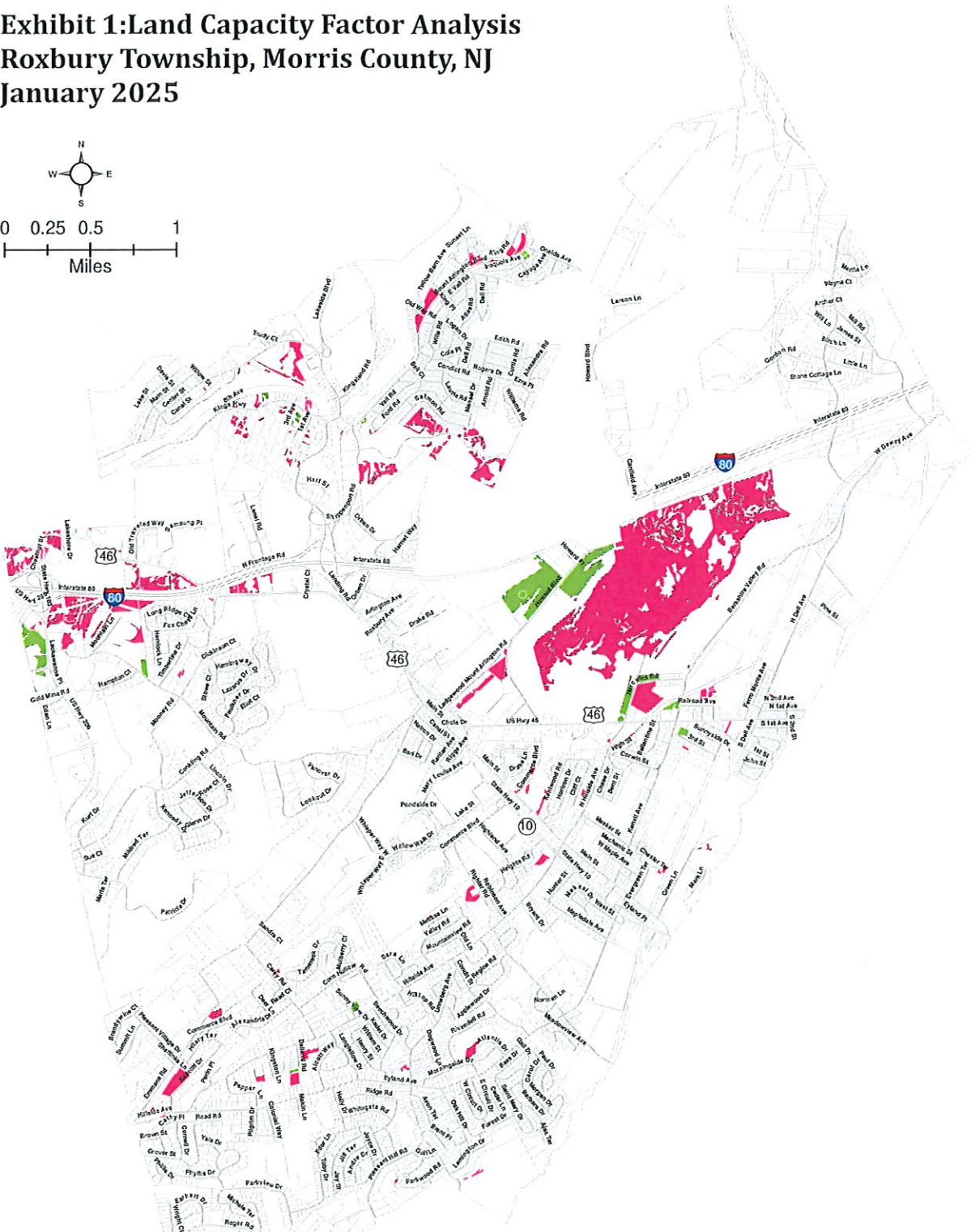
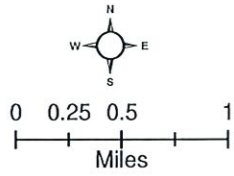
CONCLUSION

Roxbury Township’s review and analysis of the NJDCA Land Capacity Analysis GIS Composite Layer indicates that adjustments are warranted. Based on the status of each parcel as described above and listed in Exhibit 1 and Appendix A, an adjustment should be made to the Land Capacity Factor from 582.61 acres to 79.63 acres. When applied to the workbook that underlies the DCA Report, the recalculated Land Capacity Factor yields a Prospective Share of 358 units for Roxbury Township.

The methodology used to identify the adjustments listed in the analysis contained within this report is consistent with the published DCA Report. The data, data sources, methodology, criteria and formulas relied upon in completing this analysis and arriving at these opinions, including the calculation of the Township’s Prospective Need Obligation, was performed in accordance with sections 6 and 7 of P.L. 2024, c. 2 (N.J.S.A. 52:27D-304.2 and N.J.S.A.

52:27D-304.3) and consistent with the Jacobson Decision. All opinions and conclusions set forth herein are within a reasonable degree of professional planning certainty. We reserve the right to amend and supplement our findings, opinions, and conclusions should additional information be made available at a later date.

Exhibit 1: Land Capacity Factor Analysis Roxbury Township, Morris County, NJ January 2025



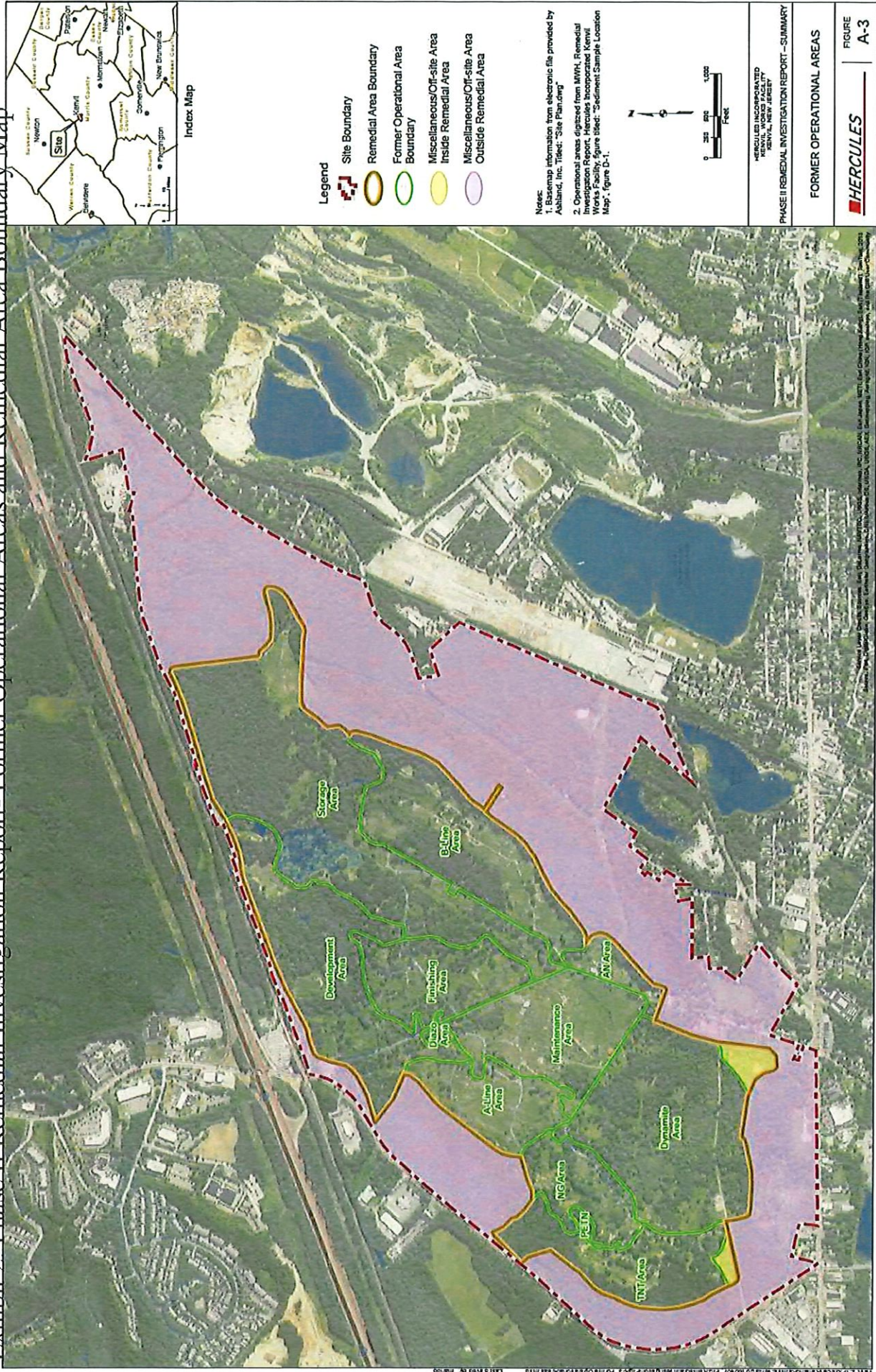
BANISCH
ASSOCIATES INC.
Planning and Design

Data Sources:
Morris County Parcel Layer 2024
DCA Vacant Land Output 12-2024

Legend

-  DCA Developable Lands Remaining After Verification
-  DCA Developable Lands Removed After Verification

Exhibit 2. Phase II Remedial Investigation Report- Former Operational Areas and Remedial Area Boundary Map



Appendix A: Roxbury Township Land Capacity Block and Lot Analysis

Block	Lot	Acres	Tax Class	Location	Owner	DCA Developable Acres	Adjusted DCA Developable Acres	Comment
101	4	0.99	1	11 REGER RD	SAUNDERS, KEVIN	0.99	0.99	
501	46	2.52	1	PUTTERS RD	AMERICAN WATER/ATN:TAX DEPT	0.13	0.00	American Water Facility
601	25	0.21	1	287 S HILLSIDE AVE	ASHLEY, LAWRENCE H JR	0.21	0.00	Residential Development, triangular lot
1401	1	4.79	15C	LAMINGTON ROAD	ROXBURY TOWNSHIP	0.56	0.00	Open space from subdivision approval
2108	8	0.50	1	16 CHESLER TER	HOLLAND MFG CO	0.21	0.00	Manufacturing use and lake frontage
2201	1	22.78	1	CHESLER TERR, REAR	HOLLAND MANUFACTURING COMPANY	0.42	0.00	Manufacturing use and lake frontage Open Space Area
2202	5	8.98	3B	30 GREEN LN	PENZENIK, STEPHEN D/PATRICIA A	0.32	0.00	Residential
2402	9	0.73	1	FOURTH ST	COUNTY CONCRETE CORP	0.25	0.00	Active Quarry
2403	1.02	1.77	1	7 THIRD ST	MILLER, PETER J/MICHELLE A/WKENVIL GP	1.28	1.28	
2405	5	0.80	1	570 ROUTE 46, KEN	COUNTY CONCRETE CORP	0.45	0.00	Roadway Area
2501	2	8.40	1	49 RAILROAD AVE	CRIMI, JOHN C	0.00	0.00	Residential backyard landlocked
2501	3	0.64	1	RAILROAD AVE, REAR	SMITH, JOHN C	0.00	0.00	Residential backyard landlocked
2501	4	0.36	1	FIRST ST, REAR	UNKNOWN	0.06	0.00	Residential backyard landlocked
2602	5	0.14	1	BUDD ST, REAR	BAKER, BAKER & MERRIT C/O HENRY O	0.13	0.13	
2602	6.02	0.32	2	13 FERROMONTE AVE		0.02	0.02	
2701	2	1.12	1	19 HALSEY ST	CRAVEN, JOHN/PATRICIA	1.11	0.00	Third round affordable housing site - Halsey St.
2702	19.01	1.39	1	HALSEY ST	MAGICAL REAL ESTATE LLC	0.85	0.00	Third round affordable housing site - Halsey St.
2702	24	0.26	1	HALSEY ST	HALSEY STREET LAKEFRONT LLC	0.21	0.00	Third round affordable housing site - Halsey St.
2702	25	0.30	1	HALSEY ST	MITTELSTADT, BERT/FAITH	0.22	0.00	Third round affordable housing site - Mittelstadt
2802	20	4.09	15D	217 S HILLSIDE AVE	MITTELSTADT, BERT/FAITH	1.10	0.00	Third round affordable housing site - Mittelstadt
2901	8	0.59	1	18 DALLAND RD	ROXBURY REFORM TEMPLE	0.56	0.56	Parking Lot for Synagogue
2902	1	2.35	1	DALLAND RD	CHOPRA-AZORA R	2.36	0.00	Recent Subdivision Approval
2904	2	4.93	15D	185 S HILLSIDE AVE	ST DUNSTAN'S CHURCH	1.95	0.00	Open Space
2904	9	9.28	15C	8 ALCOTT WAY	TOWNSHIP OF ROXBURY	0.03	0.00	Open Space
3005	30	5.40	15D	203 EYLAND AVE	REDEEMER LUTHERAN CHURCH	0.46	0.00	Church parking lot
3201	27	0.21	15C	5 APOLLO CT	TOWNSHIP OF ROXBURY	0.11	0.00	Roadway Access Area
3301	28	18.71	15C	MORNINGSIDE DR	TOWNSHIP OF ROXBURY	2.05	0.00	Open Space
3602	9	6.59	1			1.68	0.00	Open Space
3906	4	0.85	1	94 KENVIL AVE	SUSSEX & WARREN HOLDING CORP	0.13	0.13	
4001	2	2.52	15C	N HILLSIDE AVE	COUNTY OF MORRIS DOT	0.47	0.00	DOT ROW
4001	36	0.60	1	HILLSIDE AVE REAR	UNKNOWN	0.00	0.00	DOT ROW
4002	5	13.91	1	32 HERCULES RD	HERCULES INC %TAX DIVISION	13.20	0.00	Third Round Affordable Housing Site - Hercules
4002	13	0.63	15C	735 ROUTE 46, KEN	COUNTY OF MORRIS DOT	0.02	0.02	
4002	14	1.57	1	BERKSHIRE VALLEY RD	PAXOS, ANDREW J/MARGARET E/JOHN A	1.22	1.22	
4002	15	0.37	1	BERKSHIRE VALLEY RD	PAXOS, ANDREW J/MARGARET E/JOHN A	0.32	0.32	
4103	3	1.28	15D	319 EMMANS RD	YOUTH CONSULTATION SERVICE INC	0.13	0.00	Single Family Dwelling
4103	9	7.40	15C	EMMANS RD	TOWNSHIP OF ROXBURY	6.96	0.00	Open Space
4401	4	32.80	15C	11 WEREDITH CT	TOWNSHIP OF ROXBURY	0.34	0.00	Open Space
4501	16	0.00				1.21	1.21	
4801	1	19.63	15C	VALLEY RD, REAR	TOWNSHIP OF ROXBURY	0.11	0.00	Open Space
4901	1	15.04	15C	175 RIGHTER RD	TOWNSHIP OF ROXBURY	2.96	0.00	Open Space
4901	3	0.56	15C	175 RIGHTER RD	TOWNSHIP OF ROXBURY	0.06	0.00	Open Space
5102	3	3.17	1	153 MAIN ST, SUCC	155 MAIN STREET LLC	0.74	0.00	Industrial use parking and storage area
5103	1.01	10.51	15D	145 MAIN ST, SUCC	ST THERESE'S CHURCH & SCHOOL	1.23	0.00	Developed school property

Appendix A: Roxbury Township Land Capacity Block and Lot Analysis

Block	Lot	Acres	Tax Class	Location	Owner	DCA Developable Acres	Adjusted DCA Developable Acres	Comment
5203	46.01	1.17	1	41 N HILLSIDE AVE		0.38	0.00	Third Round Affordable Housing Site - Porfido Assisted Living Facility Approvals
5301	6	1.53	1	894 ROUTE 46, KEN	SAI, HEMENT D% TIMING BELT SHOP	0.08	0.08	
5301	18	0.23	15C	75 N HILLSIDE AVE	TOWNSHIP OF ROXBURY	0.18	0.00	Pump Station
5501	3	2.78	15C	EMMANS RD	TOWNSHIP OF ROXBURY	1.71	0.00	Open Space
6601	12	2.85	1	MT ARLINGTON RD	PARKHURST DISTRIBUTING	1.91	0.00	Open Space
6601	13	0.30	1	MT ARLINGTON RD, REAR	GEFERT, E	0.16	0.00	landlocked part of residential
6601	19	2.76	1	MT ARLINGTON RD, REAR	SHERWOOD ASSOCIATES II LLC	1.93	0.00	Rear Area of development, Landlocked
6601	33.01	6.43	3B	5 HOWARD BLVD	DONFUL, LLC	5.47	0.00	Third Round affordable Housing site - Fullerton
6701	1	903.56	3B	BERKSHIRE VALLEY RD	HERCULES INC %TAX DIVISION	371.99	26.01	Kenvil Iron Works/Hercules, 26.01 acres outside of the remediation area, 351.98 acres within the remediation area removed from Land Capacity
8901	2	80.75	15C	56 N DELL AVE	TOWNSHIP OF ROXBURY	0.11	0.00	Open Space
8901	2.01	106.30	3B	15 SALMON LANE, LEDGE	SALMON BROS INC	29.94	31.91	
8901	5	23.88	3B	MT ARLINGTON RD	HERCULES INC %TAX DIVISION	0.00	0.00	
9101	1	2.06	1	200 MOUNTAIN RD	MEHRING, WARREN L/ KAREN W	1.91	1.91	
9103	7	1.24	1	50 MOONEY RD	FREUND, ROBERT W/PAMELA M	0.18	0.00	landlocked part of residential
9103	16	0.40	15C	TIMBERLINE DR	TOWNSHIP OF ROXBURY	0.40	0.00	landlocked part of residential
9201	1	1.10	1	89 ROUTE 206	NETCONG BORO	0.33	0.33	
9201	2	5.91	1	99 ROUTE 206	99 RT 206 ROXBURY, LLC	0.38	0.38	
9201.01	1	17.52	1	89 ROUTE 206	NETCONG BORO	9.37	9.37	
9202	1	18.95	1	70 ROUTE 206	256 MOUNTAIN ROAD LLC	7.40	0.00	Third Round Affordable Housing Site - Blue Vista
9202	2	15.20	1	ROUTE 80	256 MOUNTAIN ROAD LLC	6.22	0.00	Route 80 Ramp Area
9202	3	1.97	15C	ROUTE 80	NEW JERSEY, STATE OF	1.60	0.00	Route 80 Ramp Area
9202	5	0.94	1	ROUTE 46, LEDGE	CBS OUTDOOR INC ATTN: TERESA ALLEN	0.10	0.00	Television CBS facility
9202	10	25.38	1	256 MOUNTAIN RD	256 MOUNTAIN ROAD, LLC	9.97	0.00	Third Round Affordable Housing Site - Blue Vista
9202	22	14.24	15C	MOUNTAIN RD	NETCONG BORO	2.94	0.00	Open Space
9202	25	0.02	1	FOX CHASE LN REAR	UNKNOWN	0.02	0.00	Open Space
9301	1	31.61	3B	27 ROUTE 183	11 CHEYENNE, LLC	4.83	0.00	Third Round affordable housing site - Cheyenne
9301	2	4.01	3B	27 ROUTE 183	11 CHEYENNE, LLC	1.63	0.00	Third Round affordable housing site - Cheyenne
9301	4	0.13	1	ROUTE 206	BARSA, RYAN	0.06	0.06	
9302	2	8.93	15D	1500 ROUTE 46, LEDGE	GRACE BAPTIST CHURCH	1.88	0.00	Developed with a church
9302	4	16.50	15C	1450 ROUTE 46, LEDGE	TOWNSHIP OF ROXBURY	8.77	0.00	Third round affordable Housing Site - Kingtown
9303	8	2.45	15C	85 ROUTE 206	STATE OF NJ, DIV OF STATE POLICE	0.39	0.00	State Police Building
9401	1	1.77	1	4 ROUTE 206		0.51	0.51	
9401	2	4.16	15C	MC MULLEN ST	NEW JERSEY STATE DOT	3.10	0.00	DOT Maintenance Facility
9401	5	0.17	15C	MC MULLEN ST	TOWNSHIP OF ROXBURY	0.05	0.00	Third Round Affordable Housing site - Polo
9401	11	0.17	1	MC MULLEN ST	POLO, PELLEGRINO	0.08	0.00	Third Round Affordable Housing site - Polo
9401	12	1.14	15C	MC MULLEN ST	TOWNSHIP OF ROXBURY	0.47	0.00	Third Round Affordable Housing site - Polo
9401	19	5.84	15C	12 ROUTE 206	NEW JERSEY STATE MAINTENANCE	0.05	0.00	DOT Maintenance Facility
9401	21	1.48	1	LAKE SHORE DR/MC MULLEN S	UNKNOWN	0.00	0.00	
9402	7	14.86	1	1923 ROUTE 46, LEDGE	1923 RT 46 LLC	0.14	0.00	Third round affordable housing site - Southwinds
9402	8	0.87	1	ROUTE 46, LEDGE, REAR	SOUTHWIND TWO LLC	0.00	0.00	Third round affordable housing site - Southwinds
9402	11	0.76	15D	1915 ROUTE 46, LEDGE	THE WASHINGTON HUMANE SOCIETY	0.22	0.00	Humane Society Facility
9603	3	1.46	1	1751 ROUTE 46, LEDGE	WOODMONT REALTY RT 46, LLC	0.97	0.00	Third Round Affordable Housing Site - Woodmont

Appendix A: Roxbury Township Land Capacity Block and Lot Analysis

Block	Lot	Acres	Tax Class	Location	Owner	DCA Developable Acres	Adjusted DCA Developable Acres	Comment
9603	4	5.89	4A	1735 ROUTE 46, LEDGE	WOODMONT REALTY RT 46, LLC	2.50	0.00	Third Round Affordable Housing Site - Woodmont
9603	5	5.22	15C	1715 ROUTE 46, LEDGE	TOWNSHIP OF ROXBURY	0.56	0.00	Municipal bldg.
9906	1	1.37	1	KINGS HWY, REAR	PARKVIEW BUSINESS PROPERTY LLC	0.68	0.00	Former Quarry Warehouse Approval
9908	1	1.60	1	MITCHELL AVE	PARKVIEW BUSINESS PROPERTY LLC	0.48	0.00	Former Quarry Warehouse Approval
9909	1	1.79	1	KINGS HWY	PARKVIEW BUSINESS PROPERTY LLC	0.62	0.00	Former Quarry Warehouse Approval
9911	3	1.33	1	MITCHELL AVE	PARKVIEW BUSINESS PROPERTY LLC	0.34	0.00	Former Quarry Warehouse Approval
9912	2.01	1.82	1	MITCHELL AVE	PARKVIEW BUSINESS PROPERTY LLC	0.06	0.00	Former Quarry Warehouse Approval
9915	1	2.83	1	7TH AVE	PARKVIEW BUSINESS PROPERTY LLC	0.11	0.00	Former Quarry Warehouse Approval
9920	1	2.46	1	204 KINGS HWY	JRL LAND HOLDINGS LLC	0.08	0.00	Part of non-residential business to the front
9921	1	3.40	1	182 KINGS HWY	JRL LAND HOLDINGS LLC	1.17	1.17	
10004	1	2.22	1	151 KINGS HWY	PARKVIEW BUSINESS PROPERTY LLC	0.37	0.00	Former Quarry Warehouse Approval
10009	2	1.80	1	3RD AVE	PARKVIEW BUSINESS PROPERTY LLC	0.07	0.00	Former Quarry Warehouse Approval
10011	1	2.75	1	MITCHELL AVE	PARKVIEW BUSINESS PROPERTY LLC	0.12	0.00	Former Quarry Warehouse Approval
10012	2	0.95	1	2ND AVE, LANDING	PARKVIEW BUSINESS PROPERTY LLC	0.07	0.00	Former Quarry Warehouse Approval
10012	3	0.12	1	2ND AVE, LANDING	PARKVIEW BUSINESS PROPERTY LLC	0.00	0.00	Former Quarry Warehouse Approval
10013	2	2.25	1	6 RIGGS AVE, LAND	CHEN, SHEILA	0.56	0.56	
10015	1	2.42	1	1ST AVE	PARKVIEW BUSINESS PROPERTY LLC	0.48	0.00	Former Quarry Warehouse Approval
10017	4	0.48	1	2ND AVE, LANDING	CHEN, SHEILA	0.05	0.00	Site Plan Approval
10017	6	0.40	1	KINGS HWY	CHEN, SHEILA	0.01	0.00	Site Plan Approval
10018	1	1.77	1	176 LEDGE-LANDING RD	PARKVIEW BUSINESS PROPERTY LLC	0.13	0.00	Former Quarry Warehouse Approval
10018	2	0.12	1	1ST AVE	PARKVIEW BUSINESS PROPERTY LLC	0.02	0.00	Former Quarry Warehouse Approval
10019	7	1.48	1	20 RIGGS AVE, LAND	GUELI, CHARLES C JR	0.38	0.00	Site Plan Approval
10020	1	0.17	1	21 1ST AVE	QUICK, LEE C/O ARTHUR QUICK	0.07	0.00	Site Plan Approval
10021	1	2.43	1	2ND AVE, LANDING		1.05	0.00	Recent Subdivision Approval
10101	45	0.52	1	MT ARLINGTON BLVD	GEDICKES MARINE INC	0.12	0.00	Part of non-residential business to the front
10503	1	0.17	1	63 CANAL ST, LAND	ROFAEL, MINA	0.08	0.00	Residential
10503	43	0.48	15C	CENTER ST	NEW JERSEY STATE DOT	0.06	0.00	DOT road area
10602	1	7.71	15C	185 CENTER ST	NEW JERSEY STATE DOT	1.20	0.00	DOT road area
10901	4	13.09	1	129 CENTER ST	SENDON, JOSE/COBO, CALIXTO/OAQ	6.25	0.00	Third Round Affordable Housing site - Center St
11102	3	2.98	15C	SHIPPENPORT RD, REAR	TOWNSHIP OF ROXBURY	0.17	0.00	Water Facility
11102	6	0.20	1	100A MT ARLINGTON BLVD	D'ALESSIO, PATRICK E	0.12	0.12	
11102	7	0.17	1	102 MT ARLINGTON BLVD	DAMMER-JONES, SUSAN	0.11	0.11	
11102	8	0.17	1	104 MT ARLINGTON BLVD	TULLO, DOMINICK/SUSAN	0.05	0.05	
11102	20	0.26	15C	2 FORD RD	TOWNSHIP OF ROXBURY	0.04	0.00	Water Facility
11201	1	51.55		SHIPPENPORT RD	STONE WATER HOLDINGS LLC	6.61	0.00	Stone Village Residential Development
11201	2	28.50		SALMON RD	STONE WATER HOLDINGS LLC	7.07	0.00	Stone Village Residential Development
11201	3	55.96		ROGERS RD	STONE WATER HOLDINGS LLC	12.87	0.00	Stone Village Residential Development
11601	53	4.36	1	MT ARLINGTON BLVD	SILVER SPRINGS ASSOC	4.03	0.00	HOA Common Open Space
11603	1	2.22	1	MT ARLINGTON BLVD	SILVER SPRINGS ASSOC	1.85	0.00	HOA Common Open Space
11913	4	2.80	15C	MT ARLINGTON BLVD	TOWNSHIP OF ROXBURY	1.90	0.00	Open Space
11913	4.01	0.15	1	4 APPLE TREE LN	LIVA, EDWARD SR%BERGEN MEDICAL CNTR	0.15	0.00	Open Space Medical Center
11913	6	5.81	15C	KING RD	TOWNSHIP OF ROXBURY	3.50	0.00	Pump Station
12014	28	0.35	1	15 CAYUGA AVE	HEGWALD, MARIE	0.08	0.08	
12103	2	0.09	15C	374 MT ARLINGTON BLVD	TOWNSHIP OF ROXBURY	0.09	0.09	
12103	3	0.12	1	376 MT ARLINGTON BLVD	RUDE/COURTNER, RICHARD/KATHLEEN	0.12	0.12	

Appendix A: Roxbury Township Land Capacity Block and Lot Analysis

Block	Lot	Acres	Tax Class	Location	Owner	DCA Developable Acres	Adjusted DCA Developable Acres	Comment
12103	4	0.28	1	378 MT ARLINGTON BLVD	GIBBSBORO HOLDINGS, LLC	0.28	0.28	
12104	3	0.21	15C	63 IROQUOIS AVE	TOWNSHIP OF ROXBURY	0.20	0.20	
12104	4	0.32	15C	67 IROQUOIS AVE	TOWNSHIP OF ROXBURY	0.31	0.31	
12109	2	0.10	1	59 ONEIDA AVE	ENTROT, BRIAN C	0.09	0.09	
						582.00	79.63	TOTAL

APPENDIX B: FORMER KENVIL WORKS FACILITY/HERCULES SITE INFORMATION

Background

The information summarized herein regarding the site history and remediation efforts can be found in the 2007 Phase I Remedial Investigation Report, 2016 Phase II Remedial Investigation Report, and the 2020 TNT Soil Bioremediation Report. Extensive information on the Hercules property, remedial investigation reports, and efforts to date to conduct remediation can be found on the Hercules Kenvil Works Facility website: <https://www.hercules-kenvil.com>.

The former Kenvil Works Facility encompasses approximately 1,200 total acres, or 1.8 square miles, larger than over 45 municipalities in the State. The expansive site stretches north to south from Interstate 80 to Route 46 and east to west from Berkshire Valley Road to Mount Arlington Road (Route 615). The manufacturing area of the main site (Block 6701, Lot 1) at its peak was over 800 acres, which is currently encompassed in a site-wide “Remediation Area” (Exhibit 2).

History and Production

The Kenvil Works Facility opened in 1871, manufacturing dynamite to support the local iron ore industry in the area. The site had direct access to the railway and a natural topography with significant steep slopes around the perimeter, creating a natural “bowl,” which helped to contain and buffer explosive areas. Since that time, the facility has expanded and has produced a variety of propellants and explosives and energetics (E&E) for a variety of end users. The most active periods of production supported the war efforts during WWI, WWII, the Korean War, and the Vietnam War. Products manufactured at Kenvil Works Facility included:

- Dynamite
- smokeless gunpowder
- trinitrotoluene (TNT)
- nitroglycerin (NG)
- pentaerythritol tetranitrate (PETN)
- Diazodinitrophenol (Diazo)
- Nitrocellulose rocket propellant
- ammonium nitrate fuel oil (ANFO)

Additional support facilities located on the main manufacturing site included two (2) large and four (4) smaller coal-fired powerhouses, a wastewater package treatment facility, and operational and managerial buildings.

The manufacturing and production areas (Exhibit 2) consisted of:

- TNT and PETN area
- Nitroglycerin area
- Ammonium nitrate fuel oil (AN)
- Diazo Area
- Maintenance Area

- A-Line and B-Line (production line) areas
- Finishing production area
- Development Area
- Storage Area

Waste Disposal and Historic Fill Areas

The most productive time for Kenvil Works Facility was during the War eras, which predated the regulations issued in the 1970s regarding control and disposal of hazardous wastes. As such, the Kenvil site includes several areas of historic fill and disposal consisting of:

- 2 large and 20 smaller dedicated waste disposal areas
- Liquid waste conveyance including unlined shallow ditches, trenches, ponds, including the 9-acre “Duck” pond in the north, underground pipes, and spray fields
- Coal and fly ash historic fill from the coal used in the six (6) powerhouses
- Other historic fill, including fill brought to the site from regional uses, and debris and other materials, moved on-site, especially after industrial accidents.

Industrial Accidents, Explosions, and Fires

Given the long history and nature of the materials produced, on-site accidents, fires, and explosions have occurred. Such events impacted the facility and residential uses in the Kenvil area. Significant events occurred in 1917, 1934, 1940, 1967, 1989, and 1994. The worst industrial accident in US history occurred in 1940, at the height of production for the war effort, where an explosion killed 51 people, injured over 200 people, and caused significant property damage on-site and in the adjacent Kenvil residential areas. An additional 29 workers died in explosions and fires between 1917 and 1967. The last two explosions occurred in 1989 and 1994, and operations on the site ended in 1996.

The impact of industrial accidents on the site not only resulted in the loss of life and property but also further affected environmental contamination and damage. Explosions scattered contaminated materials and debris across large swaths of the site, which went primarily undocumented. Fires cause further spread of contaminants by air, water, and other materials used to extinguish the fires.

Accidents occurred during the loading, unloading, and transporting of materials within the site, and many locations were undocumented.

Investigation and Remediation Timeline

Hercules has been an active and willing participant in the remediation of the site. After operations ceased, Hercules began the remediation process as follows:

- 1995 Hercules starts the Industrial Site Recovery Act (ISRA) and executes a Remedial Agreement with NJDEP
- 1996 Site investigations begin
- 2004 Site Investigation Report released

- 2005 NJDEP approves site investigation reports
- 2005 Hercules completes Phase I Remedial Investigation Work
- 2007 Phase I Remedial Investigation Report submitted to NJDEP
- 2009 Additional Groundwater Remedial Investigation Report released
- 2010 Phase II Remedial Investigation scope of work begins
- 2010 Hercules retains an LSRP and submits the initial Receptor Evaluation for the Facility
- 2011-2016 Phase II Remedial Investigation Work Plan and Investigation Activities begin
- 2016 Phase II Remedial Investigation Report Released
- 2013-2017 TNT Area studies and sampling begins
- 2018-2020 TNT work plan submitted to NJDEP
- 2018-2021 PCB soil sampling and remedial design and application to NJDEP and USEPA for work plans and permits
- 2022-2023 PCP soil remediation begins
- 2023 TNT remediation begins

As the timeline suggests, the process from investigation to remediation work has taken almost two decades, with remediation activities starting in 2022 in the designated TNT and PCB areas (Exhibit 2).