

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

RESOLUTION

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
BERKELEY HEIGHTS COMMITTING TO FOURTH ROUND PRESENT
AND PROSPECTIVE NEED AFFORDABLE HOUSING OBLIGATIONS**

WHEREAS, the Township of Berkeley Heights (hereinafter the “Township” or “Berkeley Heights”) has a demonstrated history of voluntary compliance as evidenced by its Third Round record; and

WHEREAS, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (Mount Laurel IV), on July 2, 2015, the Township of Berkeley Heights filed a Declaratory Judgment Complaint in Superior Court, Law Division seeking, among other things, a judicial declaration that its Third Round Housing Element and Fair Share Plan, to be amended as necessary, satisfies its “fair share” of the regional need for low and moderate income housing pursuant to the “Mount Laurel doctrine,” and

WHEREAS, that culminated in a Court-approved Third Round Housing Element and Fair Share Plan and a Final Judgment of Compliance and Repose, which precludes all Mount Laurel lawsuits, including builder’s remedy lawsuits until July 1, 2025; and

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, which amended the 1985 New Jersey Fair Housing Act (hereinafter the “Amended FHA”); and

WHEREAS, the Amended FHA required the Department of Community Affairs (“DCA”) to provide an estimate of the Fourth Round affordable housing obligations for all municipalities on or before October 20, 2024, based upon the criteria described in the Amended FHA; and

WHEREAS, the DCA issued a report on October 18, 2024 (“DCA Report”) wherein it reported its estimate of the Fourth Round affordable housing obligations for all municipalities based upon its interpretation of the standards in the Amended FHA; and

WHEREAS, the DCA Report calculates the Township’s Fourth Round (2025-2035) obligations as follows: a Present Need (Rehabilitation) Obligation of Zero (0) and a Prospective Need (New Construction) Obligation of 275; and

WHEREAS, the Amended FHA further provides that, irrespective of the DCA’s calculations, municipalities have the ability to either accept, or provide alternate calculations for, the DCA’s “present and prospective fair share obligation(s)...by binding resolution no later than January 31, 2025”, a deadline which was later extended to February 3, 2025 by the Administrative Office of the Courts (“AOC”) via a directive issued on December 19, 2024; and

WHEREAS, the Township accepts the DCA's Fourth Round Present Need (Rehabilitation) calculation of Zero (0), but does not accept the DCA's calculation of the Township's Income Capacity Factor or the Land Capacity Allocation Factor, which are two factors that are part of the DCA's calculation of the Township's Fourth Round Prospective Need (New Construction) calculation of 275; and

WHEREAS, as to the Land Capacity Allocation Factor, the Township notes that the DCA belatedly provided the data it used to establish this factor, i.e., on or about November 25, 2024, instead of by October 20, 2024; and

WHEREAS, the Township further notes that the link to the DCA GIS data that the DCA belatedly made available to municipalities includes the following language: "The land areas identified in this dataset are based on ... the best available data using publicly available data enumerated in N.J.S.A. 52:27D-304.3c.(4) to estimate the area of developable land, within municipal and regional boundaries, that may accommodate development. It is important to note that the identified areas could be over or under inclusive depending on various conditions and that municipalities are permitted to provide more detailed mappings as part of their participation in the Affordable Housing Dispute Resolution Program."; and

WHEREAS, the Township maintains that the Income Capacity Allocation factor has to be adjusted and that the areas the DCA identified as developable are indeed overinclusive and, consequently, the Township's Affordable Housing Planner, has prepared an expert report, attached hereto as **Exhibit A**; and

WHEREAS, correcting the Income Capacity Factor and Land Capacity Allocation Factor results in the reduction of Berkeley Heights Township's Fourth Round Prospective Need (New Construction) Obligation from 275 to 208; and

WHEREAS, Section 3 of the Amended FHA provides that: "the municipality's determination of its fair share obligation shall have a presumption of validity, if established in accordance with sections 6 and 7" of the Amended FHA; and

WHEREAS, the Township's acceptance of the Fourth Round obligations calculated by the DCA are entitled to a "presumption of validity" because it complies with Sections 6 and 7 of the Amended FHA; and

WHEREAS, in addition to the foregoing, the Township specifically reserves the right to adjust its fair share obligations in accordance with applicable Council on Affordable Housing ("COAH") regulations or other applicable law based on one or more of the foregoing adjustments if applicable: 1) a windshield survey or similar survey which accounts for a higher-resolution estimate of present need; 2) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; 3) a Durational Adjustment, whether predicated upon lack of sewer or lack of water; and/or 4) an adjustment predicated upon regional planning entity formulas, inputs or considerations, including but not limited to, the Highlands Council Regional Master Plan and its build out, or the Pinelands Commission or Meadowlands Commission regulations and planning document; and

WHEREAS, in addition to the foregoing, the Township specifically reserves all rights to revoke or amend this resolution and commitment, as may be necessary, in the event of a successful challenge to the Amended FHA in the context of the case The Borough of Montvale v. the State of New Jersey (MER-L-1778-24), any other such action challenging the Amended FHA, or any legislation adopted and signed into law by the Governor of New Jersey that alters the deadlines and/or requirements of the Amended FHA; and

WHEREAS, in addition to the foregoing, the Township reserves the right to take a position that its Fourth Round Present or Prospective Need Obligations are lower than described herein in the event that a third party challenges the calculations provided for in this Resolution (a reservation of all litigation rights and positions, without prejudice); and

WHEREAS, in addition to the foregoing, nothing in the Amended FHA requires or can require an increase in the Township's Fourth Round Present or Prospective Need Obligations based on a successful downward challenge of any other municipality in the region since the plain language and clear intent of the Amended FHA is to establish unchallenged numbers by default on March 1, 2025; and

WHEREAS, in addition to the foregoing, the Acting Administrative Director of the AOC issued Directive #14-24 on December 19, 2024; and

WHEREAS, pursuant to Directive #14-24, a municipality seeking a Fourth Round Compliance Certification from the entity created by the Amended FHA known as the Affordable Housing Dispute Resolution Program (hereinafter "the Program"), shall file an action in the appropriate venue with the Program, in the form of a Declaratory Judgment Complaint within 48 hours after adoption of the municipal resolution accepting or challenging its Fourth Round fair share obligations, or by February 3, 2025, whichever is sooner; and

WHEREAS, nothing in this Resolution shall be interpreted as an acknowledgment of the legal validity of AOC Directive #14-24 and the Township reserves any and all rights and remedies in relation to the AOC Directive; and

WHEREAS, the Township seeks a Compliance Certification from the Program and, therefore, wishes to file a Declaratory Judgment Complaint in the appropriate venue with the Program, along with a copy of this Resolution, within 48 hours of the adoption of this Resolution; and

WHEREAS, in light of the above, the Mayor and Township Council finds that it is in the best interest of the Township to declare its obligations in accordance with this Resolution; and

NOW, THEREFORE, BE IT RESOLVED on this 21st day of January of 2025, by the Township Council of the Township of Berkeley Heights, Union County, State of New Jersey, as follows:

1. All of the Whereas Clauses are incorporated into the operative clauses of this Resolution as if set forth in full.

2. For the reasons set forth in this Resolution, the Mayor and Township Council hereby commit to the DCA Fourth Round Present Need (Rehabilitation) Obligation of Zero (0) and the Fourth Round Prospective Need (New Construction) Obligation of 208 as described in this Resolution, subject to all reservations of rights, which specifically include, without limitation, the following:

- a) The right to adjust the Township’s fair share obligations based on a windshield survey or similar survey, a Vacant Land Adjustment, a Durational Adjustment, and all other applicable adjustments, permitted in accordance with applicable COAH regulations or other applicable law; and
- b) The right to revoke or amend this Resolution in the event of a successful legal challenge, or legislative change, to the Amended FHA; and
- c) The right to take any contrary position, or adjust its fair share obligations, in the event of a third party challenge to the Township’s fair share obligations.

3. Pursuant to the requirements of the FHA as amended, and the Administrator of the Court’s (AOC) Directive #14-24 issued on December 19, 2024, the Township Council hereby directs its Affordable Housing Counsel to file a Declaratory Judgment Complaint, along with this Resolution, a Case Information Statement (Civil CIS), and supporting expert report, in the appropriate venue with the Program or any other such entity as may be determined to be appropriate, to initiate an action within 48 hours of the adoption of this Resolution, so that the Township’s Fourth Round Housing Element and Fair Share Plan can be reviewed and approved.

4. This resolution shall take effect immediately, according to law.

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Council of the Township of Berkeley Heights at a regular meeting held on the 21st day of January 2025, a quorum being present and voting in the majority.



Angela Lazzari, Township Clerk

ROLL CALL	Aye	Nay	Abstain	Absent
COUTO	✓			
FOSTER	✓			
ILLIS	✓			
MACHADO	✓			
MORAN	✓			
POAGE	✓			
TIE:				
MAYOR DEVANNEY				

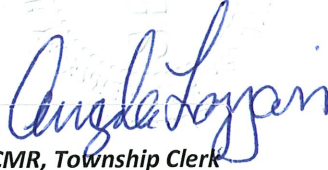
CERTIFIED TRUE COPY: 
 Angela Lazzari, RMC, CMR, Township Clerk
 In testimony whereof, I have hereunto set my hand and caused the seal of the Township of Berkeley Heights to be affixed.

EXHIBIT A



Date: January 17, 2025

To: Erik Nolan, Esq., Township Affordable Housing Attorney

From: Michael Mistretta, PP, LLA, Harbor Consultants, Inc.
Wyatt Grant, Harbor Consultants, Inc.

**Re: Fourth Round (2025-2035) Affordable Housing Obligation Calculation
Township of Berkeley Heights, New Jersey**

This memo has been prepared to outline the municipal requirements for the Township of Berkeley Heights to establish its Fourth Round (July, 2025 – July, 2035) present and prospective fair share obligation as mandated by the A4/S50 legislation, as well as detail the process and calculations used to determine the Township's Fourth Round present need obligation and prospective need obligation, which are to be adopted by binding resolution prior to January 31, 2025.

Background

On March 20, 2024, Governor Murphy signed into law affordable housing bill A4/S50, which established new guidelines for determining and regulating the affordable housing obligations of New Jersey municipalities for the fourth 10-year-round (July, 2025 – July, 2035). Per A4/S50, before a municipality establishes its Fourth Round present and prospective fair share obligation, "the [Department of Community Affairs] shall prepare and submit a report to the Governor, and, pursuant to section 2 of P.L.1991, c.164 (C.52:14- 19.1), to the Legislature providing a report on the calculations of regional need and municipal obligations for each region of the State within the earlier of seven months following the effective date of P.L.2024, c.2 (C.52:27D-304.1 et al.) or December 1, 2024" (N.J. Stat. § 52:27D-304.1). Then, "with consideration of the calculations contained in the relevant report published by the department... for each 10-year round of affordable housing obligations beginning with the fourth round, a municipality shall determine its present and prospective fair share obligation for affordable housing in accordance with the formulas established in sections 6 and 7 of P.L.2024, c.2 (C.52:27D-304.2 and C.52:27D-304.3) by resolution, which shall describe the basis for the municipality's determination and bind the municipality to adopt a housing element and fair share plan" (N.J. Stat. § 52:27D-304.1). For the Fourth Round, the municipal "determination of present and prospective fair share obligation shall be made by binding resolution no later than January 31, 2025" (N.J. Stat. § 52:27D-304.1).

In compliance with the aforementioned requirements, the Department of Community Affairs (DCA) released a report on October 18, 2024, titled "Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background," inclusive of a calculation spreadsheet, which detailed the datasets and calculations used to generate the non-binding affordable housing obligation for each municipality within New Jersey for the Fourth Round. This report was amended several days later to include revised language on the methodology for the land capacity factor calculation. Per this report, the Township's Fourth Round present need was calculated as 0 and the Township's Fourth Round prospective need was calculated as 275.

The Township has reviewed the DCA report and methodology established in A4/S50, which serve as the basis for the Township's evaluation and determination of its Fourth Round present and prospective fair share obligation. The ensuing sections of this memo provide an analysis of the process used to calculate the Township's Fourth Round present and prospective fair share obligation.

Present Need

Per A4/S50, "A municipality's present need obligation shall be determined by estimating the existing deficient housing units currently occupied by low- and moderate-income households within the municipality, following a methodology comparable to the methodology used to determine third round present need, through the use of datasets made available through the federal decennial census and the American Community Survey, including the Comprehensive Housing Affordability Strategy dataset thereof" (N.J. Stat. § 52:27D-304.2). A4/S50 further defines "deficient housing units" as "housing that: (1) is over fifty years old and overcrowded; (2) lacks complete plumbing; or (3) lacks complete kitchen facilities" (N.J. Stat. § 52:27D-304).

In the Third Round, municipal present need calculations were based on the number of housing units lacking complete kitchen facilities, the number of units lacking complete plumbing facilities, and the number of overcrowded units. The present need calculations for the Fourth Round conducted by the DCA similarly use datasets measuring these three factors, but as explained in their report, "The US Department of Housing and Urban Development (HUD) and the US Census Bureau publish separate tables on housing age, lack of plumbing facilities, lack of kitchen facilities, and overcrowding. However, there is no data source that reports the number of units that meet any one of those three conditions. Therefore, this number must be estimated using data from existing tables, with measures taken to account for overlap and to narrow the scope to deficient housing units occupied by low- and moderate-income [(LMI)] households." The DCA therefore used a combination of the latest data from HUD's Comprehensive Housing Affordability Strategy (CHAS) LMI dataset corresponding to the latest Census Bureau American Community Survey (ACS) data (which was 2017-2021 5 Year Estimates at the time of the report's release), data from the IPUMS Center for Data Integration, and the ACS Public Data Microdata Sample (PUMS) at the Public Use Microdata Area (PUMA) level to estimate the number of substandard/deficient low- and moderate-income occupied units ("present need") for each municipality in New Jersey.

Per the methodology outlined above and described in further detail in the DCA report, the Fourth Round present need obligation for the Township of Berkeley Heights is calculated as 0. The Township has reviewed the datasets and methodology used to calculate the Township's Fourth Round present need as published in the DCA report and spreadsheet, and the Township concurs with the report's Fourth Round present need calculation of 0 for the Township of Berkeley Heights.

Prospective Need

As described in A4/S50 and summarized in the DCA report, a municipality's Fourth Round prospective need obligation is calculated by multiplying its average allocation factor to the total prospective need of its corresponding Housing Region.

The average allocation factor is the average of three measures indicative of a municipality's capacity/potential to address the regional prospective need (equalized nonresidential valuation

factor, income capacity factor, and land capacity factor), which are further explained in the subsections below.

The Fourth Round prospective need for each Housing Region is determined by calculating the change in the number of households within each Housing Region between the 2010 Census and 2020 Census. Per A4/S50, "this household change, if positive, shall be divided by 2.5 to estimate the number of low- and moderate-income homes needed to address low- and moderate-income household change in the region and to determine the regional prospective need for a 10-year round of low- and moderate-income housing obligations. If household change is zero or negative, the number of low- and moderate-income homes needed to address low- and moderate-income household change in the region and the regional prospective need shall be zero" (N.J. Stat. § 52:27D-304.2).

The Township of Berkeley Heights is in Housing Region 2, which consists of Essex County, Morris County, Union County, and Warren County. Per the DCA report, the regional prospective need for Housing Region 2 is calculated as 20,506, and the Township's average allocation factor is calculated as 1.34%. The regional need of 20,506 multiplied by the Township's average allocation factor of 1.34% therefore results in a non-binding Fourth Round prospective need obligation calculation of 275.

The Township has evaluated the accuracy of the methodology and datasets used to calculate each of the three measures (equalized nonresidential valuation factor, income capacity factor, and land capacity factor) used to compute the average allocation factor and resulting Fourth Round prospective need, and based on this analysis, has arrived at a reduced Fourth Round prospective need obligation calculation of 208. The process for the Township's adjustment to the Fourth Round prospective need obligation published in the DCA report is detailed in the subsections below.

Equalized Nonresidential Valuation Factor

The equalized nonresidential valuation factor is one of the three components of the average allocation factor for each municipality. The equalized nonresidential valuation factor is representative of a municipality's share of the change in nonresidential property value within its Housing Region.

Per A4/S50, "the changes in nonresidential property valuations in the municipality, since the beginning of the round preceding the round being calculated, shall be calculated using data published by the Division of Local Government Services in the department. For the purposes of this paragraph, the beginning of the round of affordable housing obligations preceding the fourth round shall be the beginning of the gap period in 1999. The change in the municipality's nonresidential valuations shall be divided by the regional total change in nonresidential valuations to determine the municipality's share of the regional change as the equalized nonresidential valuation factor" (N.J. Stat. § 52:27D-304.3).

Following this methodology and as described in the DCA report, the equalized nonresidential factor for each municipality is calculated as follows:

1. The valuations of commercial properties and industrial properties in each municipality in 2023, per data from the NJ Division of Local Government Services, is summed and then

divided by the 2023 State Equalization Table Average Ratio corresponding with the municipality to obtain a total equalized nonresidential valuation for 2023.

2. The valuations of commercial properties and industrial properties in each municipality in 1999, per data from the NJ Division of Local Government Services, is summed and then divided by the 1999 State Equalization Table Average Ratio corresponding with the municipality to obtain a total equalized nonresidential valuation for 1999.
3. The difference in total equalized nonresidential valuation from 1999-2023 is calculated for each municipality.
4. The difference in total nonresidential valuation from 1999-2023 is summed for all municipalities (excluding Qualified Urban Aid municipalities) within each Housing Region.
5. The difference in total nonresidential valuation from 1999-2023 for each municipality is divided by the sum of differences in total nonresidential valuation from 1999-2023 for its corresponding Housing Region to compute the municipality's share of the regional nonresidential valuation change from 1999-2023.

Following this methodology, the Township of Berkeley Heights' equalized nonresidential valuation factor of 1.10% is calculated as follows:

1. **$\$362,843,000$ (2023 commercial valuation) + $\$33,776,700$ (2023 industrial valuation) = $\$396,619,700$ (2023 total nonresidential valuation). $\$396,619,700$ (2023 total nonresidential valuation) / **0.4615** (2023 State Equalization Table Average Ratio) = **$\$859,414,301$ (2023 total equalized nonresidential valuation).****
2. **$\$257,140,800$ (1999 commercial valuation) + $\$320,030,400$ (1999 industrial valuation) = $\$577,171,200$ (1999 total nonresidential valuation). $\$577,171,200$ (1999 total nonresidential valuation) / **1.0028** (1999 State Equalization Table Average Ratio) = **$\$575,559,633$ (1999 total equalized nonresidential valuation).****
3. **$\$859,414,301$ (2023 total equalized nonresidential valuation) - $\$575,559,633$ (1999 total equalized nonresidential valuation) = **$\$283,854,668$ (difference in total equalized nonresidential valuation from 1999-2023).****
4. **Housing Region 2 sum of differences in total equalized nonresidential valuation from 1999-2023, excluding Qualified Urban Aid municipalities = $\$25,808,891,055$.**
5. **$\$283,854,668$ (difference in total equalized nonresidential valuation from 1999-2023) / $\$25,808,891,055$ (Housing Region 2 sum of differences in total equalized nonresidential valuation from 1999-2023, excluding Qualified Urban Aid municipalities) = **0.0110 or 1.10%****

The Township has reviewed the datasets and methodology used to calculate the Township's Fourth Round equalized nonresidential valuation factor as published in the DCA report and spreadsheet (see above), and the Township concurs with the report's Fourth Round equalized nonresidential valuation factor calculation of 1.10% for the Township of Berkeley Heights.

Income Capacity Factor

The second component of the average allocation factor for each municipality is the income capacity factor. The income capacity factor measures the degree to which a municipality's median household income differs from an income floor of \$100 below the lowest median household income in its Housing Region.

Per A4/S50, a municipality's income capacity factor shall be "determined by calculating the average of the following measures:

- (a) The municipal share of the regional sum of the differences between the median municipal household income, according to the most recent American Community Survey Five-Year Estimates, and an income floor of \$100 below the lowest median household income in the region; and
- (b) The municipal share of the regional sum of the differences between the median municipal household incomes and an income floor of \$100 below the lowest median household income in the region, weighted by the number of the households in the municipality" (N.J. Stat. § 52:27D-304.3).

At the time of the release of the DCA report on October 18, 2024, the most recent American Community Survey Five-Year Estimates data for median household income and number of households were found in Table S1903 of the Census Bureau's American Community Survey 2018-22 5-Year Estimates.

Using the American Community Survey 2018-22 5-Year Estimates data, and following the methodology in A4/S50 outlined above, the Township of Berkeley Heights' income capacity factor of 1.76% was calculated in the DCA report as follows:

1. **\$196,389** (Median household income in the past 12 months in Berkeley Heights per 2022 ACS) - **\$46,360** (\$100 below the lowest median household income in Housing Region 2 of \$46,460 belonging to the City of Newark) = **\$150,029** (Municipal difference in median household income from Housing Region 2 income floor). **\$150,029** (Municipal difference in median household income from Housing Region 2 income floor) / **\$8,307,878** (Housing Region 2 sum of differences from income floor, excluding Qualified Urban Aid municipalities) = **0.0181 or 1.81%** (Berkeley Heights' share of the sum of the differences from the income floor in Housing Region 2, excluding Qualified Urban Aid municipalities).
2. **\$150,029** (Municipal difference in median household income from Housing Region 2 income floor) × **4,486** (Number of households in Berkeley Heights) = **\$673,030,094** (Municipal difference in median household income from Housing Region 2 income floor, excluding Qualified Urban Aid municipalities, weighted by households). **\$673,030,094** (Municipal difference in median household income from Housing Region 2 income floor, excluding Qualified Urban Aid municipalities, weighted by households) / **\$39,453,600,987** (Housing Region 2 sum of differences from income floor, excluding Qualified Urban Aid municipalities, weighted by households) = **0.0171 or 1.71%** (Berkeley Heights' share of the sum of the differences from the income floor in Housing Region 2, excluding Qualified Urban Aid municipalities, weighted by households).
3. **Average of 1.81%** (Berkeley Heights' share of the sum of the differences from the income floor in Housing Region 2, excluding Qualified Urban Aid municipalities) **and 1.71%** (Berkeley Heights' share of the sum of the differences from the income floor in Housing Region 2, excluding Qualified Urban Aid municipalities, weighted by households) = **0.0176 or 1.76%**

While the Township agrees with the Township's income capacity factor calculation of 1.76% at the time of the DCA report, A4/S50 states that the income capacity factor shall be calculated

“according to the most recent American Community Survey Five-Year Estimates.” On December 12, 2024, the United States Census Bureau released American Community Survey 2019-23 5-Year Estimates data. The Township therefore seeks to adjust its income capacity factor calculation based on the American Community Survey 2019-23 5-Year Estimates data for the municipalities in Housing Region 2, which can be found in Table S1903. The adjusted calculation of the Township’s income capacity factor using the American Community Survey 2019-23 5-Year Estimates data is detailed below:

1. **\$198,750** (Median household income in the past 12 months in Berkeley Heights per 2023 ACS) - **\$48,316** (\$100 below the lowest median household income in Housing Region 2 of \$48,416 belonging to the City of Newark) = **\$150,434** (Municipal difference in median household income from Housing Region 2 income floor). **\$150,434** (Municipal difference in median household income from Housing Region 2 income floor) / **\$8,646,298** (Housing Region 2 sum of differences from income floor, excluding Qualified Urban Aid municipalities) = **0.0174 or 1.74%** (Berkeley Heights’ share of the sum of the differences from the income floor in Housing Region 2, excluding Qualified Urban Aid municipalities).
2. **\$150,434** (Municipal difference in median household income from Housing Region 2 income floor) x **4,660** (Number of households in Berkeley Heights) = **\$701,022,440** (Municipal difference in median household income from Housing Region 2 income floor, excluding Qualified Urban Aid municipalities, weighted by households). **\$701,022,440** (Municipal difference in median household income from Housing Region 2 income floor, excluding Qualified Urban Aid municipalities, weighted by households) / **\$41,118,073,874** (Housing Region 2 sum of differences from income floor, excluding Qualified Urban Aid municipalities, weighted by households) = **0.0170 or 1.70%** (Berkeley Heights’ share of the sum of the differences from the income floor in Housing Region 2, excluding Qualified Urban Aid municipalities, weighted by households).
3. **Average of 1.74%** (Berkeley Heights’ share of the sum of the differences from the income floor in Housing Region 2, excluding Qualified Urban Aid municipalities) **and 1.70%** (Berkeley Heights’ share of the sum of the differences from the income floor in Housing Region 2, excluding Qualified Urban Aid municipalities, weighted by households) = **0.0172 or 1.72%**

Based on the re-calculation of the Township’s income capacity factor based on the most recent American Community Survey Five-Year Estimates, the Township derives an income capacity factor calculation of 1.72% rather than 1.76% as calculated in the DCA report.

Land Capacity Factor

The third component of the average allocation factor for each municipality is the land capacity factor. The land capacity factor indicates the percentage share of total “developable” land in a Housing Region accounted for by each municipality within that Region, excluding land area corresponding to Qualified Urban Aid municipalities.

A4/S50 states that the land capacity factor “shall be determined by estimating the area of developable land in the municipality’s boundaries, and regional boundaries, that may accommodate development through the use of the ‘land use / land cover data’ most recently published by the Department of Environmental Protection, data from the American Community Survey and Comprehensive Housing Affordability Strategy dataset thereof, MOD-IV Property

Tax List data from the Division of Taxation in the Department of the Treasury, and construction permit data from the Department of Community Affairs and weighing such land based on the planning area type in which such land is located. After the weighing factors are applied, the sum of the total developable land area that may accommodate development in the municipality and in the region shall be determined. The municipality's share of its region's developable land shall be its land capacity factor" (N.J. Stat. § 52:27D-304.3).

Following this methodology, the DCA conducted a GIS analysis to identify the "developable" land within the state using several publicly-available datasets, including but not limited to 2020 land use/land cover (LULC) data, New Jersey State Plan Planning Areas weighted by area type, statewide parcel data, open space and preserved farmland, category 1 waterways and wetlands, steep slopes, and open waters.

The steps below provide a summary of the analysis conducted by DCA to identify the "developable" land in the state and calculate each municipality's land capacity factor, which is further expanded upon in their report.

1. Weights were applied to all New Jersey State Plan Planning Areas as specified in A4/S50.
2. The layer of weighted Planning Areas was merged with land use/land cover (LULC) data for the entire state sourced from 2020 aerial imagery. 18 different types of LULC, such as cropland and pastureland, deciduous forest, and coniferous forest, were identified and extracted as "vacant, developable land" from this merged dataset.
3. Of these areas identified as "developable" from the merged dataset, areas without underlying parcel data and areas with MOD-IV Property Tax data with property class codes for residential, commercial, industrial, apartment, railroad, and school uses were removed to prevent rights-of-way, tree-covered rear yards on residential properties and buffer areas on non-residential development from being included in the "developable" land calculation.
4. Municipally-reported construction permit data was used to remove properties otherwise identified as vacant through the LULC analysis.
5. Areas mapped as open space, preserved farmland, category 1 waterways and wetlands (and associated buffers based on special resource area restrictions) were removed from the "developable" land dataset.
6. Using 10 foot digital elevation LiDAR data, steep slope areas exceeding 15% and steep slope areas consisting of 5,000 square feet or less were removed from the "developable" land dataset.
7. DCA reviewed an unspecified 22,000 vacant parcels to further remove homeowner association common areas, detention basins, and road and utility rights of way.
8. After the removal of all the aforementioned layers from the "developable" land dataset, remaining "slivers" of land with an area of 2,500 square feet or less were also removed due to their inability to support development.
9. The remaining land was identified as "developable" land and was summed based on the limits of each Housing Region and its corresponding municipalities.
10. The municipality's percentage of total identified "developable" land within its Housing Region constitutes its land capacity factor.

Through this analysis, the DCA reported 62.434 acres of “developable” land in the Township of Berkeley Heights and 5,358.483 acres of “developable” land in Housing Region 2, therefore computing a land capacity factor of 1.17% for the Township.

On November 27, 2024, the DCA released the output geospatial data (titled “Land Capacity Analysis for P.L. 2024, c.2”) generated from the GIS analysis used to compute the land capacity factor as described in the October 18, 2024 report. However, the DCA indicates in the description of this dataset that, “The land areas identified in this dataset are based on the best available data using publicly available data enumerated in N.J.S.A. 52:27D-304.3c.(4) to estimate the area of developable land, within municipal and regional boundaries, that may accommodate development. It is important to note that the identified areas could be over or under inclusive depending on various conditions and that municipalities are permitted to provide more detailed mappings as part of their participation in the Affordable Housing Dispute Resolution Program.”

The Township has therefore reviewed and mapped this dataset to evaluate the accuracy of the 62.434 acres of “developable” land identified in the Township used to calculate the Township’s land capacity factor of 1.17% in the DCA report. Under further analysis, the Township finds that several areas identified as “developable” in the Township by the DCA’s geoprocessing model are in fact not “developable.”

As part of this analysis, the Township has prepared the following:

1. A map of the “developable” lands within the Township as identified in the DCA report (see Exhibit A).
2. A redlined spreadsheet of the “developable” lands within the Township as identified in the DCA report (see Exhibit B), which was prepared by merging the “vacant and developable” land spatial data features in the “Land Capacity Analysis for P.L. 2024, c.2” dataset released by the DCA with current parcel MOD-IV data for the Township as provided by the Union County Board of Taxation. The spreadsheet details the “developable” land areas to be removed from the land capacity factor calculation, which are outlined in red, as well as a description of the reason for removal.

Based on this analysis, the Township finds that +/- 50.343 acres of the 62.434 acres of “developable” land identified in the DCA report are to be removed from the land capacity factor calculation, resulting in a recalculation of the land capacity factor based on +/- 12.091 total acres of “developable” land within the Township. The adjustment to the “developable” land within the Township consequently reduces the total “developable” land within Housing Region 2 from 5,358.483 acres to 5,308.141 acres.

The land capacity factor is therefore re-calculated as follows:

$12.091 \text{ acres of “developable” land in the Township of Berkeley Heights} / 5,308.141 \text{ acres of “developable” land in Housing Region 2} = 0.0023 \text{ or } 0.23\%$

Summary

Based on the adjustments to the income capacity factor and land capacity factor as described above, the Township’s average allocation factor is reduced from 1.340% to 1.017%, which when

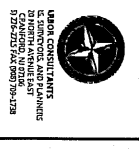
applied to the regional perspective need of 20,506 for Housing Region 2, lowers the Township's prospective need obligation from 275 to 208.

The table below summarizes the Township's Fourth Round present need obligation and prospective need obligation compared to the Township's Fourth Round obligations as calculated in the DCA report. Cells shaded red indicate an adjustment to a calculation provided in the DCA report.

BERKELEY HEIGHTS FOURTH ROUND OBLIGATION SUMMARY TABLE							
PRESENT NEED OBLIGATION							
DCA Calculation	Township Calculation						
0	0 <i>(Township accepts DCA calculation)</i>						
PROSPECTIVE NEED OBLIGATION							
DCA Calculation							
Equalized Nonresidential Valuation Factor	Income Capacity Factor	Land Capacity Factor			Average Allocation Factor	Regional Perspective Need	Berkeley Heights Prospective Need Obligation
		Housing Region 2 "Developable" Land (acres)	Township "Developable" Land (acres)	Land Capacity Factor Calculation			
1.10%	1.76%	5,358.483	62.434	1.17%	1.340%	20,506	275
Township Calculation							
Equalized Nonresidential Valuation Factor	Income Capacity Factor	Land Capacity Factor			Average Allocation Factor	Regional Perspective Need	Berkeley Heights Prospective Need Obligation
		Housing Region 2 "Developable" Land (acres)	Township "Developable" Land (acres)	Land Capacity Factor Calculation			
1.10 % <i>(Township accepts DCA calculation)</i>	1.72 %	5,308.141	12.091	0.23%	1.017%	20,506 <i>(Township accepts DCA calculation)</i>	208

EXHIBIT A

“Map of the ‘Developable’ Lands within the Township of Berkeley Heights per the
DCA Report”



Legend
■ Developable Land
per DCA Report

**Township of
Long Hill**

**Township of
Chatham**

**Borough of
New Providence**

**City
of
Summit**

**Borough of
Mountainside**

**Township of
Scotch Plains**

**Borough of
Watchung**

**Township of
Warren**

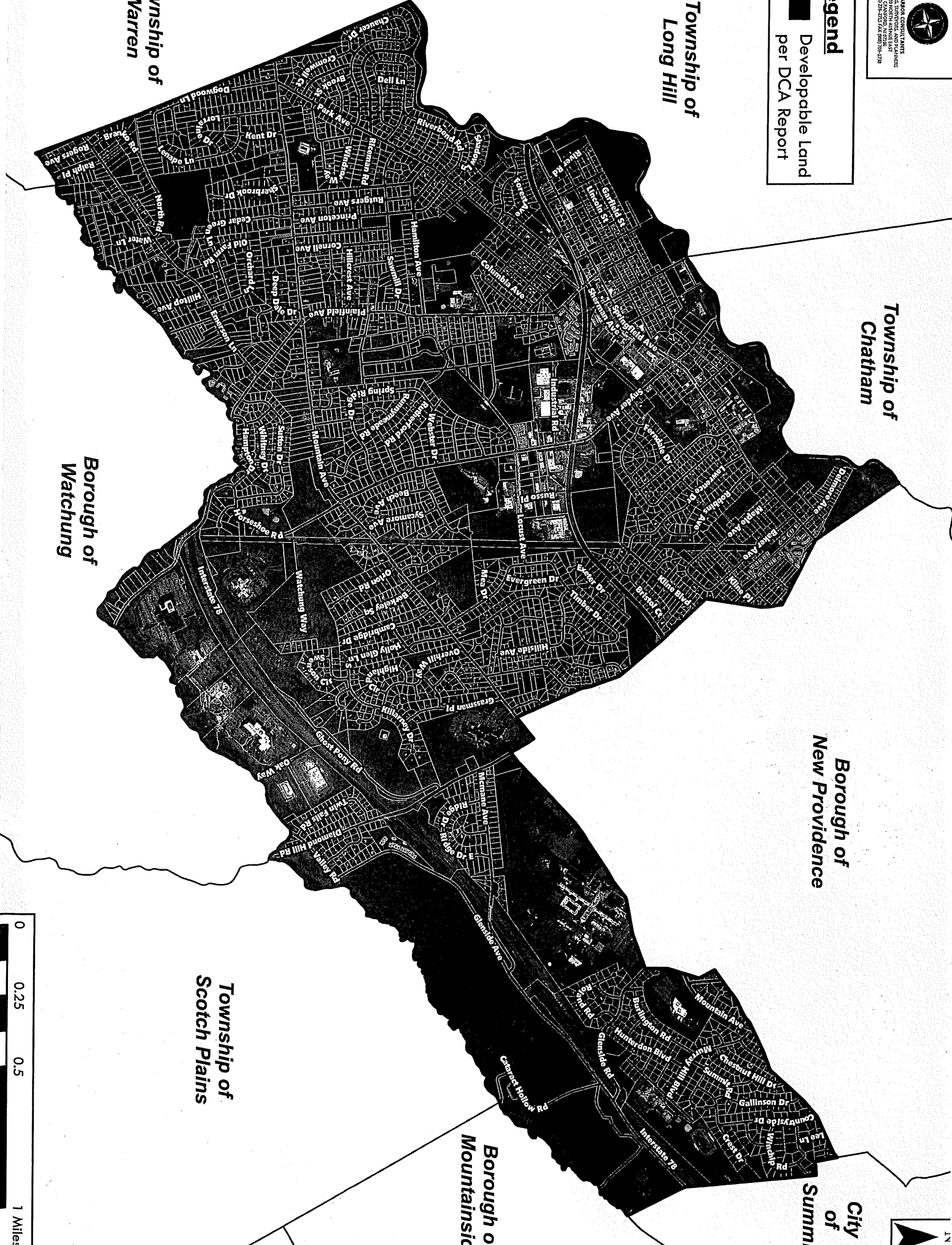


EXHIBIT B

“Redlined Spreadsheet of the ‘Developable’ Lands within the Township of Berkeley Heights per the DCA Report”

CHK	LOT	ADDITIONAL LOTS	QUALIFIER CODE	PROPERTY CLASS	ZONE	ADDRESS	OWNER NAME	OWNER ADDRESS	CITY / STATE	OWNER ADDRESS	ADDRESS ZIP CODE	FACILITY NAME	BUILDING DESCRIPTION (MOD-IV)	LAND DESCRIPTION (MOD-IV)	CALCULATED AREA - AC (MOD-IV)	PARCEL AREA - SF (STATE PLANE PROJ.)	PARCEL AREA - AC (STATE PLANE PROJ.)	DEVELOPABLE LAND AREA - SF (STATE PLANE PROJ.)	DEVELOPABLE LAND AREA - AC (STATE PLANE PROJ.)	COMMENTS
08	39			15C	OL	31 SWYDER AVE	TOWNSHIP OF BERKELEY HEIGHTS	29 PARK AVENUE	BERKELEY HEIGHTS, NJ	07922	07922	Single Family Residence	1SF	1,405 AC	1,40500	61,221,24793	1,40545	155,72956	0.00357	155.73 SF of developable land area silver / Single Family Residence
08	40			15C	OL	21 SWYDER AVE	TOWNSHIP OF BERKELEY HEIGHTS	29 PARK AVENUE	BERKELEY HEIGHTS, NJ	07922	07922	Sewerage Treatment Plant		9,800 AC	9,80000	376,758,89269	8,64923	36,531,78993	0.83407	Sewerage Treatment Plant / DEP food constraints
01	18			1	R-15	KUNZ AVE	KAK LLC	16182 COASTAL HIGHWAY	LEWES, DE	19558	19558			661 AC	0.66100	27,475,31046	0.63075	7,222,98488	0.16582	
01	62	NPROV B10 L1		1	R-15	1823 SPRINGFIELD AVE	ZECA ANDREA S & HOGAN, A JNTS	1823 SPRINGFIELD AVE	NEW PROVIDENCE, NJ	07974	07974			291 AC	0.28100	14,343,02928	0.32927	3,253,48889	0.07489	
04	5			15C	OL	CHRISTOPHER STREET	TOWNSHIP OF BERKELEY HEIGHTS	29 PARK AVENUE	BERKELEY HEIGHTS, NJ	07922	07922			1,300 AC	1,30000	55,543,25293	1.27510	35,555,01673	0.31625	Municipal Complex & DPW buildings / wetlands
04	6			15C	OL	COLUMBUS AVE	TOWNSHIP OF BERKELEY HEIGHTS	29 PARK AVENUE	BERKELEY HEIGHTS, NJ	07922	07922	GARAGE	1SC8	2,655 AC	2,65500	135,632,64932	3,11830	67,596,57119	1.56012	Municipal Complex & DPW buildings / wetlands
04	59			15C	OL	EUCOID AVE	TOWNSHIP OF BERKELEY HEIGHTS	29 PARK AVENUE	BERKELEY HEIGHTS, NJ	07922	07922	VACANT LAND		637 AC	0.63700	27,653,08570	0.63484	27,319,53184	0.62717	Env. constraints
03	1			1	DH-24	SHERMAN AVE	SHORT, EDWARD	P.O. BOX 510	BASKING RIDGE, NJ	07920	07920			564 AC	0.56400	27,402,62636	0.62908	27,402,62636	0.62908	Located in floodway / Snyder Avenue Brook
03	2			1	DH-24	SHERMAN AVE	PARAMOUNT PARTNERSHIP LLC	230 PRINCETON AVE	BERKELEY HEIGHTS, NJ	07922	07922			130 AC	0.13000	5,649,41090	0.12969	5,607,98900	0.12874	Located in floodway of Snyder Avenue Brook
03	8			19F	OL	ERIE LACK RR	LONG PINE DRIVE URBAN RENEWAL LLC	ONE EVERTJUST PLZ #804	JESSE CITY, NJ	07932	07932	IN-LIEU TAX PAYMENT	PILOT	220 AC	0.22700	7,728,47878	0.17738	7,728,47878	0.17738	Located in floodway / Snyder Avenue Brook
01	11			15D	R-15	96 FERRADALE DRIVE	DIAMOND HILL COMMUNITY CHURCH	1441 SPRINGFIELD AVE	NEW PROVIDENCE, NJ	07974	07974	PASSNGRGE	2SF2G	417 AC	0.41700	18,504,37893	0.42480	4,313,95893	0.09903	Single Family residence / parsonage
01	34			1	HB-2	MEAD STREET	PAONE REALTY ASSOCIATES, LLC	308-412 SPRINGFIELD AVE	BERKELEY HEIGHTS, NJ	07922	07922			138 AC	0.13800	5,975,48246	0.13718	5,502,57549	0.12832	Encompassed by floodway
106	11.01			1	R-15	BRUNS AVENUE	HOROWITZ, HARRY % BERKELEY SWIM CLUB	P O BOX 24	BERKELEY HEIGHTS, NJ	07922	07922			0.08900	0.08900	2,987,91440	0.06882	2,572,24847	0.05905	Church of the Little Flower / recent site plan approval and build out
301	21	1301-26 MERGED		15D	OL	310 PLAINFIELD AVE	CHURCH OF THE LITTLE FLOWER BERKELEY	290 PLAINFIELD AVE	BERKELEY HEIGHTS, NJ	07922	07922	CHURCH	1SS2SS1SS3G	11,480 AC	11,48000	487,955,74027	11,20197	103,353,02425	2.37667	
303	6			1	R-15	ROOSEVELT AVE	MORGAN, SUE ANN	6327 SEAVIEW PLACE	PITTSBURGH, PA	15206	15206			297 AC	0.29700	12,500,02714	0.28586	4,430,18692	0.10170	
601	23		OFARM	8B		MOUNTAIN AVE	WESTON, JONATHAN P.	1133 MOUNTAIN AVENUE	BERKELEY HEIGHTS, NJ	07922	07922			3,890 AC	3,89000	143,852,94993	3,30242	88,409,56059	2.02951	
715	23			15D	R-15	763 MOUNTAIN AVE	MT RIDGE BIBLE CHAPEL % RA HOWARD	763 MOUNTAIN AVENUE	BERKELEY HEIGHTS, NJ	07922	07922	CHURCH	2S8	1,868 AC	1,86800	81,108,70418	1,86201	23,468,13580	0.53971	Mt. Ridge Bible Chapel
815	6			15C	OL	355 HAMILTON AVE	TOWNSHIP OF BERKELEY HEIGHTS	29 PARK AVENUE	BERKELEY HEIGHTS, NJ	07922	07922	FIREHOUSE	FIREHOUSE	16,090 AC	16,09000	718,904,23319	16,03084	354,923,32015		Township Firehouse / Env. Restrictions substantially reduce the developable area
901	35			15F	LI	100-200 LOCUST AV	LOCUST BERKELEY DEVELOPERS URBAN BE	820 MORRIS TURNPIKE	SHORT HILLS, NJ	07078	07078	IN-LIEU TAX PAYMENT	PILOT	10,180 AC	10,18000	447,422,60958	10,26916	62,150,98846	1.42560	3rd round inclusionary Ag-Restricted Redevelopment.
901	44			1	LI	50 LOCUST AVE	50-60 LOCUST AVE ASSOC., LLC	P.O. BOX 492	BERKELEY HEIGHTS, NJ	07922	07922			590 AC	0.69000	29,647,68191	0.68062	27,970,02921	0.64211	
008	32			15D	R-15	725 MOUNTAIN AVE	WESTMINSTER PRESBYTERIAN CHURCH	725 MOUNTAIN AVENUE	BERKELEY HEIGHTS, NJ	07922	07922	CHURCH	1S8	6,000 AC	6,00000	254,977,04185	5,85349	57,798,14183	1.32989	WESTMINSTER PRESBYTERIAN CHURCH
201	16			15C	OL	378 SWYDER AVE	TOWNSHIP OF BERKELEY HEIGHTS	29 PARK AVENUE	BERKELEY HEIGHTS, NJ	07922	07922	RESOLVE SCD	1S8 RESOLVE SD	725 AC	0.72500	48,350,32603	1,10988	12,259,24919	0.28143	Berkley Heights Reserve Study
201	17			15D	OL	15 LOCUST AVENUE	B H POST #259 VET OF FOREIGN WARRIORS	15 LOCUST AVENUE	BERKELEY HEIGHTS, NJ	07922	07922	CLUB		889 AC	0.88900	30,444,60378	0.86973	3,847,07133	0.08832	VFW Hall
201	19			15C	OL	59 LOCUST AVE	BERKELEY HEIGHTS NYCA LLC	59 LOCUST AVE	BERKELEY HEIGHTS, NJ	07922	07922	POOL	1SC8 COMM POOL	17,400 AC	17,40000	740,587,78883	17,00162	334,867,26119	7.88753	YNCA
1704	3			1	R-20	EMERSON LANE	KHOVANNAN AT WARREN TOWNSHIP ILL	110 FIELDCREST AVE	EDISON, NJ	08837	08837			1,880 AC	1,88000	53,141,94390	1,21988	19,594,38838	0.44893	Part of K. Hoवानan Development
901	1.06			1	R-20	APPLE TREE ROW - REAR	FREE ACRES ASSOCIATION	210 EMERSON LANE	BERKELEY HEIGHTS, NJ	07922	07922			1,06 AC	1.06000	45,838,31194	1,00180	39,148,97265	0.89440	Free Acres Association
901	1.571			1	R-20	WATER LANE-REAR	FREE ACRES ASSOCIATION	C/O FREE ACRES ASSOC	BERKELEY HEIGHTS, NJ	07922	07922			510 AC	0.51000	18,313,43200	0.42042	18,313,43200	0.42042	Free Acres Association
901	1.87			1	R-20	70 GREENBROOK RD	FREE ACRES ASSOCIATION	C/O FREE ACRES ASSOC	BERKELEY HEIGHTS, NJ	07922	07922			1,805 AC	0.18050	14,001,79020	0.32144	8,260,64276	0.18954	Free Acres Association
102	40			15D		PLAINFIELD AVENUE	ST. MARY'S CHURCH - STONY HILL	225 MOUNTAIN BOULEVARD	WATCHUNG, NJ	07060	07060	VACANT LAND		226 AC	0.22600	9,998,90872	0.22954	8,060,05025	0.18503	Floodway
103	1.01	BL4002/15 BL3401/1		1	OL	HORSSHOE ROAD	RUNNELS PROPERTY INC	40 WATCHUNG WAY	BERKELEY HEIGHTS, NJ	07922	07922	VACANT LAND		226 AC	0.22600	14,001,79020	0.22954	8,060,05025	0.18503	
1401	48.01			1	R-20	110 CIRCLEVIEW AVE	J & PIRE HOLDING LIMITED LIABILITY C	1061 INMAN AVE	EDISON, NJ	08820	08820			46 AC	0.46000	20,585,64447	0.48131	6,38716	0.00015	Single Family Residence
1401	48.02			1	R-20	100 CIRCLEVIEW AVE	J & PIRE HOLDING LIMITED LIABILITY C	1061 INMAN AVE, APT D139	EDISON, NJ	08820	08820			71 AC	0.71000	29,672,30063	0.68119	2,314,60567	0.06691	

CHK	LOT	ADDITIONAL LOTS	QUALIFIER CODE	PROPERTY CLASS	ZONE	ADDRESS	OWNER NAME	OWNER ADDRESS	OWNER ADDRESS CITY / STATE	OWNER ADDRESS ZIP CODE	FACILITY NAME	BUILDING DESCRIPTION (MOD-IV)	LAND DESCRIPTION (MOD-IV)	CALCULATED AREA - AC (MOD-IV)	PARCEL AREA - SF (STATE PLANE PROJ.)	PARCEL AREA - AC (STATE PLANE PROJ.)	DEVELOPABLE LAND AREA - SF (STATE PLANE PROJ.)	DEVELOPABLE LAND AREA - AC (STATE PLANE PROJ.)	COMMENTS
101	49			15C	OL	REAR CIRCLE VIEW AVE	TOWNSHIP OF BERKELEY HEIGHTS	28 PARK AVENUE	BERKELEY HEIGHTS, NJ	07922	VACANT LAND		.544 AC	0.54400	23,561,48834	0.54090	5,813,52968	0.13348	Public utility
101	50	BL400215,33 09/7,01		1	OL	PLAINFIELD AVE	RUNNELLS PROPERTY LLC	40 WATCHUNG WAY	BERKELEY HEIGHTS, NJ	07922	VACANT LAND		3.200 AC	3.20000	134,837,73597	3.09546	83,567,31471	1.96438	Part of former Runnels Hospital complex w/ deed restriction (Book 6029, Page 125) Stomacher management facility Church & daycare facility
101	4			1	OR	120 GRASSMAN PLACE	CINNAMON RIDGE ASSOC C/O INTEGR8	200 VALLEY ROAD, STE 203	MT ARLINGTON, NJ	07866			1.461 AC	1.46100	55,691,45637	1.27828	3,270,48776	0.07508	
101	7			15D	OR	105 DIAMOND HILL RD	DIAMOND HILL COMMUNITY CHURCH	1441 SPRINGFIELD AVE	NEW PROVIDENCE, NJ	07974	CHURCH	158	.673 AC	0.67300	45,720,77644	1.04961	8,800,28738	0.20203	
101	1			1	R-20	35 GRASSMAN PLACE	ERDOS, PAUL	20 LINCOLN PLACE	NORTH PLAINFIELD, NJ	07060			.817 AC	0.81700	34,759,11803	0.79796	29,665,29611	0.69102	
101	1			15C	R78	PLAINFIELD AVE	N/ DEPT OF TRANSPORTATION	1035 PARKWAY AVE CN600	TRENTON, NJ	08625	RIGHT-OF-WAY		2.550 AC	2.55000	87,744,41813	2.01434	4,317,44292	0.09912	N/ DOT and restricted by Green Brook
102	16			15C	R78	GLENSIDE AVE	N/ DEPT OF TRANSPORTATION	1035 PARKWAY AVE CN600	TRENTON, NJ	08625	RIGHT-OF-WAY		20,720 AC	20.72000	653,299,69957	19.58914	96,111,43923	2.20642	N/ DOT Route 78 r.o.w.
101	2			1	R-20	PLAINFIELD AVE	THE CONNELL COMPANY	300 CONNELL DRIVE	BERKELEY HEIGHTS, NJ	07922			1.979 AC	1.97900	48,672,66875	1.11738	26,670,23266	0.61866	
101	3			1	R-20	1021 PLAINFIELD AVENUE	CONNELL COMPANY	300 CONNELL DR	BERKELEY HEIGHTS, NJ	07922			1.104 AC	1.10400	45,318,63060	1.04038	1,306,46981	0.02939	
101	5			1	R-20	1041 PLAINFIELD AVENUE	THE CONNELL COMPANY	300 CONNELL DRIVE	BERKELEY HEIGHTS, NJ	07922			1.552 AC	1.55200	75,366,48280	1.79018	45,158,12286	1.02669	
101	7			1	R-20	1067 PLAINFIELD AVENUE	THE CONNELL COMPANY	300 CONNELL DRIVE	BERKELEY HEIGHTS, NJ	07922			.862 AC	0.86200	39,021,48773	0.89581	13,947,29315	0.20641	
101	9			1	R-20	1085 PLAINFIELD AVENUE	THE CONNELL COMPANY	300 CONNELL DRIVE	BERKELEY HEIGHTS, NJ	07922			.857 AC	0.85700	38,693,73805	0.88829	12,700,89967	0.29157	
101	10			1	R-20	1095 PLAINFIELD AVENUE	THE CONNELL COMPANY	300 CONNELL DRIVE	BERKELEY HEIGHTS, NJ	07922			.976 AC	0.97600	41,514,21802	0.95304	22,778,95956	0.52294	
101	16			1	R-20	1129 PLAINFIELD AVENUE	THE CONNELL COMPANY	300 CONNELL DRIVE	BERKELEY HEIGHTS, NJ	07922			1.55716	0.41300	17,897,94874	0.40928	3,640,55977	0.08358	
101	17			1	R-20	1133 PLAINFIELD AVENUE	CONNELL COMPANY	300 CONNELL DR	BERKELEY HEIGHTS, NJ	07922			.499 AC	0.49900	22,703,23249	0.52120	4,667,79669	0.10716	
101	20			1	R-20	REAR PLAINFIELD AVE	RK & R, LLC	901 VALLEY RD	WATCHUNG, NJ	07069			.535 AC	0.53500	22,833,29944	0.52418	4,395,67146	0.10092	Floodway of Green Brook Homeowner's association open space
101	3			1	R-20	OLD COLONIAL ROAD	CINNAMON RIDGE ASSOC C/O INTEGR8	200 VALLEY ROAD, STE 203	MT ARLINGTON, NJ	07856			21,089 AC	21.08000	921,412,19095	21.15280	122,289,69787	2.80740	Homeowner's association open space
101	4			15C	R78	VALLEY ROAD	N/ DEPT OF TRANSPORTATION	1035 PARKWAY AVE CN600	TRENTON, NJ	08625	RIGHT-OF-WAY		20,110 AC	20.11000	646,320,64664	19.42893	111,313,06227	2.55541	N/ DOT Route 78
101	6			1	R-20	OLD COLONIAL ROAD	CINNAMON RIDGE ASSOC C/O INTEGR8	200 VALLEY ROAD, STE 203	MT ARLINGTON, NJ	07856			.820 AC	0.82000	30,849,59103	0.79822	3,542,05122	0.08131	Land between a driveway and Route 78 owned by a homeowner's association
101	2			1	R-20	DIAMOND HILL RD	AMERICAN WATER SSC	P.O. BOX 2726, TAX DEPT.	CAMDEN, NJ	08101			.640 AC	0.64000	24,235,18882	0.55637	5,092,11627	0.11552	Development (water tank) present on site; parcel completely encompassed by Block 440, Lct 3 / owned by Water Company
101	3			1	R-20	GHOST PONY ROAD	CINNAMON RIDGE ASSOC C/O INTEGR8	200 VALLEY ROAD, STE 203	MT ARLINGTON, NJ	07856			21,698 AC	21.69800	1,091,711,41375	25.06235	422,123,51690	9.46109	Open space set aside from subdivision / owned by homeowners association / slopes in excess of 15% per VLA
101	4			1	R-20	DIAMOND HILL RD	LEHARD INVESTMENT 2 LLC	398 WARRY CT	PISCATAWAY, NJ	08854			3.195 AC	3.19500	146,376,04349	3.36035	10,527,96969	0.24169	3rd round VLA, 20+% steep slopes (side of a mountain) and bisected by stream
102	1			15C	R78	OLD COLONIAL ROAD	N/ DEPT OF TRANSPORTATION	1035 PARKWAY AVE CN600	TRENTON, NJ	08625	RIGHT-OF-WAY		.840 AC	0.84000	21,036,63395	0.48294	7,529,77791	0.17286	
102	2			15C	R78	VALLEY ROAD	N/ DEPT OF TRANSPORTATION	1035 PARKWAY AVE CN600	TRENTON, NJ	08625	RIGHT-OF-WAY		17,195 AC	17.19500	665,450,98046	15.72685	25,312,59494	0.59110	
102	5			1	R-20	41 RIDGE DRIVE EAST	HILLTOP RIDGE, LLC	33 RIDGE DRIVE EAST	BERKELEY HEIGHTS, NJ	07922			.300 AC	0.30000	13,390,11221	0.30553	5,057,12540	0.11610	
103	31			15C	R78	DIAMOND HILL RD	N/ DEPT OF TRANSPORTATION	1035 PARKWAY AVE CN600	TRENTON, NJ	08625	RIGHT-OF-WAY		30,000 AC	30.00000	847,402,28506	19.48376	90,597,11888	1.16155	N/ DOT r.o.w.
101	2			15C	R78	GLENSIDE AVE	N/ DEPT OF TRANSPORTATION	1035 PARKWAY AVE CN600	TRENTON, NJ	08625	RIGHT-OF-WAY		8,100 AC	8.10000	400,603,13729	9.18662	34,490,64395	0.79180	N/ DOT r.o.w.
102	2			15C	R78	GLENSIDE AVE	N/ DEPT OF TRANSPORTATION	1035 PARKWAY AVE CN600	TRENTON, NJ	08625	RIGHT-OF-WAY		18,620 AC	18.62000	774,648,30743	17.78355	65,455,94974	1.50257	N/ DOT r.o.w.



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Prepared on 1/17/2025 by:

DCK	LOT	ADDITIONAL LOTS	QUALIFIER CODE	PROPERTY CLASS	ZONE	ADDRESS	OWNER NAME	OWNER ADDRESS	OWNER ADDRESS CITY, STATE	OWNER ADDRESS ZIP CODE	FACILITY NAME	BUILDING DESCRIPTION (MOD-IV)	LAND DESCRIPTION (MOD-IV)	CALCULATED AREA - AC (MOD-IV)	PARCEL AREA - SF (STATE PLANE PROJ.)	PARCEL AREA - AC (STATE PLANE PROJ.)	DEVELOPABLE LAND AREA - SF (STATE PLANE PROJ.)	DEVELOPABLE LAND AREA - AC (STATE PLANE PROJ.)	COMMENTS											
102	25			15C	R178	GLENSIDE AVE	NJ DEPT OF TRANSPORTATION	1035 PARKWAY AVE	TRENTON, NJ	08625	RIGHT-OF-WAY		11.724 AC	11,724.00	655,687,48452	19.67151	72,114,15810	1,65552	N/DOT r.o.w. / steep slopes											
108	1			15C	R178	GLENSIDE RD	NJ DEPT OF TRANSPORTATION	1035 PARKWAY AVE	TRENTON, NJ	08625	RIGHT-OF-WAY		2.810 AC	2,810.00	116,528,35574	2.67509	12,123,26601	0,27631												
<table border="1"> <thead> <tr> <th>TOTAL</th> <th>DEVELOPABLE LAND WITHIN PARCEL LINES</th> <th>DEVELOPABLE LAND OUTSIDE PARCEL LINES</th> <th>TOTAL DEVELOPABLE AREA PER DCA REPORT</th> <th>TOTAL DEVELOPABLE LAND TO BE REMOVED</th> <th>TOTAL DEVELOPABLE LAND REMAINING AFTER REMOVING REBUILDED PARCELS</th> </tr> </thead> <tbody> <tr> <td>62.42112</td> <td>62.42112</td> <td>0.01244</td> <td>62.43356</td> <td>50.34285</td> <td>12.09071</td> </tr> </tbody> </table>																			TOTAL	DEVELOPABLE LAND WITHIN PARCEL LINES	DEVELOPABLE LAND OUTSIDE PARCEL LINES	TOTAL DEVELOPABLE AREA PER DCA REPORT	TOTAL DEVELOPABLE LAND TO BE REMOVED	TOTAL DEVELOPABLE LAND REMAINING AFTER REMOVING REBUILDED PARCELS	62.42112	62.42112	0.01244	62.43356	50.34285	12.09071
TOTAL	DEVELOPABLE LAND WITHIN PARCEL LINES	DEVELOPABLE LAND OUTSIDE PARCEL LINES	TOTAL DEVELOPABLE AREA PER DCA REPORT	TOTAL DEVELOPABLE LAND TO BE REMOVED	TOTAL DEVELOPABLE LAND REMAINING AFTER REMOVING REBUILDED PARCELS																									
62.42112	62.42112	0.01244	62.43356	50.34285	12.09071																									

! This spreadsheet was not prepared or officially released by the DCA, the DCA only provided spatial data of the land areas identified as "vacant and developable" as part of the land capacity factor calculation. Our office prepared this spreadsheet of properties containing "vacant and developable" land as identified by the DCA by merging the spatial data for the "Land Capacity Analysis for P.L. 2024, c. 27" released by the DCA (see <https://dca.maps.arcgis.com/home/item.html?id=42acde0a51064818a294e9505574>) with current parcel MOD-IV data for the Township as provided by the Union County Board of Taxation (see https://taxrecs-dca.com/jsp/parcel/cg?z=maps_user=ch020&parent=4&id=115-201&arch_type=0&adv=2&adv_type=2).

FOURTH ROUND OBLIGATION CALCULATION		Regional Resp. Need	
Existing Region 2 Developable Land per DCA	5,598,482	Proposed Region 2 Developable Land	5,508,141
Existing Developable Land (acres) per DCA	82,434	Existing Land Capacity/Factor per DCA	1.17%
Proposed Developable Land (acres)	12,091	Proposed Land Capacity Factor	0.23%
Equalized Nonex. Valuation Factor per DCA	1.10%	Proposed Equalized Nonex. Valuation Factor	1.10%
Income Capacity Factor per DCA	1.76%	Proposed Income Capacity Factor	1.72%
Average Allocation Factor per DCA	1.346%	Proposed Average Allocation Factor	1.017%
Existing obligation	275	Proposed obligation	208