

Housing Plan Element and Fair Share Plan

Prepared for:

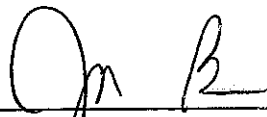
**The Borough of Manasquan
Monmouth County, New Jersey**

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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 follow up 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 affirmatively 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.

The Borough of Mansquan, which has always participated in the Mount Laurel process, received First Round Substantive Certification from COAH on March 14, 1994. The Borough also received Second Round Substantive Certification from COAH on December 15, 2004. In both rounds it was determined that the Borough's Realistic Development Potential or "RDP" was zero. In addition, the Borough filed a Round 3 Housing Element and Fair Share Plan and petitioned COAH for approval on December 31, 2008. The petition was deemed complete on March 3, 2009. The Borough's 2008 Round 3 plan was never approved by COAH, because the Appellate Division invalidated COAH's Round 3 regulations in 2010.

After COAH was unable to adopt new Round 3 regulations in 2014, the Supreme Court decided In re Adoption of N.J.A.C. 5:96 & 5:97 by the N.J. Council on Affordable Housing, 221 N.J. 1 (2015)("Mount Laurel IV"), in which it held that since COAH was no longer functioning, trial courts were

to resume their role as the form of first instance for evaluating municipal compliance with Mount Laurel obligations, and also established a transitional process for municipalities to seek a Judgment of Compliance and Repose ("JOR") in lieu of Substantive Certification from COAH. In response to Mount Laurel IV, the Borough of Manasquan filed a declaratory judgment action on July 2, 2015 to seek approval of its Housing Element and Fair Share Plan, as may be amended, and also sought and received temporary immunity from all Mount Laurel lawsuits, which is still in full force and effect.

On July 3, 2018, the Borough entered into a Settlement Agreement with Fair Share Housing Center ("FSHC") to settle its declaratory judgment action globally (hereinafter "FSHC Settlement Agreement"), which (1) established fair share numbers for the Present Need, the Prior Round and Round 3, (2) presented the agreed upon rules for compliance and (3) outlined how the Borough would comply with its fair share obligations by July of 2025. See Appendix B. A properly noticed Fairness Hearing to approve the FSHC Settlement Agreement was held on September 11, 2018, and an Order approving the FSHC Settlement Agreement was entered by the Court on September 14, 2018. See Appendix C.

Under COAH Prior Round 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 Borough of Manasquan, the housing region is defined by COAH as Region 4 and is comprised of Mercer, Monmouth and Ocean counties. In Region 4 the median income for a four-person household is \$92,614, the moderate-income level is \$74,091 and low-income is \$46,307.

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:

- 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;
- 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;
- An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age;
- An analysis of the existing and probable future employment characteristics of the municipality;
- 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
- 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.

MUNICIPAL SUMMARY

Manasquan is a largely built-out residential shore community located within Monmouth County, New Jersey, along the Atlantic Ocean. Much of the Borough is situated between Stockton Lake to the north and the Glimmer Glass Inlet to the south. The Borough, 2.5 square miles in size, has a land mass running along a northwest-southeast orientation. Manasquan is bordered by four municipalities; the Monmouth County municipalities of Sea Girt Borough to the northeast, Wall Township to the northwest, and Brielle Borough to the southwest, and the Ocean County municipality of Point Pleasant Beach Borough to the south across the Manasquan Inlet.

Manasquan's land uses are typical of a shore community. Residential inland neighborhoods are punctuated by neighborhood-commercial type development along Main Street and East Main Street. The shore area is a mixture of mainly residential uses with some commercial enterprises serving the needs of beach-goers in season. There is no developable vacant land left in the Borough. Few major roads run through Manasquan, with the exception of County Route 71, which traverses the Borough in a north-south direction. Local arterial roads include Broad Street, East Main Street, and Brielle Road. The Borough is served by rail transit, with a station stop of the North Jersey Coast line located at E Main Street and Warren Avenue.

The Borough contains or is in the immediate vicinity of a number of notable natural features. The Judas Creek, a tributary of Stockton Lake, is situated in the northern portion of the Borough, and the Robert Swamp Brook runs along its southwestern boundary with Brielle. Major waterbodies include the Crabtown Creek, Watson Creek, and Manasquan River, all tidal waterbodies flowing through the Manasquan Inlet into the Atlantic. Fisherman's Cove Conservation Area is located within the Borough, a 55-acre site owned and managed by the Monmouth County Parks system. Given its coastal location, a portion of Manasquan is located within the State-designated area subject to the Coastal Area Facility Review Act (CAFRA).

Manasquan had a population of 5,830 in 2015, according to the U.S. Census Bureau's Annual Estimates of Resident Population, 2011 through 2015. Manasquan has a population density of 3,898 persons per square mile of land area, which is higher than Monmouth County's overall density of 1,342 persons per square mile. Manasquan grew older between 2000 and 2015, with a 2000 median age of 39, and a 2015 median age of 45.6 years of age. The Borough's 2015 median household income estimate of \$93,200 was higher than that of the County (\$85,242) and the State (\$72,093). In the guidelines established by COAH, Manasquan Borough is located in affordable housing Region 4 which is comprised of Monmouth, Mercer, and Ocean Counties.

DEMOGRAPHIC CHARACTERISTICS

POPULATION

In 2015, the Borough of Manasquan had a total population of 5,830. This number represented a net decrease of 480 individuals or 7.6 percent since 2000, when the total population peaked at 6,310 individuals. Manasquan experienced a steady increase from 1940 to 1970, followed by a tapered increase in population from 1970 to 1990. The sharpest increase occurred between 1990 and 2000. The Borough's population has decreased since then. The 2010 population of 5,897 represented approximately 1 percent of the total population of Monmouth County. The total population pattern over time for both Manasquan and Monmouth County are detailed below.

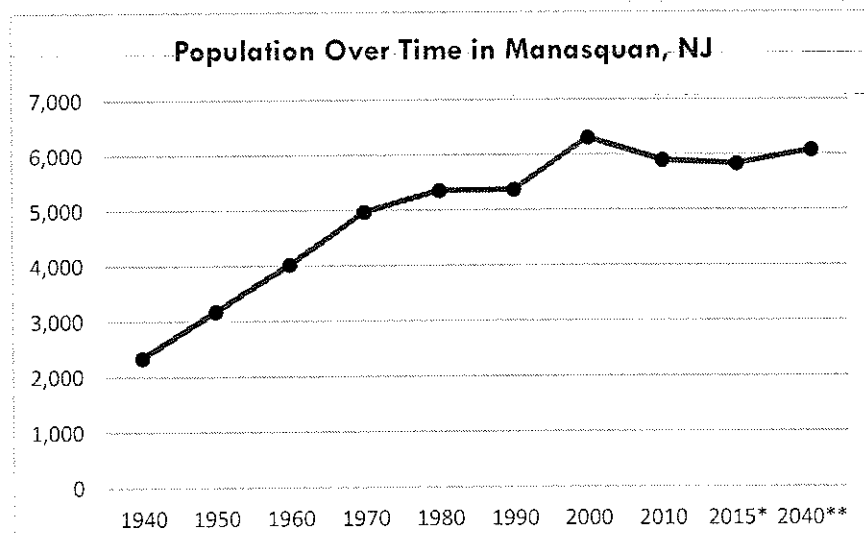
TABLE 1: POPULATION TRENDS, 1940-2015

Year	Manasquan			Monmouth County			New Jersey		
	Population	Change		Population	Change		Population	Change	
		Number	Percent		Number	Percent		Number	Percent
1940	2,340	-	-	161,238	-	-	4,160,165	-	-
1950	3,178	838	35.8%	225,327	64,089	39.7%	4,835,329	675,164	16.2%
1960	4,022	844	26.6%	334,401	109,074	48.4%	6,066,782	1,231,453	20.0%
1970	4,971	949	23.6%	461,849	127,448	38.1%	7,171,112	1,104,330	18.2%
1980	5,354	383	7.7%	503,173	41,324	8.9%	7,365,011	193,899	2.7%
1990	5,369	15	0.3%	553,124	49,951	9.9%	7,730,188	365,177	4.7%
2000	6,310	941	17.5%	615,301	62,177	11.2%	8,414,350	684,162	8.9%
2010	5,897	-413	-6.5%	630,380	15,079	2.5%	8,791,894	377,544	4.5%
2015*	5,830	-67	-1.1%	629,185	-1,195	-0.2%	8,904,413	112,519	1.3%
2040**	6,080	250	4.3%	696,900	67,715	10.8%	-	-	-

Source: U.S. Census Bureau Decennial Census (table DP-1)

*U.S. Census Bureau, 2011-2015 ACS 5-Year Estimates (table B01003)

**Projections from North Jersey Transportation Planning Authority



POPULATION COMPOSITION BY AGE

The age composition of Manasquan has shifted noticeably since 2000. According to American Community Survey 5-Year Estimates, 2011-2015, significant changes occurred in many age groups. The number of elementary and pre-school-aged children has decreased significantly over this time period, as has the number of adults aged 35 to 44 years. Conversely, the Borough has seen a significant increase in the number of residents aged 55 years and older. The greatest percentage increases occurred in the 85 years and over cohort, which grew by 57.5 percent, and in the 60 to 64 age cohort, which increased by 55.1 percent over the same timeframe.

TABLE 2: POPULATION BY AGE COHORT, MANASQUAN, 2000-2015

Population	2000		2015		Change 2000- 2015
	Number	Percent	Number	Percent	
Total population	6,310	100.0%	5,830	100%	-7.6%
Under 5 years	391	6.2%	179	3.1%	-54.2%
5 to 9 years	425	6.7%	162	2.8%	-61.9%
10 to 14 years	428	6.8%	379	6.5%	-11.4%
15 to 19 years	373	5.9%	385	6.6%	3.2%
20 to 24 years	304	4.8%	419	7.2%	37.8%
25 to 34 years	783	12.4%	746	12.8%	-4.7%
35 to 44 years	1,082	17.1%	530	9.1%	-51.0%
45 to 54 years	960	15.2%	893	15.3%	-7.0%
55 to 59 years	337	5.3%	509	8.7%	51.0%
60 to 64 years	285	4.5%	442	7.6%	55.1%
65 to 74 years	485	7.7%	667	11.4%	37.5%
75 to 84 years	344	5.5%	341	5.8%	-0.9%
85 years and over	113	1.8%	178	3.1%	57.5%
2000 US Census Bureau (table DP-1) U.S. Census Bureau, American Community Survey 2011-2015 (table DP-05)					

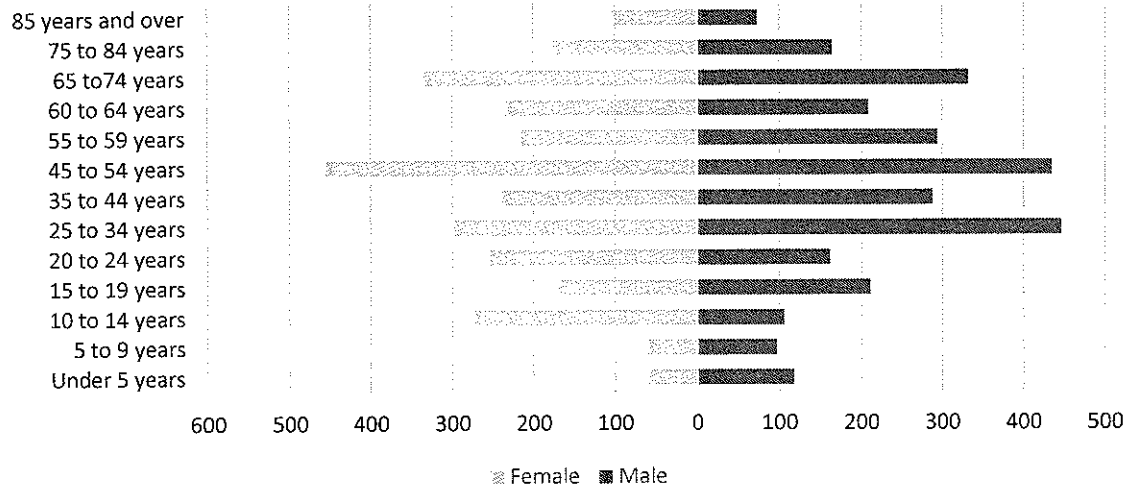
Monmouth County also experienced shifts in the age make-up of its population. The County experienced a significant decrease in elementary and middle school-aged population. The 25 to 34 year old and 35 to 44 year old age cohorts also experienced substantial population decreases over this timeframe. Similar to the Borough, the percentage of the County's older age cohorts (45 to 54 years, 55 to 64 years, and 65 years

and older) all experienced increases between 2000 and 2015, suggesting that the County, like Manasquan, has an aging population. The similarities in population age distribution between the Borough and the County are illustrated by the likeness in the shape of their population pyramids provided below.

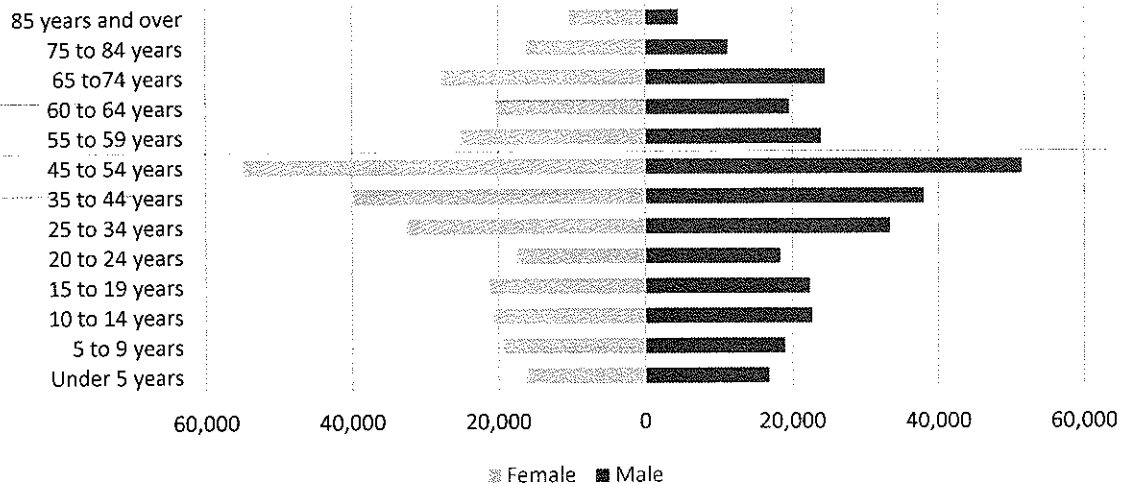
TABLE 3: POPULATION BY AGE COHORT, MONMOUTH COUNTY, 2000-2015

Population	2000		2015		Change 2000 to 2015	
	Number	Percent	Number	Percent	Number	Percent
Total population	615,301	100.0%	629,185	100.0%	13,884	2.3%
Under 5 years	42,231	6.9%	32,888	5.2%	-9,343	-22.1%
5 to 14	93,278	15.2%	81,862	13.0%	-11,416	-12.2%
15 to 24	67,406	11.0%	79,501	12.6%	12,095	17.9%
25 to 34	75,308	12.2%	66,349	10.5%	-8,959	-11.9%
35 to 44	111,681	18.2%	78,126	12.4%	-33,555	-30.0%
45 to 54	92,239	15.0%	106,214	16.9%	13,975	15.2%
55 to 64	56,235	9.1%	89,169	14.2%	32,934	58.6%
65 and over	76,923	12.5%	95,076	15.1%	18,153	23.6%

Manasquan Population Pyramid, 2015



Monmouth County Population Pyramid, 2015



The median age of Borough residents has increased considerably between 2000 and 2015. This trend is consistent with the general “graying” of America as the Baby Boom generation continues to age. While the State, County, and Borough have all experienced increases in median age between 2000 and 2015, the Borough experienced the greatest increase over that timeframe. The Borough also exhibits the highest median age of the three populations.

TABLE 4: MEDIAN AGE

Year	Manasquan	Monmouth County	New Jersey
2000	39	37.7	36.7
2015	45.6	42.3	39.4
Change	6.6	4.6	2.7
U.S. Census Bureau, 2000 Decennial Census (table DP-1) U.S. Census Bureau, American Community Survey 2011-2015 (table DP-05)			

HOUSEHOLDS

A household is defined as one or more persons, either related or not, living together in a housing unit. 2015 ACS 5-Year Estimates note that there were approximately 2,304 households in the Borough. Approximately 64 percent of the Borough’s households were comprised of one or two persons, and approximately 30 percent of all Borough households were one-person households. Similarly, approximately 26 percent of Monmouth County households were one-person households and 31.2 percent of County households were two-person households. The Borough and County contain a similar makeup of household size. The Borough’s average household size was 2.53 while the County’s average household size was 2.67 according to these estimates.

**TABLE 5: HOUSEHOLD CHARACTERISTICS
MANASQUAN AND MONMOUTH COUNTY, 2015**

	Manasquan		Monmouth County	
	Number	Percent	Number	Percent
Total Households	2,304	100.0%	233,105	100.0%
1-person	675	29.3%	60,419	25.9%
2-persons	804	34.9%	72,772	31.2%
3-persons	265	11.5%	39,624	17.0%
4 or more persons	558	24.2%	60,290	25.9%
Average Household Size	2.53		2.67	
U.S. Census Bureau, American Community Survey 2011-2015 (tables S2501 & B25010)				

Family households are defined as two or more persons living in the same household, related by blood, marriage or adoption. Most households in Manasquan were families, comprising 63.5 percent of all households. Approximately 85 percent of all family households were family households with married couple householders, while 6.8 percent and 8.2 percent of family households respectively were family households consisting of single parent male or female householders. Average family size was 3.03 persons. Of all Borough households, 36.5 percent were non-family households.

TABLE 6: HOUSEHOLDS BY TYPE (2015)

Household Size	Total	Percent
Total Households	2,304	100.0%
1 person household	675	29.3%
2 or more person household	1,627	70.6%
Family households	1,464	63.5%
Married Couple Family	1,244	85.0%
With own children under 18 years	431	34.6%
No children under 18 years	813	65.4%
Other Family	220	9.5%
Male householder, no wife present	100	6.8%
With own children under 18 years	67	67.0%
No own children under 18 years	33	33.0%
Female householder, no husband present	120	8.2%
With own children under 18 years	13	10.8%
No own children under 18 years	107	89.2%
Nonfamily Households	840	36.5%
Average Family Size	3.03	
U.S. Census Bureau, American Community Survey 2011-2015 (table S1101)		

INCOME

Manasquan experienced a 54.7 percent increase in per capita income between 2000 and 2015, which was substantially higher than Monmouth County's 39.6 percent increase, and on par with the State's 35.5 percent increase over the same period. The Borough's per capita income of \$50,879 is higher than the County's \$43,469 per capita income figure, and is substantially more than the State's \$36,582 per capita income.

TABLE 7: PER CAPITA INCOME AND MEDIAN HOUSEHOLD INCOME

	2000 Per Capita Income	2015 Per Capita Income	Percent Chang e	2000 Median Househol d Income	2015 Median Househol d Income	Percent Chang e
Manasquan	\$32,898	\$50,879	54.7%	\$63,079	\$93,200	47.8%
Monmouth County	\$31,149	\$43,469	39.6%	\$64,271	\$85,242	32.6%
New Jersey	\$27,006	\$36,582	35.5%	\$55,146	\$72,093	30.7%
U.S. Census Bureau, 2000 Decennial Census (tables DP-3 and P082) U.S. Census Bureau, American Community Survey 2011-2015 (tables S1902 and S1903)						

The income distribution for the Borough is similar to that of the County. The income bracket containing the highest percentage of households was the \$100,000 to \$149,999 range for both Manasquan (18 %) and the County (18.7%). There is a clear divide at the \$50,000 mark, with 77.4 percent of households in Manasquan earning more than this amount, but with a fairly uniform distribute in each bracket above this threshold income. Households in Manasquan earned more than households in Monmouth County and the state overall in 2015. The median income in Manasquan was \$93,200, approximately \$8,000 more than the county median household income and \$21,000 more than the state median household income. Between 2000 and 2015, the median household income increased by 47.8 percent, less than the 32.6 percent growth rate experienced in Monmouth County and the 30.7 percent increase for the State overall.

**TABLE 8: HOUSEHOLD INCOME DISTRIBUTION
MANASQUAN AND MONMOUTH COUNTY, 2015**

	Manasquan		Monmouth County	
	Number	Percent	Number	Percent
Total Households	2,304	100.0%	233,105	100.0%
Less than \$10,000	75	3.3%	9,486	4.1%
\$10,000 to \$14,999	86	3.7%	7,152	3.1%
\$15,000 to \$24,999	53	2.3%	16,568	7.1%
\$25,000 to \$34,999	169	7.3%	16,469	7.1%
\$35,000 to \$49,999	137	5.9%	20,691	8.9%
\$50,000 to \$74,999	391	17.0%	33,078	14.2%
\$75,000 to \$99,999	288	12.5%	29,102	12.5%
\$100,000 to \$149,999	414	18.0%	43,498	18.7%
\$150,000 to \$199,999	324	14.1%	24,853	10.7%
\$200,000 or more	367	15.9%	32,208	13.8%
U.S. Census Bureau, American Community Survey 2011-2015 (table B19001)				

HOUSEHOLD COSTS

The tables below show housing expenditures for owner- and renter-occupied units in Manasquan in 2015. The first table shows the housing costs of owner occupants as a percentage of total income. A total of 532 households (30.4%) were devoting more than 30 percent of their annual income to housing costs. The State affordability threshold for housing as a percent of income suggests that not more than 28 percent of gross income should be allocated for housing costs.

The second table shows rental costs as a percentage of household income. A total of 273 households renting in Manasquan, or 49.3 percent, were spending over 30 percent of their incomes on rent. The State affordability threshold for housing as a percent of income suggests that not more than 30 percent of gross income should be allocated for rent.

**TABLE 9: MONTHLY OWNER COSTS AS A
PERCENTAGE OF HOUSEHOLD INCOME, 2015**

	Manasquan		Monmouth County	
	Number	Percentage	Number	Percentage
Total Owner-Occupied Housing Units	1,750	100.0%	173,378	100.0%
Less than 15%	550	31.4%	40,691	23.5%
15 to 19%	273	15.6%	25,275	14.6%
20 to 24%	184	10.5%	23,876	13.8%
25 to 29%	211	12.1%	19,244	11.1%
30 to 34%	115	6.6%	13,551	7.8%
35% or more	417	23.8%	49,807	28.7%
Not computed	0	0.0%	934	0.5%
U.S. Census Bureau, American Community Survey 2011-2015 (table B25091)				

TABLE 10: GROSS RENT AS A PERCENTAGE OF HOUSEHOLD INCOME, 2015

	Manasquan		Monmouth County	
	Number	Percentage	Number	Percentage
Total Renter-Occupied Housing Units	554	100.0%	59,727	100.0%
Less than 15%	125	22.6%	5,416	9.1%
15 to 19%	53	9.6%	5,220	8.7%
20 to 24%	53	9.6%	6,699	11.2%
25 to 29%	36	6.5%	6,294	10.5%
30 to 34%	11	2.0%	4,967	8.3%
35% or more	262	47.3%	27,292	45.7%
Not computed	14	2.5%	3,839	6.4%
U.S. Census Bureau, American Community Survey 2011-2015 (table B25070)				

EXISTING HOUSING CONDITIONS

HOUSING UNIT DATA

Manasquan's housing stock is predominantly owner occupied and relatively new. According to the 2015 ACS, the Borough had a total of 3,435 housing units, 2,304 (67.1%) of which are occupied. As typical for a shore community, most of the vacant units are reported as being second homes (76.3% of total vacant units). Of the Borough's fully occupied housing units, most (76.0%) were owner-occupied, while 24.0 percent were renter-occupied. There appears to have been three distinct peaks of house-building activity in Manasquan: pre-1939, 1950-1969, and 2000-2009. Housing construction appears to have slowed since the 2010, but this is likely due to a lack of data on the post-sandy period of building. The median age of the Borough's housing is 1963.

TABLE 11: OCCUPANCY DATA, 2015

Housing Units in Manasquan	Number	Percent
Total Housing Units	3,435	100.0%
Occupied Housing Units	2,304	67.1%
Owner Occupied	1,750	76.0%
Renter Occupied	554	24.0%
Vacant Housing Units	1,131	32.9%
For Rent / Rented Not Occupied	106	9.4%
For Sale Only	59	5.2%
Sold, not occupied	0	0.0%
For Seasonal, Recreational or Occasional Use	863	76.3%
Other Vacant	103	9.1%
U.S. Census Bureau, American Community Survey 2011-2015 (tables DP04 and B25004)		

TABLE 12: AGE OF HOUSING, 2015

	Number	Percent
Built 1939 or earlier	831	24.2%
Built 1940 to 1949	104	3.0%
Built 1950 to 1959	679	19.8%
Built 1960 to 1969	363	10.6%
Built 1970 to 1979	250	7.3%
Built 1980 to 1989	236	6.9%
Built 1990 to 1999	210	6.1%
Built 2000 to 2009	742	21.6%
Built 2010 or later	20	0.6%
Total	3,435	100.0%
Median Year Structure Built	1963	
U.S. Census Bureau, American Community Survey 2011-2015 (table DP04 and B25035)		

HOUSING TYPE AND SIZE

The housing stock in Manasquan is dominated by single-family detached homes, which comprise approximately 82 percent of the Borough's housing stock. Duplex and low-density multi-family units provide the majority of multi-family options in the Borough, together comprising about 14 percent of all units. The median number of rooms per unit was 6.3.

TABLE 13: HOUSING UNITS BY TYPE, 2015

Units in Structure	Total	Percent
Total	3,435	100.0%
1 Unit, detached	2,809	81.8%
1 Unit, attached	59	1.7%
2 Units	314	9.1%
3 or 4 Units	164	4.8%
5 to 9 Units	39	1.1%
10 to 19 Units	31	0.9%
20 Units or more	19	0.6%
Mobile home	0	0.0%
Boat, RV, van, etc.	0	0.0%
Rooms	Total	Percent
1 room	91	2.6%
2 rooms	92	2.7%
3 rooms	262	7.6%
4 rooms	262	7.6%
5 rooms	590	17.2%
6 rooms	524	15.3%
7 rooms	650	18.9%
8 rooms	435	12.7%
9 or more rooms	529	15.4%
Median number of rooms	6.3	

U.S. Census Bureau, American Community Survey 2011-2015 (DP04)

HOUSING VALUES AND CONTRACT RENTS

According to ACS 5-Year Estimates, most housing units in Manasquan (68.4%) were valued at over \$500,000. Table 14 provides a breakdown of home values for owner-occupied units within the Borough. Only 37 owner-occupied housing units in Manasquan were worth less than \$100,000. The median value of an owner-occupied housing unit was \$629,000 at the time of the survey.

TABLE 124: VALUE OF OWNER-OCCUPIED HOUSING UNITS, 2015

	Manasquan		Monmouth County	
	Number	Percentage	Number	Percentage
Total	1,750	100.0%	173,378	100.0%
Less than \$50,000	26	1.5%	4,274	2.5%
\$50,000 to \$99,999	11	0.6%	2,597	1.5%
\$100,000 to \$149,999	0	0.0%	4,625	2.7%
\$150,000 to \$199,999	20	1.1%	8,214	4.7%
\$200,000 to \$299,999	80	4.6%	33,465	19.3%
\$300,000 to \$499,999	416	23.8%	66,926	38.6%
\$500,000 to \$999,999	1,058	60.5%	45,369	26.2%
\$1,000,000 and greater	139	7.9%	7,908	4.6%
Median Value	\$629,000		\$385,100	
U.S. Census Bureau, American Community Survey 2011-2015 (table DP04)				

With respect to renter-occupied units, there are a range of rents, with most rental units in the Borough carrying rental costs either within the \$500 to \$999 range or the \$1,000 to \$1,499 range per month. At the time of the ACS 5-Year Estimates, the median gross rent in Manasquan was \$1,324, slightly above the County median rent of \$1,238. No units in the Borough carried rental costs less than \$500 per month, while only 9 units did not require cash rent payments.

TABLE 15: GROSS RENT PAID

	Manasquan		Monmouth County	
	Number	Percentage	Number	Percentage
Total	545	100.0%	57,022	100%
Less than \$500	0	0.0%	4,686	8%
\$500 to \$999	165	30.3%	11,821	21%
\$1,000 to \$1,499	190	34.9%	21,531	38%
\$1,500 to \$1,999	139	25.5%	11,073	19%
\$2,000 or more	51	9.4%	7,911	14%
No cash rent	9	1.7%	2,705	5%
Median Contract Rent	\$1,324		\$1,238	
U.S. Census Bureau, American Community Survey 2011-2015 (table DP04)				

HOUSING CONDITIONS

According to the 2015 ACS, there no units exhibiting overcrowding (more than one person per room), lacking complete plumbing facilities or lacking complete kitchen facilities in Manasquan. These factors are utilized in determining housing deficiency and general housing problems and are used as the basis to calculate the municipal rehabilitation obligation. According to the data, 1.8 percent of occupied housing units experienced over-crowding, while zero percent of occupied units lacked complete plumbing facilities or kitchen facilities.

TABLE 136: HOUSING DEFICIENCY CHARACTERISTICS

	Count	Percent
Housing Units with 1.01 or More Persons Per Room		
Owner-Occupied	0	0.0%
Renter-Occupied	41	1.8%
Plumbing Facilities		
Total Occupied Housing Units	2,304	100.0%
Lacking complete plumbing facilities	0	0.0%
Kitchen Equipment		
Total Occupied Housing Units	2,304	100%
Lacking complete kitchen facilities	0	0.0%
U.S. Census Bureau, American Community Survey 2011-2015 (tables B25014, S2504)		

PROJECTED HOUSING STOCK

According to New Jersey Department of Community Affairs, Manasquan Borough issued building permits for 555 residential dwelling units between January 2000 and December 2016. During that same time period, the Borough also issued 504 residential demolition permits. Subtracting demolition permits from construction permits yields a net increase of 51 dwelling units over this time period.

**TABLE 17: BUILDING PERMITS AND DEMOLITION PERMITS ISSUED,
2000 - JUNE 2015**

Year	1 & 2 Family	Multi Family	Mixed Use	Total New Construction	Total Residential Demolitions	Net Units Added
2000	-	-	-	20	18	2
2001	-	-	-	28	42	-14
2002	-	-	-	55	27	28
2003	-	-	-	29	29	0
2004	43	0	0	43	42	1
2005	51	0	2	53	28	25
2006	33	0	0	33	22	11
2007	29	0	0	29	27	2
2008	23	0	0	23	21	2
2009	16	0	0	16	14	2
2010	24	0	0	24	27	-3
2011	13	0	0	13	11	2
2012	15	0	0	15	18	-3
2013	71	0	0	71	106	-35
2014	49	0	0	49	36	13
2015	39	0	0	39	28	11
2016	15	0	0	15	8	7
Total	421	0	2	555	504	51

*The DCA Construction Reporter did not begin to report housing permits by type until 2004.

EMPLOYMENT DATA

The 2015 ACS reports on work activity of residents aged 16 years and older. While the Borough's working age population was 5,058 residents, Manasquan had an approximate labor force of 3,159 residents. Approximately 37.5 percent of the Borough's working age residents were not participating in the labor force at the time of the estimates. All of the Borough's labor force was employed in civilian jobs, with zero residents reported as members of the armed forces. Approximately 1.9 percent of Borough residents reported being unemployed.

TABLE 148: EMPLOYMENT STATUS

	Manasquan		Monmouth County	
	Number	Percent	Number	Percent
Population 16 years and over	5,058	86.8%	505,316	80.3%
In labor force	3,159	62.5%	333,780	66.1%
Civilian Labor Force	3,159	100.0%	333,439	99.9%
Employed	3,064	60.6%	307,183	60.8%
Unemployed	95	1.9%	26,256	5.2%
Armed Forces	0	0.0%	341	0.1%
Not in labor force	1,899	37.5%	171,536	33.9%
U.S. Census Bureau, American Community Survey 2011-2015 (table DP03)				

More than three quarters of the Borough's workers were employed in private wage and salary positions, while four percent of workers were self-employed. Government workers comprised 18.5 percent of the Borough's workforce. Table 18 provides a breakdown of worker classifications.

TABLE 19: CLASSIFICATION OF WORKERS IN MANASQUAN, 2015

	Number	Percent
Total	3,064	100.0%
Private Wage and Salary Worker	2,376	77.5%
Government Worker	566	18.5%
Self-Employed Worker	122	4.0%
Unpaid Family Worker	0	0.0%
U.S. Census Bureau, American Community Survey 2011-2015 (table DP03)		

An analysis of employees (over the age of 16) by economic sector indicates that employed working age individuals in Manasquan were involved in a range of economic sectors. The highest concentration of workers (22.1%) were employed in the educational, health, and social services sectors. The sector with the second largest share of residents was the arts, entertainment and recreation and accommodation and food services sector (16.9%). Finally, the professional scientific, management, administrative and waste management services and Retail Trade sectors each employed about 10 percent of the Borough's workforce.

TABLE 20: WORKFORCE BY SECTOR

Industry	Number	Percent
Civilian employed population 16 years and over	3,064	100.0%
Agriculture, forestry, fishing and hunting, mining	0	0.0%
Construction	145	4.7%
Manufacturing	187	6.1%
Wholesale Trade	54	1.8%
Retail Trade	324	10.6%
Transportation and Warehousing, and Utilities	170	5.5%
Information	49	1.6%
Finance and insurance, and real estate and rental and leasing	301	9.8%
Professional, scientific, and management, and administrative and waste management services	322	10.5%
Educational services, and health care and social assistance	677	22.1%
Arts, entertainment, and recreation, and accommodation and food services	519	16.9%
Other Services, except public administration	146	4.8%
Public administration	170	5.5%
U.S. Census Bureau, American Community Survey 2011-2015 (table DP03)		

Table 21 provides a percentage comparison of the Borough's workforce against that of the County. The Borough's profile of employment by sector generally mirrors that of the County. A higher percentage of the Borough's workforce is employed in the arts, entertainment and recreation and accommodation and food services sector, while a higher percentage of the County's workforce was employed in the Construction, Wholesale Trade and Information sectors.

**TABLE 21: COMPARISON OF WORKFORCE BY SECTOR
MANASQUAN BOROUGH AND MONMOUTH COUNTY, 2015**

Industry	Manasquan	Monmouth County
Civilian employed population 16 years and over	100.0%	100.0%
Agriculture, forestry, fishing and hunting, mining	0.0%	0.3%
Construction	4.7%	7.0%
Manufacturing	6.1%	6.0%
Wholesale Trade	1.8%	3.1%
Retail Trade	10.6%	11.7%
Transportation and Warehousing, and Utilities	5.5%	5.0%
Information	1.6%	3.6%
Finance and insurance, and real estate and rental and leasing	9.8%	10.2%
Professional, scientific, and management, and administrative and waste management services	10.5%	12.7%
Educational services, and health care and social assistance	22.1%	23.5%
Arts, entertainment, and recreation, and accommodation and food services	16.9%	8.9%
Other Services, except public administration	4.8%	4.1%
Public administration	5.5%	4.1%
U.S. Census Bureau, American Community Survey 2011-2015 (table DP03)		

Table 22 provides a breakdown of occupations by type for the Borough's employed civilian labor force. Close to half of the Borough's employed civilian labor force was employed in management, professional, or related occupations, while about one quarter of Manasquan's labor force was employed in sales and office occupations. About one fifth of the Borough's residents were employed in service occupations.

TABLE 22: OCCUPATIONS BY TYPE

	Number	Percentage
Employed Civilian population 16 years and over	3,064	100.0%
Management, business, science and arts occupations	1,373	44.8%
Service occupations	571	18.6%
Sales and office occupations	786	25.7%
Natural resources, construction and maintenance occupations	247	8.1%
Production Transportation and material moving occupations	87	2.8%
U.S. Census Bureau, American Community Survey 2011-2015 (table DP03)		

As shown in Table 23, most residents (57%) commute less than half an hour from home to their place of work. In fact, a fifth of all residents had a commute of less than 10 minutes. A significant segment of the population (13.1%) commute 60 to 89 minutes. Mean travel time to work was 31 minutes, about the same as the Monmouth County average. The vast majority of workers that commute to work do so by private automobile (75.7%). Other residents tended walk, carpool or take public transit to their job.

TABLE 23: TRAVEL TIME TO WORK, 2015

	Manasquan		Monmouth County	
	Number	Percent	Number	Percent
Workers who did not work at home	2,884	100.0%	285,942	100.0%
Less than 10 minutes	599	20.8%	35,883	12.5%
10 to 19 minutes	537	18.6%	71,638	25.1%
20 to 29 minutes	509	17.6%	45,761	16.0%
30 to 44 minutes	553	19.2%	49,148	17.2%
45 to 59 minutes	110	3.8%	26,260	9.2%
60 to 89 minutes	377	13.1%	34,351	12.0%
90 or more minutes	199	6.9%	22,901	8.0%
Mean travel time to work (minutes)	31		33.5	
U.S. Census Bureau, American Community Survey 2011-2015 (table DP03 and B08303)				

TABLE 24: MEANS OF COMMUTE, 2015

	Manasquan		Monmouth County	
	Number	Percent	Number	Percent
Workers 16 years and over	3,024	100.0%	300,967	100.0%
Car, truck, van- Drove Alone	2,288	75.7%	227,707	75.7%
Car, truck, van- Carpooled	85	2.8%	22,521	7.5%
Public Transportation	78	2.6%	24,072	8.0%
Walked	341	11.3%	6,225	2.1%
Other Means	92	3.0%	5,417	1.8%
Worked at home	140	4.6%	15,025	5.0%
U.S. Census Bureau, American Community Survey 2011-2015 (table DP03)				

As indicated in Table 25 below, it is projected that Monmouth County will add 22,900 jobs by 2024. The Service Providing, Education and Health Services, and Healthcare and Social assistance sectors are poised to experience the greatest increase in number of jobs over the course of the projection period.

TABLE 25: PROJECTED EMPLOYMENT, MONMOUTH COUNTY, 2024

Industry Title	2014 Estimated Employment	2024 Projected Employment	Numeric Change	Annual Growth Rate	Percent Change	Outlook
Accommodation and Food Services	24,300	27,600	3,300	1.3	13.6	Growing
Administrative and Support and Waste Management and Remediation	11,800	13,350	1,550	1.3	13.3	Growing
Ambulatory Health Care Service	18,150	23,900	5,700	2.8	31.5	Growing
Arts, Entertainment, and Recreation	8,600	11,300	2,700	2.8	31.6	Growing
Construction	13,250	15,650	2,450	1.7	18.3	Growing
Education and Health Services	68,850	78,250	9,400	1.3	13.7	Growing
Federal Government, Excluding Post Office	1,000	850	-150	-1.7	-15.9	Declining
Finance and Insurance	11,200	10,800	-350	-0.3	-3.2	Declining
Financial Activities	14,500	14,400	-100	-0.1	-0.8	Declining
Goods Producing	22,100	22,750	650	0.3	2.9	Stable
Government	15,450	13,850	-1,600	-1.1	-10.4	Declining
Health Care and Social Assistance	41,850	49,750	7,900	1.7	18.9	Growing
Hospitals	10,750	10,250	-500	-0.5	-4.4	Declining
Information	6,550	6,150	-450	-0.7	-6.8	Declining
Leisure and Hospitality	32,900	38,900	6,000	1.7	18.3	Growing
Local Government, Excluding Education and Hospitals	11,550	10,550	-1,000	-0.9	-8.7	Declining
Management of Companies and Enterprises	2,650	3,200	550	2	21.7	Growing
Manufacturing	8,850	7,100	-1,800	-2.2	-20.2	Declining
Natural Resources and Mining	0	0	0	1.8	20	Growing
Nursing and Residential Care	7,200	8,650	1,500	1.9	20.7	Growing

Facilities						
Other Services (Except Government)	13,550	14,950	1,450	1	10.5	Growing
Postal Service	1,100	750	-350	-3.8	-32	Declining
Professional and Business Services	34,100	38,400	4,300	1.2	12.6	Growing
Professional, Scientific, and Technical Services	19,650	21,800	2,150	1	10.9	Growing
Real Estate and Rental Leasing	3,350	3,600	250	0.7	7.1	Growing
Retail Trade	38,900	40,500	1,600	0.4	4.1	Stable
Services Providing	239,950	262,200	22,250	0.9	9.3	Growing
Social Assistance	5,750	6,950	1,200	1.9	20.8	Growing
State Government, Excluding Education and Hospitals	1,800	1,750	-100	-0.05	-5.2	Declining
Total Federal Government Employment	2,100	1,600	-500	-2.7	-24.2	Declining
Trade, Transportation, and Utilities	54,050	57,350	3,300	0.6	6.1	Growing
Transportation and Warehousing	4,900	5,300	400	0.7	7.7	Growing
Utilities	1,450	1,550	100	0.8	8.2	Growing
Wholesale Trade	8,800	10,000	1,200	1.3	13.6	Growing
Total All Industries	262,050	284,950	22,900	0.8	8.7	Growing

Source: 2014-2024 Industry Employment Projections, NJ Department of Labor and Workforce Development

Lands Most Appropriate for Affordable Housing

An analysis was conducted to determine which areas of the Borough could accommodate developments that address affordable housing need. This analysis reviews the Borough's existing zoning and planned zoning changes, and outlines the Borough's capacity to accommodate residential and non-residential growth projections. The following are included:

- An analysis of the available existing and planned infrastructure;
- The projected demand for types of uses permitted by zoning based on present and anticipated future demographic characteristics of the Borough and anticipated land use patterns; and
- Factors, such as environmental conditions, that present constraints on development.

Infrastructure

Water and Sewer

The entirety of Manasquan Borough is located within public water and sewer service areas. Sewer service is provided by the South Monmouth Regional Sewerage Authority, which directs wastewater to a secondary treatment plant located in Wall Township. Public Water is provided by the Manasquan Water Department which owns and operates the potable water system within the Borough. Water for public consumption is drawn from four groundwater wells tapping into the Kirkwood-Cohansey Aquifer.

Anticipated Demand and Land Use Patterns

The Borough of Manasquan contains residential neighborhoods, commercial development, and public uses with very limited vacant land. According to NJTPA population estimates projected to 2040, it is anticipated that the Borough's population will grow by approximately 250 people (4.3 percent). As a fully built-out municipality, it is anticipated that the Borough will need to accommodate future population and employment growth as opportunities for redevelopment arise.

Residential

Currently, higher-density residential districts are concentrated in the eastern portion of the Borough, where the smallest lot sizes are permitted

in the beach and first inland block from the Atlantic Ocean. There are four areas of the Borough that have already been zoned for multi-family development, three of which are located in the western portion of the Borough west of Colby Avenue, and one of which is located in a mixed-use beachfront area. The Borough currently exhibits a high propensity toward allowing and encouraging mixed-use development in its downtown area, permitting upper floor apartments in most of its commercial zones. The current locations permitting apartment and multi-family uses, particularly those within the Borough's downtown area with proximity to rail transit, are the most appropriate and most logical starting points for building encouraging additional inclusionary multi-family development

Non-Residential

As described in its most recent 2017 Reexamination Report, the development of new commercial activity in Manasquan has been extremely limited, and the Borough is focused on the preservation of the existing character of commercial development. Given the build-out nature of the Borough, new commercial development will most likely take the place of existing tenants, or will require some degree of redevelopment to occur on already developed sites. The Borough's zoning district, which permits mixed-use arrangements of residential units above first floor stores and shops illustrates the desire to accommodate residential units within generally non-residential zones to the maximum extent possible given current development patterns.

Environmental Constraints

Manasquan enjoys many natural environmental amenities, including the ocean, wooded areas, lake and creeks, dunes, and wetlands. In order for these environmentally sensitive features to retain their existing quality and perform vital ecosystem functions, the Borough must be conscious of its role as steward of its natural environment. Manasquan is home to a stretch of coast line, an area of inlet, and three streams. It is also home to intensively developed lots, especially in the coastal zone, where pervious surface is limited. Impervious surface contributes to negative environmental outcomes, particularly in coastal communities, by creating high velocity runoff and limiting groundwater recharge during storm events. Given these realities, the Borough must conserve natural features such as dunes and wetlands that can absorb excess stormwater and help filter

polluted runoff. Areas with sensitive environmental features, particularly those identified in the Borough's 1992 Natural Resource Inventory, are not suitable for development.

Historic

Two facilities in Manasquan are listed on the State and National Register of Historic Place: the Brielle Road Bridge over the Glimmer Glass, and the Squan Beach Life-Saving Station at 124 Ocean Avenue. An opinion was sought for the Manasquan Main Street Historic District in 2006, but a district has yet to be officially designated. The preparation of a Historic Element of the Master Plan has been a goal of the Borough's for some time now, but has yet to be implemented. While select properties are targeted for preservation, historic status is not generally a major source of development constraint in Manasquan.

Existing Land Use Designations

The Borough's land use designations have been continually examined and updated through the Master Plan Reexamination process. The last Reexamination Report was adopted in July 2017.

The following districts comprise the Borough's **residential** zones:

One-Family Residential Zones: R-1, R-2, R-3, R-4 and R-5

The Borough has established five one-family residential zones, all of which permit the same principal, accessory, and conditional uses. The principal permitted uses are single-family detached dwellings, municipal buildings and facilities, privately-owned conservation and open spaces areas, and family day care operations. Permitted accessory uses are generally those customary and incidental to residential property, including garages, swimming pools, sheds, fences and the like. Some commercial activity is permitted in these zones through the conditional allowance of home occupations and offices. Churches and group homes are also conditional uses allowed in these zones.

The differentiation between each of the five one-family residential zones occurs in their relative locations within the Borough, and in their bulk requirements. The lot size and theoretical density requirements of each zone are as follows:

Zone	Minimum Lot Area (sq. ft.)	Density (units per acre)
R-1	7,000	6.2
R-2	5,000	8.7
R-3	3,400	12.8
R-4	4,200	10.3
R-5	2,700	16.1

The R-1 zone is located in two areas, one in the northern-central portion of the Borough in the area of Stockton Lake that occupies approximately 20 blocks, and another in the residential area of Glimmer Glass Circle off of Brielle Road.

The R-2 zone is the district that occupies the largest land area of any

zone in the Borough. It is the only single-family residential zone west of the railroad tracks, but also occupies large areas in the portion of the Borough at the northern and southern ends of Stockton Lake, and the blocks in the vicinity of Glimmer Glass Harbor. Small R-2 areas are located adjacent to the Fisherman's Cove Conservation area on Deep Creek Drive, and in the second beach blocks adjacent to Sea Girt.

The R-3 zone is located in two areas in the eastern portion of the Borough, one area adjacent to Fisherman's Cove Conservation area south of Brielle Road, and another larger area north of Brielle Road along the lagoon-type communities near Watson Creek, extending west the width of one block for several blocks between Rogers Avenue, East Main Street, and North Potter Avenue. It is the second highest density single-family district in the Borough.

The R-4 zone is specifically called the Beachfront One-Family Residential Zone. True to its name, it covers the vast majority of properties located in the block adjacent to the beach as the easternmost strip of development in the Borough. The R-4 zones does allow for accessory apartments through a provision allowing two principal buildings on a lot, one of which is permitted to be a garage with a second floor living unit as an accessory to a separate single-family residential dwelling.

Finally, the R-5 zone covers the vast majority of properties located in the first inland block from the beach, directly behind the R-4 zone. It is the highest density single-family district in the Borough.

R-M Residential Multi-Family Zone

The R-M designation occurs in three isolated areas in the Borough, on the inland side of the train tracks. The purpose of the zone is to provide locations for the development of multi-family housing. Permitted uses include townhouses and multi-family residences for three or more families. Senior Citizen multi-family housing is a permitted conditional use in the zone. To accommodate multi-family developments, the required minimum lot size is 40,000 square feet. The maximum permitted density is 10 units per acre. Similar accessory uses are permitted in the R-M district as in the R-1 district, with the exception of an additional allowance for common facilities and amenities serving

residents in multi-family developments.

R-PM Planned Multifamily Residential Zone

The R-PM zone occurs in one small portion of the Borough's central beachfront and first inland blocks, between East Main Street and Brielle Road. The zone permits planned multifamily residential development, including accessory commercial uses. The maximum permitted density is 16 units per acre. As anticipated by the zone, this portion of the Borough contains a number of residences, as well as retail, restaurant, and commercial uses serving beach area residents and visitors. Senior Citizen Housing is permitted as a conditional use.

In addition to its residential zones, Manasquan has established the following **non-residential zones** where the main purpose is to accommodate non-residential uses, but **where dwelling units are permitted by right as either a principal or conditionally-permitted use:**

B-1 Business Zone

The purpose of the B-1 zone is to provide for neighborhood-commercial type retail and services uses such as retail goods, personal services, banks, professional offices, restaurants and other uses of similar intensity meeting the daily needs of residents. This zone is a mixed-use zone, with apartments permitted on the upper floors above stores. Senior Citizen Housing is also a permitted conditional use. The B-1 district is located in several pockets within the eastern beachfront and first inland blocks. B-1 pockets also ring the Business Retail Zone located along East Main Street west of the railroad tracks as a transitional zone before R-2 residential district areas.

B-2 Marine Business Zone

The Marine Business Zone is located in one single area of the Borough, south of Brielle Road, containing the Deep Creek Cove marina and a townhome development. Uses are similar to those permitted in the B-1 zone, with the exception of a de-emphasis on retail, replaced by water-based uses such as marinas, boat sales and rentals, and boat storage. In terms of residential uses, the B-2 zone also permits apartments over stores, and well as planned multifamily residential development and senior citizen housing as principal permitted uses.

B-3 General Business Zone

The B-3 zone is the Borough's most intensive commercial zone, permitting uses such as wholesale purchasing and distribution facilities, automobile repair, mechanical contracting shops and services, and inns and fast-food drive in's as conditional uses. While upper-floor apartments are not permitted in the B-3 zone, Senior Citizen Housing is permitted as a conditional use. The B-3 zone occurs in five locations in the Borough, along Route 71 and the railroad tracks, consistent with permitted auto-oriented uses.

BR-1 Business Retail Zone

The BR-1 zone covers the extent of downtown Manasquan, including all properties fronting on Main Street between Broad Street in the west and Colby Avenue in the east. The district seeks to encourage the neighborhood commercial uses typically associated with traditional main streets, such as retail, personal service, restaurants, and public uses. An active commercial downtown is encouraged by the zone's mixed-use options for upper floors, which include allowances for apartments over shops, as well as upper floor businesses and professional offices.

O Office Zone

The office zone occurs in five locations west of the railroad tracks, along the outer edges of the BR-1 and B-1 commercial districts. While the principal purpose of the zone is to provide space for professional offices for doctors, lawyers, architects, banks, real estate, and other such trades, single-family homes are permitted in the office district. Senior Citizen Housing is a permitted conditional use.

I Industrial Zone

The I district is located in a single, small three-lot area south of the Manasquan Elementary School and across from the Manasquan First Aid Squad. Warehouse, lumberyards, and wholesale distributors are permitted. The zone houses a single light industrial enterprise – the W.F. Sherman & Son Millworks operation. While the I zone is thus completely built out, it permits all uses in the B-1 district, which would technically include apartments over stores.

Prior Round Affordable Housing Overlay Zone

The purpose of this district is to provide an opportunity to develop affordable housing to meet present and prospective housing needs, with particular attention to low and moderate-income housing, in conformance with the requirements of the New Jersey Council on Affordable Housing. Permitted and conditional uses within designated Overlay Zone include all permitted and conditional uses in the zoning district in which the Overlay Zone is located, and the development of townhomes or multifamily residential buildings for three or more families. The zone applies to three lots in block 82, and eight lots in block 73.

Certain zones in the Manasquan **do not permit residential uses** at all, as summarized below:

P Public Parking Zone

The purpose of this district is to provide space for public municipal parking lots. Pockets of the P zone are located in the area of the downtown East Main Street B-1 districts, and on the backend of the ocean and inland beach blocks.

CON Conservation Zone

The C district is located along the waterbodies that surround the Borough, chiefly intended to restrict areas designated as wetlands areas or dunes as preserved open space.

FAIR SHARE PLAN

Fair Share Obligation Summary

The cumulative 1999-2025 affordable housing obligation for Manasquan is based upon the figures calculated in FHSC's April 2017 Report, prepared by Dr. David Kinsey, and the negotiated Settlement Agreement that the Borough reached with FSHC on July 3, 2018. See Appendix B. The Borough's affordable housing obligations are outlined in Table 26 below.

TABLE 26: FAIR SHARE OBLIGATION SUMMARY

Obligation Component	Number of Credits Required
Present Need or Rehabilitation Obligation	6
Prior Round Obligation (1987-1999)	149
"Gap" and Prospective Need or Round 3 Obligation (1999-2025)	382

The following sections outline the Borough's plan for complying with its Fair Share Obligations.

Lack of Developable Vacant Land

From the outset of the Mount Laurel affordable housing program, Manasquan has continually had to contend with the reality that it is a built-out municipality with virtually no available developable vacant land upon which to construct new affordable housing units.

The Borough's lack of sufficient vacant land has been consistently recognized by COAH in prior affordable housing cycles. COAH approved a vacant land adjustment as part of the Borough's 1994 first round substantive certification, which reduced the Borough's new construction component to zero. COAH determined that the Borough continued to lack vacant developable land to support the new construction component of its 1987-1999 cumulative obligation in granting substantive certification for the Borough's Second Round plan. COAH granted the Borough second round substantive certification in 2004. Though it was never granted substantive certification due to the methodological controversies surrounding the Third Round, the Borough again prepared a vacant land adjustment in 2009 that

illustrated its lack of vacant land and RDP of zero affordable units.

Given the Borough's relative lack of vacant and developable land, the Borough's ability to satisfy its Court-determined affordable housing obligation is limited. To demonstrate its continued lack of vacant developable land, the Borough has prepared an updated Vacant Land Adjustment analysis in accordance with N.J.A.C. 5:93:4.2, submitted as part of this plan as Appendix A. The Borough continues to exhibit a lack of vacant developable land, with redevelopment over time presenting itself as the principal vehicle for accomplishing projects with affordable housing. Two such potential redevelopment opportunities have presented themselves in this round, and have been factored in to the vacant land assessment, yielding an RDP of twelve (12) affordable units. Under the terms of the FSHC Settlement Agreement, this leaves the Borough with a remaining combined Prior Round and Round 3 "unmet need" of 519 as is reflected in Table 27.

TABLE 27: RDP AND UNMET NEED OBLIGATIONS SUMMARY

Affordable Housing Mechanism	Number of Units
Total Realistic Development Potential	12
Unmet Need, 1987-2025	519

Satisfaction of Present Need or Rehabilitation Obligation

Manasquan has fully satisfied its Rehabilitation Obligation of six (6) units. The Borough has been participating in the Monmouth County Rehabilitation Program since 1995, and thirty-six (36) units have been rehabilitated in the Borough since that time. Of the 36 units rehabilitated since 1995, eight (8) were rehabilitated after April 1, 2010, and are therefore creditworthy. Thus, not only has the Borough has fully satisfied its Rehabilitation Obligation of six (6) units, but also has two (2) surplus rehabilitation credits that can be applied to Round 4, should applicable law allow such credits to be counted in the future.

Satisfaction of the Borough's Realistic Development Potential

The Borough's RDP is 12. The Borough proposes to address this RDP

with two combined inclusionary projects, which will provide family rental units. The anticipated projects are as follows:

1. The **Broad Street** (Block 64, Lots 25.01, 25.03, 26, and 27) project will consist of twenty-two (22) market-rate units.
2. The **Union Avenue** (Block 66.02, Lot 31.01) project will consist of fourteen (14) market-rate units and nine (9) affordable family rental units.

The nine (9) affordable family rental units to be developed at the Union Avenue project represent a twenty percent (20%) affordable housing set-aside from the 45 total units across the two projects. To ensure both projects generate affordable housing credits to be applied to the Borough's affordable housing obligations, the certificates of occupancy for the two projects will be phased together and issued as if they were one project. As the development agreement is reached for this project, the Borough will update its zoning regulations to permit the project as negotiated. The new zone will apply to the specific sites, similar to the existing affordable overlay districts within the Borough. This project will also yield 3 bonus credits for family rentals units.

The Union Avenue affordable units will be required to meet unit income distribution requirements. The nine (9) affordable units will consist of one (1) very low-income unit, four (4) low income units, and four (4) moderate income units. The Union Avenue affordable units will also be required to deliver a mix of bedroom units. At least two (2) of the units will be three-bedroom units, no more than one (1) of the units will be a one bedroom unit and the remaining six (6) units will be two bedroom units.

Pursuant to N.J.A.C. 5:93-1.3, sites that are designated to produce affordable housing shall be available, approvable, developable, and suitable according to the following criteria:

- *"Available site" means a site with clear title, free of encumbrances which preclude development for low and moderate income housing. N.J.A.C. 5:93-1.3.*
- *"Approvable site" means a site that may be developed for low and moderate income housing in a manner consistent with the rules or*

regulations of agencies with jurisdiction over the site. A site may be approvable although not currently zoned for low and moderate income housing. Ibid.

- "Development site" means a site that has access to appropriate water and sewer infrastructure, and is consistent with the applicable area wide water quality management plan (including the wastewater plan) or is included in an amendment to the area wide water quality management plan submitted to and under review by the DEP. Ibid.
- "Suitable site" means a site that is adjacent to compatible land uses, has access to appropriate streets and is consistent with the environmental policies delineated in N.J.A.C. 5:93-4. Ibid.

As discussed above, the **Union Avenue** site (Block 66.02, Lot 31.01) will be producing all of the affordable housing that the Borough will be counting on to satisfy its RDP. The Union Avenue site is an appropriate site to produce mutli-family housing, and is "available", "approvable", "developable", and "suitable" as per the definitions in N.J.A.C. 5:93-1.3 as follows:

- The site is **available** in that the proposed developer has demonstrated that he has clear title to the site, and the site is free of other encumbrances that could prohibit or other impact the development of the site in general.
- The site is **approvable** in that it will be developed with low and moderate income housing in a manner that is consistent with the rules and regulations of agencies with jurisdiction over the site. Although the site maintains some environmentally sensitive areas, the developer is working with the New Jersey Department of Environmental Protection to secure all required permits. The site currently maintains office buildings and associated parking lots which all lend itself to the properties being approvable for an affordable housing development.
- The site is **developable** in that it is served by both public water and public sewer, and is consistent with the Monmouth County waste water management plan.

- The site is ***suitable*** in that the site does not have any steep slopes, is located next to compatible land uses and has access to appropriate streets (Route 71).

Satisfaction of the Borough's Unmet Need

The Borough's unmet need is 519 units based on the remaining Prior Round Obligation and Gap and Prospective Need or Round 3 Obligation (1999-2025). The Borough proposes to implement the following mechanisms to address its unmet need:

Accessory Apartment Program

The Borough has already adopted an Accessory Apartment Ordinance that permits the development of accessory apartments in the Borough's R-1, R-2, and R-M Zones, subject to the bulk and yard requirements of the zone in which the unit is located. The Ordinance contains provisions for the design, accessibility, affordability, marketing, and administration of the Accessory Apartment units generated as a result of the Ordinance. The Borough will amend the ordinance to allow accessory apartments to be created throughout the Borough, instead of just in the R-1, R-2, and R-M zones, and also to increase the subsidies for the Accessory Apartment program from \$10,000 for all units to \$25,000 for a moderate income unit, \$35,000 for a low income unit and \$50,000 for a very low income unit. The Borough will use Affordable Housing Trust Fund monies to pay for the increased subsidies. It is anticipated that up to ten (10) units will be created through this compliance mechanism by 2025.

Mandatory Set-Aside Ordinance ("MSO")

The Borough already has an existing adopted Borough-wide Mandatory Set-Aside Ordinance ("MSO") in place. The MSO currently requires a 20 percent (20%) affordable housing set-aside for residential developments comprised of five or more dwelling units. The MSO exempts developments less than five dwelling units, residential expansions/additions/renovations/replacements, or any other type of residential development that does not result in a net increase in the number of dwelling units. In addition, the MSO requires fractional dwelling units to be either (a) constructed as an additional unit on site, or (b) be provided for via a payment-in-lieu of constructing the second unit to the

Borough's Affordable Housing Trust Fund.

The MSO will be amended to ensure that the MSO does not give any developer the right to any such rezoning, variance, redevelopment designation or other relief, or establish any obligation on the part of Manasquan or its boards to grant such rezoning, variance, redevelopment designation or other relief. The MSO will not apply to the Borough's R-M, B-1, BR-1, O, and B-3 Zones, since an overlay zone will provide affordable housing set-asides in those zones.

B-1, BR-1, O, B-3 and R-M Zone Affordable Housing Overlay Zone

The Borough will establish an affordable housing overlay zone in the B-1, BR-1, BO, B-3, and R-M zones to provide an opportunity to develop additional affordable housing. Any affordable units generated in the overlay zone will be applied toward satisfying unmet need. The overlay zone will require a twenty percent (20%) affordable housing set-aside, set at a density of fourteen (14) units per acres for those properties fronting on Main Street west of Route 71, and ten (10) units per acre for those properties that front on Route 71 itself.

Compliance with Affordable Housing Distribution Requirements

COAH Substantive Prior Round regulations (N.J.A.C. 5:93-1.1, et seq.), the Fair Housing Act and the agreed upon terms of the FSHC Settlement Agreement establish limitations on the number of age-restricted affordable units that can count toward the municipal obligation, as well as a cap on the number of bonus credits that can be claimed for rental units. There is also a minimum requirement for the provision of rental units as opposed to sale units, and requirements for the distribution of units across very low-, low- and moderate-income categories. Manasquan complies with these rules as follows:

Age-Restricted Unit Maximum

The Borough is not seeking credit for any age-restricted units, therefore the age-restriction maximum of no more than three (3) units of the Borough's RDP is not applicable at this time. The nine (9) family rental units will be open to residents of any age or family makeup.

Rental Unit Minimum

The Borough is seeking credit only for rental units at this time in the form of

nine (9) family rental units. Because no sale units are proposed for credit, the required rental unit minimum of three (3) units has been more than satisfied.

Rental Bonus Maximum

Under the FSHC Settlement Agreement, maximum rental bonus credits are capped at twenty five percent (25%) of the Borough's RDP. As the Borough's RDP is 12, the Borough is claiming three (3) bonus credits for the nine (9) family rental units that will be produced on the Union Avenue site.

Income Distribution Requirements

Income distribution requirements mandate the following:

- Fifty percent (50%) of the affordable units addressing the Borough's RDP must be affordable to moderate-income households with a gross income between 80 and 50 percent of regional median household income. The inclusionary project on Union Avenue, which is satisfying the Borough's entire RDP, will comply with this requirement.
- Since all of the affordable units addressing the Borough's RDP will be family rental units, the requirement in the FSHC Settlement Agreement that half of the units addressing the Borough's RDP have to be available to families will be more than satisfied.
- At least 50 percent of the affordable units addressing the Borough's RDP must be affordable to low-income households making 50% or less of regional median income. The inclusionary project on Union Avenue, which is satisfying the Borough's entire RDP, will comply with this requirement.
- As per the Fair Housing Act, the Borough must also insure that at least thirteen percent (13%) of all of the affordable units produced in the Borough are affordable to very low-income households making 30 percent or less as compared to regional median income. The project on Union Avenue will produce one very low income unit. The overlay zones being put in place by the Borough will also capture the required amount of very low income units moving forward.

APPENDICES

Appendix A. Vacant Land Adjustment 2019

Vacant Land Inventory and Analysis Report

Prepared for:
Manasquan Borough, Monmouth County, New Jersey

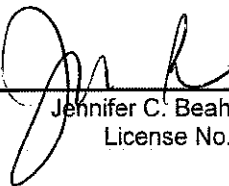


January 10, 2019

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I. INTRODUCTION

As noted in N.J.A.C. 5:93, "there may be instances where a municipality can exhaust an entire resource (land, water or sewer) and still not be able to provide a realistic opportunity for addressing the need for low and moderate income housing." In recognition of the need to provide for the opportunity to adjust municipal affordable housing obligations, N.J.A.C. 5:93 outlines standards and procedures for municipalities to demonstrate that a municipal response to its housing obligation is limited by lack of land, water or sewer. This report outlines the vacant land analysis methodology and summarizes the results of the vacant land analysis prepared on behalf of the Borough of Manasquan by Leon S. Avakian Inc (Avakian).

Previous Housing Rounds and Vacant Land Analyses

The Borough of Manasquan is a fully developed oceanfront community located in southern Monmouth County. The Borough's lack of sufficient vacant land has been recognized by COAH in prior affordable housing cycles. COAH approved a vacant land adjustment as part of the Borough's 1994 first round substantive certification, which reduced the Borough's new construction component to zero. COAH determined that the Borough continued to lack vacant developable land to support the new construction component of its 1987-1999 cumulative obligation in granting substantive certification for the Borough's Second Round plan. COAH granted the Borough second round substantive certification in 2004.

The Borough's Third Round Housing Plan Element and Fair Share Plan, adopted in 2008, continued to recognize the lack of sufficient vacant land in the Borough. The Borough's planning consultant prepared an updated Vacant Land Inventory and Analysis Report in 2009 in response to an objection to the Borough's Third Round Plan filed by the Fair Share Housing Center. This Vacant Land Analysis and Inventory Report revealed "that the Borough of Manasquan continues to lack sufficient acreage to accommodate the new construction obligation from the first and second rounds." The Report concluded that the Borough's Realistic Development Potential (RDP) was zero affordable units.

Current Housing Round and Vacant Land Assessment

Given the Borough's relative lack of vacant and developable land, the Borough's ability to satisfy its Court-determined affordable housing obligation is limited. To demonstrate its continued lack of vacant developable land, the Borough has prepared an updated Vacant Land Adjustment analysis in accordance with N.J.A.C. 5:93:4.2, which includes the following components:

- An inventory of all vacant parcels in accordance with N.J.A.C. 5:93-4.2(b), included as Attachment A.
- A Vacant Land Map depicting vacant properties within the Borough, included as Attachment B.
- An existing land use map for the Borough in accordance with N.J.A.C. 5:93-4.2(a), included as Attachment C.

Avakian analyzed the realistic development potential (RDP) of the Borough's vacant land in accordance with the provisions of Subchapter 4 of N.J.A.C. 5:93 based on the most recently available data. After following the procedures as outlined, the analysis shows that the Borough continues to have zero suitable vacant sites available for development, and consequently, has an RDP new construction obligation of zero (0) affordable units.

Outside of the vacant land adjustment method, two (2) sites have emerged as potential redevelopment opportunities. The first property is located in the north-western portion of the Borough on Broad Street near its intersection with East Main Street and is comprised of four separate adjacent lots with a combination of vacant land and existing development. The property consists of lots 25.01, 25.02, 26, and 27 of block 64, and is in the process of being consolidated to total 0.84 acres in size. The second property is located in the center of the Borough on the eastern side Union Avenue between Curtis and Euclid Avenues. The property consists of lot 31.01 of block 66.02, is 0.64 acres in size, and is currently occupied by a commercial building. The two (2) sites will be developed as one (1) project with a combined total unit count of 45 family rental units and a mandatory set aside of twenty percent, yielding nine (9) affordable rental units per the set aside requirement and an additional three (3) bonus credits for family rental units.

II. PERMITTED EXCLUSIONS

N.J.A.C. 5:93 establishes criteria by which sites, or portions thereof, in a municipal land inventory may be excluded from a municipality's RDP. Environmentally sensitive areas, including flood hazard areas, areas within Environmentally Sensitive Planning Areas according to the State Plan Policy Map, areas outside of the Sanitary Sewer Service Area (SSA), wetlands, and areas characterized by steep slopes of greater than 15 percent that render a site unsuitable for affordable housing may be excluded from consideration. In addition, small, isolated lots lacking sufficient acreage to generate an affordable housing set-aside as part of an inclusionary development may also be excluded. Vacant lots under development or properties for which site plan approval has been granted may also be excluded. Finally, landlocked parcels or sites with limited or no access may also be excluded from the calculation of the Borough's RDP.

The vacant land inventory table in Attachment A provides a parcel-by-parcel description of exclusions that have been made pursuant to N.J.A.C. 5:93.

It should be noted that the Borough is permitted to reserve up to three percent of its total developed and developable acreage, less existing active municipal recreation areas, for active municipal recreation and exclude this acreage from consideration as potential sites for low and moderate income housing pursuant to N.J.A.C. 5:93-4.2(e)4. Any such site designated for active recreation in accordance with this section must be purchased and limited to active recreational purposes within one year of substantive certification. Although this calculation has not been completed as part of this analysis, the Borough reserves the right to revise this analysis to complete this calculation.

III. Summary and Conclusion

Based on the procedures for municipal adjustments provided in N.J.A.C. 5:93 and the emergence of two sites of imminently redevelopable land, the Borough of Manasquan's RDP has been

determined to be twelve (12) affordable units. This finding is consistent with past analyses of vacant land within the Borough and the Borough's current development conditions.

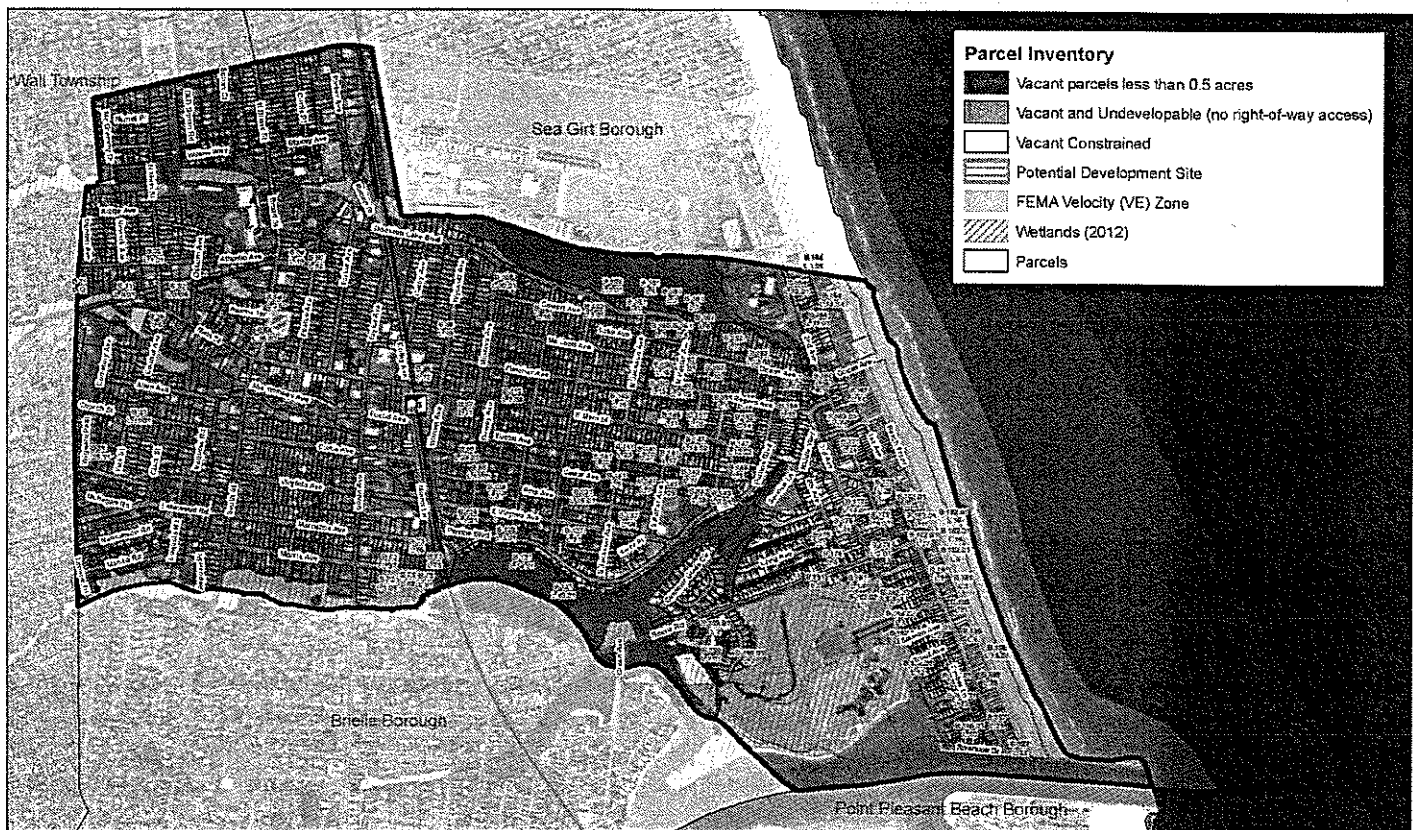
ATTACHMENT A: VACANT LAND INVENTORY **TABLE**

1329	102	1.01	STOCKTON LAKE BLVD	RIDLEY, JOHN A & ALTHEA B	70 CAMPBELL RD	BERNARDSVILLE, NJ	0.0522	Less than 0.5 Acres
1329	102	3.01	STOCKTON LAKE BLVD	O'BRIEN, MICHAEL P	169 STOCKTON LAKE BLVD	MANASQUAN, NJ	0.0715	Less than 0.5 Acres
1329	105	10.01	STOCKTON LAKE BLVD	WALSH, GARY R & WALSH, PATRICIA T	229 THIRD AVE	MANASQUAN, NJ	0.1669	Less than 0.5 Acres
1329	106	15	55 COWART AVE	GIAMBRONE, ALPHONSE & ROSEMARIE	7 RONDELL LN	LAWRENCE HARBOR, NJ	0.1708	Less than 0.5 Acres
1329	11	17	1093 LAKEWOOD RD	HERBERT, PATRICIA	1093 LAKEWOOD RD	WALL, NJ	0.0068	Less than 0.5 Acres
1329	11	19	2436 LENAPE TR	KERNAN, KEITH & SUZANNE	2436 LENAPE TR	MANASQUAN, NJ 08736	0.0185	Less than 0.5 Acres
1329	11	20	2436 LENAPE TR	KERNAN, KEITH & SUZANNE	2436 LENAPE TR	MANASQUAN, NJ 08736	0.019	Less than 0.5 Acres
1329	11	21	2436 LENAPE TR	KERNAN, KEITH & SUZANNE	2436 LENAPE TR	MANASQUAN, NJ 08736	0.0116	Less than 0.5 Acres
1329	11	22	2436 LENAPE TR	KERNAN, KEITH & SUZANNE	2436 LENAPE TR	MANASQUAN, NJ 08736	0.0077	Less than 0.5 Acres
1329	112	2.04	264 MAIN ST E	MORROW, GEORGE D & LINDA L	260 E MAIN ST	MANASQUAN, NJ	0.1011	Less than 0.5 Acres
1329	121	16.01	174 TIME AVE	WARRING, ANDREW D & ZIBRITH, AVNE M	53 E JACKSON AVE	MANASQUAN, NJ	0.1676	Less than 0.5 Acres
1329	124	1.01	70 DEWEY AVE	HEGEL, TERRANCE C/O ATL MOO HOMES	75 TAYLOR AVE	MANASQUAN, NJ	0.257	Less than 0.5 Acres
1329	127	21	369 VIRGINIA AVE E	FERCHAK, SUSAN C	369 E VIRGINIA AVE	MANASQUAN, NJ	0.0574	Less than 0.5 Acres
1329	127	22	369 VIRGINIA AVE E	FERCHAK, SUSAN C	369 E VIRGINIA AVE	MANASQUAN, NJ	0.0574	Less than 0.5 Acres
1329	128	3.01	330 PERRINE BLVD	ARMSTRONG, DAVID C & BARBARA B	330 PERRINE BLVD	MANASQUAN, NJ	0.1722	Less than 0.5 Acres
1329	131	24.01	337 PERRINE BLVD	GUNTHER FAMILY TRUST	23 DOREVUS LN	WAYNE, NJ	0.048	Less than 0.5 Acres
1329	131	40.01	373 PERRINE BLVD	LUTHER, BRIAN	375 PERRINE BLVD	MANASQUAN, NJ	0.0618	Less than 0.5 Acres
1329	136	1.01	387 PERRINE BLVD	MARSHALL, ANNY	358 PERRINE BLVD	MANASQUAN, NJ	0.0164	Less than 0.5 Acres
1329	137	38	5860 JACKSON AVE S	TELLER, STUART & VALENGIANO, LOLA	84 OAK RIDGE AVE	NUTLEY, NJ	0.0574	Less than 0.5 Acres
1329	141	17	1725 POTTER AVE S	BAUER, WILLIAM F JR	PO BOX 295	LONG VALLEY, NJ	0.0813	Less than 0.5 Acres
1329	141	18	1725 POTTER AVE S	BAUER, WILLIAM F JR	PO BOX 295	LONG VALLEY, NJ	0.0573	Less than 0.5 Acres
1329	141	23	27401 EUCLID AVE	ZELTNER, MICHAEL & ANDREA M	6 COLERIDGE DR	MARLBORO, NJ	0.0574	Less than 0.5 Acres
1329	141	24	401 EUCLID AVE	ZELTNER, MICHAEL & ANDREA M	6 COLERIDGE DR	MARLBORO, NJ	0.0574	Less than 0.5 Acres
1329	141	25	237 EUCLID AVE	OGHS, ESTATE OF FLORENCE M	2 CONISTON DR	WEST CHESTER, PA	0.0574	Less than 0.5 Acres
1329	141	26	397 EUCLID AVE	OGHS, ESTATE OF FLORENCE M	2 CONISTON DR	WEST CHESTER, PA	0.0573	Less than 0.5 Acres
1329	141	27	393 EUCLID AVE	OGHS, ESTATE OF FLORENCE M	2 CONISTON DR	WEST CHESTER, PA	0.0574	Less than 0.5 Acres
1329	141	28	393 EUCLID AVE	OGHS, ESTATE OF FLORENCE M	2 CONISTON DR	WEST CHESTER, PA	0.0574	Less than 0.5 Acres
1329	141	31	393 EUCLID AVE	WILLIAMS, FLORENCE	2 CONISTON DR	WEST CHESTER, PA	0.0574	Less than 0.5 Acres
1329	141	32	393 EUCLID AVE	WILLIAMS, FLORENCE	2 CONISTON DR	WEST CHESTER, PA	0.0573	Less than 0.5 Acres
1329	141	5	392 CEDAR AVE	OGHS, ESTATE OF FLORENCE M	2 CONISTON DR	WEST CHESTER, PA	0.0583	Less than 0.5 Acres
1329	141	8	392 CEDAR AVE	OGHS, ESTATE OF FLORENCE M	2 CONISTON DR	WEST CHESTER, PA	0.0582	Less than 0.5 Acres
1329	141	7	396 CEDAR AVE	OGHS, ESTATE OF FLORENCE M	2 CONISTON DR	WEST CHESTER, PA	0.0582	Less than 0.5 Acres
1329	141	8	396 CEDAR AVE	OGHS, ESTATE OF FLORENCE M	2 CONISTON DR	WEST CHESTER, PA	0.058	Less than 0.5 Acres
1329	142	37	419 EUCLID AVE	DONNELLY, DAVID & GAYLE	419 EUCLID AVE	MANASQUAN, NJ	0.0573	Less than 0.5 Acres
1329	142	38	419 EUCLID AVE	DONNELLY, DAVID & GAYLE	419 EUCLID AVE	MANASQUAN, NJ	0.0574	Less than 0.5 Acres
1329	143	19	457 EUCLID AVE	BORUSZKOWSKI, LILLY A & STANLEY	555 SCHUYLER WAY	UNION, NJ	0.0573	Less than 0.5 Acres
1329	143	20	457 EUCLID AVE	BORUSZKOWSKI, LILLY A & STANLEY	555 SCHUYLER WAY	UNION, NJ	0.0574	Less than 0.5 Acres
1329	143	7.01	500 PERRINE BLVD	CARMAN, DEAN R & DONNA M	13 GATES RD	BRANCHBURG, NJ	0.1015	Less than 0.5 Acres
1329	146	3	1 WATSON PL	KRAMER, JEFFREY G	10 WALKER DR	PRINCETON, NJ	0.0758	Less than 0.5 Acres
1329	147	13.02	451 MAIN ST E	BURKE, CAROLYN	3113 NORMAN BLVD	HOUSTON, TX	0.1225	Less than 0.5 Acres
1329	147	14.02	447 MAIN ST E	BONELLI, RENATE M	447 E MAIN ST	MANASQUAN, NJ	0.1858	Less than 0.5 Acres
1329	149	11	161 FLETCHER AVE	O'LEARY, M THERESA	14 MIDDLESEX LN	YONKERS, NY	0.1768	Less than 0.5 Acres
1329	149	16	141 FLETCHER AVE	JACKY, KEVIN & CAROLYN A	141 FLETCHER AVE	MANASQUAN, NJ	0.1768	Less than 0.5 Acres
1329	149	3.02	28 POTTER AVE N	PRESTIZANO, PAUL	312 MADISON AVE APT 3B	HOBOKEN, NJ	0.119	Less than 0.5 Acres
1329	150	13	17 LOCKWOOD AVE	HOFFNER, BARRY & ALISON	88 SOMERSET AVE	BRIDGEWATER, NJ	0.0751	Less than 0.5 Acres
1329	150	15	15 ROGERS AVE	SHRIBER, LEONARD & GOODMAN, MARY	147 PARK AVE	VERONA, NJ	0.0548	Less than 0.5 Acres
1329	150	16	15 ROGERS AVE	SHRIBER, LEONARD & GOODMAN, MARY	147 PARK AVE	VERONA, NJ	0.0578	Less than 0.5 Acres
1329	151	1	129 ROGERS AVE	SHALHOUB, JOHN & NAUREEN	15 CARMINE ST	CHATHAM, NJ	0.0842	Less than 0.5 Acres
1329	151	13	11-11-1/2 51MS AVE	MORRIS, FRANK A & MORRIS, HARRY A	2188 ALLENWOOD RD	WALL, NJ	0.0925	Less than 0.5 Acres
1329	151	30	15 51MS AVE	TURIANO, ANGELA A	15 51MS AVE	MANASQUAN, NJ	0.0927	Less than 0.5 Acres
1329	152	14	1414 51MS AVE	CARBONE, JANE A	45 WYCKHAM RD	SPRING LAKE, NJ	0.0827	Less than 0.5 Acres
1329	154	10	1020 MEADOW AVE	BONKOSKI, ANN LIVING REVOCABLE TRST	1456 RICHMOND GLOVEY DR	HARTFORD, CT	0.0769	Less than 0.5 Acres
1329	157	10	1033 OCEAN AVE	MANANSAN, JOSEPH M & RITA L	470 WEST 52ND AVE APT AC	NEW YORK, NY	0.1722	Less than 0.5 Acres
1329	157	24	41 PEARCE CT	SEEM, GARY & LAUREN	15 NEWLIN RD	PRINCETON, NJ	0.067	Less than 0.5 Acres
1329	157	4.01	13 OCEAN AVE	LUPINSKI, MARIE	97 GRETA PL	EMERSON, NJ	0.0712	Less than 0.5 Acres
1329	16	9.01	14 RISK ST	BALDANZA, KAREN C	PO BOX 496	MANASQUAN, NJ	0.2415	Less than 0.5 Acres
1329	160	1	142 LAKE AVE	LOCKENMEYER, FREDERICK E & MARY F	146 LAKE AVE	MANASQUAN, NJ	0.1587	Less than 0.5 Acres

LOT	BLK	LOT	STREET ADDRESS	OWNER	STREET ADDRESS	CITY	STATE	ACRES
1329 161 1	161	1	STOCKTON LAKE BLVD	MAULIK, OHSANA; HURLEY, J & BAKER, M	36 ASHLIN	RANDOLPH, NJ	0 0883	Less than 0.5 Acres
1329 161 3	161	3	STOCKTON LAKE BLVD	O'GERRER, WILLIAM P TRUST C/O RABA	113 EDGEMONT ST	CEHLI, NY	0 0789	Less than 0.5 Acres
1329 161 4	161	4	STOCKTON LAKE BLVD	MANHEIMER, P RUSSELL; D'AMATO, JULI	219 STOCKTON LAKE BLVD	MANASQUAN, NJ	0 0714	Less than 0.5 Acres
1329 161 5	161	5	STOCKTON LAKE BLVD	MANGER, MADINE	226 STOCKTON LAKE BLVD	MANASQUAN, NJ	0 093	Less than 0.5 Acres
1329 161 6	161	6	STOCKTON LAKE BLVD	MANGER, MADINE	225 STOCKTON LAKE BLVD	MANASQUAN, NJ	0 0811	Less than 0.5 Acres
1329 161 7	161	7	STOCKTON LAKE BLVD	SWIECINSKI, JILL & WILLIAMS, GAIL W	16 WENDEE WAY	SEWELL, NJ	0 0574	Less than 0.5 Acres
1329 161 8	161	8	STOCKTON LAKE BLVD	SWIECINSKI, JILL & WILLIAMS, GAIL W	15 WENDEE WAY	SEWELL, NJ	0 0583	Less than 0.5 Acres
1329 161 9	161	9	STOCKTON LAKE BLVD	TELMAN, MENNO L LIVING TRUST	67 N POTTER AVE	MANASQUAN, NJ	0 0549	Less than 0.5 Acres
1329 161 9.01	161	9.01	STOCKTON LAKE BLVD	TELMAN, MENNO L LIVING TRUST	67 N POTTER AVE	MANASQUAN, NJ	0 024	Less than 0.5 Acres
1329 162 12.03	162	12.03	46 OCEAN AVE	LABA, THOMAS & KAREN	37 W 12TH ST	BAYTOWN, NJ	0 1119	Less than 0.5 Acres
1329 162 7	162	7	26 OCEAN AVE	ORNER, ELIZABETH P	26 OCEAN AVE	MANASQUAN, NJ	0 2052	Less than 0.5 Acres
1329 162 7.01	162	7.01	26 OCEAN AVE	ORNER, ELIZABETH P	26 OCEAN AVE	MANASQUAN, NJ	0 2017	Less than 0.5 Acres
1329 164 1.01	164	1.01	11 FIRST AVE	MALICK, ICELLA	PO BOX 218	MANASQUAN, NJ	0 1136	Less than 0.5 Acres
1329 164 12.01	164	12.01	33 FIRST AVE	FISHER, ROBERT D & CECILIA A	336 SENECA AVE	MIDDLESEX, NJ	0 1265	Less than 0.5 Acres
1329 164 14.04	164	14.04	37 FIRST AVE	DEE, RICHARD A	115 E 39TH ST APT 6E	NEW YORK, NY	0 0591	Less than 0.5 Acres
1329 164 31.01	164	31.01	4 STOCKTON AVE	PELENSKI, WALTER A III & JESSICA L	4 STOCKTON AVE	MANASQUAN, NJ	0 1141	Less than 0.5 Acres
1329 165 1	165	4	22 FIRST AVE	GC PROPERTY ESTATES, LLC C/O COX, G	246 HAMBURG PK STE 302	WAYNE, NJ	0 0495	Less than 0.5 Acres
1329 167 14	167	14	130 FIRST AVE-131 BEACHFR	BALDWIN, WARY, BENNETT, RON & CATHY	130 FIRST AVE	MANASQUAN, NJ	0 0692	Less than 0.5 Acres
1329 168 26	168	26	110 SECOND AVE	SALTER, JAMES & MELISSA, MCDOERNOTT	303 E 33RD ST APT 100	NEW YORK, NY	0 0591	Less than 0.5 Acres
1329 169.03 1	169.03	1	1125 SECOND AVE	GARAFOLA, LAWRENCE J & MAUREEN	6 BREARLY LN	FRESHMAN STATION, NJ	0 1021	Less than 0.5 Acres
1329 171 24	171	24	168 SECOND AVE	SASTOKAS, MICHAEL D	166 SECOND AVE	MANASQUAN, NJ	0 1123	Less than 0.5 Acres
1329 176 1	176	1	1544 BRIELLE RD	MOONE, ELAINE	PO BOX 220	POINT LOOKOUT, NY	0 0361	Less than 0.5 Acres
1329 176 34	176	34	200 FOURTH AVE	RAMUNDO, GIOVANNI & MARCO, VIGGIANO	63 WARWICK CIR	SPRINGFIELD, NJ	0 1355	Less than 0.5 Acres
1329 176 8	176	8	530 BRIELLE RD-238 FOURTH	BAGHERI, KAZ	2860 HWY 35	WALL, NJ	0 0485	Less than 0.5 Acres
1329 177 14.01	177	14.01	230 THIRD AVE	MOLTE, JOHN A & ELLEN B	1 OPALUT WAY	FRESHOLD, NJ	0 0384	Less than 0.5 Acres
1329 178 2.01	178	2.01	579 BRIELLE RD	RENNIE, DAVE & KATHY, QUIGLEY, DENN	463 THOREAU TER	UNION, NJ	0 042	Less than 0.5 Acres
1329 178 26	178	26	564-571 MAIN ST E	BRODERICK, DEBORAH R	13635 OLD CHATWOOD PL	CHANTILLY, VA	0 0583	Less than 0.5 Acres
1329 178 3.01	178	3.01	236 SECOND AVE	Z36 AV, LLC, KRAUTYAPASKY & LEVINSHT	67 MARINE TER	LONG BRANCH, NJ	0 2381	Less than 0.5 Acres
1329 18 25.01	18	25.01	23 RISK ST	JACKWICK, JOHN V & KELLY A	1 SEA GIRT AVE	SEA GIRT, NJ	0 1492	Less than 0.5 Acres
1329 18 26.01	18	26.01	23 RISK ST	JACKWICK, JOHN V & KELLY A	1 SEA GIRT AVE	SEA GIRT, NJ	0 0917	Less than 0.5 Acres
1329 181 2	181	2	137 BEACHFRONT-238 FIRST	SEEM, ERIC	297 BEACHFRONT	MANASQUAN, NJ	0 0871	Less than 0.5 Acres
1329 181 5	181	5	290 FIRST AVE-291 BEACHFR	DANA, RONALD B	PO BOX 75	TENNET, NJ	0 0807	Less than 0.5 Acres
1329 182.01 11	182.01	11	273 FIRST AVE	GLY, GLENN & JILL M	158 ROBERTSVILLE RD	FRESHOLD, NJ	0 0667	Less than 0.5 Acres
1329 182.01 15	182.01	15	265 FIRST AVE	MCINTYRE, CHRISTOPHER & JEAN M	1301 SYLVAN LN	MOHAWTAINSIDE, NJ	0 0609	Less than 0.5 Acres
1329 182.01 16	182.01	16	761 FIRST AVE	MAHETTO, CARLO & GIOELLE	761 FIRST AVE	MANASQUAN, NJ	0 0634	Less than 0.5 Acres
1329 182.01 22	182.01	22	579-579 1/2 BRIELLE RD	AMERICAN TIMBER COMPANY	611 MAIN ST SUITE B1	BERLIN, NJ	0 054	Less than 0.5 Acres
1329 182.01 27	182.01	27	565 BRIELLE RD	PERAZZO, EVAN & PATRICIA C	240 W 73RD ST APT 420	NEW YORK, NY	0 0876	Less than 0.5 Acres
1329 182.01 6	182.01	6	235 FIRST AVE	BRIST, ROBERT & MARY	12 MEADOW CT	MORWOOD, NJ	0 0776	Less than 0.5 Acres
1329 182.01 9	182.01	9	279 FIRST AVE	MCGOVERN, PETER G & LUCIA	121 ST JOHNS PL	WESTFIELD, NJ	0 0813	Less than 0.5 Acres
1329 182.02 1	182.02	1	1551 TARPON AVE	DANIEL, STEVEN & DANIEL, JANET	53 CATHEDRAL AVE	FLOPHAM PARK, NJ	0 0782	Less than 0.5 Acres
1329 182.02 9	182.02	9	574 MARLIN AVE	COFFEY, KEVIN M & PATRICIA A	43 BROOKSIDE RD	CLARKSBURG, NJ	0 0736	Less than 0.5 Acres
1329 182.03 11	182.03	11	566 POMPANO AVE	MECEL, ELIZABETH & TOMASECK, MILDON	117 HONEYSTEAD AVE	HAMILTON, NJ	0 0791	Less than 0.5 Acres
1329 184.01 15	184.01	15	339 FIRST AVE	ABRUZZO, THOMAS & PATRICIA	52 MAPLE AVE	MADISON, NJ	0 0639	Less than 0.5 Acres
1329 184.01 2	184.01	2	307 FIRST AVE	CULLEN, MARYANN & CULLEN, JOHN P	352 PARK AVE	FRESHOLD, NJ	0 0849	Less than 0.5 Acres
1329 184.02 5	184.02	5	565 POMPANO AVE	APPLEGATE, TAYLOR S & LISA M	61 WENROCK RD	FRESHOLD, NJ	0 0783	Less than 0.5 Acres
1329 184.05 12	184.05	12	564 PIKE AVE	BROWN, ROBERT J & REBECCA L	17 WICKET TRL	LAFAYETTE, NJ	0 0778	Less than 0.5 Acres
1329 185 19.01	185	19.01	349 BEACHFRONT	HOLLANDER, DANIEL & CLAIRE N	450 NORTH END AVE APT 26A	NEW YORK, NY	0 0452	Less than 0.5 Acres
1329 185 25	185	25	161 BEACHFRONT	CRESITELLO, DONALD & IRENE	361 BEACHFRONT	MANASQUAN, NJ	0 0841	Less than 0.5 Acres
1329 185 7	185	7	321 BEACHFRONT	CARBONE, JOHN V & DIANE M	PO BOX 497	ALLENWOOD, NJ	0 135	Less than 0.5 Acres
1329 185 8	185	8	323 BEACHFRONT	HENDERSON, EDWARD P & MARY ALICE	228 OLD MILL RD	FRESHOLD, NJ	0 105	Less than 0.5 Acres
1329 186.01 10	186.01	10	401 FIRST AVE	DUPNA, JUNE S	301 FIRST AVE	MANASQUAN, NJ	0 0904	Less than 0.5 Acres
1329 186.01 12	186.01	12	395 FIRST AVE	BURY, STUART J & SLAVIN, JANE	395 FIRST AVE	MANASQUAN, NJ	0 0785	Less than 0.5 Acres
1329 187 21	187	21	420 FIRST AVE-421 BEACHFR	ZELLERS, CARL F	42 MAIN ST	HOLMDEL, NJ	0 0773	Less than 0.5 Acres
1329 187 23	187	23	425 BEACHFRONT	MOUNTFORD, KENT REVOCABLE TRUST	10200 BREEDEN RD	LUSBY, MD	0 0739	Less than 0.5 Acres
1329 189.01 2	189.01	2	113 DEEP CREEK DR	DEEP CREEK COVE, LLC	406 8TH AVE	SPRING LAKE, NJ	0 1196	Less than 0.5 Acres
1329 189.01 2.01	189.01	2.01	113 DEEP CREEK DR	DEEP CREEK COVE, LLC	406 8TH AVE	SPRING LAKE, NJ	0 0093	Less than 0.5 Acres
1329 189.01 3	189.01	3	21 DEEP CREEK DR	LUBACK SHORE PROPERTIES FAMILY LP	179 BEACHFRONT	MANASQUAN, NJ	0 1159	Less than 0.5 Acres

1229 190.01 3.01	199.01	3.01	21 DEEP CREEK DR	LUBICK SHORE PROPERTIES FAMILY LP	179 BEACHFRONT	MANASQUAN, NJ	0.0268	Less than 0.5 Acres
1229 190 3.01	190	1.01	MANASQUAN RIVER ISLAND	BRIDGE, PETER J & CATHEEN L	1223 W CHICAGO BLVD	WALL TWP, NJ	1.7178	Constrained (Wetlands) and No Access to Right-of-Way
1229 190 3.02	190	1.02	MANASQUAN RIVER ISLAND	BRIDGE, PETER J & CATHEEN L	1223 W CHICAGO BLVD	WALL TWP, NJ	1.3882	Constrained (Wetlands) and No Access to Right-of-Way
1229 190 3.03	190	1.03	MANASQUAN RIVER ISLAND	BRIDGE, PETER J & CATHEEN L	1223 W CHICAGO BLVD	WALL TWP, NJ	0.0742	Less than 0.5 Acres
1229 191 1.4	191	1.4	543-543-1/2 BRIELLE RD	AMERICAN TIMBER COMPANY	511 MAIN ST SUITE B2	SELMER, NJ	0.1003	Less than 0.5 Acres
1229 191 2	191	2	509 BRIELLE RD	HARRISON, RICHARD J & JANE E	509 BRIELLE RD	MANASQUAN, NJ	0.0939	Less than 0.5 Acres
1229 21 11.01	21	11.01	92 CHURCH ST	MCKEON, CHRISTOPHER & ELAINE	113 MAIN ST	MANASQUAN, NJ	0.1106	Less than 0.5 Acres
1229 28 5	28	5	CENTRAL AVE	CENTRELLA, LORRAINE	22 CRESCENT DR	BRIELLE, NJ	0.8687	No Access to Right-of-Way
1229 31 12	31	12	141 ATLANTIC AVE	BOGAN, JAMES F JR & BOGAN, JOAN L	145 ATLANTIC AVE	MANASQUAN, NJ	0.4005	Less than 0.5 Acres
1229 31 15	31	15	1011 NEW BRUNSWICK AVE	TULLY, JOSEPH E & PATRICIA A	1011 NEW BRUNSWICK AVE	MANASQUAN, NJ	0.1692	Less than 0.5 Acres
1229 31 4.01	31	4.01	105 ATLANTIC AVE	ATTLIE, EARLE	11008 S CLEAR WATER DR	GOODYEAR, AZ	0.3108	Less than 0.5 Acres
1229 32 1.01	32	1.01	30 MAIN ST N	30 NORTH MAIN, LLC C/O MASTRORILLI	427 ESSEX AVE	SPRING LAKE, NJ	0.1608	Less than 0.5 Acres
1229 32 1.05	32	1.05	MAIN ST N	TRIGGIANO, JOSEPHINE L	25 N MAIN ST	MANASQUAN, NJ	0.1218	Less than 0.5 Acres
1229 35 25 C0010	35	25	20-3 OSBORN AVE	NIYT, LLC C/O MORRIS, FRANK A	2168 ALLENWOOD RD	WALL, NJ	0.0286	Less than 0.5 Acres
1229 42 13	42	13	982 ATLANTIC AVE	MALLARD PARK OFFICES, LLC	PO BOX 598	ALLENWOOD, NJ	0.3525	Less than 0.5 Acres
1229 50 82	60	82	34 PEARCE AVE	BAUER, JACQUELINE	82 PEARCE AVE	MANASQUAN, NJ	0.1597	Less than 0.5 Acres
1229 54 19	64	19	38 BROAD ST	W F SHERMAN & SON INC	84 BROAD ST	MANASQUAN, NJ	0.2176	Less than 0.5 Acres
1229 54 21	64	21	BROAD ST	W F SHERMAN & SON INC	84 BROAD ST	MANASQUAN, NJ	0.2327	Less than 0.5 Acres
1229 64 25.02	64	25.02	40 BROAD ST	SEPE, WILLIAM S	44 BROAD ST	MANASQUAN, NJ	0.21	Less than 0.5 Acres
1229 71 3.01	71	3.01	UNION AVE	APPLEGATE, FRANK H & JEAN D	85 MORRIS AVE	MANASQUAN, NJ	0.8732	Constrained (Wetlands)
1229 71 3.02	71	3.02	UNION AVE	APPLEGATE, FRANK H & JEAN D	85 MORRIS AVE	MANASQUAN, NJ	1.1848	Constrained (Wetlands)
1229 72 1.08	72	1.08	133 MORRIS AVE	ROBERTSON, CHARLES & JENNY	136 UNION AVE	MANASQUAN, NJ	0.1434	Less than 0.5 Acres
1229 73 78	73	78	142 MORRIS AVE	GAIL VINI PROPERTIES, LLC	2431 STAMORE ST	WALL, NJ	0.1485	Less than 0.5 Acres
1229 73 81	73	81	140 MORRIS AVE	SBC IV RED, LLC C/O SUSSNER, J ESQ	ONE GATEWAY CTR STE 2200	NEWARK, NJ	0.1487	Less than 0.5 Acres
1229 73 83	73	83	138 MORRIS AVE	SBC IV RED, LLC C/O SUSSNER, J ESQ	ONE GATEWAY CTR STE 2200	NEWARK, NJ	0.1489	Less than 0.5 Acres
1229 73 85	73	85	136 MORRIS AVE	SBC IV RED, LLC C/O SUSSNER, J ESQ	ONE GATEWAY CTR STE 2200	NEWARK, NJ	0.1491	Less than 0.5 Acres
1229 73 87	73	87	134 MORRIS AVE	QUINCY HOMES, LLC	PO BOX 616	GLADSTONE, NJ	0.1492	Less than 0.5 Acres
1229 85 13.01	85	13.01	273 PINE AVE	ANALLIN, BRIAN C & LEIGH C	272 PINE AVE	MANASQUAN, NJ	0.1713	Less than 0.5 Acres
1229 95 25.01	85	25.01	161 CEDAR AVE	SCHERER, DIANE & STOCKMAN, JUNE EST	303 ORANGE RD	MONTCLAIR, NJ	0.1147	Less than 0.5 Acres
1229 97 11	87	11	1275 MAIN ST E	FRANCIS, MAROLD JR	271 E MAIN ST	MANASQUAN, NJ	0.1662	Less than 0.5 Acres
1229 97 15.02	90	15.02	15 COLBY AVE	ICFMA C/O FE SERVICE TAX DEPT	800 CABIN HILL DR	GREENSBURG, PA	0.1793	Less than 0.5 Acres
1229 97 7.02	90	7.02	48 TAYLOR AVE	ILH CUSTOM HOMES, LLC C/O HERRMANN	32 TAYLOR AVE	MANASQUAN, NJ	0.1350	Less than 0.5 Acres
1229 98 12	95	12	21 WYCKOFF AVE	LUDWIG & WARE, LLC & ITWIN, DIANA	204 E MAIN ST	MANASQUAN, NJ	0.1252	Less than 0.5 Acres
1229 98 16	95	16	19 WYCKOFF AVE	DINGLER, EDWARD J & PATRICIA G	63 MINERVA AVE	MANASQUAN, NJ	0.1023	Less than 0.5 Acres

ATTACHMENT B: VACANT LAND MAPPING



* Revised Date 11/3/2017

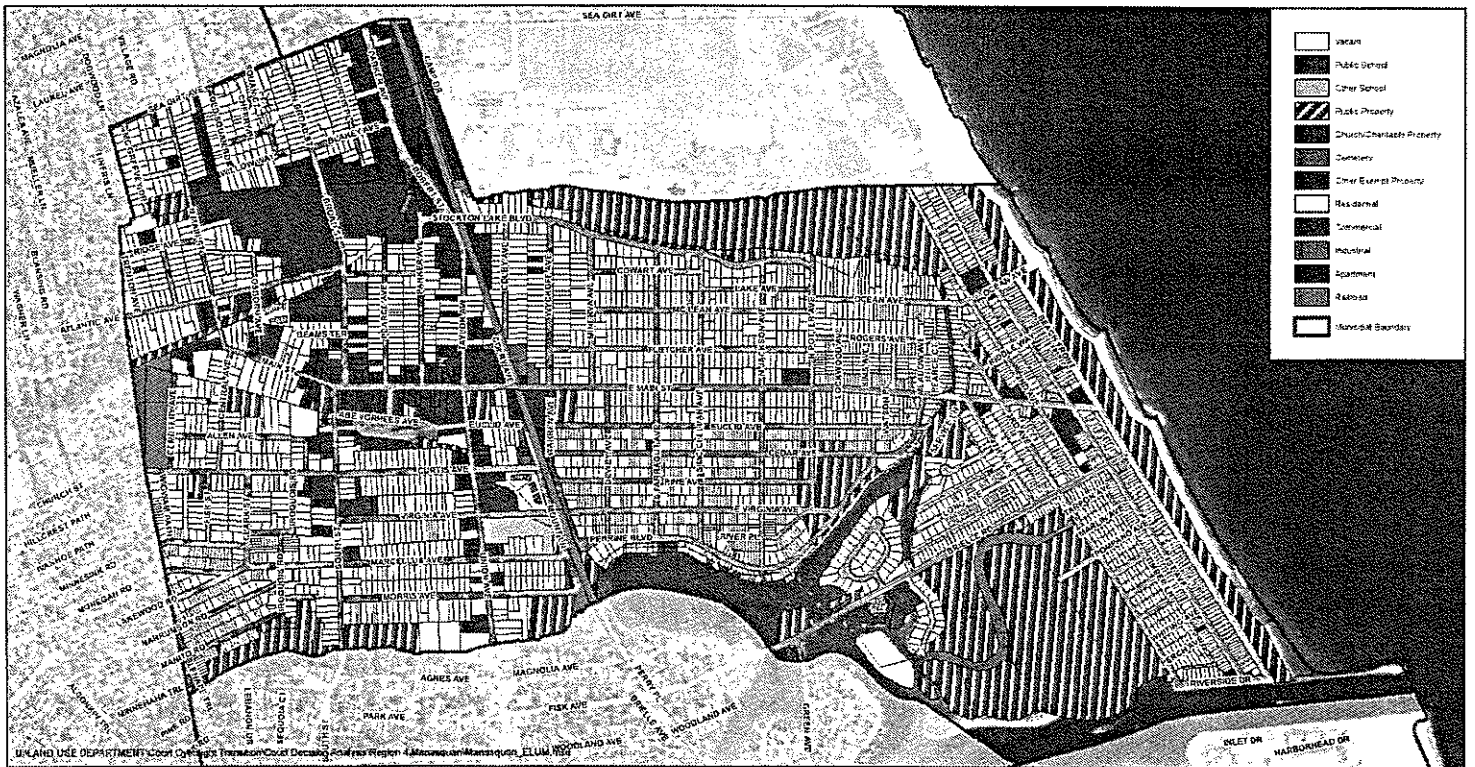
Source: NJGIA, NJDOT, NJDEP, FEMA

Vacant Land and Constraints, 2015*
 Vacant Land Assessment
 Borough of Manasquan
 Monmouth County, New Jersey

LEON S. AVAKIAN, Inc.
 Consulting Engineers

H.Z.
 MB 17-01

ATTACHMENT C: EXISTING LAND USE MAP



**Existing Land Use Map
Borough of Manasquan
Monmouth County, New Jersey**



**Appendix B. Settlement Agreement between Manasquan and
Fair Share Housing Center**

AGREEMENT TO RESOLVE ISSUES BETWEEN THE BOROUGH OF MANASQUAN AND FAIR SHARE HOUSING CENTER CONCERNING THE BOROUGH'S MOUNT LAUREL FAIR SHARE OBLIGATIONS AND THE MEANS BY WHICH THE BOROUGH SHALL SATISFY SAME.

In the Matter of the Borough of Manasquan, County of Monmouth,
Docket No. MON-L-2508-15

THIS SETTLEMENT AGREEMENT ("Agreement") made this _____ day of _____, 2018, by and between:

BOROUGH OF MANASQUAN, a municipal corporation of the State of New Jersey, County of Monmouth, having an address at 201 East Main Street, Manasquan, New Jersey 08736 (hereinafter the "Borough" or "Manasquan");

And

FAIR SHARE HOUSING CENTER, having an address at 510 Park Boulevard, Cherry Hill, New Jersey 08002, (hereinafter "FSHC");

WHEREAS, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (Mount Laurel IV), the Borough filed the above-captioned matter on July 2, 2015 seeking, among other things, a judicial declaration that its Housing Element and Fair Share Plan (hereinafter "Fair Share Plan"), as may be further amended in accordance with the terms of this settlement, satisfies its "fair share" of the regional need for low and moderate income housing pursuant to the Mount Laurel doctrine; and

WHEREAS, the Borough simultaneously sought and ultimately secured an Order protecting Manasquan from all exclusionary zoning lawsuits while it pursues approval of its Fair Share Plan; and

WHEREAS, the immunity secured by Manasquan remains in place as of the date of this Agreement; and

WHEREAS, the Trial Court appointed Michael Bolan, P.P., A.I.C.P., as the "Special Master" in this case as is customary in Mount Laurel matters; and

WHEREAS, with Mr. Bolan's assistance, Manasquan and FSHC have engaged in good faith negotiations and have reached an amicable accord on the various substantive provisions, terms and conditions delineated herein; and

WHEREAS, through that process, the Borough and FSHC agreed to settle the litigation and to present that settlement to the Trial Court, recognizing that the settlement of Mount Laurel litigation is favored because it avoids delays and the expense of trial and results more quickly in the construction of homes for lower-income households; and

WHEREAS, at this time and at this particular point in the process resulting from the Mount Laurel IV decision, when fair share obligations have yet to be definitively determined, it is appropriate for the parties to arrive at a settlement regarding a municipality's present and prospective need, instead of doing so through plenary adjudication of the present and prospective need.

NOW, THEREFORE, in consideration of the promises, the mutual obligations contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by each of the parties, the parties hereto, each binding itself, do hereby covenant and agree, each with the other, as follows:

Settlement Terms

The Borough and FSHC hereby agree to the following general terms, subject to any relevant conditions set forth in more detail below:

1. Manasquan's "Rehabilitation Obligation" is 6.
2. Manasquan's "Prior Round (1987-1999) Obligation" is 149.
3. Manasquan's "Gap (1999-2015) + Prospective Need (2015-2025) Obligation" is 382.

4. FSHC and the Borough agree that Manasquan does not accept the basis of the methodology or calculations proffered by FSHC's consultant, David N. Kinsey, PhD, P.P., F.A.I.C.P. The Parties agree to the terms in this agreement solely for purposes of settlement of this action. Although the Borough does not accept the basis of the methodology or calculations proffered by FSHC's consultant, FSHC contends, and is free to take the position before the Court, that the 382-unit obligation should be accepted by the Court because it is based on the Prior Round methodology and reflects a thirty percent (30%) reduction of Dr. Kinsey's April 2017 calculation of the Borough's Gap (1999-2015) + Prospective Need (2015-2025) fair share obligations.

5. Pursuant to N.J.A.C. 5:93-4.2, and as confirmed by Special Master Bolan, Manasquan's Realistic Development Potential (hereinafter "RDP") is 12. This leaves the Borough with a remaining combined Prior Round (1987-1999) and Gap + Prospective Need (1999-2025) "unmet need" of 519.

6. **Satisfaction of Rehabilitation Obligation:** The Borough has fully satisfied its Rehabilitation Obligation of six (6) as follows:

- ☐ The Borough has been participating in the Monmouth County Rehabilitation Program since 1995, and thirty-six (36) units have been rehabilitated in the Borough since that time.
- ☐ Of the Thirty-six (36) units rehabilitated since 1995, eight (8) have been rehabilitated after April 1, 2010, and are therefore creditworthy for the purposes of this Agreement.
- ☐ Thus, the Borough has fully satisfied its current Rehabilitation Obligation of six (6) and actually has two (2) surplus rehabilitation credits that can be applied to Round 4, should applicable law allow such credits to be counted in the future.

7. **Satisfaction of the Borough's RDP:** The Borough has a combined Prior Round (1987-1999) and Gap + Prospective Need (1999-2025) RDP of 12, which it will satisfy as follows:

- **Nine (9) family rental units from the Broad Street & Union Avenue Projects:** Developer Sepe will construct two residential projects. The two projects will produce a combined total of forty-five (45) units, which will consist of thirty-six (36) market rate units and nine (9) family rental units affordable to very-low, low- and moderate-income households. The nine (9) affordable rental units is a twenty percent (20%) set-aside of the forty-five (45) total units in the two residential projects. The first residential project will be located at 34, 36, 40 and 44 Broad Street (Block 64, Lots 25.01, 25.02, 26 and 27), and will consist of twenty-two (22) market rate units. No affordable units will be located on this site. The second site will be located on 33, 33.5 and 38 Union Avenue (Block 66.02, Lot 31.01), and will consist of twenty-three (23) total units, made up of fourteen (14) market rate units and nine (9) family rental units affordable to very-low, low- and moderate-income households. In the event that less than twenty-two (22) total units are generated on the Broad Street site and/or less than twenty-three (23) total units are generated on the Union Avenue site, Sepe will maintain a twenty percent (20%) affordable housing set-aside on the total number of units created, and the Borough will have the right to adjust its RDP downwards from 12. Certificates of occupancy shall be issued in accordance with the phasing schedule provided within N.J.A.C. 5:93-5.6(d) to ensure that the affordable units are constructed. Construction permits may be issued and closed out at either site, independently, and this requirement shall not act as a limitation on the timing of construction at either site. The nine (9) affordable units will be broken down as follows: One (1) very-low-income unit, four (4) low-income units and four (4) moderate-income units. The bedroom mix on the affordable units will be as follows: At least two (2) three-bedroom units, no more than one (1) one-bedroom unit and the remaining six (6) units will be two-bedroom units. Each affordable unit will be subject to a thirty (30) year affordable housing deed restriction in accordance with UHAC. Developer Sepe will also contract with an experienced Administrative Agent, which may or may not be the Borough's Administrative Agent, to ensure that all of the affordable units are properly affirmatively marketed.

- **Three (3) rental bonus credits.**

8. **Satisfaction of "unmet need":** For the purposes of settlement, the Borough agrees to address its 519 combined Prior Round (1987-1999) and Gap + Prospective Need (1999-2025) "unmet need" through the following mechanisms:

- **Up To Ten (10) Accessory Apartments:** The Borough has already adopted an Accessory Apartment Ordinance that permits the development of accessory apartments in the Borough's R-1, R-2, and R-M Zones, subject to the bulk and yard requirements of the zone in which the unit is located. The Ordinance

contains provisions for the design, accessibility, affordability, marketing, and administration of the Accessory Apartment units generated as a result of the Ordinance. The Borough will amend the Ordinance to (1) allow accessory apartments to be created throughout the Borough instead of just in the R-1, R-2 and R-M zones, and (2) increase the subsidies for Accessory Apartment program from \$10,000 for all units to \$25,000 for a moderate-income unit, \$35,000 for a low-income unit and \$50,000 for a very-low income unit. The Borough will use Affordable Housing Trust Fund monies to pay for the increased subsidies.

- **Affordable Housing Overlay Over The R-M Zone:** As part of achieving Prior Round Substantive Certification, the Borough established an affordable housing overlay zone in the R-M zone to provide an opportunity to develop additional affordable housing. Any affordable units generated in the R-M Zone will be applied towards satisfying "unmet need." The R-M Zone overlay currently requires a twenty percent (20%) affordable housing set-aside, and will be modified to ensure that all sites in the R-M Zone can be developed at ten (10) units per acre.
- **Affordable Housing Overlay Over The B-1, BR-1, O and B-3 Zones:** The Borough will establish an affordable housing overlay over the B-1, BR-1, O and B-3 Zones in the Borough, as depicted in the map attached hereto as Exhibit A. The density proposed for the overlay zone will be fourteen (14) units per acre for those properties fronting on Main Street west of Route 71, and ten (10) units per acre for those properties that front on Route 71 itself. Any affordable units generated in the B-1, BR-1, O and B-3 zones will be applied towards satisfying "unmet need." The overlay zone will require a twenty percent (20%) affordable housing set-aside.
- **Mandatory Set-Aside Ordinance ("MSO"):** The Borough already has an adopted Borough-wide Mandatory Set-Aside Ordinance ("MSO") in place. The MSO currently requires a twenty percent (20%) affordable housing set-aside for residential developments comprised of five (5) or more dwelling units. The MSO will be amended to bring it up to date with currently applicable law in collaboration with the Special Master and FSHC prior to the Final Compliance Hearing in this matter. The amended MSO will not apply to the R-M, B-1, BR-1, O and B-3 Zones.

9. The Borough's RDP shall not be revisited by FSHC or any other interested party absent a substantial changed circumstance and, if such a change in circumstance occurs with the RDP, the Borough shall have the right to address the issue without negatively affecting its continuing entitlement to immunity from all Mount Laurel lawsuits through July 2, 2025.

10. The Borough agrees to require thirteen percent (13%) of all the affordable units referenced in this plan, with the exception of units constructed prior to July 1, 2008, and units subject to preliminary or final site plan approval prior to July 1, 2008, to be very-low-income units (defined as units affordable to households earning thirty percent (30%) or less of the

regional median income by household size), with half of the very-low income units being available to families.

11. Manasquan will apply "rental bonus credits" in accordance with N.J.A.C. 5:93-5.15(d).

12. At least fifty percent (50%) of the units addressing the Borough's RDP shall be affordable to a combination of very-low-income and low-income households, while the remaining affordable units shall be affordable to moderate-income households.

13. At least twenty-five percent (25%) of the Borough's RDP shall be met through rental units, including at least half in rental units available to families.

14. At least half of the units addressing the Borough's RDP in total must be available to families.

15. The Borough agrees to comply with COAH's Round 2 age-restricted cap of twenty-five percent (25%), and to not request a waiver of that requirement. This shall be understood to mean that in no circumstance may the Borough claim credit toward its fair share obligation for age-restricted units that exceed twenty-five percent (25%) of all units developed or planned to meet its Prior Round obligation and twenty-five percent (25%) of all units developed or planned to meet its combined Gap + Prospective Need obligation.

16. The Borough and/or its administrative agent shall add the following entities to the list of community and regional organizations in its affirmative marketing plan, pursuant to N.J.A.C. 5:80-26.15(f)(5): Fair Share Housing Center (510 Park Boulevard, Cherry Hill, NJ 08002); the New Jersey State Conference of the NAACP; the Latino Action Network (P.O. Box 943, Freehold, NJ 07728); STEPS, OCEAN, Inc.; the Greater Red Bank, Asbury Park/Neptune, Bayshore, Greater Freehold, Greater Long Branch, and Trenton branches of the NAACP; and the Supportive Housing Association. As part of its regional affirmative marketing strategies during implementation of its Fair Share Plan, the Borough and/or its administrative agent shall also provide notice of all available affordable housing units to the above-referenced organizations.

17. All affordable housing units created pursuant to the measures set forth in this Agreement shall comply with the Uniform Housing Affordability Controls ("UHAC"), N.J.A.C. 5:80-26.1 et. seq. or any successor regulation, with the exception that in lieu of ten percent (10%) of affordable units in rental projects being required to be affordable to households earning at or below thirty-five percent (35%) of the regional median household income by household size, thirteen percent (13%) of affordable units in such projects shall be required to be affordable to households earning at or below thirty percent (30%) of the regional median household income by household size subject to Paragraph 10 herein, and all other applicable law. All new construction units shall be adaptable in conformance with P.L.2005, c.350/N.J.S.A. 52:27D-311a and -311b and all other applicable law. The Borough, as part of the Housing Element and Fair Share Plan that will be prepared, adopted and endorsed as a result of this Agreement, shall adopt and/or update appropriate implementing ordinances in conformance with standard ordinances and guidelines developed by COAH to ensure that this provision is satisfied.

18. Upon full execution of this Agreement, Manasquan shall notify the Court so that a Fairness Hearing can be scheduled to approve the Agreement. Manasquan will place this

Agreement on file in the Borough's municipal building and file a copy with the Court 30 days prior to the Fairness Hearing, at which the Borough will seek judicial approval the terms of this Agreement pursuant to the legal standard set forth in Morris Cty. Fair Hous. Council v. Boonton Twp., 197 N.J. Super. 359, 367-69 (Law Div. 1984), *aff'd o.b.*, 209 N.J. Super. 108 (App. Div. 1986); East/West Venture v. City of Fort Lee, 286 N.J. Super. 311, 328-29 (App. Div. 1996). Notice of the Fairness Hearing shall be published at least 30 days in advance of the Hearing. Within 120 days of the approval of this Agreement by the Court after a Fairness Hearing, Manasquan will adopt a Housing Element and Fair Share Plan, along with a Spending Plan, and will adopt all ordinances required to be adopted as part of this Agreement, and will submit same to the Court, the Court Master, and FSHC for review. The Borough, FSHC, the Court Master and the Court may agree to extend this period of time for good cause shown. The Borough will then apply to the Court for the scheduling of a "Compliance Hearing" seeking judicial approval of Manasquan's adopted Housing Element and Fair Share Plan and other required documents. Although it is expected that the Special Master will provide the majority of the required testimony at both the Fairness Hearing and the Compliance Hearing, Manasquan shall also make its consulting planner and any other relevant witnesses available for testimony at the Hearings. FSHC shall not challenge the validity of any of the documents attached hereto, or the validity of the Borough's Fair Share Plan so long as adopted in conformance with this Agreement. If the Fairness and Compliance Hearings result in approval of this Agreement and the Borough's Fair Share Plan, the parties agree that the Borough will be entitled to either a "Judgment of Compliance and Repose" ("JOR") or the "judicial equivalent of substantive certification and accompanying protection as provided under the FHA," 221 N.J. at 6, which shall be determined by the trial judge. Each party may advocate regarding whether substantive certification or repose should be provided by the Court, with each party agreeing to accept either form of relief and to not appeal an order granting either repose or substantive certification. Among other things, the entry of such an Order shall maintain Manasquan's immunity from all Mount Laurel lawsuits through July 2, 2025.

19. Subsequent to the signing of this Agreement, if a binding legal determination by the Judiciary, the Legislature, or any administrative subdivision of the Executive Branch determines that Manasquan's Gap (1999-2015) + Prospective Need (2015-2025) obligation is decreased to 306 or less, with any relevant appeal periods having passed, the Borough may file a proposed form of Order, on notice to FSHC and the Borough's Service List, seeking to reduce its Gap (1999-2015) + Prospective Need (2015-2025) obligation accordingly. Such relief shall be presumptively granted. Notwithstanding any such reduction, the Borough shall be obligated to implement the Fair Share Plan prepared, adopted and endorsed as a result of this Agreement, including by leaving in place any site specific zoning adopted or relied upon in connection with the Plan approved pursuant to this settlement agreement, maintaining all mechanisms to continue to address the Borough's "unmet need", and otherwise fulfilling fully the fair share obligations as established herein. The reduction of the Borough's obligation below what is established in this Agreement does not provide a basis for seeking leave to amend this Agreement or the Fair Share Plan adopted pursuant to this Agreement or seeking leave to amend an order or judgment pursuant to R. 4:50-1. If the Borough prevails in reducing its Gap + Prospective Need for Round 3, the Borough may carry over any resulting surplus credits to Round 4.

20. The Borough shall prepare a Spending Plan for approval by the Court during, or prior to, the duly-noticed Compliance Hearing. FSHC reserves its right to provide any comments or objections on the Spending Plan to the Court upon review. Upon approval by the Court, the Borough and FSHC agree that the expenditures of funds contemplated in the Borough's Spending Plan shall constitute the "commitment" for expenditure required pursuant to

N.J.S.A. 52:27D-329.2 and -329.3, with the four-year time period contemplated therein commencing in accordance with the provisions of In re Tp. Of Monroe, 442 N.J.Super. 565 (Law Div. 2015) (aff'd 442 N.J.Super. 563). Upon approval of its Spending Plan, the Borough shall also provide an annual Mount Laurel Trust Fund accounting report to the New Jersey Department of Community Affairs, Council on Affordable Housing, Local Government Services, or other entity designated by the State of New Jersey, with a copy provided to FSHC and posted on the municipal website, using forms developed for this purpose by the New Jersey Department of Community Affairs, Council on Affordable Housing, or Local Government Services.

21. On the first anniversary of the approval of this Agreement after a Fairness Hearing, and every anniversary thereafter through the end of this Agreement, the Borough agrees to provide annual reporting of the status of all affordable housing activity within the municipality through posting on the municipal website with a copy of such posting provided to FSHC, using forms previously developed for this purpose by the Council on Affordable Housing or any other forms endorsed by the Special Master and FSHC. In addition to the foregoing, the Borough may also post such activity on the CTM system and/or file a copy of its report with the Council on Affordable Housing or its successor agency at the State level.

22. The Fair Housing Act includes two provisions regarding actions to be taken by the Borough during the ten-year period of protection provided in this agreement. The Borough agrees to comply with those provisions as follows:

- a. For the midpoint realistic opportunity review due on July 1, 2020, as required pursuant to N.J.S.A. 52:27D-313, the Borough will post on its municipal website, with a copy provided to FSHC, a status report as to its implementation of its Plan and an analysis of whether any unbuilt sites or unfulfilled mechanisms continue to present a realistic opportunity and whether the mechanisms to meet unmet need should be revised or supplemented. Such posting shall invite any interested party to submit comments to the municipality, with a copy to FSHC, regarding whether any sites no longer present a realistic opportunity and should be replaced and whether the mechanisms to meet "unmet need" should be revised or supplemented. Any interested party may by motion request a hearing before the Court regarding these issues.
- b. For the review of very-low-income housing requirements required by N.J.S.A. 52:27D-329.1, within 30 days of the third anniversary of the approval of the Borough's Housing Element and Fair Share Plan at a Compliance Hearing, and every third year thereafter, the Borough will post on its municipal website, with a copy provided to FSHC, a status report as to its satisfaction of its very-low income requirements, including the family very-low-income requirements referenced herein. Such posting shall invite any interested party to submit comments to the municipality and FSHC on the issue of whether the municipality has complied with its very-low-income housing obligation under the terms of this settlement.
- c. In addition to the foregoing postings, the Borough may also elect to file copies of its reports with the Council on Affordable Housing or its successor agency at the State level.

23. This Agreement may be enforced by the Borough or FSHC through a motion to enforce litigant's rights or a separate action filed in Superior Court, Monmouth County. If FSHC determines that such action is necessary, the Borough consents to the entry of an order providing FSHC party status as an intervenor solely for purposes of its motion to enforce litigant's rights.

24. All Parties shall have an obligation to fulfill the intent and purpose of this Agreement. However, if an appeal of the Court's approval or rejection of the Settlement Agreement is filed by a third party, the Parties agree to defend the Agreement on appeal, including in proceedings before the Superior Court, Appellate Division, and New Jersey Supreme Court, and to continue to implement the terms of the Settlement Agreement if the Agreement is approved by the Trial Court unless and until an appeal of the Trial Court's approval is successful, at which point the Parties reserve their right to return to the *status quo ante*. In this regard, the Borough and FSHC acknowledge that the Parties have entered into this Agreement to settle the litigation and that each is free to take such position as it deems appropriate should the matter return to the *status quo ante*.

25. The Borough agrees to pay \$5,000 to FSHC, payable within 10 days of judicial approval of this Agreement pursuant to a duly-noticed Fairness Hearing.

26. Unless otherwise specified, it is intended that the provisions of this Agreement are to be severable. The validity of any article, section, clause or provision of this Agreement shall not affect the validity of the remaining articles, sections, clauses or provisions hereof. If any section of this Agreement shall be adjudged by a court to be invalid, illegal, or unenforceable in any respect, such determination shall not affect the remaining sections.

27. This Agreement shall be governed by and construed by the laws of the State of New Jersey.

28. This Agreement may not be modified, amended or altered in any way except by a writing signed by both the Borough and FSHC.

29. This Agreement may be executed in any number of counterparts, each of which shall be an original and all of which together shall constitute but one and the same Agreement.

30. The Borough and FSHC acknowledge that each has entered into this Agreement on its own volition without coercion or duress after consulting with its counsel, that each person to sign this Agreement is the proper person and possesses the authority to sign the Agreement, that this Agreement contains the entire understanding of the Borough and FSHC and that there are no representations, warranties, covenants or undertakings other than those expressly set forth herein.

31. The Borough and FSHC acknowledge that this Agreement was not drafted by the Borough and FSHC, but was drafted, negotiated and reviewed by representatives of the Borough and FSHC and, therefore, the presumption of resolving ambiguities against the drafter shall not apply. The Borough and FSHC expressly represent that: (a) it has been represented by counsel in connection with negotiating the terms of this Agreement; and (b) it has conferred due authority for execution of this Agreement upon the persons executing it.

32. Any and all Exhibits and Schedules annexed to this Agreement are hereby made a part of this Agreement by this reference thereto. Any and all Exhibits and Schedules now

and/or in the future are hereby made or will be made a part of this Agreement with prior written approval of both the Borough and FSHC.

33. This Agreement constitutes the entire Agreement between the Borough and FSHC hereto and supersedes all prior oral and written agreements between the Borough and FSHC with respect to the subject matter hereof except as otherwise provided herein.

34. Anything herein contained to the contrary notwithstanding, the effective date of this Agreement shall be the date upon which representatives of the Borough and FSHC have executed and delivered this Agreement.

35. All notices required under this Agreement ("Notice[s]") shall be written and shall be served upon the Borough and FSHC by certified mail, return receipt requested, or by a recognized overnight or by a personal carrier. In addition, where feasible (for example, transmittals of less than fifty pages) shall be served by facsimile or e-mail. All Notices shall be deemed received upon the date of delivery. Delivery shall be affected as follows, subject to change as to the person(s) to be notified and/or their respective addresses upon ten (10) days' notice as provided herein:

TO FSHC:

Adam M. Gordon, Esq.
Fair Share Housing Center
510 Park Boulevard
Cherry Hill, NJ 08002
Phone: (856) 665-5444
Telecopier: (856) 663-8182
Email: adamgordon@fairsharehousing.org

TO THE BOROUGH:

Erik C. Nolan, Esq.
Jeffrey R. Surenian & Associates, LLC
707 Union Avenue, Suite 301
Brielle, NJ 08730
Phone: (732) 612-3100
Telecopier: (732) 612-3101
Email: EN@Surenian.com

Mark G. Kitrick, Esq.
King, Kitrick, Jackson and McWeeney, LLC
2329 Highway 34, Suite 104
Manasquan, NJ 08736
Phone: (732) 630-0405
Telecopier: (732) 477-1304
Email: mkitrick@kkjlawfirm.com

**WITH A COPY TO THE
BOROUGH ADMINISTRATOR:**

Thomas Flarity, Administrator
Borough of Manasquan
201 East Main Street
Manasquan, NJ 08736
Phone: (732) 223-0544

Telecopier: (732) 223-1300
Email: tflarity@manasquan-nj.gov

**WITH A COPY TO THE
SPECIAL MASTER:**

Michael Bolan, PP/AICP
104 Howard Way
PO Box 295
Pennington, NJ 08534
Phone: (609) 466-4259
Telecopier: (609) 466-1588
Email: michaelbolan@verizon.net

In the event any of the individuals identified above has a successor, the individual identified shall name the successor and notify all others identified of their successor.

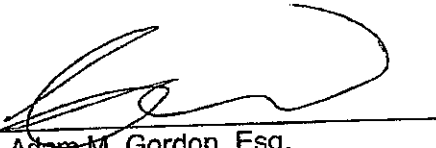
IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be properly executed, their corporate seals affixed and attested and this Agreement to be effective as of the Effective Date.

Witness/Attest:



FAIR SHARE HOUSING CENTER:

By: _____


Adam M. Gordon, Esq.
On Behalf of Fair Share Housing Center

Dated: June 22, 2018

Witness/Attest:



BOROUGH OF MANASQUAN:

By: _____


Edward Donovan, Mayor
On Behalf of the Borough of Manasquan

Dated: July 3, 2018

EXHIBIT A
Overlay Zone Map

Atlantic Ocean

Proposed Overlay Zone



Stockton Lake

The Glimmerglass

Source: parcels NJGIN, Waterbodies 2002 NHD

Proposed Affordable Housing Overlay Zone

Borough of Manasquan
Monmouth County, New Jersey



LEON S. AVAKIAN, Inc.
Consulting Engineers
Created Mar-19-2018

**Appendix C. Court Order Approving The Settlement Agreement
Between Manasquan And Fair Share Housing Center**

JEFFREY R. SURENIAN AND ASSOCIATES, LLC

Brielle Galleria

707 Union Avenue, Suite 301

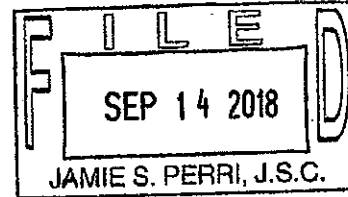
Brielle, NJ 08730

(732) 612-3100

Attorneys for Declaratory Plaintiff, Borough of Manasquan

By: Jeffrey R. Surenian (Attorney ID: 024231983)

Erik C. Nolan (Attorney ID: 014032006)



IN THE MATTER OF THE
APPLICATION OF THE BOROUGH OF
MANASQUAN, COUNTY OF
MONMOUTH

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MONMOUTH COUNTY**

DOCKET NO.: MON-L-2508-15

Civil Case
(Mount Laurel)

**ORDER APPROVING SETTLEMENT
AGREEMENT BETWEEN BOROUGH OF
MANASQUAN AND FAIR SHARE
HOUSING CENTER**

THIS MATTER having been opened to the Court by Jeffrey R. Surenian and Associates, LLC, on behalf of declaratory plaintiff, Borough of Manasquan (hereinafter "the Borough" or "Manasquan") via a Declaratory Judgment Complaint filed on July 2, 2015 to approve the Borough's Housing Element and Fair Share Plan (hereinafter "Fair Share Plan") in response to In Re Adoption of N.J.A.C. 5:96, 221 N.J. 1 (2015) ("Mount Laurel IV"); and the Court having granted the Borough immunity from Mount Laurel lawsuits from the time of the filing of the Borough's Declaratory Judgment action (hereinafter "DJ Action"), which is still in full force and effect; and the Court having appointed Michael Bolan, P.P., A.I.C.P. as the Special Mount Laurel Court Master (hereinafter the "Court Master"); and FSHC having participated in the Borough's DJ Action as an "interested party"; and FSHC's expert, David Kinsey, PhD, P.P., F.A.I.C.P., having issued an expert report that calculated fair share obligations for all of the municipalities in the state; and the Borough having hired Econsult Solutions, Inc., which produced its own expert report calculating fair share obligations for all municipalities in the state; and the Borough's

professionals and Adam Gordon, Esq., of FSHC having entered into mediation supervised by the Court Master to try to agree on the magnitude of the Borough's fair share obligations, and how the Borough would comply with same; and the Borough's professionals and FSHC having agreed upon a form of Settlement Agreement (attached hereto as Exhibit P-1, and referred to hereinafter as the "FSHC Settlement Agreement"), which was executed by Adam Gordon, Esq., on behalf of FSHC on June 22, 2018; and the Borough Council having adopted a resolution on July 2, 2018 (attached hereto as Exhibit P-2) authorizing the Mayor of Manasquan Borough to execute the FSHC Settlement Agreement, which he subsequently did on July 3, 2018; and that at this point in the process resulting from the Mount Laurel IV decision, when fair share obligations have yet to be definitively determined, it is appropriate for FSHC and the Borough to enter into a settlement regarding the Borough's Rehabilitation, Prior Round, Gap and Prospective Need obligations, instead of doing so through plenary adjudication of same; and the Court having set a date of September 11, 2018 for a Fairness Hearing to entertain approval of the settlement between FSHC and the Borough, and to determine whether said settlement is fair, reasonable and adequately protects the interest of very low, low and moderate income households; and the Borough having provided proper public and actual notice of the Fairness Hearing; and no objections to the settlement having been received; and counsel for the Borough having prepared a Notice Certification, attached hereto as Exhibit P-4, to document that proper notice of the Fairness Hearing had been given; and the Court Master having issued a report on September 5, 2018 (Exhibit P-3), in which he recommended that that Court approve the FSHC Settlement Agreement; and the Fairness Hearing having been held on September 11, 2018, during which Borough Exhibits P-1 to P-4, which are attached hereto, were marked into evidence; and the Court having considered the testimony taken during the Fairness Hearing, as well as the comments of counsel; and the Court Master having recommended approval of the FSHC

Settlement Agreement to the Court on the record during the Fairness Hearing, having found it to be in full compliance; and the Court having also reviewed all of the documents submitted into evidence during the Fairness Hearing; and the Court being satisfied that the parties are entitled to the relief sought; and good cause having been shown;

It is hereby ordered on this 14th day of September, 2018, as follows:

1. The Court finds and determines pursuant to the judicial standards prescribed by the Appellate Division in East/West Venture v. Bor. Of Fort Lee, 286 N.J. Super. 311 (App. Div. 1996), and through analysis of the FSHC Settlement Agreement, and on the basis of the testimony taken during a Fairness Hearing conducted on September 11, 2018; that the settlement between FSHC and the Borough is fair, reasonable and adequately protects the interest of very low, low and moderate income households, and the Court hereby approves the FSHC Settlement Agreement, which is attached hereto as Exhibit P-1.

2. The Court finds that the Borough's proposed affordable housing strategy as set forth within the FSHC Settlement Agreement is facially constitutionally compliant and provides a fair and reasonable opportunity for the Borough to meet its obligation under Mount Laurel IV, subject to the Borough's compliance with the conditions set forth hereinafter.

3. As a result of the Settlement between the Borough and FSHC, the Borough's Rehabilitation Obligation is 6, the Borough's Prior Round Obligation (1987-1999) is 149 and the Borough's Gap + Prospective Need Obligation (1999-2025) is 382.

4. The Borough has a combined Prior Round (1987-1999) and Gap + prospective Need (1999-2025) Realistic Development Potential ("RDP") of 12, which leaves an "unmet need" of 519.

5. Satisfaction of Rehabilitation Obligation: The Borough has already fully satisfied its Rehabilitation Obligation of six (6) with six (6) rehabilitation credits, and has two (2) surplus

rehabilitation credits that can be applied to Round 4, should applicable law allow such credits to be counted in the future.

6. Satisfaction of RDP of 12: The Borough will satisfy its RDP of twelve (12) with nine (9) affordable family rental units from two combined inclusionary projects totaling forty-five (45) units, of which nine (9) units will be affordable family rental units. The first project will be located on 44 Broad Street (Block 64, Lots 25.01, 25.02, 26 and 27), and will consist of twenty-two (22) market-rate units only. The second project will be located on 33, 33.5 and 38 Union Avenue (Block 66.02, Lot 31.01), and will consist of fourteen (14) market rate units and nine (9) affordable family rental units.

7. Satisfaction of "unmet need": The Borough will address its 519 combined remaining Prior Round, Gap + Prospective Need (1999-2025) "unmet need" through the following mechanisms.

- Up to ten (10) Accessory Apartments.
- An Affordable Housing Overlay over the R-M Zone requiring a twenty percent (20%) affordable housing set aside, and set at ten (10) units per acre.
- An Affordable Housing Overlay over the B-1, BR-1, O and B-3 Zones requiring a twenty percent (20%) affordable housing set-aside, and set at fourteen (14) units per acre for those properties fronting on Main Street west of Route 71, and ten (10) units per acre for those properties that front on Route 71 itself.
- A Mandatory Set-Aside Ordinance ("MSO"), which will require a twenty percent (20%) affordable housing set-aside for any residential developments consisting of five (5) or more dwelling units that are approved by the Borough and/or the Borough's Planning Board. The MSO will not apply to the Borough's R-M, B-1, BR-1, O and B-3 Zones.

8. All other terms and conditions in the FSHC Settlement Agreement (Exhibit P-1) shall be adhered to, and all such terms and conditions are hereby incorporated by reference.

9. On or before February 18, 2019, the Borough shall file with the Court a duly adopted and endorsed Housing Element and Fair Share Plan, including a Spending Plan,

reflecting all of the terms and conditions of the FSHC Settlement Agreement (Exhibit P-1), along with all adopted implementing ordinances, resolutions and exhibits addressing all of the conditions of Pages 8-9 of the Court Master's September 5, 2018 report (Exhibit P-3), after first providing copies of all documents filed with the Court to the Court Master and FSHC for review and comment.

10. A Final Compliance Hearing shall be held before the Hon. Jamie S. Perri, J.S.C., on April 17, 2019 at 10:00 a.m., at the Monmouth County Courthouse, 71 Monument Park, Freehold, New Jersey, for consideration and approval of the Borough's Housing Element and Fair Share Plan.

11. Notice for the Final Compliance Hearing shall be published by the Borough on or before February 20, 2019 in a newspaper of general circulation in Monmouth County, Ocean County and Mercer County, and actual notice of the Compliance Hearing shall simultaneously be mailed to the Borough's Service List.

12. Any objections to the Borough's adopted and endorsed Housing Element and Fair Share Plan must be filed in writing together with copies of any supporting affidavits or documents on or before March 20, 2019, with the Hon. Jamie S. Perri, J.S.C., Superior Court of New Jersey, Monmouth County Courthouse, Post Office Box 1266, Freehold, New Jersey 07728, with duplicate copies forwarded by mail to counsel for FSHC, counsel for the Borough of Manasquan and the Court Master.

13. The Borough of Manasquan shall file any reply to those objections on or before March 29, 2019.

14. The Court Master shall submit his report to the Court no later than April 10, 2019, opining whether the Borough's Housing Element and Fair Share Plan creates a realistic

opportunity to satisfy the Borough's fair share of the regional need for housing affordable to low and moderate income housing.

15. Upon such a finding, the Court shall issue a Judgment of Compliance and repose; which once entered, will provide the Borough and its Planning Board immunity from all Mount Laurel lawsuits through July 2, 2025, except actions to enforce the terms of the FSHC Settlement Agreement. A Final Judgment of Compliance and Repose may be issued without further hearing should the Court Master file a certification of compliance that all conditions of the settlement have been met and no written objection to the Court Master's certification is received.

16. The temporary immunity from Mount Laurel lawsuits that is currently in place for the Borough and its Planning Board will remain in place until one month after the date the final Compliance Hearing is held.

17. Counsel for the Borough shall provide copies of this Order to all counsel of record and to the Court Master within seven (7) days of receipt.


HONORABLE JAMIE S. PERRI, J.S.C.

Findings of the Court were set forth
on record on 9/14/18.