

AMENDED HOUSING ELEMENT AND FAIR SHARE PLAN
BOROUGH OF MOUNTAIN LAKES

Prepared for:

Planning Board
Borough of Mountain Lakes
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Mountain Lakes, N.J. 07046

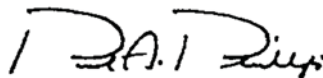
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The original copy of this document was signed and sealed
in accordance with N.J.S.A. 45:14 A-1 et seq.



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I. Introduction

The Borough of Mountain Lakes (“Mountain Lakes” or “the Borough”) filed a declaratory judgment action In the Matter of the Borough of Mountain Lakes, County of Morris, (Docket No. MRS-L-1646-16) on July 25, 2016 (the “Declaratory Judgment Action”). The purpose of the Declaratory Judgment Action was to seek a declaration of its compliance with the Mt. Laurel doctrine and Fair Housing Act of 1985, N.J.S.A. 52:27D-301 et seq. in accordance with the New Jersey Supreme Court’s decision In the matter of the Adoption of Third Round Regulations, N.J.A.C. 5:96 and 5:97, by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) (“Mt. Laurel IV”). The Borough Planning Board subsequently adopted a Housing Element and Fair Share Plan on March 24, 2016. Through the declaratory judgment process, the Borough, the declaratory judgment plaintiff, and Fair Share Housing Center (“FSHC”), a Supreme Court-designated interested party in the matter in accordance with Mt. Laurel IV agreed to settle the litigation and to present the settlement to the trial court with jurisdiction over this matter for review, 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. The Borough has prepared this Amended Housing Element and Fair Share Plan (“Amended HEFSP” or “Plan”) pursuant to the terms of the agreement reached between the Borough and FSHC. The Borough, through the adoption and implementation of this Amended HEFSP satisfies its obligations under the Mt. Laurel doctrine and Fair Housing Act for the Prior Round (1987-1999) and Third Round (1999-2025).

As part of its 2015 Decision, the Supreme Court ruled that the municipal Fair Share obligation will be determined by the trial court on a case-by-case basis. The Supreme Court directed municipalities to rely on the 1987-1999 Prior Round obligation estimates listed in N.J.A.C. 5:93. However, the Court has not provided estimates for the Present Need or Third Round Prospective Need obligations for New Jersey municipalities¹. As part of its settlement, the Borough and FSHC agreed to use Fair Share obligation numbers published by FSHC and prepared by David N. Kinsey² (the “Kinsey Report”) as adjusted. Accordingly, the Borough of Mountain Lakes’ affordable housing obligation is as follows:

- **Present Need Obligation:** 1 unit;
- **Prior Round Obligation (1987-1999):** 80 units; and

¹ As a point of information, on March 8, 2018, Superior Court Judge Mary C. Jacobson in Mercer County, New Jersey issued an unreported decision addressing the methodology for establishing the municipal obligations to provide affordable housing for the Third Round (“the Mercer Decision”). The Mercer Decision is not binding on any other Court. However, Judge Jacobson released the spreadsheets that Richard B. Reading, the judge’s Numbers Master, used to generate the numbers in her opinion. Econsult Solutions, Inc. (“ESI”), a consultant team ran the numbers with the Reading spreadsheets so municipalities could calculate what their fair share obligation would be under the “Jacobson fair share formula”. ESI estimated that the Borough of Mountain Lakes had the following obligation: Present Need: 1 unit; Prior Round: 80 units; and Third Round Prospective Need of 271 units.

² David N. Kinsey, PhD, PP, FAICP, “New Jersey Low and Moderate Income Housing Obligations for 1999-2025 Calculated Using the NJ COAH Prior Round (1987-1999) Methodology, May 2016.

- **Third Round Prospective Need Obligation (1999-2025)³**: 271 units.

During the Prior Round, Mountain Lakes undertook a vacant land adjustment (“VLA”) pursuant to N.J.A.C. 5:93-4.2 of COAH’s Second Round rules. It was determined that Mountain Lakes’ had a realistic development potential (“RDP”) of 18 units. In addition to addressing its RDP, pursuant to N.J.A.C. 5:93-4.1(b), “when a municipality seeks a vacant land adjustment the municipality shall provide a response toward the “unmet need” of the obligation not addressed by the RDP. In other words, the “unmet need” is the difference between the RDP and the Prior Round obligations. Therefore, if the Borough’s Prior Round obligation is 80 units and its RDP is 18 units then its unmet need is 80 less 18, i.e., 62 units. To address its Third Round obligation, the Borough also sought a vacant land adjustment (see Appendix A) pursuant to N.J.A.C. 5:93-4.2. All of the current vacant sites in the Borough were inventoried and the resulting analysis revealed that the Borough had a Third Round RDP of 17 units. The Third Round unmet need of 254 units (i.e., $271-17=254$) plus the remaining Prior Round unmet need of 62 units results in a total unmet need of 316 units.

The remainder of this report is divided into six chapters. Chapter II provides information on the historical and current status of affordable housing in New Jersey; Chapter III lists the statutory requirements for a Housing Element and Fair Share Plan; Chapter IV details the Borough’s affordable housing history; Chapter V includes Census and other data on the Borough’s housing stock and demographics; Chapter VI details how Mountain Lakes will fulfill its Fair Share obligation; and Chapter VII provides a summary of the Borough’s Affordable Housing Plan. The Appendixes include the methodology and results of the Third Round Vacant Land Adjustment sought by the Borough.

³ For the purposes of this Agreement, the Third Round Prospective Need includes the Gap Period Present Need which is a measure of households formed from 1999-2015 that need affordable housing. The Gap Period Present Need was recognized by the Supreme Court in In re Declaratory Judgment Actions Filed by Various Municipalities, 227 N.J. 508 (2017).

II. Affordable Housing in New Jersey

In 1975, the Supreme Court of New Jersey in South Burlington County N.A.A.C.P. v. Township of Mount Laurel, 67 N.J. 151 (1975), ruled that the developing municipalities in the State of New Jersey exercising their zoning power, in general, had a constitutional obligation to provide a realistic opportunity for the construction of their fair share of the region's low- and moderate-income housing needs. In 1983, the Supreme Court refined that constitutional obligation in South Burlington County N.A.A.C.P. v. Township of Mount Laurel, 92 N.J. 158 (1983), to apply to those municipalities having any portion of their boundaries within the growth area as shown on the State Development Guide Plan. In 1985, the New Jersey Legislature adopted, and the Governor signed, the Fair Housing Act ("FHA"), N.J.S.A. 52:2D-301 et seq., which transformed the judicial doctrine that became known as the "Mount Laurel doctrine" into a statutory one and provided an alternative administrative process in which municipalities could elect to participate in order to establish a Housing Element and Fair Share Plan ("HEFSP") that would satisfy its constitutional obligation. The FHA created an administrative agency known as the Council on Affordable Housing ("COAH") to develop regulations to define the obligation and implement it. COAH proceeded to adopt regulations for First Round obligations applicable from 1987 to 1993 and Second Round obligations that created a cumulative obligation from 1987 to 1999.

COAH first proposed Third Round Substantive and Procedural Rules in October, 2003. 35 N.J.R. 4636(a); 35 N.J.R. 4700(a). Those rules remained un-adopted and COAH re-proposed both the Substantive and Procedural Third Round Rules (N.J.A.C. 5:94 and 5:95) in August of 2004 and adopted the same effective on December 20, 2004 (the "2004 Regulations"). The 2004 Regulations were challenged and on January 25, 2007, the Appellate Division invalidated various aspects of those regulations and remanded considerable portions of the rules to COAH with direction to adopt revised rules. In the Matter of the Adoption of N.J.A.C. 5:94 and 5:95 by the New Jersey Council on Affordable Housing, 390 N.J. Super. 1 (App. Div.), certif. denied, 192 N.J. 72 (2007) (the "2007 Case"). On January 22, 2008, COAH proposed and published revised Third Round regulations in the New Jersey Register. 40 N.J.R. 237.

On May 6, 2008, COAH adopted the revised Third Round regulations and advised that the new regulations would be published in the June 2, 2008 New Jersey Register, thereby becoming effective. On May 6, 2008, COAH simultaneously proposed amendments to the revised Third Round rules it had just adopted. Those amendments were published in the June 16, 2008 New Jersey Register, 40 N.J.R. 3373 (Procedural N.J.A.C. 5:96); 40 N.J.R. 3374 (Substantive N.J.A.C. 5:97). The amendments were adopted on September 22, 2008 and made effective on October 20, 2008.

N.J.A.C. 5:96 and 5:97 as adopted in 2008 were challenged in an appeal entitled *In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing*, 416 N.J.Super. 462 (App. Div. 2010) (the “2010 Case”). In its October 8, 2010 decision, the Appellate Division determined, among other things, that the growth share methodology was invalid and that COAH should adopt regulations utilizing methodologies similar to the ones utilized in the First and Second rounds (i.e., 1987-1999). On September 26, 2013, the Supreme Court of New Jersey affirmed the Appellate Division’s invalidation of the third iteration of the Third Round regulations, sustained their determination that the growth share methodology was invalid, and directed COAH to adopt new regulations based upon the methodology utilized in the First and Second Rounds. *In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing*, 215 N.J. 578 (2013) (the “2013 Case”). COAH proceeded to propose such regulations in accordance with the schedule and amended schedule established by the New Jersey Supreme Court in the 2013 Case. On October 20, 2014, COAH deadlocked with a 3-3 vote and failed to adopt the revised Third Round regulations.

Due to COAH’s failure to adopt the revised regulations and subsequent inaction, Fair Share Housing Center (“FSHC”), a party in the 2010 Case and the 2013 Case, filed a motion with the New Jersey Supreme Court to enforce litigant’s rights. On March 10, 2015 the New Jersey Supreme Court issued its decision on FSHC’s motion to enforce litigant’s rights. The Supreme Court in the 2015 Case found that the COAH administrative process had become non-functioning and, as a result, returned primary jurisdiction over affordable housing matters to the trial courts. *In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing*, 221 N.J. (2015) (the “2015 Case”). In doing so, the Supreme Court established a transitional process for municipalities to file a declaratory judgement action with the trial courts seeking to declare their HEFSPs as being constitutionally compliant and seeking protection and repose against exclusionary zoning litigation.

III. Affordable Housing in the Borough of Mountain Lakes

Prior Round (1987-1999)

Per COAH's Second Round rules, i.e., N.J.A.C. 5:93 et seq., Mountain Lakes' Prior Round obligation (1987-1999) was 91 units, comprised of 80 units of new construction and 11 units of rehabilitation. COAH certified the Borough's prior round Housing Element and Fair Share Plan on March 5, 1997. As part of certification COAH granted the Borough a vacant land adjustment in recognition of the Borough's insufficient land capacity to satisfy the COAH-determined 80-unit new construction portion of the obligation. Instead, the Borough's realistic development potential ("RDP") was determined to be 18 units. This 18-unit RDP was satisfied with 6 units at the inclusionary zoned "Fusee site" and a 12-unit regional contribution agreement (RCA) with Orange. The unmet need of 62 units was addressed by establishing a Borough-wide overlay zone requiring a 20 percent affordable housing set aside as part of any new residential development comprised of five or more units.

First Iteration of Third Round Rules (2004-2018)

The Borough petitioned for third round substantive certification in December 2005 under COAH's original third round rules at N.J.A.C. 5:94 et seq.; however, the application had not been certified by COAH prior to the issuance of the Appellate Division's January 25, 2007 decision overturning portions of COAH's regulations. In response to the 2007 case, COAH adopted new regulations in 2008, i.e., N.J.A.C. 5:97. However, as will be discussed below, Mountain Lakes had the option to adopt a Third Round Fair Share obligation established by COAH in cooperation with the Highlands Council.

Highlands Third Round Obligation

Shortly before COAH adopted N.J.A.C. 5:94 in 2004, the Legislature enacted the Highlands Water Protection and Planning Act, which established the Highlands Council and called for the development of a regional master plan to carry out the Act's objectives. The Highlands Regional Master Plan (RMP) was adopted by the Highlands Council in July 2008 and approved by Governor Corzine in September 2008. In approving the RMP, the Governor issued Executive Order 114 requiring that the Highlands Council work in cooperation with COAH to review COAH's third round growth projections for consistency with the Highlands Plan and assist COAH in developing adjusted growth projections within the Highlands Region. Executive Order 114 also directed COAH to coordinate the deadlines for revision of municipal master plans and third round fair share plans to be in conformance with both the Highlands Act and the Fair Housing Act. In addition, Executive Order 114 directed the Council and COAH to "enter into a joint Memorandum of Understanding" ("M.O.U.") to implement the provisions of the executive order. Executive Order 114 did not direct COAH to make any changes in the revised third round rules establishing the affordable housing obligations of Highlands Region municipalities.

In accordance with Executive Order 114, on October 30, 2008, the Council and COAH entered into a *joint M.O.U.* The M.O.U. provided, among other things, that [t]he Highlands Council shall prepare adjusted growth projections through the development of a build-out analysis at a municipal scale for conforming municipalities consistent with the RMP and that COAH shall ensure that any of the eighty-eight (88) municipalities in the Highlands Region under COAH's jurisdiction that choose to conform to the RMP utilize the adjusted growth projections prepared by the Highlands Council in the development of Housing Elements and Fair Share Plans. In addition, the M.O.U. provided that COAH shall grant a waiver from the December 31, 2008 deadline [for the submission of petitions for substantive certification under the third round rules] to December 8, 2009 for any municipality under COAH's jurisdiction that satisfied certain conditions set forth in the M.O.U.

In accordance with the M.O.U., on November 12, 2008, COAH adopted a resolution which provided that COAH hereby grants a waiver from the December 31, 2008 deadline to submit a revised housing element and fair share plan, extending that deadline to December 8, 2009, for all Highlands municipalities under the jurisdiction of COAH provided any municipality seeking such an extension submits notices of an intent to petition the Highlands Council in accordance with its "Conformance Guidelines" and to file a petition for substantive certification with COAH before December 8, 2009. On August 12, 2009, COAH adopted another resolution that extended this deadline to June 8, 2010. COAH did not further extend this deadline.

In early 2009, the Highlands Council conducted a review in the Borough of Mountain Lakes of the remaining vacant land, existing conditions, and available infrastructure. A build-out analysis prepared by the Highlands Council⁴ projected a small amount of future development - five additional residences and approximately 5,100 square feet of nonresidential development - if the Borough conformed to the Highlands RMP.

On August 12, 2009, COAH adopted a second resolution which stated that COAH waives N.J.A.C. 5:97-2 .3(a) and 5:97-2.4 [dealing with municipalities' projected growth share obligations under the revised third round rules] for municipalities located in the Highlands Region that petition COAH and petition the Highlands Council to conform with the RMP by June 8, 2010; and that Highlands municipalities that petition COAH and petition the Highlands Council to conform with the RMP shall follow the procedures set forth in the document entitled 'Guidance for Highlands Municipalities that Conform to the Highlands [RMP]' ("Guidance document"), which was attached to the resolution.

Based on the Borough's future development capacity determined in the build-out analysis, as well as development since January 1, 2004, the COAH and the Highlands Council assigned a Third Round Fair Share obligation to Mountain Lakes of 11 units. In January 2010, the Borough of Mountain Lakes prepared a Housing Element and Fair Share Plan for submission to the Highlands Council. The draft plan proposed to address the

⁴ Mountain Lakes Borough Municipal Build-Out Report; Highlands Council; June 2009.

11-unit obligation through 2 units at the Fusee site, a 2 unit compliance bonus, and a 7-unit accessory apartment program. This plan was not submitted to COAH by the June 8, 2010 deadline. COAH did not further extend this deadline. Several months later in October 2010, the Appellate Court invalidated portions of N.J.A.C. 5:97, a decision that was later affirmed by the Supreme Court in 2013. Additionally, in August 2011, the Appellate Division invalidated the August 12, 2009 COAH resolution and accompanying Guidance document on the ground that it is an administrative rule COAH was required to adopt in accordance with the New Jersey Administrative Procedure Act (APA). In invalidating the resolution, the Court invalidated the Third Round obligation for Mountain Lakes based on the Highland's Council build-out analysis. Therefore, the Courts overturned Mountain Lakes' Third Round obligation established by COAH in N.J.A.C. 5:97 et seq., and by COAH and the Highlands Council as part of the August 12, 2009 resolution, leaving Mountain Lakes, along with most other New Jersey municipalities, in a state of flux as to its Third Round Fair Share obligation.

Declaratory Judgment Action

In July 2016, Mountain Lakes filed a Declaratory Judgment action under Docket No. MRS-L-1646-16 respectfully requesting that the Court grant the following relief: an Order exercising jurisdiction over the compliance by the Borough of Mountain Lakes with its constitutional affordable housing obligations; an Order declaring that the Borough has fully discharged its constitutional affordable housing obligations and is granted protection and repose against exclusionary zoning litigation; a Judgment of Compliance and Repose for a period of ten (10) years from its date of entry; and an Order granting such additional relief as the Court deems equitable and just. Further, the Borough Planning Board adopted an updated Housing Element and Fair Share Plan in March 2016, addressing its third round housing obligation and sought to obtain a Judgment of Compliance and Repose from the Court. In January 2019, at the conclusion of the declaratory judgment negotiation process, the Borough and FSHC memorialized the terms of an agreement settling the litigation (the "Agreement"). This Amended Housing Element and Fair Share Plan has been prepared pursuant to the terms of the Agreement.

IV. Housing Element/ Fair Share Plan Requirements

In accordance with the Municipal Land Use Law (N.J.S.A 40:55D-1, et seq.), a municipal Master Plan must include a housing element as the foundation for the municipal zoning ordinance. Pursuant to the Fair Housing Act, a municipality's housing element must be designed to provide access to affordable housing to meet present and prospective housing needs, with particular attention to low- and moderate-income housing. The housing element must contain at least the following, as per FHA at N.J.S.A 52:27D-310:

- 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 next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development, and probable residential development trends;
- 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 of low- and moderate-income housing and its capacity to accommodate its present and prospective housing needs, including its fair share of low- and moderate-income housing; and
- A consideration of the lands 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.

V. Housing Stock and Demographic Analysis

Housing Stock Inventory

In 2017, there were 1,437 housing units in Mountain Lakes, of which 33, or approximately 2.3 percent, were vacant. Of the 1,404 occupied units, 91.3 percent were owner occupied and 8.7 percent were renter occupied. Table 1, Housing Units by Occupancy Status, 2017, illustrates this occupancy status.

Table 1. Housing Units by Occupancy Status, 2017

	Housing Units	Owner Occupied	Renter Occupied
Occupied	1,404	1,282	122
Vacant	33	-	-
Total	1,437	-	-

Source: American Community Survey, 2013-2017 5-year Estimates

Approximately 86.2 percent of the total housing stock is comprised of single-family detached units. Structures with three or more units make up 2.9 percent of the total housing stock. See Table 2, Housing Units by Number of Units in Structure, 2017, for a detailed explanation of the housing units.

Table 2. Housing Units by Number of Units in Structure, 2017

Number of Units	Total	Percent
1, Detached	1,239	86.2%
1, Attached	146	10.2%
2	0	0.0%
3 or 4	0	0.0%
5 to 9	41	2.9%
10 to 19	0	0.0%
20+	0	0.0%
Mobile Home	11	0.8%
Other	0	0.0%
Total	1,437	100.0%

Source: American Community Survey, 2013-2017 5-year Estimates

Table 3, Housing Units by Age, 2017, illustrates the age of the Borough's housing stock. Approximately 31.7 percent of the Borough's housing units were constructed prior to 1940, whereas only 8.1 percent were constructed in 2000 or later. A significant portion of the Mountain Lakes' housing units (i.e., 284 homes or 19.8 percent of the Borough's housing stock) were constructed between 1950 and 1959.

Table 3. Housing Units by Age, 2017

Year Built	Total Units	Percent
2010 or later	42	3.0%
2000-2009	73	5.1%
1990-1999	108	7.5%
1980-1989	115	8.0%
1970-1979	77	5.4%
1960-1969	170	11.8%
1950-1959	284	19.8%
1940-1949	112	7.8%
Before 1940	456	31.7%
Total	1,437	100.0%

Source: American Community Survey, 2013-2017 5-year Estimates

Table 4, Housing Units by Number of Rooms for Mountain Lakes and Morris County, 2017, shows that in Mountain Lakes, fewer than 1 percent of the housing units have between one and three rooms; 8.9 percent have between four and six rooms; and 90.3 percent have seven or more rooms. In Morris County, 11.2 percent of housing units have between one and three rooms; 36.2 percent have between four and six rooms; and 52.5 percent have seven or more rooms. The mean number of rooms per unit in Mountain Lakes is 9 or more rooms, which indicates that the housing stock in the Borough is, on average, larger in size than that of Morris County (i.e., 6.7 rooms per unit).

Table 4. Housing Units by Number of Rooms for Mountain Lakes and Morris County, 2017

Rooms	Number of Units in Mountain Lakes	Percent of Units in Mountain Lakes	Number of Units in Morris County	Percent of Units in Morris County
1	0	0.0%	2,172	1.1%
2	0	0.0%	3,347	1.7%
3	10	0.7%	16,174	8.4%
4	25	1.7%	21,855	11.4%
5	28	1.9%	21,058	11.0%
6	76	5.3%	26,472	13.8%
7	217	15.1%	25,269	13.2%
8	203	14.1%	27,925	14.6%
9+	878	61.1%	47,370	24.7%
Total	1,437	100.0%	191,642	100.0%
Median Rooms	9 or more		6.7	

Source: American Community Survey, 2013-2017 5-year Estimates

Tables 5 and 6, *Housing Values, Owner Occupied, 2000 and 2017*, respectively, show that the median housing value of owner-occupied housing in Mountain Lakes increased by 65.7 percent between 2000 and 2017. During this same time period, the median value in Morris County increased by 70.2 percent. In 2000, Mountain Lakes' median housing value of \$488,900 was 89.9 percent higher than that of Morris County (\$257,400). In 2017, Mountain Lakes' median housing value of owner occupied units (\$810,300) was 85 percent higher than that of Morris County (\$438,100).

Table 5. Housing Values, Owner Occupied, 2000

Housing Value	Number in Mountain Lakes	Percent in Mountain Lakes	Number in Morris County	Percent in Morris County
Less than \$50,000	13	1.0%	1118	0.9%
\$50,000 to \$99,999	0	0.0%	3413	2.6%
\$100,000 to \$149,999	9	0.7%	12,382	9.6%
\$150,000 to \$199,999	20	1.6%	24,973	19.4%
\$200,000 to \$299,999	177	13.7%	39,877	30.9%
\$300,000 to \$499,999	436	33.9%	34,110	26.4%
\$500,000 to \$999,999	561	43.6%	11,331	8.8%
\$1,000,000 or more	72	5.6%	1,786	1.4%
Total	1,288	100.0%	128,990	100.0%
2000 Median Value	\$488,900		\$257,400	

Source: 2000 U.S. Census

Table 6. Housing Values, Owner Occupied, 2017

Housing Value	Number in Mountain Lakes	Percent in Mountain Lakes	Number in Morris County	Percent in Morris County
Less than \$50,000	23	1.8%	2,454	1.8%
\$50,000 to \$99,999	0	0.0%	1,133	0.8%
\$100,000 to \$149,999	15	1.2%	1,630	1.2%
\$150,000 to \$199,999	0	0.0%	3,677	2.7%
\$200,000 to \$299,999	0	0.0%	19,364	14.3%
\$300,000 to \$499,999	95	7.4%	54,588	40.4%
\$500,000 to \$999,999	747	58.3%	44,684	33.1%
\$1,000,000 or more	402	31.4%	7,667	5.7%
Total	1,282	100.0%	135,197	100.0%
2017 Median Value	\$810,300		\$438,100	

Source: American Community Survey, 2013-2017 5-year Estimates

Median gross rent in Mountain Lakes (\$1,469) is slightly higher than median gross rent County-wide (\$1,420). Notably the great majority of occupied rental housing units in Mountain Lakes pay a gross rent between \$1,000 and \$2,499. The monthly rental costs in Morris County is more diverse, with significant percentage of occupied rental units paying gross rent less than \$1,000 or more than \$2,500. See Table 7, Comparison of Mountain Lakes and Morris County Gross Rent - Renter Occupied Housing Units, 2017, for additional details.

Table 7. Comparison of Mountain Lakes and Morris County Gross Rent – Renter Occupied Housing Units, 2017

Gross Rent	Number in Mountain Lakes	Percent in Mountain Lakes	Number in Morris County	Percent in Morris County
Less than \$500	0	0.0%	2,157	5.0%
\$500 - \$999	0	0.0%	4,576	10.6%
\$1,000 - \$1,499	62	55.9%	17,805	41.1%
\$1,500 - \$1,999	19	17.1%	9,992	23.0%
\$2,000 - \$2,499	30	27.0%	5,207	12.0%
\$2,500 - \$2,999	0	0.0%	2,305	5.3%
\$3,000 or more	0	0.0%	1,317	3.0%
Total	111	100.0%	43,359	100.0%
Median Rent	\$1,469		\$1,420	

Source: American Community Survey, 2013-2017 5-year Estimates

In 2017, 30.3 percent of Mountain Lakes owner occupied households contributed thirty percent or more of their income towards monthly housing costs, whereas 48.2 percent contributed less than twenty percent of their income towards monthly housing costs. See Table 8, Monthly Housing Costs as a Percentage of Household Income in the Past 12 Months – Owner Occupied Housing Units, 2017, for further information.

Table 8. Monthly Housing Costs as Percentage of Household Income in the Past 12 Months – Owner Occupied Housing Units, 2017

	Less than 20 percent	20 to 29 percent	30 percent or more
Less than \$20,000	0	0	34
\$20,000 - \$34,999	9	10	58
\$35,000 - \$49,999	0	0	17
\$50,000 - \$74,999	9	10	47
\$75,000 or more	600	243	233
Total	618	263	389
Zero or Negative Income	12		

Source: American Community Survey, 2013-2017 5-year Estimates

In 2017, around half of Mountain Lakes renter occupied housing units contributed less than twenty percent of their income towards monthly rental costs. See Table 9, Monthly Housing Costs as a Percentage of Household Income in the Past 12 Months – Renter Occupied Housing Units, 2017, for further information.

Table 9. Monthly Housing Costs as a Percentage of Household Income in the Past 12 Months – Renter Occupied Housing Units, 2017

	Less than 20 percent	20 to 29 percent	30 percent or more
Less than \$20,000	0	0	0
\$20,000 - \$34,999	0	0	0
\$35,000 - \$49,999	0	0	0
\$50,000 - \$74,999	0	25	0
\$75,000 or more	56	30	0
Total	56	55	0
Zero or Negative Income	0		
No Cash Rent	11		

Source: American Community Survey, 2013-2017 5-year Estimates

There are no housing units in Mountain Lakes that are overcrowded (defined as having 1.01 or more persons per room), lack complete plumbing facilities, lack complete kitchen facilities, or have no telephone service available. See Table 10, Selected Quality Indicators, Occupied Housing Stock, 2017, for further information.

Table 10. Selected Quality Indicators, Occupied Housing Stock, 2017

	Overcrowded	No Telephone Service Available	Lacking Complete Plumbing Facilities	Lacking Complete Kitchen Facilities
No. Units	0	0	0	0

Source: American Community Survey, 2013-2017 5-year Estimates

General Population Characteristics

Compared to the rapid population growth exhibited from 1990 to 2000 (10.6%), Mountain Lake has had relatively slight population fluctuation since 2000. Notably, the population declined from 2000 to 2010, but grew in the past decade. In comparison, the County population has steadily increased since 1990, albeit at a decreasing rate. See Table 11, Population, 1990-2017, for more information.

Table 11. Population, 1990-2017

	1990	2000	1990-2000 Change	2010	2000-2010 Change	2017	2010-2017 Change
Mountain Lakes	3,847	4,256	10.6%	4,160	-2.3%	4,309	3.6%
Morris County	421,353	470,212	11.6%	492,276	4.7%	498,847	1.3%

Source: 1990, 2000, and 2010 U.S. Census; American Community Survey, 2013-2017 5-year Estimates

From 2000 through 2017, there were major shifts in the age distribution of Mountain Lakes. The age group of 25-34 years decreased by 41.3% and the age group of 35-44 years decreased by 30.5%. Correspondingly, children under 5 years decreased by 43.5% and children 5-14 years decreased by 16.1%. In contrast, the biggest population gains were in the age group 15-24 years (72.4%) and 65-74 years (65.0%). This may be indicative of the decline of young families and the general aging of the demographics in the Borough. In fact, the median age of residents increased from 39.4 to 43.3 between 2000 and 2017. See Table 12, Comparison of Age Distribution, 2000-2017, for additional details.

Table 12. Comparison of Age Distribution, 2000-2017

Age Group	2000	Percent	2017	Percent	Percent Change
Under 5	317	7.4%	179	4.2%	-43.5%
5-14	979	23.0%	821	19.0%	-16.1%
15-24	355	8.3%	612	14.2%	72.4%
25-34	189	4.4%	111	2.6%	-41.3%
35-44	807	19.0%	561	13.0%	-30.5%
45-54	782	18.4%	844	19.6%	7.9%
55-64	441	10.4%	656	15.2%	48.8%
65-74	243	5.7%	401	9.3%	65.0%
75+	143	3.4%	124	2.9%	-13.3%
Total	4,256	100.0%	4,309	100.0%	1.2%
Median Age	39.4		43.3		-

Source: 2000 U.S. Census; American Community Survey, 2013-2017 5-year Estimates

Household Characteristics

A household is defined by the U.S. Census Bureau as those persons who occupy a single room or group of rooms constituting a housing unit; however, these persons may or may not be related. As a subset of households, a family is identified as a group of persons including a householder and one or more persons related by blood, marriage or adoption all living in the same household. In 2017, there were 1,404 households in Mountain Lakes, of which 1,263 were family households and 141 were nonfamily households. Approximately 76.9 percent of the

households are comprised of married couples with or without children. The average household size was 3.07 persons.

Income Characteristics

Households in Mountain Lakes have significantly higher median income than households county-wide. Notably, almost half of Mountain Lakes households have income of \$200,000 or more, whereas only 21 percent of Morris County households have the same income level. Table 13, Household Income in the Past 12 Months for Mountain Lakes and Morris County Households, 2017, further illustrates these findings by noting the number of households in each of the income categories.

Table 13. Household Income in the Past 12 Months for Mountain Lakes and Morris County Households, 2017

	Mountain Lakes		Morris County	
	Households	Percent	Households	Percent
Less than \$10,000	38	2.7%	4,571	2.5%
\$10,000 - \$14,999	0	0.0%	3,859	2.1%
\$15,000 - \$24,999	21	1.5%	7,969	4.4%
\$25,000 - \$34,999	75	5.3%	8,418	4.7%
\$35,000 - \$49,999	17	1.2%	13,246	7.4%
\$50,000 - \$74,999	91	6.5%	23,041	12.8%
\$75,000 - \$99,999	92	6.6%	22,131	12.3%
\$100,000 - \$149,999	262	18.7%	36,343	20.2%
\$150,000 - \$199,999	168	12.0%	22,782	12.6%
\$200,000 or more	640	45.6%	37,764	21.0%
Total	1,404	100.0%	180,124	100.0%
Median Income	\$175,556		\$107,034	

Source: American Community Survey, 2013-2017 5-year Estimates

Although the Census data does not provide a breakdown of household income by household size, COAH's 2017 Median Regional Income Limit for Essex/Morris/Sussex/Union County (Region 2) for a household of one person was \$65,953.⁵ As such, the moderate-income threshold for a household of one person was \$52,762 (i.e., 80 percent of \$65,953). In attempting to approximate the number of low- and moderate-income households in the Borough, using the household size of one person is a conservative approach that represents just a minimum threshold. Table 13 above shows that the percentage of households in the Borough for which income was below this minimum threshold is approximately 10.7 percent.

⁵ Data from Affordable Housing Professionals of New Jersey (AHPNJ). Income limits are not officially adopted by the State of New Jersey.

The percentage of families whose income are below the poverty level, as defined by the 2017 American Community Survey, equates to 3 percent of Mountain Lakes residents. This is on par with the County as a whole, wherein 2.9 percent of County families were living below the poverty level in 2017.

Employment Characteristics

Table 14, Employment Status of Mountain Lakes Residents 16 Years and Over, 2017 indicates the number of Borough residents 16 years and over who are in the labor force, the type of labor force (i.e., civilian or armed forces) and employment status. Approximately 63.4 percent of Mountain Lakes residents 16 and over are in the in the labor force and among those in the labor force, all are in the civilian labor force. Of the residents in the civilian labor force, approximately 92.4 percent are employed and approximately 7.6 percent are unemployed.

Table 14. Employment Status of Mountain Lakes Residents 16 Years and Over, 2017

	Number	Percentage
Population 16 years and over	3,226	100.0%
In Labor Force	2,046	63.4%
Civilian Labor Force	2,046	63.4%
<i>Employed</i>	1,890	92.4%
<i>Unemployed</i>	156	7.6%
Armed Forces	0	0.0%
Not in Labor Force	1,180	36.6%

Source: American Community Survey, 2013-2017 5-year Estimates

Table 15, Occupation of Civilian Employed Population 16 Years and Over, Mountain Lakes, 2017, identifies the occupations of the employed civilian labor force. While Mountain Lakes residents work in a variety of industries, 69.9 percent of employed residents work in Management, Business, Science, and Arts-related occupations; 20.7 percent are employed in Sales and Office-related occupations; and 6.3 percent work in Service-related occupations.

Table 15. Occupation of Civilian Employed Population 16 Years and Over, Mountain Lakes, 2017

Sector Jobs	Number	Percentage
Management, Business, Science, and Arts Occupations	1,322	69.9%
Service	119	6.3%
Sales and Office	392	20.7%
Natural Resources, Construction, and Maintenance	26	1.4%
Production, Transportation, and Moving	31	1.6%
Total	1,890	100.0%

Source: American Community Survey, 2013-2017 5-year Estimates

Table 16, Employment by Industry, Civilian Employed Population 16 Years and Over, Mountain Lakes, 2017, shows the distribution of employment by industry for employed Mountain Lakes residents. The three industries to capture the largest segments of the population were the Educational, Health, and Social Services sector at 24.7 percent; the Professional, Scientific, Management, Administrative, and Waste Management Services sector at 22.5 percent; and the Financing, Insurance, Real Estate, Renting and Leasing at 17.2 percent.

Table 16. Employment by Industry, Civilian Employed Population 16 Years and Over, Mountain Lakes, 2017

Sector Jobs	Number	Percent
Agriculture, Forestry, Fishing and Hunting, and Mining	0	0.0%
Construction	23	1.2%
Manufacturing	169	8.9%
Wholesale Trade	48	2.5%
Retail Trade	89	4.7%
Transportation and Warehousing, and Utilities	40	2.1%
Information	50	2.6%
Financing, Insurance, Real Estate, Renting, and Leasing	325	17.2%
Professional, Scientific, Management, Administrative, and Waste Management Services	425	22.5%
Educational, Health and Social Services	467	24.7%
Arts, Entertainment, Recreation, Accommodation and Food Services	57	3.0%
Public Administration	146	7.7%
Other	51	2.7%
Total	1,890	100.0%

Source: American Community Survey, 2013-2017 5-year Estimates

Of employed Borough residents, approximately 80.5 percent are private wage and salary workers; 11.1 percent are government workers; and 8.5 percent are self-employed. See Table 17, Class of Worker, Civilian Employed Population 16 Years and Over, Mountain Lakes, 2017, for additional details.

Table 17. Class of Worker, Civilian Employed Population 16 Years and Over, Mountain Lakes, 2017

	Number	Percentage
Private Wage and Salary Workers	1,521	80.5%
Government Workers	209	11.1%
Self-employed in own not incorporated business workers	160	8.5%
Unpaid family workers	0	0.0%
Total	1,890	100.0%

Source: American Community Survey, 2013-2017 5-year Estimates

According to the US Census’s Longitudinal Employer-Household Dynamics data, there were 2,749 private sector jobs in Mountain Lakes in 2015. Educational Services, Other Services (excluding Public Administration), and Health Care and Social Assistance were the largest sectors of in-town employment, contributing 18.2%, 16.9%, and 14.7% of total jobs, respectively. Mountain Lakes also hosts a sizable Professional, Scientific, and Technical Services industry (11.7%). The number of jobs in Mountain Lakes decreased by 326 jobs between 2002 and 2015. The sectors which saw the largest local employment decrease was the Professional, Scientific, and Technical Services industry (-365 jobs) and the Manufacturing industry (-282 jobs). In contrast, Health Care and Social Assistance gained the most jobs. See Table 18, Private Sector Employment in Mountain Lakes by Industry Sector, 2002 and 2015 for details.

Table 18. Private Sector Employment in Mountain Lakes by Industry Sector, 2002 and 2015

PRIVATE SECTOR JOBS	2002		2015		Change
	COUNT	SHARE	COUNT	SHARE	COUNT
Agriculture, Forestry, Fishing and Hunting, and Mining	0	0.0%	0	0.0%	0
Mining, Quarrying, and Oil and Gas Extraction	4	0.1%	0	0.0%	-4
Utilities	0	0.0%	0	0.0%	0
Construction	92	3.0%	10	0.4%	-82
Manufacturing	436	14.2%	154	5.6%	-282
Wholesale Trade	36	1.2%	69	2.5%	33
Retail Trade	199	6.5%	249	9.1%	50
Transportation and Warehousing	4	0.1%	6	0.2%	2
Information	19	0.6%	72	2.6%	53
Finance and Insurance	50	1.6%	31	1.1%	-19
Real Estate and Rental and Leasing	19	0.6%	35	1.3%	16
Professional, Scientific and Technical Services	688	22.4%	323	11.7%	-365
Management of Companies and Enterprises Administration & Support	4	0.1%	11	0.4%	7
Waste Management and Remediation	129	4.2%	94	3.4%	-35
Educational Services	553	18.0%	499	18.2%	-54
Health Care and Social Assistance	146	4.7%	403	14.7%	257
Arts, Entertainment, and Recreation	74	2.4%	15	0.5%	-59
Accommodation and Food Services	121	3.9%	240	8.7%	119
Other Services (Excluding Public Administration)	391	12.7%	465	16.9%	74
Public Administration	110	3.6%	73	2.7%	-37
TOTAL PRIVATE SECTOR	3075	99.9%	2,749	100.0%	-326

Source: US Census Longitudinal Employer-Household Dynamics; <http://onthemap.ces.census.gov>

Growth Trends and Projections

Residential Trends and Projections

According to the New Jersey Department of Community Affairs, between 2004 and 2017, Mountain Lakes issued certificates of occupancy for 88 housing units, all of which were one- and two-family dwellings. See Table 19, Residential Certificates of Occupancy, 2004-2017, for additional details.

Table 19. Residential Certificates of Occupancy, 2004-2017

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Total
1 & 2 Family	1	7	8	6	4	0	4	13	7	7	1	16	13	1	88
Multifamily	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Mixed Use	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	1	7	8	6	4	0	4	13	7	7	1	16	13	1	88

Source: NJ Department of Community Affairs, Construction Reporter, Certificates of Occupancy, 2004-2017

Although the Borough has seen the construction of predominantly one-family homes over the last decade, it is projected that there will be some multifamily development in the coming years, as is detailed further in Chapter VI. The Borough will encourage the development of multifamily projects that provide its regional fair share of affordable housing. Aside from a few potentially developable vacant sites that are detailed further in Chapter VI and Appendix A, the Borough expects that most multifamily housing that may occur will be as part of the redevelopment of already improved sites such as along Route 46.

Nonresidential Trends and Projections

According to the New Jersey Department of Community Affairs, between 2004 and 2017, Mountain Lakes issued certificates of occupancy for a total of ±87,112 square feet of non-residential building space. See Table 20, Non-Residential Certificates of Occupancy, 2004-2017, for additional details. The majority of the non-residential growth can be attributed to expansions at the high school for which certificates of occupancy were issued in 2006 and 2007. However, certificates of occupancy were issued in 2004, 2006 and 2007 for modest office construction totaling 18,992 square feet. Notably, no certificates of occupancy have been issued since 2008.

Table 20. Non-Residential Certificates of Occupancy, 2004-2017

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Total
Office	5,490	0	8,338	5,094	0	0	0	0	0	0	0	0	0	0	18,922
Education	0	0	34,095	34,095	0	0	0	0	0	0	0	0	0	0	68,190
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	5,490	0	42,433	39,189	0	0	0	0	0	0	0	0	0	0	87,112

Source: NJ Department of Community Affairs, Construction Reporter, Certificates of Occupancy, 2004-2017

Capacity for Growth

Most of Mountain Lakes is served by public water utilities and public wastewater utility systems. However, the Borough is mostly built out and there is very little vacant, environmentally unconstrained land suitable for development. As a result, the Borough is seeking a vacant land adjustment pursuant to N.J.A.C. 5:93-4.2, which will be detailed further in Chapter VI and Appendix A. The Borough anticipates that only a portion of the Third Round Prospective Need obligation can be accommodated on vacant land and that satisfaction of any unmet need will occur on sites along the Route 46 corridor that are currently improved but may be redeveloped for multi-family housing.

VI. Mountain Lakes Affordable Housing Plan

Mountain Lakes Fair Share Obligation

There are three components to a municipality's Fair Share obligation: rehabilitation (Present Need) obligation⁶; Prior Round obligation⁷; and Third Round Prospective Need obligation.⁸ Estimates of Mountain Lakes' Fair Share obligation and how the Borough will address that obligation are provided below.

Rehabilitation (Present Need) Obligation

As part of the terms of its agreement with Fair Share Housing Center, the Borough agreed to use estimates of the Borough's rehabilitation obligation calculated by David N. Kinsey⁹ (the "Kinsey Report"). The Kinsey Report estimates that Mountain Lakes has a rehabilitation obligation of **1 unit**. The Borough will rehabilitate this unit through participation in the Morris County Community Development Program. The Morris County Community Development Program is funded through the U.S. Department of Housing and Urban Development (HUD). This program is a cooperative effort of the federal government through the Morris County Board of Chosen Freeholders and 37 municipalities to meet housing and neighborhood needs throughout the County.

Prior Round Obligation

The Supreme Court in the 2015 Case preserved Prior Round obligations established in N.J.A.C. 5:93 et seq. Mountain Lakes' Prior Round obligation was **80 units**. However, COAH granted the Borough a **vacant land adjustment** lowering the new construction portion of the obligation to the Borough's realistic development potential (RDP) of **18 units** with an **unmet need of 62 units**.

To address its Prior Round obligation, the Borough enacted zoning for the inclusionary "Fusee" site (Block 88, Lots 18.01-18.44) to permit the construction of 34 multifamily dwellings, including six affordable units. These affordable units are complete. Additionally, the Borough paid for a 12-unit Regional Contribution Agreement ("R.C.A.") with the City of Orange in 1997. Also in 1997, to address the remaining "unmet need" Mountain Lakes established a Borough-wide Affordable Housing Overlay Zone to capture future affordable housing (a 20% set aside) from any residential development comprised of five or more units. COAH granted substantive

⁶ The rehabilitation obligation (or present need) is an estimate of the low- and moderate-income households living in deteriorated housing.

⁷ In 1994, the Council on Affordable Housing (COAH) adopted N.J.A.C. 5:93, et seq., which established criteria for the calculation of each municipality's low- and moderate-income housing obligation. The obligation was cumulative for the period between 1987 and 1999 (i.e., COAH's First and Second Rounds), which is commonly referred to as the Prior Round.

⁸ Per the Fair Housing Act, municipal determination of its present and prospective fair share of the housing need in a given region shall be computed for a 10-year period. In other words, this HEFSP estimates present and prospective need for the 2015-2025 time period.

⁹ David N. Kinsey, PhD, PP, FAICP, "New Jersey Low and Moderate Income Housing Obligations for 1999-2025 Calculated Using the NJ COAH Prior Round (1987-1999) Methodology, May 2016.

certification to the Borough on March 5, 1997 and the terms and requirements of Prior Round Substantive Certification have been met and zoning addressing the unmet need remains in place.

Third Round Prospective Need Obligation

Per the Settlement Agreement with FSHC, Mountain Lakes has a Third Round Prospective Need Obligation (1999-2025) of 271 units. Per N.J.A.C. 5:93-4.2, the Borough is requesting an adjustment to available land capacity, i.e., a vacant land adjustment (see Appendix A). Based on the vacant land adjustment, Mountain Lakes identified ±14.2 acres of developable, vacant land. Pursuant to N.J.A.C. 5:93-4.2(f), the RDP is equal to the development yield of the developable acreage from the vacant land adjustment assuming a density of 6 units per acre and a 20 percent set aside. Based on the vacant land adjustment for Mountain Lakes, the Borough's **RDP is 17 units** (e.g., 17 affordable units = 14.2 developable acres from the vacant land adjustment x 6 dwelling units per acre x a 20 percent affordable housing set aside). The Third Round unmet need of 254 units (i.e., 271-17=254) plus the remaining Prior Round unmet need of 62 units results in a **total unmet need of 316 units**.

Realistic Development Potential ("RDP") = 17 Units

The Borough will address its RDP at three inclusionary sites: the "Fusee" site (Block 88, Lots 18.01-18.44); the King of Kings Backlands Lot (Block 116, Lot 3.0X); and 1 Bloomfield Avenue (Block 118.04, Lot 2.01); as well as through an accessory apartment program (see Figure 1 and Table 22).

It should be noted that after the Borough's Prior Round obligation was determined and the Prior Round Housing Element and Fair Share Plan was certified, the Mountain Lakes Historic District was officially listed on the State and National Registers of Historic Places in 2005, qualifying based on criteria in the areas of community planning and development and landscape design as a planned residential park suburb and in the area of architecture for the concentration of Craftsman style homes. The Historic Preservation Plan Element of the Borough Master Plan emphasizes that it is the policy of Mountain Lakes to "promote and encourage the preservation of those buildings, structures, and districts that exemplify its cultural, social, economic and architectural history," including preservation of the residential park setting and preventing demolition of historic resources. This Housing Element and Fair Share plan seeks to fulfill Mountain Lakes' Third Round Prospective Need Obligation in a manner that is consistent with these important policies, without impacting the historic character of the community.

Fusee Site (2 Units)

As described in the previous section, the original zoning for the Fusee site (Block 88, Lots 18.01-18.44) inclusionary development was enacted in 1997, and provided for a total of 34 units including six affordable dwellings. Due to a combination of factors, including the death of the original developer and the need for an environmental clean-up of the site, construction was delayed for a number of years. In April 2005, the

Borough reached an agreement with the property owner to rezone adjacent land permitting an expansion of the size and layout of the development to accommodate an additional ten units, including **two affordable family sale units**. In August 2006, the Planning Board granted site plan approval and the affordable units are now complete. Six of the affordable units on the site that were a part of the original rezoning address the Prior Round obligation, while the two of the family sale units created as part of the expanded development address the Third Round Prospective Need Obligation.

[King of Kings Backlands Lot \(6 Units\)](#)

In November 2015, the Borough Council passed Ordinance 12-15, which rezoned for inclusionary development Block 116, Lot 3.0X, later listed as Lot 3.02 and currently listed as Lots 10-49 on the Borough's Tax Records (see Figure 2). The site is currently owned by Pulte Homes of NJ LP and is known as the "King of Kings Backlands Lot" due to its former owner King of Kings Lutheran Church. Dating back to the 1960s, the site has been identified in the Borough Master Plans as a site for residential development including, at times, senior housing and multifamily housing. Ordinance 12-15 rezoned the site from a RC-1 Residential Zone to a R-AH2 Residential -Affordable Housing 2. The zoning for the site permits up to 40 townhome units with a 15 percent set aside yielding **6 affordable family sale units**.

The site is available, suitable, developable and approvable as defined in N.J.A.C. 5:93-1.3. The site is available as the developer, Pulte Homes of New Jersey LP, owns Block 116, Lots 10-49 (formerly Lot 3.0X). Further, the site is not encumbered by any deed restriction or other hindrance that would preclude its development for low and moderate income housing. The site is approvable as it can be developed consistent with the Residential Site Improvement Standards (RSIS) and other state regulations such as those of the New Jersey Department of Environmental Protection (NJDEP). The property has received site plan approval and the development is currently under construction. The site has access from Sherwood Drive and is adjacent to compatible residential use. The site is located in Planning Area 1 (hereafter "PA1") of the State Development and Redevelopment Plan Policy Map (hereafter "State Plan"). The site is developable as it is located in the sewer service area. Water and sewer infrastructure and capacity is also available.

[1 Bloomfield Avenue \(4 Units of Credit Toward RDP\)](#)

Ordinance 6-18 adopted on October 8, 2018 amended the Land Use Regulations to establish the new R-AH3 Residential-Affordable Housing 3 Zone to permit assisted living residences, and to amend the Zoning Map to place Block 118.04, Lot 2.01 in the newly established zone. The vacant tract at 1 Bloomfield Avenue is ±5.87 acres in size and is available, suitable, developable and approvable as defined in N.J.A.C. 5:93-1.3, notwithstanding the fact that a portion of the lands comprise steep slopes. An application for site plan approval on the part of Sunrise Assisted Living is now before the Mountain Lakes Planning Board. The site is currently owned by VREP-2.01 Bloomfield LLC. Zone regulations provide for the following:

- Maximum density of 15.5 units per acre
- Maximum of 90 units and 120 beds
- Minimum Tract: 5 acres
- Maximum Height: 3 stories/50 feet
- Maximum Building Coverage: 30%
- Maximum Improved Coverage: 60%
- 10% of total beds set-aside as affordable Medicaid beds

By State law, ten percent of the of the total number of beds will be Medicaid beds, which meet the criteria of N.J.A.C. 5:93-5.16. These beds would be credited as age-restricted rental units. As discussed further below, pursuant to N.J.A.C. 5:93-5.14, the Borough is limited to addressing only 25 percent of the sum of the RDP and the rehabilitation component with age-restricted units (i.e., $17 + 1 = 18$ and $25\% \text{ of } 18 = 4$, rounded down). As such, only **4 Medicaid beds** at the assisted living facility will be used to address the RDP.

Accessory Apartments (5 units)

The Borough will implement an accessory apartment program to encourage residents to establish **five units** of affordable housing for occupancy by low and moderate income households. Per N.J.A.C. 5:93- 5.9 of COAH's Second Round rules, up to 10 accessory apartments may be used to address a municipal housing obligation. The Borough proposes to apply five accessory apartment units towards its Third Round Prospective Need obligation. The Borough's housing stock is conducive to establishing accessory apartments as many homes have attached or detached garages/carriage houses that would be suitable for such use. The Borough proposes to incentivize property owners of existing accessory apartments pursuant to N.J.A.C. 5:93-5.9 and will adopt an ordinance that will require homeowners participating in this process to comply with affirmative marketing and affordability controls for a period of 10 years. In the event that the Borough cannot secure 5 deed restricted accessory apartments utilizing the process identified in N.J.A.C. 5:93-5.9(c), it agrees to fund the accessory apartment program providing \$50,000 for very low-income units, \$40,000 for low-income units, and \$30,000 for moderate-income units.

Unmet Need (316 Units)

Per N.J.A.C. 5:93-4.2, the Borough requested an adjustment to available land capacity, i.e., a vacant land adjustment to address its Prior Round and Third Round Prospective Need Obligations. The unmet need for the Prior Round was 62 units and the unmet need for the Third Round is 254 units. Therefore, the total unmet need is 316 units which shall be addressed by creating multi-family affordable housing overlay zoning on sites along Route 46; creating additional Medicaid beds at 1 Bloomfield Avenue in excess of the beds credited toward the RDP; and adopting a mandatory affordable housing set aside ordinance.

Overlay Zoning Sites

The Borough will provide a realistic opportunity for the development of affordable housing through the adoption of overlay zoning that will allow for inclusionary development on a number of sites within the municipality. Table 21 lists these sites. Figures 4 and 5 show the location of these sites in the Borough. The overlay zoning will permit multi-family affordable housing at a density of 14 dwelling units per acre with a 15 percent set-aside in the event of rental units and a 20 percent set-aside in the event of for-sale units. The sites were selected for several reasons. First, they encompass the OL-zoned lands along the north side of Route 46 which are of a significant size and depth to accommodate residential development. Second, the neighborhoods immediately to the north of these lots are predominantly residential. Finally, these overlay zoning sites are outside the Mountain Lakes Historic District and are intended to have no adverse impact on the historic district or the historic character of the community.

Table 21. Overlay Zones

Block	Lot	Address	Zone	Acreage	Density (dwelling units/ acre)	Total Units	Set- Aside (%)	Potential Affordable Units
7	7	333 Route 46	OL-1	16.2	14	226	15/20	34/45
7	8	415 Boulevard	OL-2	3.04	14	42	15/20	6/8
7	9	425 Boulevard	OL-2	1.8	14	25	15/20	4/5
6	14	420 Boulevard	OL-2	5.87	14	82	15/20	12/16
116	5.01-5.52 (formerly Lot 5)	115 Route 46	OL-2	5.5	14	77	15/20	12/15
116	6	105 Route 46	OL-2	11.7	14	164	15/20	25/33
								93/122

1 Bloomfield Avenue

Any Medicaid beds at the proposed 1 Bloomfield Avenue project that are created above the 4 beds which are being credited towards the Third Round RDP will be used to address unmet need. For example, if there are 12 Medicaid beds at the proposed project then 4 beds will be counted towards the Third Round RDP and the remaining 8 beds will be used to address unmet need.

Mandatory Affordable Housing Set-Aside Ordinance

The Borough will adopt an ordinance requiring a mandatory affordable set-aside for all new multifamily residential developments of five units or more created through any municipal rezoning; Zoning Board of Adjustment use or density variance; redevelopment plan or rehabilitation plan providing for redevelopment.

This does not give any developer the right to any such rezoning, variance or other relief, or establish any obligation on the part of Mountain Lakes to grant such rezoning, variance or other relief. The set aside for rental developments shall be fifteen percent and the set aside for for-sale developments shall be twenty percent. The provisions of the ordinance shall not apply to residential expansions, additions, renovations, replacement, or any other type of residential development that does not result in a net increase in the number of dwellings of five or more.

Affordability Requirements

Minimum Rental Units

Pursuant to N.J.A.C. 5:93-5.15, a municipality that receives a vacant land adjustment pursuant to N.J.A.C. 5:93-4.2 shall provide rental units equal to 25 percent of the RDP (i.e., $.25 \times 17 = 5$, rounded up). Mountain Lakes will satisfy its rental obligation through its accessory apartment program (5 units).

Maximum Age Restricted Units

Pursuant to N.J.A.C. 5:93-5.14, municipalities that received or are receiving a vacant land adjustment may age restrict housing based on the following formula: age restricted units = $.25$ (realistic development potential + rehabilitation component - credits pursuant to N.J.A.C. 5:93-3.4) - any age restricted units in addressing the 1987-1993 housing obligation. For Mountain Lakes, a maximum of 4 age-restricted units can be used to address its RDP, i.e., $.25(17 + 1 - 0 - 0) = 4$ (rounded down). The developer of 1 Bloomfield Avenue may construct a maximum of 120 assisted living beds on the site, which would provide 12 Medicaid beds eligible for affordable housing credit. However, pursuant to N.J.A.C. 5:93-5.14, only 4 of the 12 Medicaid beds at the assisted living facility are eligible to meet the Third Round RDP.

Affordability Average

Pursuant to the Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1 et seq.), at least 50 percent of the units addressing the Third Round Prospective Need shall be affordable to very low-income and low-income households with the remainder affordable to moderate-income households.

Minimum Family Units

At least half of the units addressing the Third Round RDP in total must be available to families.

Minimum Very Low-Income Units

Pursuant to 52:27D-329.1 of the Fair Housing Act, at least 13 percent of the housing units made available for occupancy by low-income and moderate-income households will be reserved for occupancy by very low income households with half of the very low income units being available to families. Mountain Lakes will adhere to this rule. In addressing its RDP, Mountain Lakes will ensure that 13 percent of the units (i.e., 2 units)

will be reserved for very low-income households. One of these units is anticipated to be part of the assisted living facility at 1 Bloomfield Avenue; the second unit will be one of the accessory apartment units. Additionally, the Borough will ensure that 13 percent of all units created pursuant to the overlay zoning and the mandatory set-aside ordinance are reserved for households earning at or below 30 percent median income.

Table 22. The Borough of Mountain Lakes Affordable Housing Plan

REHABILITATION OBLIGATIONS (1 UNIT)			
<u>Affordable Development</u>	<u>Units</u>	<u>Bonus Credits</u>	<u>Total Credits</u>
Morris County Community Development Block Grant Housing Rehabilitation Program	1 unit	N/A	1
Total	1	N/A	1
PRIOR ROUND OBLIGATION (80 UNITS)			
Prior Round RDP (18 Units)			
<u>Affordable Development</u>	<u>Units</u>	<u>Bonus Credits</u>	<u>Total Credits Plus Bonuses</u>
RCA with City of Orange	12	0	12
Fusee Site	6	0	6
Total	18	0	18
Prior Round Unmet Need (62 Units)			
<u>Affordable Development</u>	<u>Units</u>	<u>Bonus Credits</u>	<u>Total Credits Plus Bonuses</u>
Affordable Housing Overlay Zone	62	0	62
Total	62	0	62
THIRD ROUND PROSPECTIVE NEED OBLIGATION (271 UNITS)			
Third Round RDP (17 Units)			
<u>Affordable Development</u>	<u>Units</u>	<u>Anticipated Bonus Credits¹</u>	<u>Total Credits Plus Bonuses¹</u>
Fusee Site	2	0	2
Block 116/Lots 10-49, formerly Lot 3.0X ("King of Kings site")	6	0	6
Block 118.04/Lot 2.01 ("1 Bloomfield Avenue")	4 ²	0	5
Accessory Apartment Program	5		4
Total	17	0	17
Third Round Unmet Need (254 Units + 62 Units From Prior Round Unmet Need= 316 Units)			
<u>Affordable Development</u>	<u>Units</u>	<u>Anticipated Bonus Credits</u>	<u>Total Credits Plus Bonuses</u>
Overlay Zoning Sites	93/122	0	93/122
Block 118.04/Lot 2.01 ("1 Bloomfield Avenue")	8	0	8
Total	101/130	0	101/130

Source: Phillips Preiss Grygiel Leheny Hughes LLC

¹The Borough does not anticipate needing to claim any bonus credits to address its Fair Share obligation at this time. However, the Borough reserves the right to claim these bonuses in the future if they are needed for the Borough to comply with its continued Fair Share obligation.

²It is presumed that the developer of 1 Bloomfield Avenue will build a minimum of 120 assisted living beds on the site which would provide 12 Medicaid beds eligible for affordable housing credit. However, per N.J.A.C. 5:93-5.14, for the municipalities that received or are receiving a vacant land adjustment, the maximum number of age restricted units = .25 (realistic development potential + rehabilitation component - credits pursuant to N.J.A.C. 5:93-3.4) - any age restricted units in

addressing the 1987-1993 housing obligation. For Mountain Lakes, a maximum of 4 age-restricted units can be used to address its RDP. Therefore, only 4 of the 12 Medicaid beds at the assisted living facility are eligible to meet the RDP. The remaining Medicaid beds will be credited towards the Borough's unmet need.

Figure 1: Sites Designated for Production of Low and Moderate Income Housing to Address RDP and Unmet Need

Figure 2: Inclusionary Site to Address RDP

Figure 3: Assisted Living Site To Address RDP

Figure 4: Overlay zone to address Unmet Need North of the Railroad Tracks



Figure 5: Overlay zone to address Unmet Need Southeast of the Railroad Tracks



Appendix A: Vacant Land Adjustment Methodology

Vacant Land Adjustment Methodology

The following provides documentation regarding the methodology used for a Vacant Land Adjustment analysis undertaken on behalf of the Borough of Mountain Lakes pursuant to the rules of N.J.A.C. 5:93-4.2. Appendix B provides an inventory of all of the parcels investigated and the reasons for inclusion and/or exclusion.

Using the most recent tax assessment data for the Borough of Mountain Lakes, obtained from the state of New Jersey's assessment records, all Class 1 (vacant), Class 3B (farmland) and Class 15C (public land) parcels were extracted to create a preliminary list of potentially developable properties in the Borough. (Note that this assessment data reflects the most current available block and lot data for the Borough, inclusive of assessed values from 2015.)

MOD IV Tax Assessment data and corresponding parcel shapefile data were obtained from the New Jersey Geographic Information Network (NJGIN), which serves as the Geographic Information Systems (GIS) data warehouse for New Jersey. The parcel shapefile was used in GIS to analyze environmental constraints, spatial relationships between vacant parcels, etc. In the event that there were discrepancies between the MOV IV data and the 2015 tax assessment records referenced above, data from the 2015 tax assessment records was used.

In addition to vacant lands, the following sites were investigated to determine opportunities for affordable housing per NJAC 5:93-4.2:

- Golf courses not owned by its members
- Class 3B parcels (farmland) in State Development and Redevelopment Plan (SDRP) Planning Areas 1, 2 and 3
- Driving ranges
- Nurseries
- Non-conforming uses

Eliminating Parcels from Consideration

Parcels were initially eliminated from the preliminary list of potentially developable properties based on the following:

1. Parcels that measured less than 0.83 acres, as they do not meet the minimum threshold of six dwelling units per acre per COAH regulations, which would result in one affordable unit (assuming a 20% set aside).
2. Any vacant contiguous parcels that, when combined, still do not meet the 0.83 acre minimum threshold per the regulations under NJAC 5:93-4.2.

3. Parcels that are greater than 0.83 acres and are already included in an approved site plan for development.
4. Agricultural lands that have had development rights purchased or restricted through covenant per the regulations under NJAC 5:93-4.2.
5. Lands owned by local government entity that, prior to substantive certification, is authorized to be utilized for a public purpose other than housing per the regulations under NJAC 5:93-4.2.
6. Properties that are on the State Register of Historic Places.
7. The regulations under NJAC 5:93-4.2 allow a municipality to reserve up to three percent of its “developed and developable acreage” for active recreation sites, but they must be designated as such in the municipality’s master plan.
8. Any land designated in a municipality’s master plan for conservation, parkland or open space and is owned, leased or licensed by a county, municipality or tax-exempt non-profit, including a local board of education, can be eliminated from development potential per NJAC 5:93-4.2.
9. In the event that less than three percent of the municipality’s total land area is designated for conservation, parklands, and open space, the municipality may reserve up to three percent of land for such uses (but the municipality must initiate acquisition of such land within one year of substantive certification) per NJAC 5:93-4.2.

Tax assessment data, aerials and the NJDEP Recreation and Open Space Inventory (ROSI) were also consulted to determine those Class 15C (public) properties that were not available for development (i.e., parklands, utilities, municipal buildings, etc.). These parcels were similarly eliminated from the list of potentially developable properties in the Borough.

Environmental Constraints

Environmentally sensitive lands per N.J.A.C. 5:93-4.2(e)2 were then mapped and deducted on those Class 1, 3B and 15C parcels that were not eliminated from consideration based on the above criteria. To start, GIS shapefiles were obtained for the following environmental constraints:

- NJDEP Wetlands
- FEMA Flood Hazard Areas
- USGS Soils
- NJDEP Waterbodies and Surface Water Quality Standards

A single environmentally constrained lands shapefile was created to determine the environmentally constrained areas for each property. The following environmental constraints were analyzed:

- NJDEP wetlands
- FEMA Flood Hazard Areas, inclusive of the 100-year floodplain
- Steep slopes over 15%: For Highlands regions, the Highlands Council slope data is the most accurate as it uses, “LiDAR derived elevation data and the most up to date Land-Use/Land-Cover data.” The data can be found at <http://www.highlands.state.nj.us/njhighlands/gis/downloads/index.html>.
- NJDEP Category 1 waters

The environmentally constrained lands layer was processed such that the constraints would not be “double counted” in the event that they overlapped one another. Using GIS, the acreage of environmentally constrained lands was calculated for each property. The area of environmentally constrained lands was then subtracted from the property’s overall acreage, leaving the remaining developable area of each property. As above, those properties with less than 0.83 acres of developable area remaining were eliminated from the list of potentially developable properties.

Plan Area and Sewer Service Area

NJDEP SDRP and sewer service area GIS layers were obtained to determine the SDRP planning area designation and sewer service availability, respectively, for each of the remaining parcels on the potentially developable list of properties. This information was noted on the list of potentially developable properties in the Borough for reference.

Results of Vacant Land Adjustment

The Borough identified ±736 acres of Class 1 Vacant land, Class 3B Farm property, and Class 15C Public Property in the Borough. See Table 23 for a breakdown by property classification.

Table 23. Total Acreage in the Borough of Mountain Lakes for Property Classifications 1, 3B, and 15C

Class 1: Vacant Land	41.67 acres
Class 3B	17.41 acres
Class 15C Public Property	676.10 acres
Total	735.18 acres

Source: Phillips Preiss Grygiel Leheny Hughes LLC.

Of the parcels examined it was determined that there are ±14 acres of developable land available on four vacant parcels (see Table 24). To derive the Borough’s affordable housing obligation, the developable acreage was multiplied by six (i.e., the minimum presumptive density) and then multiplied by 20% (i.e., the maximum presumptive set aside). In other words, the Borough has a realistic development potential (RDP) of 17 units (e.g., $14.2 \times 6 = 85.32$; $85.32 \times 20\% = 17$ units).

Table 24. Total Developable Acreage in the Borough of Mountain Lakes for Property Classifications 1, 3B, and 15C

Block	Lot	Address	Owner	Sewer Service Area	Listed Acreage	Constrained Acreage	Developable Acreage	Constraint Description	ZONE
VACANT LAND ZONED FOR RESIDENTIAL USE: Property Class 1									
101.00	105.00	026 LAKE DR	Private Owner	Y	1.41	0.1904 - slopes	1.2	0.194 ac of steep slopes greater than 15%	R-A
VACANT LAND ZONED FOR NON-RESIDENTIAL USE: Property Class 1									
118.04	2.01	1 BLOOMFIELD AVE	VREP- 2.01 Bloomfield LLC	Y	5.8727	1.25 - slopes	4.6	1.25 ac of steep slopes greater than 15%	R-AH3
Potential Developable Vacant Sites Property Class 1 (Residential and Non-Residential)							5.8		
FARMLAND: Property class 3B									
19	5	NORTH POCONO RD	Private Owner	N	9.130 AC	1.09 AC - wetlands 3.88- steep slope	4.2	1.09 AC is wetlands. 3.88 AC has slopes greater than 15%	RC-2
116	10-49 (Formerly 3.0X)	145 ROUTE 46	Pulte Homes of NJ LP	Y	7.7	3.46	4.2	Slopes and wetlands	R-AH2
Potential Developable Acreage: Vacant Sites Property Class 3B							8.4		

Total Potential Developable 3B, 1 and 15C*	14.2
Total Units (6 dwelling units/acre)	85.2
Total Affordable Units (20% set aside)	17.0

* All 15C property eliminated from development consideration based on size, environmental constraints, dedication for public use, or for other reasons detailed above and consistent with N.J.A.C. 5:93-4.2.

Source: Phillips Preiss Grygiel Leheny Hughes LLC.

Figure 1A: Land Uses in the Borough of Mountain Lakes

Figure 2A Developable Vacant Sites in Vacant Land Adjustment

Figure 3A Developable Site in Vacant Land Adjustment

Figure 4A Developable Site in Vacant Land Adjustment

Figure 5A Developable Site in Vacant Land Adjustment

Figure 6A Developable Site in Vacant Land Adjustment

Appendix B: Inventory of Parcels Investigated in Vacant Land Adjustment

Acknowledgments

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I. Introduction

The Borough of Mountain Lakes (“Mountain Lakes” or “the Borough”) filed a declaratory judgment action In the Matter of the Borough of Mountain Lakes, County of Morris, (Docket No. MRS-L-1646-16) on July 25, 2016 (the “Declaratory Judgment Action”). The purpose of the Declaratory Judgment Action was to seek a declaration of its compliance with the Mt. Laurel doctrine and Fair Housing Act of 1985, N.J.S.A. 52:27D-301 et seq. in accordance with the New Jersey Supreme Court’s decision In the matter of the Adoption of Third Round Regulations, N.J.A.C. 5:96 and 5:97, by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) (“Mt. Laurel IV”). The Borough Planning Board subsequently adopted a Housing Element and Fair Share Plan on March 24, 2016. Through the declaratory judgment process, the Borough, the declaratory judgment plaintiff, and Fair Share Housing Center (“FSHC”), a Supreme Court-designated interested party in the matter in accordance with Mt. Laurel IV agreed to settle the litigation and to present the settlement to the trial court with jurisdiction over this matter for review, 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. The Borough has prepared this Amended Housing Element and Fair Share Plan (“Amended HEFSP” or “Plan”) pursuant to the terms of the agreement reached between the Borough and FSHC. The Borough, through the adoption and implementation of this Amended HEFSP satisfies its obligations under the Mt. Laurel doctrine and Fair Housing Act for the Prior Round (1987-1999) and Third Round (1999-2025).

As part of its 2015 Decision, the Supreme Court ruled that the municipal Fair Share obligation will be determined by the trial court on a case-by-case basis. The Supreme Court directed municipalities to rely on the 1987-1999 Prior Round obligation estimates listed in N.J.A.C. 5:93. However, the Court has not provided estimates for the Present Need or Third Round Prospective Need obligations for New Jersey municipalities¹. As part of its settlement, the Borough and FSHC agreed to use Fair Share obligation numbers published by FSHC and prepared by David N. Kinsey² (the “Kinsey Report”) as adjusted. Accordingly, the Borough of Mountain Lakes’ affordable housing obligation is as follows:

- **Present Need Obligation:** 1 unit;
- **Prior Round Obligation (1987-1999):** 80 units; and

¹ As a point of information, on March 8, 2018, Superior Court Judge Mary C. Jacobson in Mercer County, New Jersey issued an unreported decision addressing the methodology for establishing the municipal obligations to provide affordable housing for the Third Round (“the Mercer Decision”). The Mercer Decision is not binding on any other Court. However, Judge Jacobson released the spreadsheets that Richard B. Reading, the judge’s Numbers Master, used to generate the numbers in her opinion. Econsult Solutions, Inc. (“ESI”), a consultant team ran the numbers with the Reading spreadsheets so municipalities could calculate what their fair share obligation would be under the “Jacobson fair share formula”. ESI estimated that the Borough of Mountain Lakes had the following obligation: Present Need: 1 unit; Prior Round: 80 units; and Third Round Prospective Need of 271 units.

² David N. Kinsey, PhD, PP, FAICP, “New Jersey Low and Moderate Income Housing Obligations for 1999-2025 Calculated Using the NJ COAH Prior Round (1987-1999) Methodology, May 2016.

- **Third Round Prospective Need Obligation (1999-2025)³**: 271 units.

During the Prior Round, Mountain Lakes undertook a vacant land adjustment (“VLA”) pursuant to N.J.A.C. 5:93-4.2 of COAH’s Second Round rules. It was determined that Mountain Lakes’ had a realistic development potential (“RDP”) of 18 units. In addition to addressing its RDP, pursuant to N.J.A.C. 5:93-4.1(b), “when a municipality seeks a vacant land adjustment the municipality shall provide a response toward the “unmet need” of the obligation not addressed by the RDP. In other words, the “unmet need” is the difference between the RDP and the Prior Round obligations. Therefore, if the Borough’s Prior Round obligation is 80 units and its RDP is 18 units then its unmet need is 80 less 18, i.e., 62 units. To address its Third Round obligation, the Borough also sought a vacant land adjustment (see Appendix A) pursuant to N.J.A.C. 5:93-4.2. All of the current vacant sites in the Borough were inventoried and the resulting analysis revealed that the Borough had a Third Round RDP of 17 units. The Third Round unmet need of 254 units (i.e., $271-17=254$) plus the remaining Prior Round unmet need of 62 units results in a total unmet need of 316 units.

The remainder of this report is divided into six chapters. Chapter II provides information on the historical and current status of affordable housing in New Jersey; Chapter III lists the statutory requirements for a Housing Element and Fair Share Plan; Chapter IV details the Borough’s affordable housing history; Chapter V includes Census and other data on the Borough’s housing stock and demographics; Chapter VI details how Mountain Lakes will fulfill its Fair Share obligation; and Chapter VII provides a summary of the Borough’s Affordable Housing Plan. The Appendixes include the methodology and results of the Third Round Vacant Land Adjustment sought by the Borough.

³ For the purposes of this Agreement, the Third Round Prospective Need includes the Gap Period Present Need which is a measure of households formed from 1999-2015 that need affordable housing. The Gap Period Present Need was recognized by the Supreme Court in In re Declaratory Judgment Actions Filed by Various Municipalities, 227 N.J. 508 (2017).

II. Affordable Housing in New Jersey

In 1975, the Supreme Court of New Jersey in South Burlington County N.A.A.C.P. v. Township of Mount Laurel, 67 N.J. 151 (1975), ruled that the developing municipalities in the State of New Jersey exercising their zoning power, in general, had a constitutional obligation to provide a realistic opportunity for the construction of their fair share of the region's low- and moderate-income housing needs. In 1983, the Supreme Court refined that constitutional obligation in South Burlington County N.A.A.C.P. v. Township of Mount Laurel, 92 N.J. 158 (1983), to apply to those municipalities having any portion of their boundaries within the growth area as shown on the State Development Guide Plan. In 1985, the New Jersey Legislature adopted, and the Governor signed, the Fair Housing Act ("FHA"), N.J.S.A. 52:2D-301 et seq., which transformed the judicial doctrine that became known as the "Mount Laurel doctrine" into a statutory one and provided an alternative administrative process in which municipalities could elect to participate in order to establish a Housing Element and Fair Share Plan ("HEFSP") that would satisfy its constitutional obligation. The FHA created an administrative agency known as the Council on Affordable Housing ("COAH") to develop regulations to define the obligation and implement it. COAH proceeded to adopt regulations for First Round obligations applicable from 1987 to 1993 and Second Round obligations that created a cumulative obligation from 1987 to 1999.

COAH first proposed Third Round Substantive and Procedural Rules in October, 2003. 35 N.J.R. 4636(a); 35 N.J.R. 4700(a). Those rules remained un-adopted and COAH re-proposed both the Substantive and Procedural Third Round Rules (N.J.A.C. 5:94 and 5:95) in August of 2004 and adopted the same effective on December 20, 2004 (the "2004 Regulations"). The 2004 Regulations were challenged and on January 25, 2007, the Appellate Division invalidated various aspects of those regulations and remanded considerable portions of the rules to COAH with direction to adopt revised rules. In the Matter of the Adoption of N.J.A.C. 5:94 and 5:95 by the New Jersey Council on Affordable Housing, 390 N.J. Super. 1 (App. Div.), certif. denied, 192 N.J. 72 (2007) (the "2007 Case"). On January 22, 2008, COAH proposed and published revised Third Round regulations in the New Jersey Register. 40 N.J.R. 237.

On May 6, 2008, COAH adopted the revised Third Round regulations and advised that the new regulations would be published in the June 2, 2008 New Jersey Register, thereby becoming effective. On May 6, 2008, COAH simultaneously proposed amendments to the revised Third Round rules it had just adopted. Those amendments were published in the June 16, 2008 New Jersey Register, 40 N.J.R. 3373 (Procedural N.J.A.C. 5:96); 40 N.J.R. 3374 (Substantive N.J.A.C. 5:97). The amendments were adopted on September 22, 2008 and made effective on October 20, 2008.

N.J.A.C. 5:96 and 5:97 as adopted in 2008 were challenged in an appeal entitled *In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing*, 416 N.J.Super. 462 (App. Div. 2010) (the “2010 Case”). In its October 8, 2010 decision, the Appellate Division determined, among other things, that the growth share methodology was invalid and that COAH should adopt regulations utilizing methodologies similar to the ones utilized in the First and Second rounds (i.e., 1987-1999). On September 26, 2013, the Supreme Court of New Jersey affirmed the Appellate Division’s invalidation of the third iteration of the Third Round regulations, sustained their determination that the growth share methodology was invalid, and directed COAH to adopt new regulations based upon the methodology utilized in the First and Second Rounds. *In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing*, 215 N.J. 578 (2013) (the “2013 Case”). COAH proceeded to propose such regulations in accordance with the schedule and amended schedule established by the New Jersey Supreme Court in the 2013 Case. On October 20, 2014, COAH deadlocked with a 3-3 vote and failed to adopt the revised Third Round regulations.

Due to COAH’s failure to adopt the revised regulations and subsequent inaction, Fair Share Housing Center (“FSHC”), a party in the 2010 Case and the 2013 Case, filed a motion with the New Jersey Supreme Court to enforce litigant’s rights. On March 10, 2015 the New Jersey Supreme Court issued its decision on FSHC’s motion to enforce litigant’s rights. The Supreme Court in the 2015 Case found that the COAH administrative process had become non-functioning and, as a result, returned primary jurisdiction over affordable housing matters to the trial courts. *In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing*, 221 N.J. (2015) (the “2015 Case”). In doing so, the Supreme Court established a transitional process for municipalities to file a declaratory judgement action with the trial courts seeking to declare their HEFSPs as being constitutionally compliant and seeking protection and repose against exclusionary zoning litigation.

III. Affordable Housing in the Borough of Mountain Lakes

Prior Round (1987-1999)

Per COAH's Second Round rules, i.e., N.J.A.C. 5:93 et seq., Mountain Lakes' Prior Round obligation (1987-1999) was 91 units, comprised of 80 units of new construction and 11 units of rehabilitation. COAH certified the Borough's prior round Housing Element and Fair Share Plan on March 5, 1997. As part of certification COAH granted the Borough a vacant land adjustment in recognition of the Borough's insufficient land capacity to satisfy the COAH-determined 80-unit new construction portion of the obligation. Instead, the Borough's realistic development potential ("RDP") was determined to be 18 units. This 18-unit RDP was satisfied with 6 units at the inclusionary zoned "Fusee site" and a 12-unit regional contribution agreement (RCA) with Orange. The unmet need of 62 units was addressed by establishing a Borough-wide overlay zone requiring a 20 percent affordable housing set aside as part of any new residential development comprised of five or more units.

First Iteration of Third Round Rules (2004-2018)

The Borough petitioned for third round substantive certification in December 2005 under COAH's original third round rules at N.J.A.C. 5:94 et seq.; however, the application had not been certified by COAH prior to the issuance of the Appellate Division's January 25, 2007 decision overturning portions of COAH's regulations. In response to the 2007 case, COAH adopted new regulations in 2008, i.e., N.J.A.C. 5:97. However, as will be discussed below, Mountain Lakes had the option to adopt a Third Round Fair Share obligation established by COAH in cooperation with the Highlands Council.

Highlands Third Round Obligation

Shortly before COAH adopted N.J.A.C. 5:94 in 2004, the Legislature enacted the Highlands Water Protection and Planning Act, which established the Highlands Council and called for the development of a regional master plan to carry out the Act's objectives. The Highlands Regional Master Plan (RMP) was adopted by the Highlands Council in July 2008 and approved by Governor Corzine in September 2008. In approving the RMP, the Governor issued Executive Order 114 requiring that the Highlands Council work in cooperation with COAH to review COAH's third round growth projections for consistency with the Highlands Plan and assist COAH in developing adjusted growth projections within the Highlands Region. Executive Order 114 also directed COAH to coordinate the deadlines for revision of municipal master plans and third round fair share plans to be in conformance with both the Highlands Act and the Fair Housing Act. In addition, Executive Order 114 directed the Council and COAH to "enter into a joint Memorandum of Understanding" ("M.O.U.") to implement the provisions of the executive order. Executive Order 114 did not direct COAH to make any changes in the revised third round rules establishing the affordable housing obligations of Highlands Region municipalities.

In accordance with Executive Order 114, on October 30, 2008, the Council and COAH entered into a *joint M.O.U.* The M.O.U. provided, among other things, that [t]he Highlands Council shall prepare adjusted growth projections through the development of a build-out analysis at a municipal scale for conforming municipalities consistent with the RMP and that COAH shall ensure that any of the eighty-eight (88) municipalities in the Highlands Region under COAH's jurisdiction that choose to conform to the RMP utilize the adjusted growth projections prepared by the Highlands Council in the development of Housing Elements and Fair Share Plans. In addition, the M.O.U. provided that COAH shall grant a waiver from the December 31, 2008 deadline [for the submission of petitions for substantive certification under the third round rules] to December 8, 2009 for any municipality under COAH's jurisdiction that satisfied certain conditions set forth in the M.O.U.

In accordance with the M.O.U., on November 12, 2008, COAH adopted a resolution which provided that COAH hereby grants a waiver from the December 31, 2008 deadline to submit a revised housing element and fair share plan, extending that deadline to December 8, 2009, for all Highlands municipalities under the jurisdiction of COAH provided any municipality seeking such an extension submits notices of an intent to petition the Highlands Council in accordance with its "Conformance Guidelines" and to file a petition for substantive certification with COAH before December 8, 2009. On August 12, 2009, COAH adopted another resolution that extended this deadline to June 8, 2010. COAH did not further extend this deadline.

In early 2009, the Highlands Council conducted a review in the Borough of Mountain Lakes of the remaining vacant land, existing conditions, and available infrastructure. A build-out analysis prepared by the Highlands Council⁴ projected a small amount of future development - five additional residences and approximately 5,100 square feet of nonresidential development - if the Borough conformed to the Highlands RMP.

On August 12, 2009, COAH adopted a second resolution which stated that COAH waives N.J.A.C. 5:97-2 .3(a) and 5:97-2.4 [dealing with municipalities' projected growth share obligations under the revised third round rules] for municipalities located in the Highlands Region that petition COAH and petition the Highlands Council to conform with the RMP by June 8, 2010; and that Highlands municipalities that petition COAH and petition the Highlands Council to conform with the RMP shall follow the procedures set forth in the document entitled 'Guidance for Highlands Municipalities that Conform to the Highlands [RMP]' ("Guidance document"), which was attached to the resolution.

Based on the Borough's future development capacity determined in the build-out analysis, as well as development since January 1, 2004, the COAH and the Highlands Council assigned a Third Round Fair Share obligation to Mountain Lakes of 11 units. In January 2010, the Borough of Mountain Lakes prepared a Housing Element and Fair Share Plan for submission to the Highlands Council. The draft plan proposed to address the

⁴ Mountain Lakes Borough Municipal Build-Out Report; Highlands Council; June 2009.

11-unit obligation through 2 units at the Fusee site, a 2 unit compliance bonus, and a 7-unit accessory apartment program. This plan was not submitted to COAH by the June 8, 2010 deadline. COAH did not further extend this deadline. Several months later in October 2010, the Appellate Court invalidated portions of N.J.A.C. 5:97, a decision that was later affirmed by the Supreme Court in 2013. Additionally, in August 2011, the Appellate Division invalidated the August 12, 2009 COAH resolution and accompanying Guidance document on the ground that it is an administrative rule COAH was required to adopt in accordance with the New Jersey Administrative Procedure Act (APA). In invalidating the resolution, the Court invalidated the Third Round obligation for Mountain Lakes based on the Highland's Council build-out analysis. Therefore, the Courts overturned Mountain Lakes' Third Round obligation established by COAH in N.J.A.C. 5:97 et seq., and by COAH and the Highlands Council as part of the August 12, 2009 resolution, leaving Mountain Lakes, along with most other New Jersey municipalities, in a state of flux as to its Third Round Fair Share obligation.

Declaratory Judgment Action

In July 2016, Mountain Lakes filed a Declaratory Judgment action under Docket No. MRS-L-1646-16 respectfully requesting that the Court grant the following relief: an Order exercising jurisdiction over the compliance by the Borough of Mountain Lakes with its constitutional affordable housing obligations; an Order declaring that the Borough has fully discharged its constitutional affordable housing obligations and is granted protection and repose against exclusionary zoning litigation; a Judgment of Compliance and Repose for a period of ten (10) years from its date of entry; and an Order granting such additional relief as the Court deems equitable and just. Further, the Borough Planning Board adopted an updated Housing Element and Fair Share Plan in March 2016, addressing its third round housing obligation and sought to obtain a Judgment of Compliance and Repose from the Court. In January 2019, at the conclusion of the declaratory judgment negotiation process, the Borough and FSHC memorialized the terms of an agreement settling the litigation (the "Agreement"). This Amended Housing Element and Fair Share Plan has been prepared pursuant to the terms of the Agreement.

IV. Housing Element/ Fair Share Plan Requirements

In accordance with the Municipal Land Use Law (N.J.S.A 40:55D-1, et seq.), a municipal Master Plan must include a housing element as the foundation for the municipal zoning ordinance. Pursuant to the Fair Housing Act, a municipality's housing element must be designed to provide access to affordable housing to meet present and prospective housing needs, with particular attention to low- and moderate-income housing. The housing element must contain at least the following, as per FHA at N.J.S.A 52:27D-310:

- 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 next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development, and probable residential development trends;
- 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 of low- and moderate-income housing and its capacity to accommodate its present and prospective housing needs, including its fair share of low- and moderate-income housing; and
- A consideration of the lands 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.

V. Housing Stock and Demographic Analysis

Housing Stock Inventory

In 2017, there were 1,437 housing units in Mountain Lakes, of which 33, or approximately 2.3 percent, were vacant. Of the 1,404 occupied units, 91.3 percent were owner occupied and 8.7 percent were renter occupied. Table 1, Housing Units by Occupancy Status, 2017, illustrates this occupancy status.

Table 1. *Housing Units by Occupancy Status, 2017*

	Housing Units	Owner Occupied	Renter Occupied
Occupied	1,404	1,282	122
Vacant	33	-	-
Total	1,437	-	-

Source: American Community Survey, 2013-2017 5-year Estimates

Approximately 86.2 percent of the total housing stock is comprised of single-family detached units. Structures with three or more units make up 2.9 percent of the total housing stock. See Table 2, Housing Units by Number of Units in Structure, 2017, for a detailed explanation of the housing units.

Table 2. *Housing Units by Number of Units in Structure, 2017*

Number of Units	Total	Percent
1, Detached	1,239	86.2%
1, Attached	146	10.2%
2	0	0.0%
3 or 4	0	0.0%
5 to 9	41	2.9%
10 to 19	0	0.0%
20+	0	0.0%
Mobile Home	11	0.8%
Other	0	0.0%
Total	1,437	100.0%

Source: American Community Survey, 2013-2017 5-year Estimates

Table 3, Housing Units by Age, 2017, illustrates the age of the Borough's housing stock. Approximately 31.7 percent of the Borough's housing units were constructed prior to 1940, whereas only 8.1 percent were constructed in 2000 or later. A significant portion of the Mountain Lakes' housing units (i.e., 284 homes or 19.8 percent of the Borough's housing stock) were constructed between 1950 and 1959.

Table 3. Housing Units by Age, 2017

Year Built	Total Units	Percent
2010 or later	42	3.0%
2000-2009	73	5.1%
1990-1999	108	7.5%
1980-1989	115	8.0%
1970-1979	77	5.4%
1960-1969	170	11.8%
1950-1959	284	19.8%
1940-1949	112	7.8%
Before 1940	456	31.7%
Total	1,437	100.0%

Source: American Community Survey, 2013-2017 5-year Estimates

Table 4, Housing Units by Number of Rooms for Mountain Lakes and Morris County, 2017, shows that in Mountain Lakes, fewer than 1 percent of the housing units have between one and three rooms; 8.9 percent have between four and six rooms; and 90.3 percent have seven or more rooms. In Morris County, 11.2 percent of housing units have between one and three rooms; 36.2 percent have between four and six rooms; and 52.5 percent have seven or more rooms. The mean number of rooms per unit in Mountain Lakes is 9 or more rooms, which indicates that the housing stock in the Borough is, on average, larger in size than that of Morris County (i.e., 6.7 rooms per unit).

Table 4. Housing Units by Number of Rooms for Mountain Lakes and Morris County, 2017

Rooms	Number of Units in Mountain Lakes	Percent of Units in Mountain Lakes	Number of Units in Morris County	Percent of Units in Morris County
1	0	0.0%	2,172	1.1%
2	0	0.0%	3,347	1.7%
3	10	0.7%	16,174	8.4%
4	25	1.7%	21,855	11.4%
5	28	1.9%	21,058	11.0%
6	76	5.3%	26,472	13.8%
7	217	15.1%	25,269	13.2%
8	203	14.1%	27,925	14.6%
9+	878	61.1%	47,370	24.7%
Total	1,437	100.0%	191,642	100.0%
Median Rooms	9 or more		6.7	

Source: American Community Survey, 2013-2017 5-year Estimates

Tables 5 and 6, *Housing Values, Owner Occupied, 2000 and 2017*, respectively, show that the median housing value of owner-occupied housing in Mountain Lakes increased by 65.7 percent between 2000 and 2017. During this same time period, the median value in Morris County increased by 70.2 percent. In 2000, Mountain Lakes' median housing value of \$488,900 was 89.9 percent higher than that of Morris County (\$257,400). In 2017, Mountain Lakes' median housing value of owner occupied units (\$810,300) was 85 percent higher than that of Morris County (\$438,100).

Table 5. Housing Values, Owner Occupied, 2000

Housing Value	Number in Mountain Lakes	Percent in Mountain Lakes	Number in Morris County	Percent in Morris County
Less than \$50,000	13	1.0%	1118	0.9%
\$50,000 to \$99,999	0	0.0%	3413	2.6%
\$100,000 to \$149,999	9	0.7%	12,382	9.6%
\$150,000 to \$199,999	20	1.6%	24,973	19.4%
\$200,000 to \$299,999	177	13.7%	39,877	30.9%
\$300,000 to \$499,999	436	33.9%	34,110	26.4%
\$500,000 to \$999,999	561	43.6%	11,331	8.8%
\$1,000,000 or more	72	5.6%	1,786	1.4%
Total	1,288	100.0%	128,990	100.0%
2000 Median Value	\$488,900		\$257,400	

Source: 2000 U.S. Census

Table 6. Housing Values, Owner Occupied, 2017

Housing Value	Number in Mountain Lakes	Percent in Mountain Lakes	Number in Morris County	Percent in Morris County
Less than \$50,000	23	1.8%	2,454	1.8%
\$50,000 to \$99,999	0	0.0%	1,133	0.8%
\$100,000 to \$149,999	15	1.2%	1,630	1.2%
\$150,000 to \$199,999	0	0.0%	3,677	2.7%
\$200,000 to \$299,999	0	0.0%	19,364	14.3%
\$300,000 to \$499,999	95	7.4%	54,588	40.4%
\$500,000 to \$999,999	747	58.3%	44,684	33.1%
\$1,000,000 or more	402	31.4%	7,667	5.7%
Total	1,282	100.0%	135,197	100.0%
2017 Median Value	\$810,300		\$438,100	

Source: American Community Survey, 2013-2017 5-year Estimates

Median gross rent in Mountain Lakes (\$1,469) is slightly higher than median gross rent County-wide (\$1,420). Notably the great majority of occupied rental housing units in Mountain Lakes pay a gross rent between \$1,000 and \$2,499. The monthly rental costs in Morris County is more diverse, with significant percentage of occupied rental units paying gross rent less than \$1,000 or more than \$2,500. See Table 7, Comparison of Mountain Lakes and Morris County Gross Rent - Renter Occupied Housing Units, 2017, for additional details.

Table 7. Comparison of Mountain Lakes and Morris County Gross Rent – Renter Occupied Housing Units, 2017

Gross Rent	Number in Mountain Lakes	Percent in Mountain Lakes	Number in Morris County	Percent in Morris County
Less than \$500	0	0.0%	2,157	5.0%
\$500 - \$999	0	0.0%	4,576	10.6%
\$1,000 - \$1,499	62	55.9%	17,805	41.1%
\$1,500 - \$1,999	19	17.1%	9,992	23.0%
\$2,000 - \$2,499	30	27.0%	5,207	12.0%
\$2,500 - \$2,999	0	0.0%	2,305	5.3%
\$3,000 or more	0	0.0%	1,317	3.0%
Total	111	100.0%	43,359	100.0%
Median Rent	\$1,469		\$1,420	

Source: American Community Survey, 2013-2017 5-year Estimates

In 2017, 30.3 percent of Mountain Lakes owner occupied households contributed thirty percent or more of their income towards monthly housing costs, whereas 48.2 percent contributed less than twenty percent of their income towards monthly housing costs. See Table 8, Monthly Housing Costs as a Percentage of Household Income in the Past 12 Months – Owner Occupied Housing Units, 2017, for further information.

Table 8. Monthly Housing Costs as Percentage of Household Income in the Past 12 Months – Owner Occupied Housing Units, 2017

	Less than 20 percent	20 to 29 percent	30 percent or more
Less than \$20,000	0	0	34
\$20,000 - \$34,999	9	10	58
\$35,000 - \$49,999	0	0	17
\$50,000 - \$74,999	9	10	47
\$75,000 or more	600	243	233
Total	618	263	389
Zero or Negative Income	12		

Source: American Community Survey, 2013-2017 5-year Estimates

In 2017, around half of Mountain Lakes renter occupied housing units contributed less than twenty percent of their income towards monthly rental costs. See Table 9, Monthly Housing Costs as a Percentage of Household Income in the Past 12 Months – Renter Occupied Housing Units, 2017, for further information.

Table 9. Monthly Housing Costs as a Percentage of Household Income in the Past 12 Months – Renter Occupied Housing Units, 2017

	Less than 20 percent	20 to 29 percent	30 percent or more
Less than \$20,000	0	0	0
\$20,000 - \$34,999	0	0	0
\$35,000 - \$49,999	0	0	0
\$50,000 - \$74,999	0	25	0
\$75,000 or more	56	30	0
Total	56	55	0
Zero or Negative Income	0		
No Cash Rent	11		

Source: American Community Survey, 2013-2017 5-year Estimates

There are no housing units in Mountain Lakes that are overcrowded (defined as having 1.01 or more persons per room), lack complete plumbing facilities, lack complete kitchen facilities, or have no telephone service available. See Table 10, Selected Quality Indicators, Occupied Housing Stock, 2017, for further information.

Table 10. Selected Quality Indicators, Occupied Housing Stock, 2017

	Overcrowded	No Telephone Service Available	Lacking Complete Plumbing Facilities	Lacking Complete Kitchen Facilities
No. Units	0	0	0	0

Source: American Community Survey, 2013-2017 5-year Estimates

General Population Characteristics

Compared to the rapid population growth exhibited from 1990 to 2000 (10.6%), Mountain Lake has had relatively slight population fluctuation since 2000. Notably, the population declined from 2000 to 2010, but grew in the past decade. In comparison, the County population has steadily increased since 1990, albeit at a decreasing rate. See Table 11, Population, 1990-2017, for more information.

Table 11. Population, 1990-2017

	1990	2000	1990-2000 Change	2010	2000-2010 Change	2017	2010-2017 Change
Mountain Lakes	3,847	4,256	10.6%	4,160	-2.3%	4,309	3.6%
Morris County	421,353	470,212	11.6%	492,276	4.7%	498,847	1.3%

Source: 1990, 2000, and 2010 U.S. Census; American Community Survey, 2013-2017 5-year Estimates

From 2000 through 2017, there were major shifts in the age distribution of Mountain Lakes. The age group of 25-34 years decreased by 41.3% and the age group of 35-44 years decreased by 30.5%. Correspondingly, children under 5 years decreased by 43.5% and children 5-14 years decreased by 16.1%. In contrast, the biggest population gains were in the age group 15-24 years (72.4%) and 65-74 years (65.0%). This may be indicative of the decline of young families and the general aging of the demographics in the Borough. In fact, the median age of residents increased from 39.4 to 43.3 between 2000 and 2017. See Table 12, Comparison of Age Distribution, 2000-2017, for additional details.

Table 12. Comparison of Age Distribution, 2000-2017

Age Group	2000	Percent	2017	Percent	Percent Change
Under 5	317	7.4%	179	4.2%	-43.5%
5-14	979	23.0%	821	19.0%	-16.1%
15-24	355	8.3%	612	14.2%	72.4%
25-34	189	4.4%	111	2.6%	-41.3%
35-44	807	19.0%	561	13.0%	-30.5%
45-54	782	18.4%	844	19.6%	7.9%
55-64	441	10.4%	656	15.2%	48.8%
65-74	243	5.7%	401	9.3%	65.0%
75+	143	3.4%	124	2.9%	-13.3%
Total	4,256	100.0%	4,309	100.0%	1.2%
Median Age	39.4		43.3		-

Source: 2000 U.S. Census; American Community Survey, 2013-2017 5-year Estimates

Household Characteristics

A household is defined by the U.S. Census Bureau as those persons who occupy a single room or group of rooms constituting a housing unit; however, these persons may or may not be related. As a subset of households, a family is identified as a group of persons including a householder and one or more persons related by blood, marriage or adoption all living in the same household. In 2017, there were 1,404 households in Mountain Lakes, of which 1,263 were family households and 141 were nonfamily households. Approximately 76.9 percent of the

households are comprised of married couples with or without children. The average household size was 3.07 persons.

Income Characteristics

Households in Mountain Lakes have significantly higher median income than households county-wide. Notably, almost half of Mountain Lakes households have income of \$200,000 or more, whereas only 21 percent of Morris County households have the same income level. Table 13, Household Income in the Past 12 Months for Mountain Lakes and Morris County Households, 2017, further illustrates these findings by noting the number of households in each of the income categories.

Table 13. Household Income in the Past 12 Months for Mountain Lakes and Morris County Households, 2017

	Mountain Lakes		Morris County	
	Households	Percent	Households	Percent
Less than \$10,000	38	2.7%	4,571	2.5%
\$10,000 - \$14,999	0	0.0%	3,859	2.1%
\$15,000 - \$24,999	21	1.5%	7,969	4.4%
\$25,000 - \$34,999	75	5.3%	8,418	4.7%
\$35,000 - \$49,999	17	1.2%	13,246	7.4%
\$50,000 - \$74,999	91	6.5%	23,041	12.8%
\$75,000 - \$99,999	92	6.6%	22,131	12.3%
\$100,000 - \$149,999	262	18.7%	36,343	20.2%
\$150,000 - \$199,999	168	12.0%	22,782	12.6%
\$200,000 or more	640	45.6%	37,764	21.0%
Total	1,404	100.0%	180,124	100.0%
Median Income	\$175,556		\$107,034	

Source: American Community Survey, 2013-2017 5-year Estimates

Although the Census data does not provide a breakdown of household income by household size, COAH's 2017 Median Regional Income Limit for Essex/Morris/Sussex/Union County (Region 2) for a household of one person was \$65,953.⁵ As such, the moderate-income threshold for a household of one person was \$52,762 (i.e., 80 percent of \$65,953). In attempting to approximate the number of low- and moderate-income households in the Borough, using the household size of one person is a conservative approach that represents just a minimum threshold. Table 13 above shows that the percentage of households in the Borough for which income was below this minimum threshold is approximately 10.7 percent.

⁵ Data from Affordable Housing Professionals of New Jersey (AHPNJ). Income limits are not officially adopted by the State of New Jersey.

The percentage of families whose income are below the poverty level, as defined by the 2017 American Community Survey, equates to 3 percent of Mountain Lakes residents. This is on par with the County as a whole, wherein 2.9 percent of County families were living below the poverty level in 2017.

Employment Characteristics

Table 14, Employment Status of Mountain Lakes Residents 16 Years and Over, 2017 indicates the number of Borough residents 16 years and over who are in the labor force, the type of labor force (i.e., civilian or armed forces) and employment status. Approximately 63.4 percent of Mountain Lakes residents 16 and over are in the in the labor force and among those in the labor force, all are in the civilian labor force. Of the residents in the civilian labor force, approximately 92.4 percent are employed and approximately 7.6 percent are unemployed.

Table 14. Employment Status of Mountain Lakes Residents 16 Years and Over, 2017

	Number	Percentage
Population 16 years and over	3,226	100.0%
In Labor Force	2,046	63.4%
Civilian Labor Force	2,046	63.4%
<i>Employed</i>	1,890	92.4%
<i>Unemployed</i>	156	7.6%
Armed Forces	0	0.0%
Not in Labor Force	1,180	36.6%

Source: American Community Survey, 2013-2017 5-year Estimates

Table 15, Occupation of Civilian Employed Population 16 Years and Over, Mountain Lakes, 2017, identifies the occupations of the employed civilian labor force. While Mountain Lakes residents work in a variety of industries, 69.9 percent of employed residents work in Management, Business, Science, and Arts-related occupations; 20.7 percent are employed in Sales and Office-related occupations; and 6.3 percent work in Service-related occupations.

Table 15. Occupation of Civilian Employed Population 16 Years and Over, Mountain Lakes, 2017

Sector Jobs	Number	Percentage
Management, Business, Science, and Arts Occupations	1,322	69.9%
Service	119	6.3%
Sales and Office	392	20.7%
Natural Resources, Construction, and Maintenance	26	1.4%
Production, Transportation, and Moving	31	1.6%
Total	1,890	100.0%

Source: American Community Survey, 2013-2017 5-year Estimates

Table 16, Employment by Industry, Civilian Employed Population 16 Years and Over, Mountain Lakes, 2017, shows the distribution of employment by industry for employed Mountain Lakes residents. The three industries to capture the largest segments of the population were the Educational, Health, and Social Services sector at 24.7 percent; the Professional, Scientific, Management, Administrative, and Waste Management Services sector at 22.5 percent; and the Financing, Insurance, Real Estate, Renting and Leasing at 17.2 percent.

Table 16. Employment by Industry, Civilian Employed Population 16 Years and Over, Mountain Lakes, 2017

Sector Jobs	Number	Percent
Agriculture, Forestry, Fishing and Hunting, and Mining	0	0.0%
Construction	23	1.2%
Manufacturing	169	8.9%
Wholesale Trade	48	2.5%
Retail Trade	89	4.7%
Transportation and Warehousing, and Utilities	40	2.1%
Information	50	2.6%
Financing, Insurance, Real Estate, Renting, and Leasing	325	17.2%
Professional, Scientific, Management, Administrative, and Waste Management Services	425	22.5%
Educational, Health and Social Services	467	24.7%
Arts, Entertainment, Recreation, Accommodation and Food Services	57	3.0%
Public Administration	146	7.7%
Other	51	2.7%
Total	1,890	100.0%

Source: American Community Survey, 2013-2017 5-year Estimates

Of employed Borough residents, approximately 80.5 percent are private wage and salary workers; 11.1 percent are government workers; and 8.5 percent are self-employed. See Table 17, Class of Worker, Civilian Employed Population 16 Years and Over, Mountain Lakes, 2017, for additional details.

Table 17. Class of Worker, Civilian Employed Population 16 Years and Over, Mountain Lakes, 2017

	Number	Percentage
Private Wage and Salary Workers	1,521	80.5%
Government Workers	209	11.1%
Self-employed in own not incorporated business workers	160	8.5%
Unpaid family workers	0	0.0%
Total	1,890	100.0%

Source: American Community Survey, 2013-2017 5-year Estimates

According to the US Census’s Longitudinal Employer-Household Dynamics data, there were 2,749 private sector jobs in Mountain Lakes in 2015. Educational Services, Other Services (excluding Public Administration), and Health Care and Social Assistance were the largest sectors of in-town employment, contributing 18.2%, 16.9%, and 14.7% of total jobs, respectively. Mountain Lakes also hosts a sizable Professional, Scientific, and Technical Services industry (11.7%). The number of jobs in Mountain Lakes decreased by 326 jobs between 2002 and 2015. The sectors which saw the largest local employment decrease was the Professional, Scientific, and Technical Services industry (-365 jobs) and the Manufacturing industry (-282 jobs). In contrast, Health Care and Social Assistance gained the most jobs. See Table 18, Private Sector Employment in Mountain Lakes by Industry Sector, 2002 and 2015 for details.

Table 18. Private Sector Employment in Mountain Lakes by Industry Sector, 2002 and 2015

PRIVATE SECTOR JOBS	2002		2015		Change
	COUNT	SHARE	COUNT	SHARE	COUNT
Agriculture, Forestry, Fishing and Hunting, and Mining	0	0.0%	0	0.0%	0
Mining, Quarrying, and Oil and Gas Extraction	4	0.1%	0	0.0%	-4
Utilities	0	0.0%	0	0.0%	0
Construction	92	3.0%	10	0.4%	-82
Manufacturing	436	14.2%	154	5.6%	-282
Wholesale Trade	36	1.2%	69	2.5%	33
Retail Trade	199	6.5%	249	9.1%	50
Transportation and Warehousing	4	0.1%	6	0.2%	2
Information	19	0.6%	72	2.6%	53
Finance and Insurance	50	1.6%	31	1.1%	-19
Real Estate and Rental and Leasing	19	0.6%	35	1.3%	16
Professional, Scientific and Technical Services	688	22.4%	323	11.7%	-365
Management of Companies and Enterprises Administration & Support	4	0.1%	11	0.4%	7
Waste Management and Remediation	129	4.2%	94	3.4%	-35
Educational Services	553	18.0%	499	18.2%	-54
Health Care and Social Assistance	146	4.7%	403	14.7%	257
Arts, Entertainment, and Recreation	74	2.4%	15	0.5%	-59
Accommodation and Food Services	121	3.9%	240	8.7%	119
Other Services (Excluding Public Administration)	391	12.7%	465	16.9%	74
Public Administration	110	3.6%	73	2.7%	-37
TOTAL PRIVATE SECTOR	3075	99.9%	2,749	100.0%	-326

Source: US Census Longitudinal Employer-Household Dynamics; <http://onthemap.ces.census.gov>

Growth Trends and Projections

Residential Trends and Projections

According to the New Jersey Department of Community Affairs, between 2004 and 2017, Mountain Lakes issued certificates of occupancy for 88 housing units, all of which were one- and two-family dwellings. See Table 19, Residential Certificates of Occupancy, 2004-2017, for additional details.

Table 19. Residential Certificates of Occupancy, 2004-2017

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Total
1 & 2 Family	1	7	8	6	4	0	4	13	7	7	1	16	13	1	88
Multifamily	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Mixed Use	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	1	7	8	6	4	0	4	13	7	7	1	16	13	1	88

Source: NJ Department of Community Affairs, Construction Reporter, Certificates of Occupancy, 2004-2017

Although the Borough has seen the construction of predominantly one-family homes over the last decade, it is projected that there will be some multifamily development in the coming years, as is detailed further in Chapter VI. The Borough will encourage the development of multifamily projects that provide its regional fair share of affordable housing. Aside from a few potentially developable vacant sites that are detailed further in Chapter VI and Appendix A, the Borough expects that most multifamily housing that may occur will be as part of the redevelopment of already improved sites such as along Route 46.

Nonresidential Trends and Projections

According to the New Jersey Department of Community Affairs, between 2004 and 2017, Mountain Lakes issued certificates of occupancy for a total of ±87,112 square feet of non-residential building space. See Table 20, Non-Residential Certificates of Occupancy, 2004-2017, for additional details. The majority of the non-residential growth can be attributed to expansions at the high school for which certificates of occupancy were issued in 2006 and 2007. However, certificates of occupancy were issued in 2004, 2006 and 2007 for modest office construction totaling 18,992 square feet. Notably, no certificates of occupancy have been issued since 2008.

Table 20. Non-Residential Certificates of Occupancy, 2004-2017

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Total
Office	5,490	0	8,338	5,094	0	0	0	0	0	0	0	0	0	0	18,922
Education	0	0	34,095	34,095	0	0	0	0	0	0	0	0	0	0	68,190
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	5,490	0	42,433	39,189	0	0	0	0	0	0	0	0	0	0	87,112

Source: NJ Department of Community Affairs, Construction Reporter, Certificates of Occupancy, 2004-2017

Capacity for Growth

Most of Mountain Lakes is served by public water utilities and public wastewater utility systems. However, the Borough is mostly built out and there is very little vacant, environmentally unconstrained land suitable for development. As a result, the Borough is seeking a vacant land adjustment pursuant to N.J.A.C. 5:93-4.2, which will be detailed further in Chapter VI and Appendix A. The Borough anticipates that only a portion of the Third Round Prospective Need obligation can be accommodated on vacant land and that satisfaction of any unmet need will occur on sites along the Route 46 corridor that are currently improved but may be redeveloped for multi-family housing.

VI. Mountain Lakes Affordable Housing Plan

Mountain Lakes Fair Share Obligation

There are three components to a municipality's Fair Share obligation: rehabilitation (Present Need) obligation⁶; Prior Round obligation⁷; and Third Round Prospective Need obligation.⁸ Estimates of Mountain Lakes' Fair Share obligation and how the Borough will address that obligation are provided below.

Rehabilitation (Present Need) Obligation

As part of the terms of its agreement with Fair Share Housing Center, the Borough agreed to use estimates of the Borough's rehabilitation obligation calculated by David N. Kinsey⁹ (the "Kinsey Report"). The Kinsey Report estimates that Mountain Lakes has a rehabilitation obligation of **1 unit**. The Borough will rehabilitate this unit through participation in the Morris County Community Development Program. The Morris County Community Development Program is funded through the U.S. Department of Housing and Urban Development (HUD). This program is a cooperative effort of the federal government through the Morris County Board of Chosen Freeholders and 37 municipalities to meet housing and neighborhood needs throughout the County.

Prior Round Obligation

The Supreme Court in the 2015 Case preserved Prior Round obligations established in N.J.A.C. 5:93 et seq. Mountain Lakes' Prior Round obligation was **80 units**. However, COAH granted the Borough a **vacant land adjustment** lowering the new construction portion of the obligation to the Borough's realistic development potential (**RDP**) of **18 units** with an **unmet need of 62 units**.

To address its Prior Round obligation, the Borough enacted zoning for the inclusionary "Fusee" site (Block 88, Lots 18.01-18.44) to permit the construction of 34 multifamily dwellings, including six affordable units. These affordable units are complete. Additionally, the Borough paid for a 12-unit Regional Contribution Agreement ("R.C.A.") with the City of Orange in 1997. Also in 1997, to address the remaining "unmet need" Mountain Lakes established a Borough-wide Affordable Housing Overlay Zone to capture future affordable housing (a 20% set aside) from any residential development comprised of five or more units. COAH granted substantive

⁶ The rehabilitation obligation (or present need) is an estimate of the low- and moderate-income households living in deteriorated housing.

⁷ In 1994, the Council on Affordable Housing (COAH) adopted N.J.A.C. 5:93, et seq., which established criteria for the calculation of each municipality's low- and moderate-income housing obligation. The obligation was cumulative for the period between 1987 and 1999 (i.e., COAH's First and Second Rounds), which is commonly referred to as the Prior Round.

⁸ Per the Fair Housing Act, municipal determination of its present and prospective fair share of the housing need in a given region shall be computed for a 10-year period. In other words, this HEFSP estimates present and prospective need for the 2015-2025 time period.

⁹ David N. Kinsey, PhD, PP, FAICP, "New Jersey Low and Moderate Income Housing Obligations for 1999-2025 Calculated Using the NJ COAH Prior Round (1987-1999) Methodology, May 2016.

certification to the Borough on March 5, 1997 and the terms and requirements of Prior Round Substantive Certification have been met and zoning addressing the unmet need remains in place.

Third Round Prospective Need Obligation

Per the Settlement Agreement with FSHC, Mountain Lakes has a Third Round Prospective Need Obligation (1999-2025) of 271 units. Per N.J.A.C 5:93-4.2, the Borough is requesting an adjustment to available land capacity, i.e., a vacant land adjustment (see Appendix A). Based on the vacant land adjustment, Mountain Lakes identified ±14.2 acres of developable, vacant land. Pursuant to N.J.A.C. 5:93-4.2(f), the RDP is equal to the development yield of the developable acreage from the vacant land adjustment assuming a density of 6 units per acre and a 20 percent set aside. Based on the vacant land adjustment for Mountain Lakes, the Borough's **RDP is 17 units** (e.g., 17 affordable units = 14.2 developable acres from the vacant land adjustment x 6 dwelling units per acre x a 20 percent affordable housing set aside). The Third Round unmet need of 254 units (i.e., 271-17=254) plus the remaining Prior Round unmet need of 62 units results in a **total unmet need of 316 units**.

Realistic Development Potential ("RDP") = 17 Units

The Borough will address its RDP at three inclusionary sites: the "Fusee" site (Block 88, Lots 18.01-18.44); the King of Kings Backlands Lot (Block 116, Lot 3.0X); and 1 Bloomfield Avenue (Block 118.04, Lot 2.01); as well as through an accessory apartment program (see Figure 1 and Table 22).

It should be noted that after the Borough's Prior Round obligation was determined and the Prior Round Housing Element and Fair Share Plan was certified, the Mountain Lakes Historic District was officially listed on the State and National Registers of Historic Places in 2005, qualifying based on criteria in the areas of community planning and development and landscape design as a planned residential park suburb and in the area of architecture for the concentration of Craftsman style homes. The Historic Preservation Plan Element of the Borough Master Plan emphasizes that it is the policy of Mountain Lakes to "promote and encourage the preservation of those buildings, structures, and districts that exemplify its cultural, social, economic and architectural history," including preservation of the residential park setting and preventing demolition of historic resources. This Housing Element and Fair Share plan seeks to fulfill Mountain Lakes' Third Round Prospective Need Obligation in a manner that is consistent with these important policies, without impacting the historic character of the community.

Fusee Site (2 Units)

As described in the previous section, the original zoning for the Fusee site (Block 88, Lots 18.01-18.44) inclusionary development was enacted in 1997, and provided for a total of 34 units including six affordable dwellings. Due to a combination of factors, including the death of the original developer and the need for an environmental clean-up of the site, construction was delayed for a number of years. In April 2005, the

Borough reached an agreement with the property owner to rezone adjacent land permitting an expansion of the size and layout of the development to accommodate an additional ten units, including **two affordable family sale units**. In August 2006, the Planning Board granted site plan approval and the affordable units are now complete. Six of the affordable units on the site that were a part of the original rezoning address the Prior Round obligation, while the two of the family sale units created as part of the expanded development address the Third Round Prospective Need Obligation.

[King of Kings Backlands Lot \(6 Units\)](#)

In November 2015, the Borough Council passed Ordinance 12-15, which rezoned for inclusionary development Block 116, Lot 3.0X, later listed as Lot 3.02 and currently listed as Lots 10-49 on the Borough's Tax Records (see Figure 2). The site is currently owned by Pulte Homes of NJ LP and is known as the "King of Kings Backlands Lot" due to its former owner King of Kings Lutheran Church. Dating back to the 1960s, the site has been identified in the Borough Master Plans as a site for residential development including, at times, senior housing and multifamily housing. Ordinance 12-15 rezoned the site from a RC-1 Residential Zone to a R-AH2 Residential -Affordable Housing 2. The zoning for the site permits up to 40 townhome units with a 15 percent set aside yielding **6 affordable family sale units**.

The site is available, suitable, developable and approvable as defined in N.J.A.C. 5:93-1.3. The site is available as the developer, Pulte Homes of New Jersey LP, owns Block 116, Lots 10-49 (formerly Lot 3.0X). Further, the site is not encumbered by any deed restriction or other hindrance that would preclude its development for low and moderate income housing. The site is approvable as it can be developed consistent with the Residential Site Improvement Standards (RSIS) and other state regulations such as those of the New Jersey Department of Environmental Protection (NJDEP). The property has received site plan approval and the development is currently under construction. The site has access from Sherwood Drive and is adjacent to compatible residential use. The site is located in Planning Area 1 (hereafter "PA1") of the State Development and Redevelopment Plan Policy Map (hereafter "State Plan"). The site is developable as it is located in the sewer service area. Water and sewer infrastructure and capacity is also available.

[1 Bloomfield Avenue \(4 Units of Credit Toward RDP\)](#)

Ordinance 6-18 adopted on October 8, 2018 amended the Land Use Regulations to establish the new R-AH3 Residential-Affordable Housing 3 Zone to permit assisted living residences, and to amend the Zoning Map to place Block 118.04, Lot 2.01 in the newly established zone. The vacant tract at 1 Bloomfield Avenue is ±5.87 acres in size and is available, suitable, developable and approvable as defined in N.J.A.C. 5:93-1.3, notwithstanding the fact that a portion of the lands comprise steep slopes. An application for site plan approval on the part of Sunrise Assisted Living is now before the Mountain Lakes Planning Board. The site is currently owned by VREP-2.01 Bloomfield LLC. Zone regulations provide for the following:

- Maximum density of 15.5 units per acre
- Maximum of 90 units and 120 beds
- Minimum Tract: 5 acres
- Maximum Height: 3 stories/50 feet
- Maximum Building Coverage: 30%
- Maximum Improved Coverage: 60%
- 10% of total beds set-aside as affordable Medicaid beds

By State law, ten percent of the of the total number of beds will be Medicaid beds, which meet the criteria of N.J.A.C. 5:93-5.16. These beds would be credited as age-restricted rental units. As discussed further below, pursuant to N.J.A.C. 5:93-5.14, the Borough is limited to addressing only 25 percent of the sum of the RDP and the rehabilitation component with age-restricted units (i.e., $17 + 1 = 18$ and $25\% \text{ of } 18 = 4$, rounded down). As such, only **4 Medicaid beds** at the assisted living facility will be used to address the RDP.

Accessory Apartments (5 units)

The Borough will implement an accessory apartment program to encourage residents to establish **five units** of affordable housing for occupancy by low and moderate income households. Per N.J.A.C. 5:93- 5.9 of COAH’s Second Round rules, up to 10 accessory apartments may be used to address a municipal housing obligation. The Borough proposes to apply five accessory apartment units towards its Third Round Prospective Need obligation. The Borough’s housing stock is conducive to establishing accessory apartments as many homes have attached or detached garages/carriage houses that would be suitable for such use. The Borough proposes to incentivize property owners of existing accessory apartments pursuant to N.J.A.C. 5:93-5.9 and will adopt an ordinance that will require homeowners participating in this process to comply with affirmative marketing and affordability controls for a period of 10 years. In the event that the Borough cannot secure 5 deed restricted accessory apartments utilizing the process identified in N.J.A.C. 5:93-5.9(c), it agrees to fund the accessory apartment program providing \$50,000 for very low-income units, \$40,000 for low-income units, and \$30,000 for moderate-income units.

Unmet Need (316 Units)

Per N.J.A.C. 5:93-4.2, the Borough requested an adjustment to available land capacity, i.e., a vacant land adjustment to address its Prior Round and Third Round Prospective Need Obligations. The unmet need for the Prior Round was 62 units and the unmet need for the Third Round is 254 units. Therefore, the total unmet need is 316 units which shall be addressed by creating multi-family affordable housing overlay zoning on sites along Route 46; creating additional Medicaid beds at 1 Bloomfield Avenue in excess of the beds credited toward the RDP; and adopting a mandatory affordable housing set aside ordinance.

Overlay Zoning Sites

The Borough will provide a realistic opportunity for the development of affordable housing through the adoption of overlay zoning that will allow for inclusionary development on a number of sites within the municipality. Table 21 lists these sites. Figures 4 and 5 show the location of these sites in the Borough. The overlay zoning will permit multi-family affordable housing at a density of 14 dwelling units per acre with a 15 percent set-aside in the event of rental units and a 20 percent set-aside in the event of for-sale units. The sites were selected for several reasons. First, they encompass the OL-zoned lands along the north side of Route 46 which are of a significant size and depth to accommodate residential development. Second, the neighborhoods immediately to the north of these lots are predominantly residential. Finally, these overlay zoning sites are outside the Mountain Lakes Historic District and are intended to have no adverse impact on the historic district or the historic character of the community.

Table 21. Overlay Zones

Block	Lot	Address	Zone	Acreage	Density (dwelling units/ acre)	Total Units	Set- Aside (%)	Potential Affordable Units
7	7	333 Route 46	OL-1	16.2	14	226	15/20	34/45
7	8	415 Boulevard	OL-2	3.04	14	42	15/20	6/8
7	9	425 Boulevard	OL-2	1.8	14	25	15/20	4/5
6	14	420 Boulevard	OL-2	5.87	14	82	15/20	12/16
116	5.01-5.52 (formerly Lot 5)	115 Route 46	OL-2	5.5	14	77	15/20	12/15
116	6	105 Route 46	OL-2	11.7	14	164	15/20	25/33
								93/122

1 Bloomfield Avenue

Any Medicaid beds at the proposed 1 Bloomfield Avenue project that are created above the 4 beds which are being credited towards the Third Round RDP will be used to address unmet need. For example, if there are 12 Medicaid beds at the proposed project then 4 beds will be counted towards the Third Round RDP and the remaining 8 beds will be used to address unmet need.

Mandatory Affordable Housing Set-Aside Ordinance

The Borough will adopt an ordinance requiring a mandatory affordable set-aside for all new multifamily residential developments of five units or more created through any municipal rezoning; Zoning Board of Adjustment use or density variance; redevelopment plan or rehabilitation plan providing for redevelopment.

This does not give any developer the right to any such rezoning, variance or other relief, or establish any obligation on the part of Mountain Lakes to grant such rezoning, variance or other relief. The set aside for rental developments shall be fifteen percent and the set aside for for-sale developments shall be twenty percent. The provisions of the ordinance shall not apply to residential expansions, additions, renovations, replacement, or any other type of residential development that does not result in a net increase in the number of dwellings of five or more.

Affordability Requirements

Minimum Rental Units

Pursuant to N.J.A.C. 5:93-5.15, a municipality that receives a vacant land adjustment pursuant to N.J.A.C. 5:93-4.2 shall provide rental units equal to 25 percent of the RDP (i.e., $.25 \times 17 = 5$, rounded up). Mountain Lakes will satisfy its rental obligation through its accessory apartment program (5 units).

Maximum Age Restricted Units

Pursuant to N.J.A.C. 5:93-5.14, municipalities that received or are receiving a vacant land adjustment may age restrict housing based on the following formula: age restricted units = $.25$ (realistic development potential + rehabilitation component - credits pursuant to N.J.A.C. 5:93-3.4) - any age restricted units in addressing the 1987-1993 housing obligation. For Mountain Lakes, a maximum of 4 age-restricted units can be used to address its RDP, i.e., $.25(17 + 1 - 0 - 0) = 4$ (rounded down). The developer of 1 Bloomfield Avenue may construct a maximum of 120 assisted living beds on the site, which would provide 12 Medicaid beds eligible for affordable housing credit. However, pursuant to N.J.A.C. 5:93-5.14, only 4 of the 12 Medicaid beds at the assisted living facility are eligible to meet the Third Round RDP.

Affordability Average

Pursuant to the Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1 et seq.), at least 50 percent of the units addressing the Third Round Prospective Need shall be affordable to very low-income and low-income households with the remainder affordable to moderate-income households.

Minimum Family Units

At least half of the units addressing the Third Round RDP in total must be available to families.

Minimum Very Low-Income Units

Pursuant to 52:27D-329.1 of the Fair Housing Act, at least 13 percent of the housing units made available for occupancy by low-income and moderate-income households will be reserved for occupancy by very low income households with half of the very low income units being available to families. Mountain Lakes will adhere to this rule. In addressing its RDP, Mountain Lakes will ensure that 13 percent of the units (i.e., 2 units)

will be reserved for very low-income households. One of these units is anticipated to be part of the assisted living facility at 1 Bloomfield Avenue; the second unit will be one of the accessory apartment units. Additionally, the Borough will ensure that 13 percent of all units created pursuant to the overlay zoning and the mandatory set-aside ordinance are reserved for households earning at or below 30 percent median income.

Table 22. The Borough of Mountain Lakes Affordable Housing Plan

REHABILITATION OBLIGATIONS (1 UNIT)			
<u>Affordable Development</u>	<u>Units</u>	<u>Bonus Credits</u>	<u>Total Credits</u>
Morris County Community Development Block Grant Housing Rehabilitation Program	1 unit	N/A	1
Total	1	N/A	1
PRIOR ROUND OBLIGATION (80 UNITS)			
Prior Round RDP (18 Units)			
<u>Affordable Development</u>	<u>Units</u>	<u>Bonus Credits</u>	<u>Total Credits Plus Bonuses</u>
RCA with City of Orange	12	0	12
Fusee Site	6	0	6
Total	18	0	18
Prior Round Unmet Need (62 Units)			
<u>Affordable Development</u>	<u>Units</u>	<u>Bonus Credits</u>	<u>Total Credits Plus Bonuses</u>
Affordable Housing Overlay Zone	62	0	62
Total	62	0	62
THIRD ROUND PROSPECTIVE NEED OBLIGATION (271 UNITS)			
Third Round RDP (17 Units)			
<u>Affordable Development</u>	<u>Units</u>	<u>Anticipated Bonus Credits¹</u>	<u>Total Credits Plus Bonuses¹</u>
Fusee Site	2	0	2
Block 116/Lots 10-49, formerly Lot 3.0X ("King of Kings site")	6	0	6
Block 118.04/Lot 2.01 ("1 Bloomfield Avenue")	4 ²	0	5
Accessory Apartment Program	5		4
Total	17	0	17
Third Round Unmet Need (254 Units + 62 Units From Prior Round Unmet Need= 316 Units)			
<u>Affordable Development</u>	<u>Units</u>	<u>Anticipated Bonus Credits</u>	<u>Total Credits Plus Bonuses</u>
Overlay Zoning Sites	93/122	0	93/122
Block 118.04/Lot 2.01 ("1 Bloomfield Avenue")	8	0	8
Total	101/130	0	101/130

Source: Phillips Preiss Grygiel Leheny Hughes LLC

¹The Borough does not anticipate needing to claim any bonus credits to address its Fair Share obligation at this time. However, the Borough reserves the right to claim these bonuses in the future if they are needed for the Borough to comply with its continued Fair Share obligation.

²It is presumed that the developer of 1 Bloomfield Avenue will build a minimum of 120 assisted living beds on the site which would provide 12 Medicaid beds eligible for affordable housing credit. However, per N.J.A.C. 5:93-5.14, for the municipalities that received or are receiving a vacant land adjustment, the maximum number of age restricted units = .25 (realistic development potential + rehabilitation component - credits pursuant to N.J.A.C. 5:93-3.4) - any age restricted units in

addressing the 1987-1993 housing obligation. For Mountain Lakes, a maximum of 4 age-restricted units can be used to address its RDP. Therefore, only 4 of the 12 Medicaid beds at the assisted living facility are eligible to meet the RDP. The remaining Medicaid beds will be credited towards the Borough's unmet need.

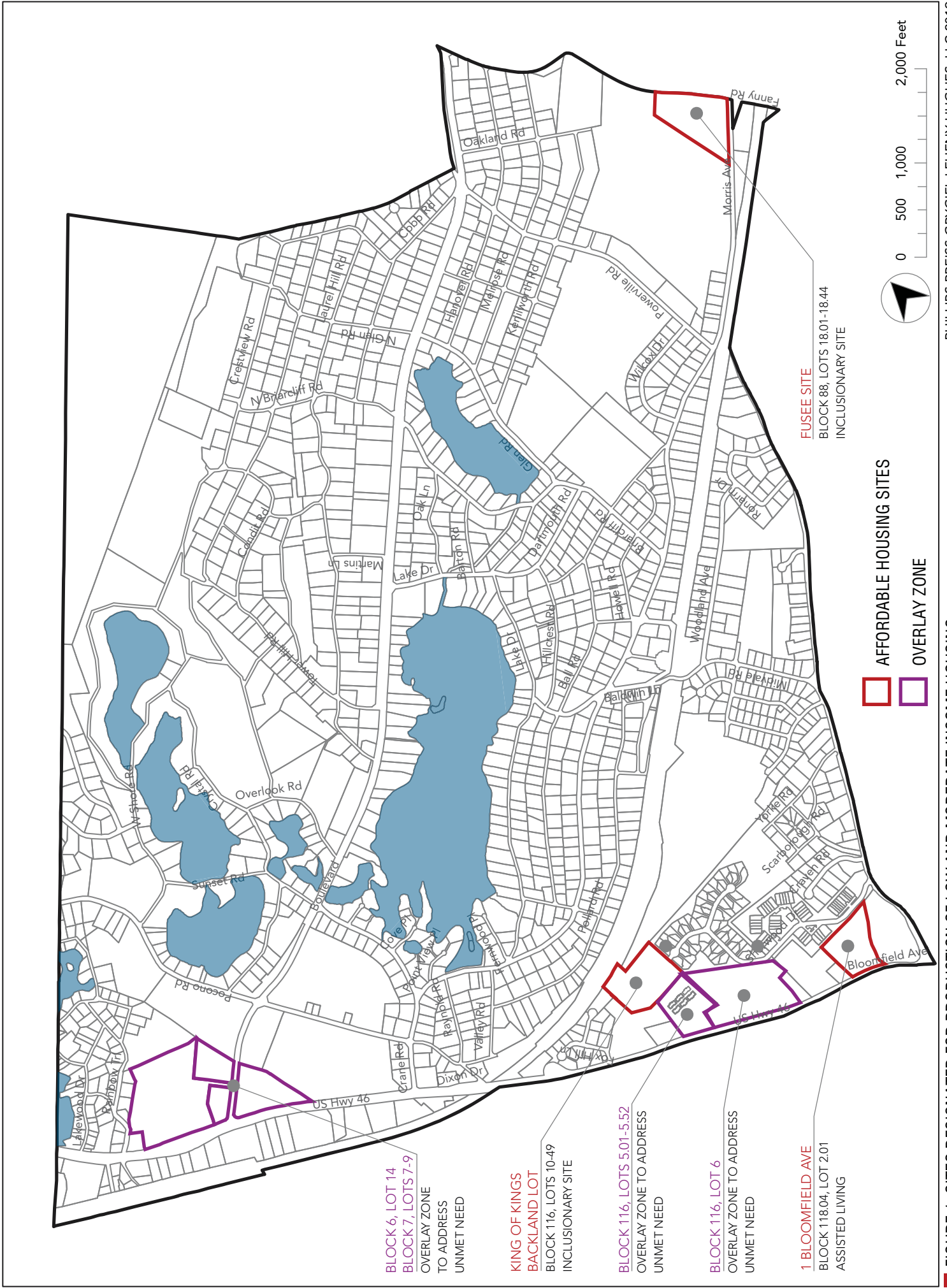


FIGURE 1: SITES DESIGNATED FOR PRODUCTION OF LOW AND MODERATE INCOME HOUSING TO ADDRESS RDP AND UNMET NEED | BOROUGH OF MOUNTAIN LAKES NJ

KING OF KINGS BACKLAND LOT
BLOCK: 116, LOTS: 10-49 (FORMERLY BLOCK 116, LOT 3.0X)
TOTAL ACREAGE: 7.7 ACRES
OWNER: PULTE HOMES OF NEW JERSEY LP
ZONE: RAH2 RESIDENTIAL AFFORDABLE HOUSING 2
SEWER SERVICE AREA: YES
UNITS ADDRESSING THIRD ROUND RDP: 6

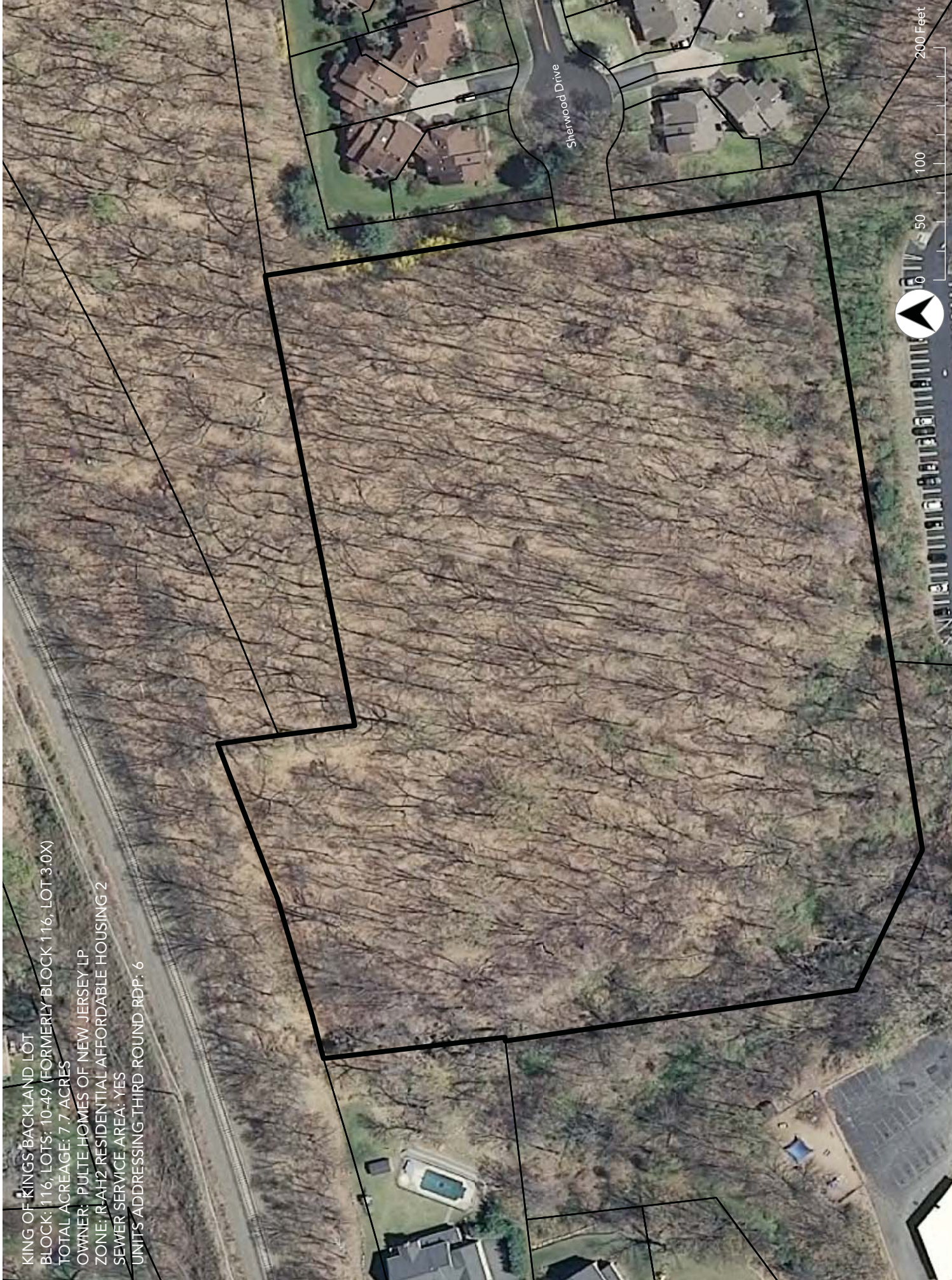


FIGURE 2: INCLUSIONARY SITE TO ADDRESS RDP | BOROUGH OF MOUNTAIN LAKES NJ



1 BLOOMFIELD AVENUE
 BLOCK 118.04, LOT 2.01
 TOTAL ACREAGE: 5.87 ACRES
 OWNER: VREP - 201 BLOOMFIELD LLC
 ZONE: OL-2 OFFICE, LIGHT INDUSTRIAL
 SEWER SERVICE AREA: YES
 UNITS ADDRESSING THIRD ROUND RDP: 4

FIGURE 3: ASSISTED LIVING SITE TO ADDRESS RDP | **BOROUGH OF MOUNTAIN LAKES NJ**

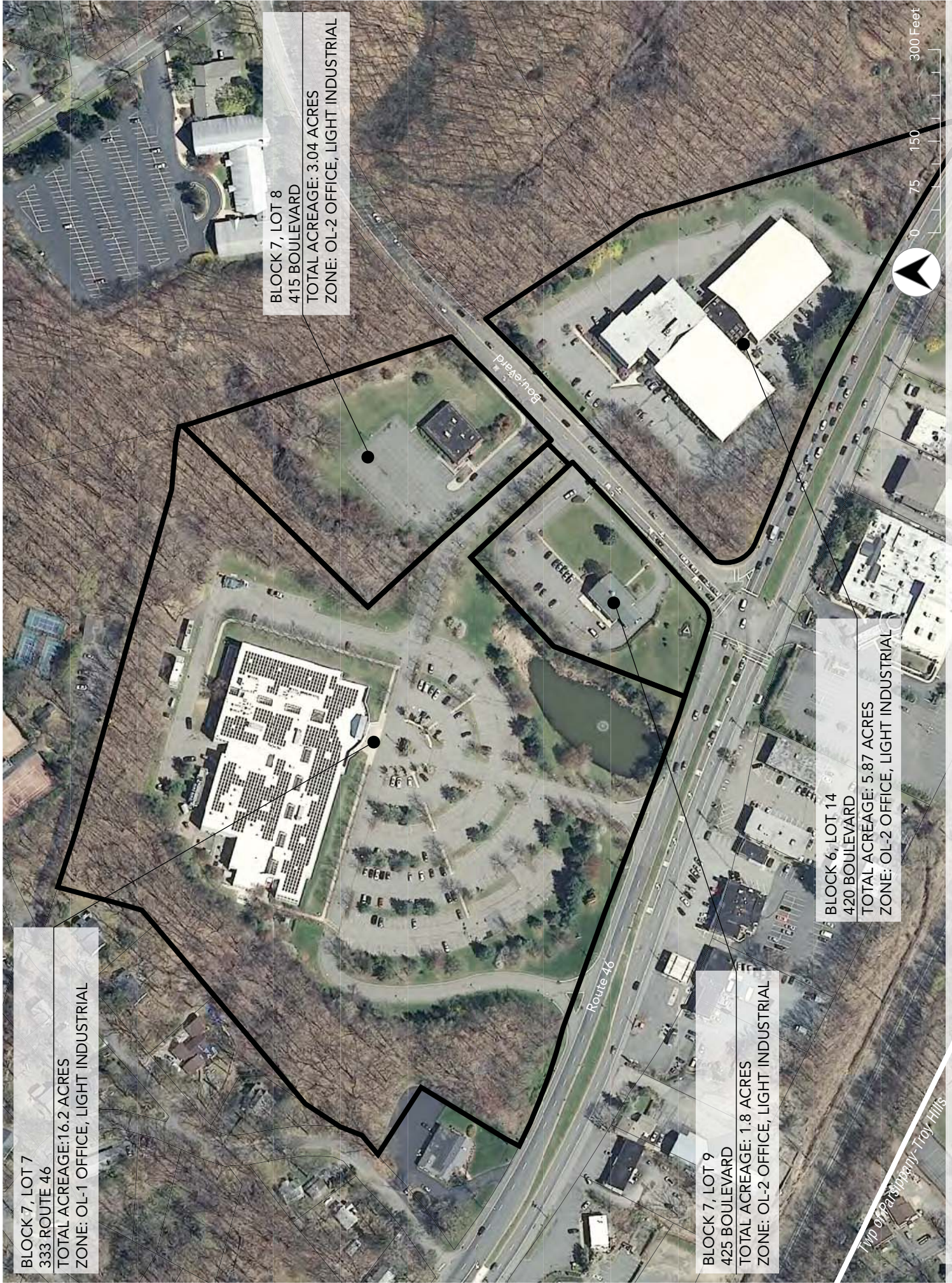
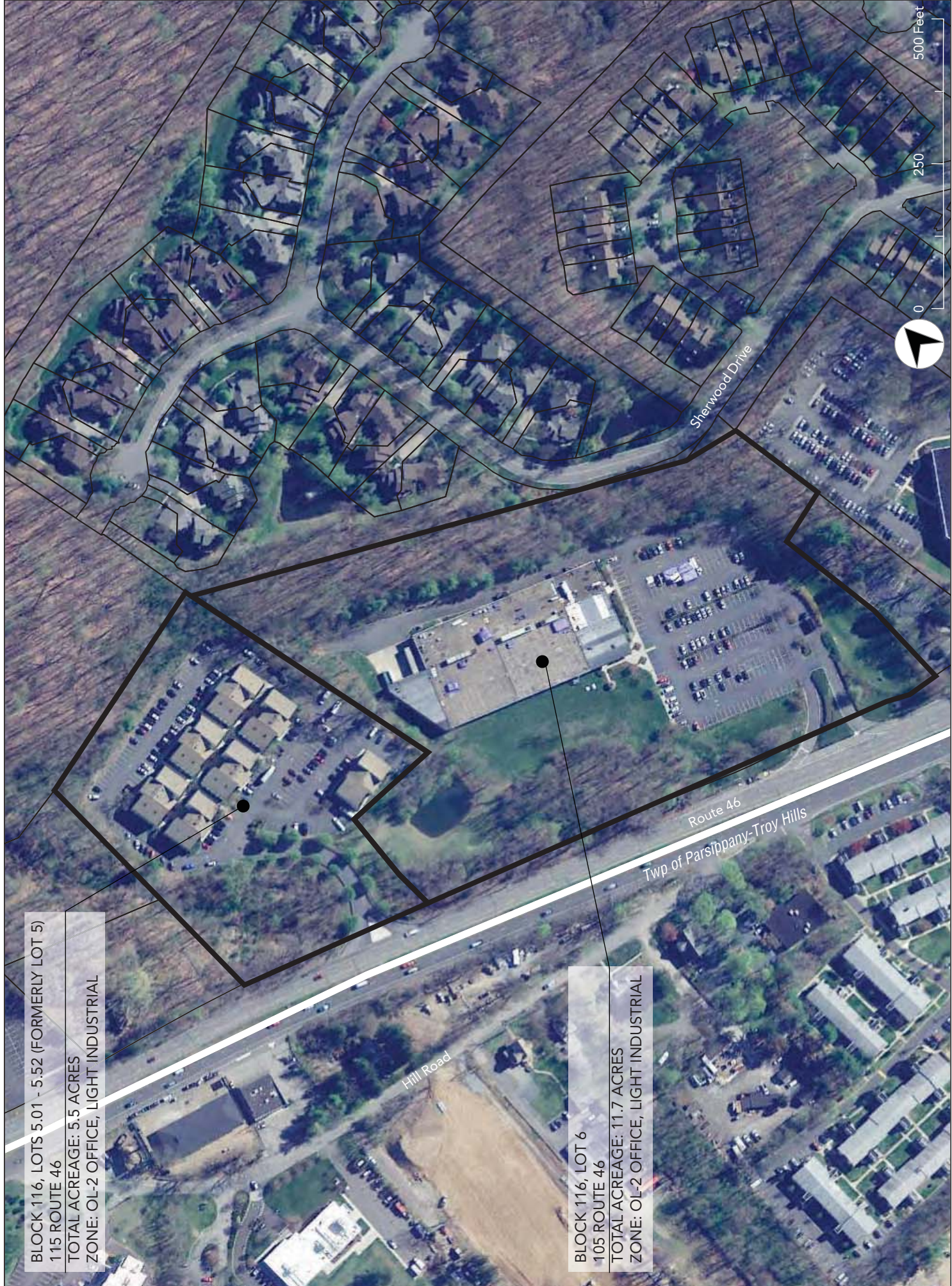


FIGURE 4: OVERLAY ZONE TO ADDRESS UNMET NEED NORTH OF THE RAILROAD TRACKS | **BOROUGH OF MOUNTAIN LAKES NJ**



BLOCK 116, LOTS 5.01 - 5.52 (FORMERLY LOT 5)
 115 ROUTE 46
 TOTAL ACREAGE: 5.5 ACRES
 ZONE: OL-2 OFFICE, LIGHT INDUSTRIAL

BLOCK 116, LOT 6
 105 ROUTE 46
 TOTAL ACREAGE: 11.7 ACRES
 ZONE: OL-2 OFFICE, LIGHT INDUSTRIAL

FIGURE 5: OVERLAY ZONE TO ADDRESS UNMET NEED SOUTHEAST OF THE RAILROAD TRACKS | BOROUGH OF MOUNTAIN LAKES NJ | PHILLIPS PREISS GRYGIEL LEHENY HUGHES LLC 2019

Appendix A: Vacant Land Adjustment Methodology

Vacant Land Adjustment Methodology

The following provides documentation regarding the methodology used for a Vacant Land Adjustment analysis undertaken on behalf of the Borough of Mountain Lakes pursuant to the rules of N.J.A.C. 5:93-4.2. Appendix B provides an inventory of all of the parcels investigated and the reasons for inclusion and/or exclusion.

Using the most recent tax assessment data for the Borough of Mountain Lakes, obtained from the state of New Jersey's assessment records, all Class 1 (vacant), Class 3B (farmland) and Class 15C (public land) parcels were extracted to create a preliminary list of potentially developable properties in the Borough. (Note that this assessment data reflects the most current available block and lot data for the Borough, inclusive of assessed values from 2015.)

MOD IV Tax Assessment data and corresponding parcel shapefile data were obtained from the New Jersey Geographic Information Network (NJGIN), which serves as the Geographic Information Systems (GIS) data warehouse for New Jersey. The parcel shapefile was used in GIS to analyze environmental constraints, spatial relationships between vacant parcels, etc. In the event that there were discrepancies between the MOV IV data and the 2015 tax assessment records referenced above, data from the 2015 tax assessment records was used.

In addition to vacant lands, the following sites were investigated to determine opportunities for affordable housing per NJAC 5:93-4.2:

- Golf courses not owned by its members
- Class 3B parcels (farmland) in State Development and Redevelopment Plan (SDRP) Planning Areas 1, 2 and 3
- Driving ranges
- Nurseries
- Non-conforming uses

Eliminating Parcels from Consideration

Parcels were initially eliminated from the preliminary list of potentially developable properties based on the following:

1. Parcels that measured less than 0.83 acres, as they do not meet the minimum threshold of six dwelling units per acre per COAH regulations, which would result in one affordable unit (assuming a 20% set aside).
2. Any vacant contiguous parcels that, when combined, still do not meet the 0.83 acre minimum threshold per the regulations under NJAC 5:93-4.2.

3. Parcels that are greater than 0.83 acres and are already included in an approved site plan for development.
4. Agricultural lands that have had development rights purchased or restricted through covenant per the regulations under NJAC 5:93-4.2.
5. Lands owned by local government entity that, prior to substantive certification, is authorized to be utilized for a public purpose other than housing per the regulations under NJAC 5:93-4.2.
6. Properties that are on the State Register of Historic Places.
7. The regulations under NJAC 5:93-4.2 allow a municipality to reserve up to three percent of its “developed and developable acreage” for active recreation sites, but they must be designated as such in the municipality’s master plan.
8. Any land designated in a municipality’s master plan for conservation, parkland or open space and is owned, leased or licensed by a county, municipality or tax-exempt non-profit, including a local board of education, can be eliminated from development potential per NJAC 5:93-4.2.
9. In the event that less than three percent of the municipality’s total land area is designated for conservation, parklands, and open space, the municipality may reserve up to three percent of land for such uses (but the municipality must initiate acquisition of such land within one year of substantive certification) per NJAC 5:93-4.2.

Tax assessment data, aerials and the NJDEP Recreation and Open Space Inventory (ROSI) were also consulted to determine those Class 15C (public) properties that were not available for development (i.e., parklands, utilities, municipal buildings, etc.). These parcels were similarly eliminated from the list of potentially developable properties in the Borough.

Environmental Constraints

Environmentally sensitive lands per N.J.A.C. 5:93-4.2(e)2 were then mapped and deducted on those Class 1, 3B and 15C parcels that were not eliminated from consideration based on the above criteria. To start, GIS shapefiles were obtained for the following environmental constraints:

- NJDEP Wetlands
- FEMA Flood Hazard Areas
- USGS Soils
- NJDEP Waterbodies and Surface Water Quality Standards

A single environmentally constrained lands shapefile was created to determine the environmentally constrained areas for each property. The following environmental constraints were analyzed:

- NJDEP wetlands
- FEMA Flood Hazard Areas, inclusive of the 100-year floodplain
- Steep slopes over 15%: For Highlands regions, the Highlands Council slope data is the most accurate as it uses, “LiDAR derived elevation data and the most up to date Land-Use/Land-Cover data.” The data can be found at <http://www.highlands.state.nj.us/njhighlands/gis/downloads/index.html>.
- NJDEP Category 1 waters

The environmentally constrained lands layer was processed such that the constraints would not be “double counted” in the event that they overlapped one another. Using GIS, the acreage of environmentally constrained lands was calculated for each property. The area of environmentally constrained lands was then subtracted from the property’s overall acreage, leaving the remaining developable area of each property. As above, those properties with less than 0.83 acres of developable area remaining were eliminated from the list of potentially developable properties.

Plan Area and Sewer Service Area

NJDEP SDRP and sewer service area GIS layers were obtained to determine the SDRP planning area designation and sewer service availability, respectively, for each of the remaining parcels on the potentially developable list of properties. This information was noted on the list of potentially developable properties in the Borough for reference.

Results of Vacant Land Adjustment

The Borough identified ±736 acres of Class 1 Vacant land, Class 3B Farm property, and Class 15C Public Property in the Borough. See Table 23 for a breakdown by property classification.

Table 23. Total Acreage in the Borough of Mountain Lakes for Property Classifications 1, 3B, and 15C

Class 1: Vacant Land	41.67 acres
Class 3B	17.41 acres
Class 15C Public Property	676.10 acres
Total	735.18 acres

Source: Phillips Preiss Grygiel Leheny Hughes LLC.

Of the parcels examined it was determined that there are ±14 acres of developable land available on four vacant parcels (see Table 24). To derive the Borough’s affordable housing obligation, the developable acreage was multiplied by six (i.e., the minimum presumptive density) and then multiplied by 20% (i.e., the maximum presumptive set aside). In other words, the Borough has a realistic development potential (RDP) of 17 units (e.g., $14.2 \times 6 = 85.32$; $85.32 \times 20\% = 17$ units).

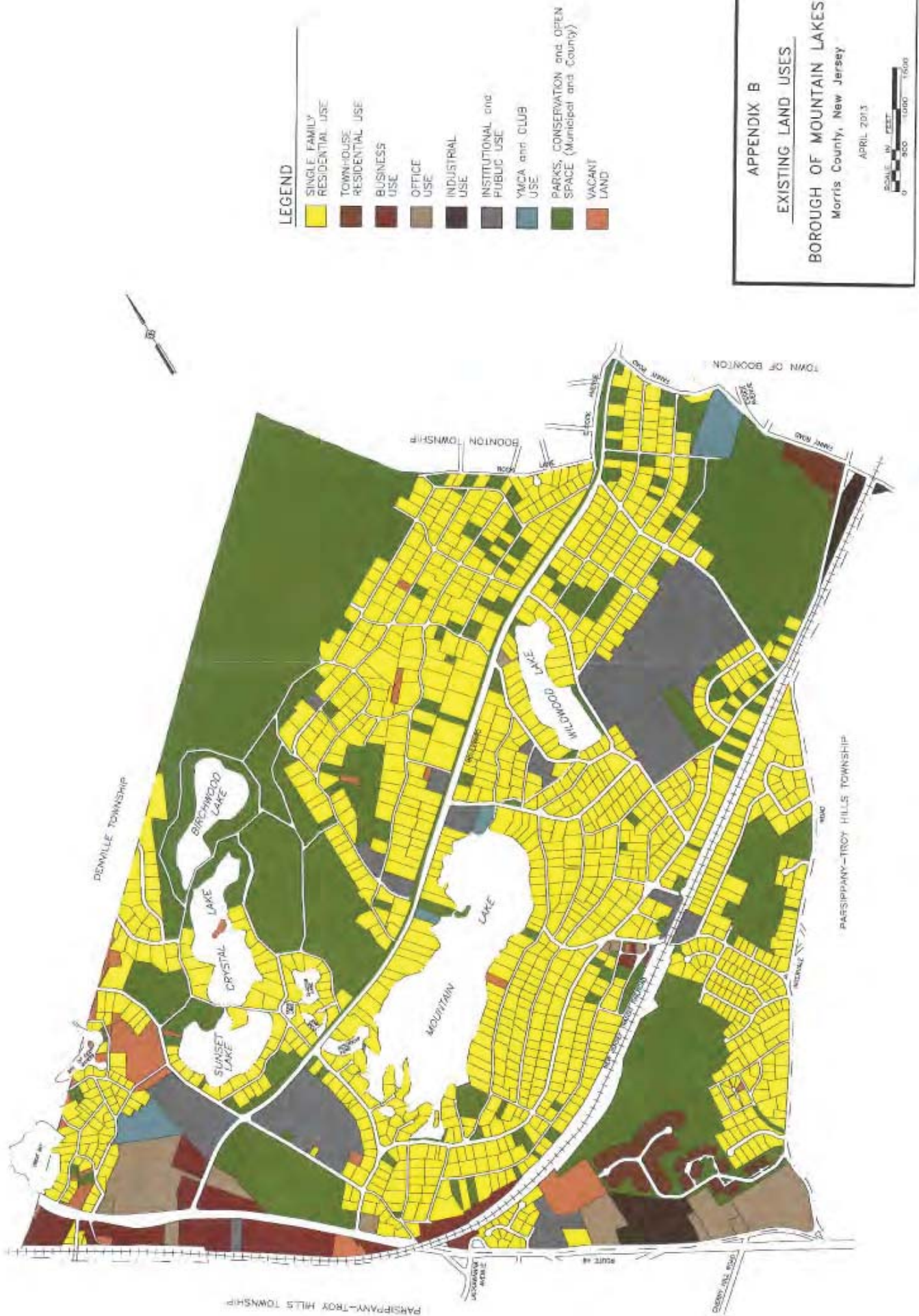
Table 24. Total Developable Acreage in the Borough of Mountain Lakes for Property Classifications 1, 3B, and 15C

Block	Lot	Address	Owner	Sewer Service Area	Listed Acreage	Constrained Acreage	Developable Acreage	Constraint Description	ZONE
VACANT LAND ZONED FOR RESIDENTIAL USE: Property Class 1									
101.00	105.00	026 LAKE DR	Private Owner	Y	1.41	0.1904 - slopes	1.2	0.194 ac of steep slopes greater than 15%	R-A
VACANT LAND ZONED FOR NON-RESIDENTIAL USE: Property Class 1									
118.04	2.01	1 BLOOMFIELD AVE	VREP- 2.01 Bloomfield LLC	Y	5.8727	1.25 - slopes	4.6	1.25 ac of steep slopes greater than 15%	R-AH3
Potential Developable Vacant Sites Property Class 1 (Residential and Non-Residential)							5.8		
FARMLAND: Property class 3B									
19	5	NORTH POCONO RD	Private Owner	N	9.130 AC	1.09 AC - wetlands 3.88- steep slope	4.2	1.09 AC is wetlands. 3.88 AC has slopes greater than 15%	RC-2
116	10-49 (Formerly 3.0X)	145 ROUTE 46	Pulte Homes of NJ LP	Y	7.7	3.46	4.2	Slopes and wetlands	R-AH2
Potential Developable Acreage: Vacant Sites Property Class 3B							8.4		

Total Potential Developable 3B, 1 and 15C*	14.2
Total Units (6 dwelling units/acre)	85.2
Total Affordable Units (20% set aside)	17.0

* All 15C property eliminated from development consideration based on size, environmental constraints, dedication for public use, or for other reasons detailed above and consistent with N.J.A.C. 5:93-4.2.

Source: Phillips Preiss Grygiel Leheny Hughes LLC.



LEGEND

- SINGLE FAMILY RESIDENTIAL USE
- TOWN-HOUSE RESIDENTIAL USE
- BUSINESS USE
- OFFICE USE
- INDUSTRIAL USE
- INSTITUTIONAL and PUBLIC USE
- YMCA and CLUB USE
- PARKS, CONSERVATION and OPEN SPACE (Municipal and County)
- VACANT LAND

APPENDIX B
EXISTING LAND USES
BOROUGH OF MOUNTAIN LAKES
 Morris County, New Jersey
 APRIL 2013

SCALE IN FEET
 0 500 1000 1500

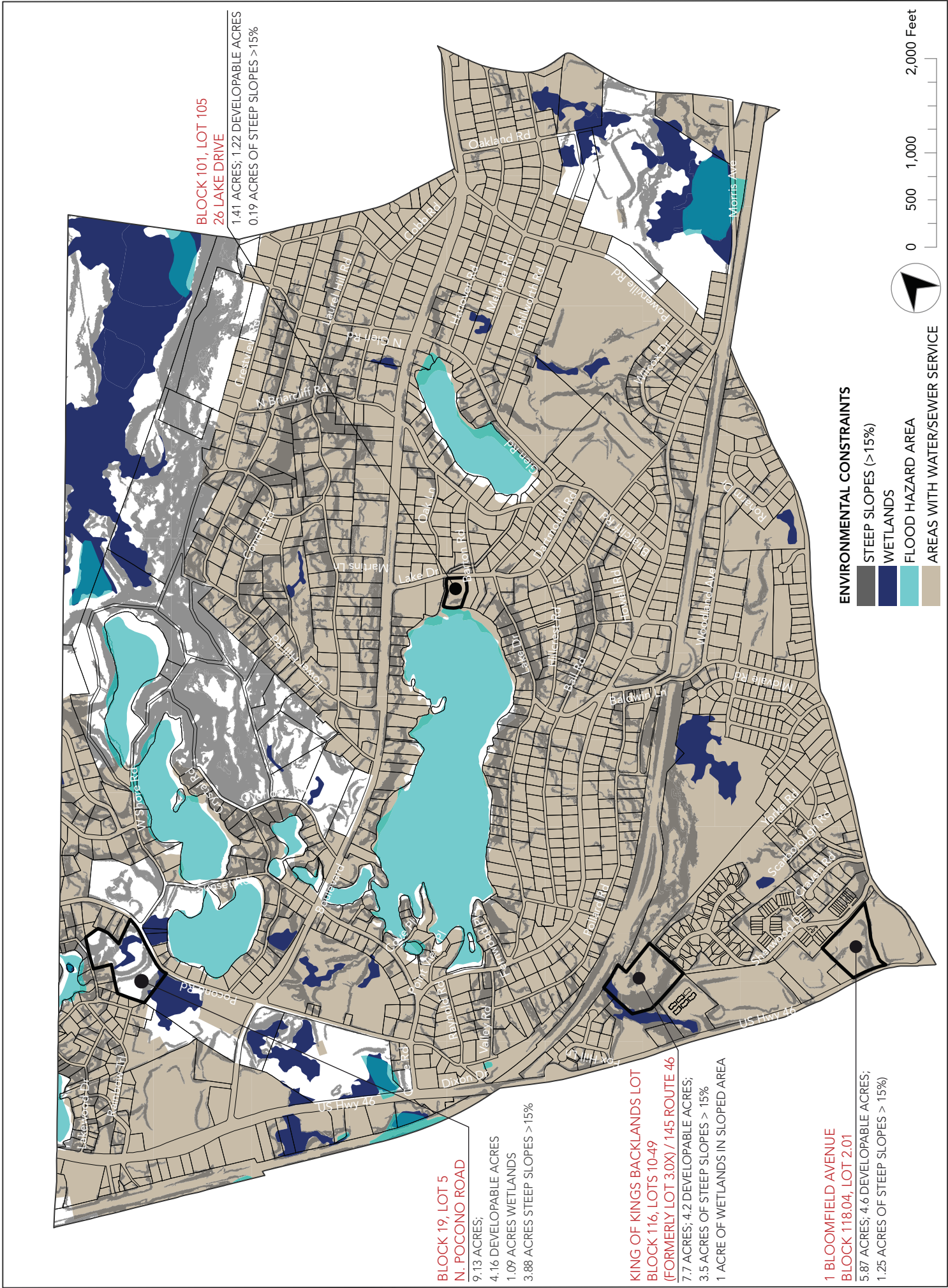


FIGURE 2A: DEVELOPABLE VACANT SITES IN VACANT LAND ADJUSTMENT | BOROUGH OF MOUNTAIN LAKES NJ
 PHILLIPS PREISS GRYGIEL LEHENY HUGHES LLC 2019
 SOURCES: NJ DEP; NJ HIGHLANDS COUNCIL; COUNTY OF MORRIS

BLOCK: 116, LOTS: 10-49 (FORMERLY BLOCK 116, LOT 3.0X)
 TOTAL ACREAGE: 7.7 ACRES
 TOTAL DEVELOPABLE ACREAGE: 4.2 ACRES
 ZONE: R-AH2 RESIDENTIAL AFFORDABLE HOUSING 2
 SEWER SERVICE AREA: YES

ENVIRONMENTAL CONSTRAINTS

- STEEP SLOPES (>15%)
- WETLANDS

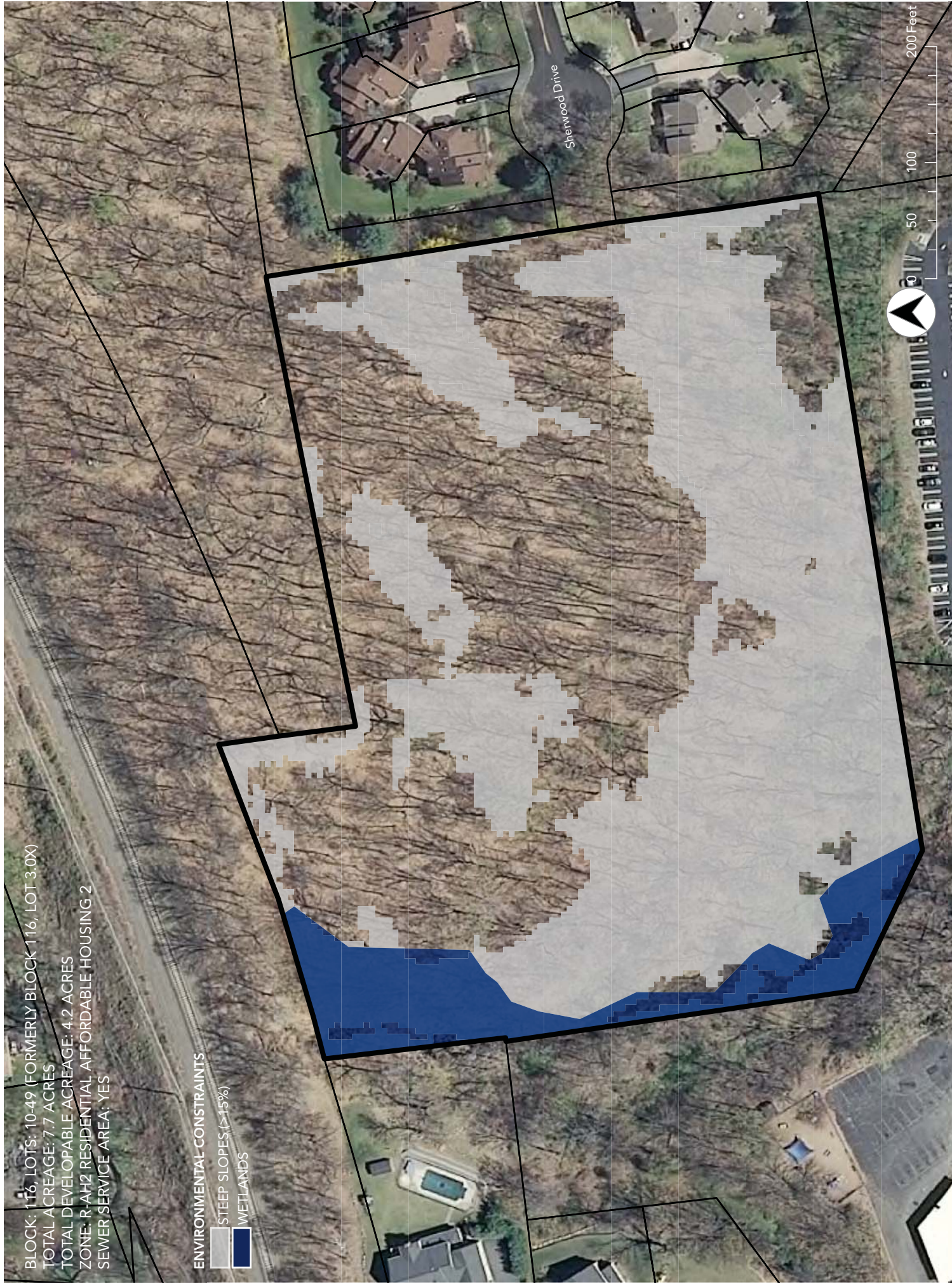


FIGURE 3A: DEVELOPABLE SITE IN VACANT LAND ADJUSTMENT | **BOROUGH OF MOUNTAIN LAKES NJ**

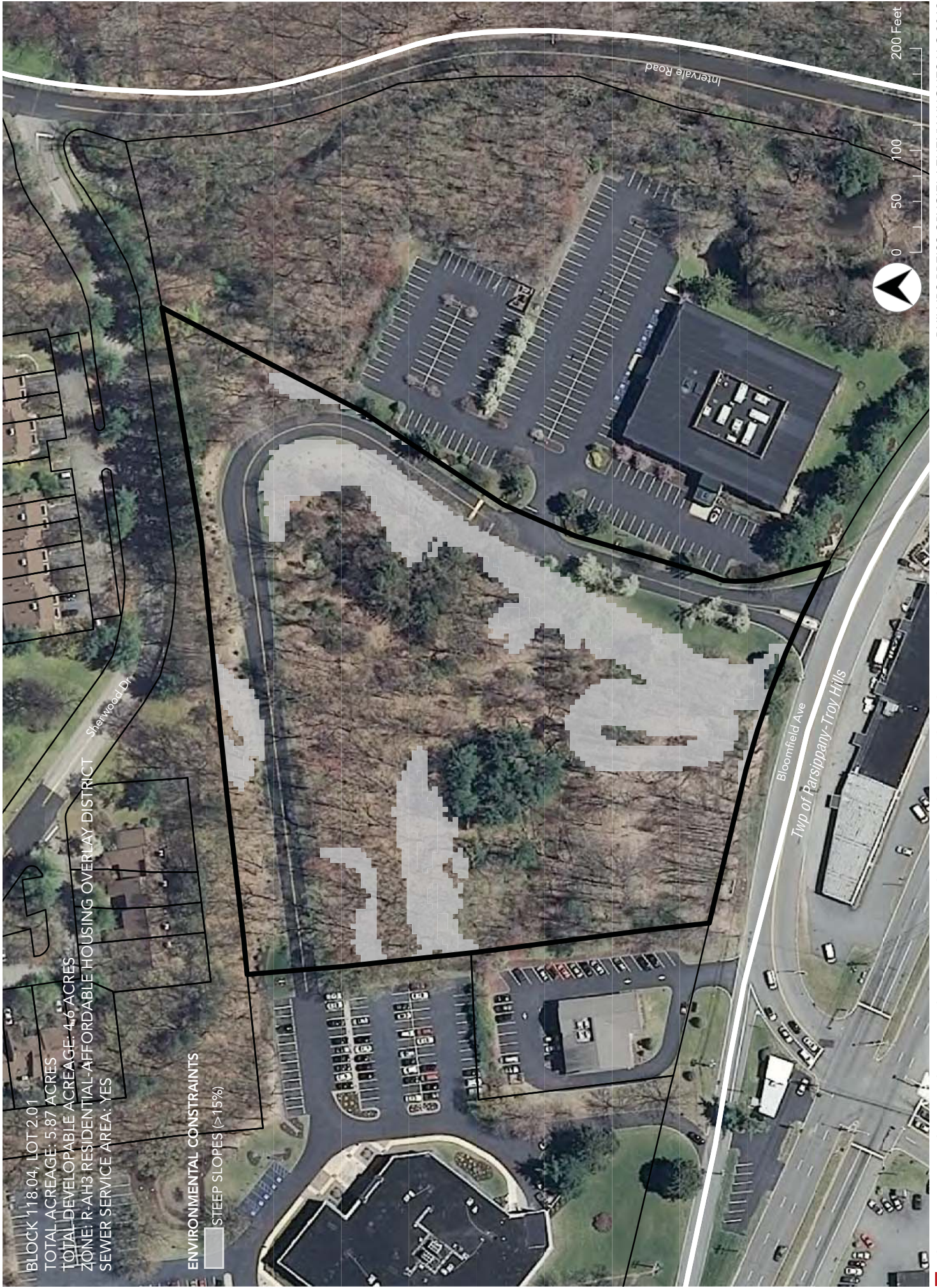
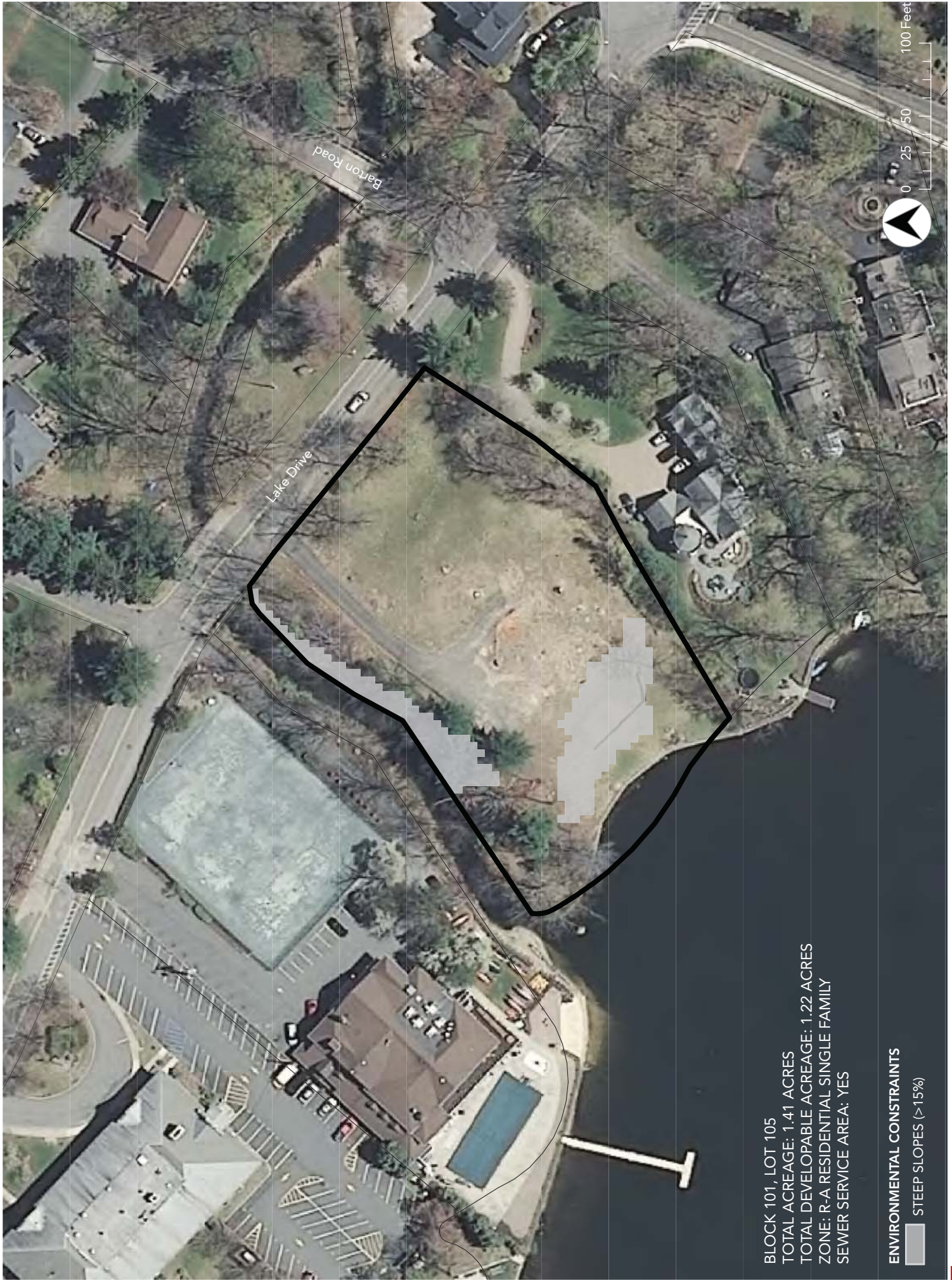


FIGURE 4A: DEVELOPABLE SITE IN VACANT LAND ADJUSTMENT | **BOROUGH OF MOUNTAIN LAKES NJ**

PHILLIPS PREISS GRYGIEL LEHENY HUGHES LLC 2019
 Sources: NJ DEP, NJ Highlands Council, NJ Office of Geographic Information Systems



FIGURE 5A: DEVELOPABLE SITE IN VACANT LAND ADJUSTMENT | BOROUGH OF MOUNTAIN LAKES NJ



BLOCK 101, LOT 105
 TOTAL ACREAGE: 1.41 ACRES
 TOTAL DEVELOPABLE ACREAGE: 1.22 ACRES
 ZONE: R-A RESIDENTIAL SINGLE FAMILY
 SEWER SERVICE AREA: YES

ENVIRONMENTAL CONSTRAINTS
 ■ STEEP SLOPES (>15%)

FIGURE 6A: DEVELOPABLE SITE IN VACANT LAND ADJUSTMENT | BOROUGH OF MOUNTAIN LAKES NJ

Appendix B: Inventory of Parcels Investigated in Vacant Land Adjustment

Block	Lot	Address	Owner	Sewer Service Area	Listed Acreage	Eliminated/Constrained Acreage	Developable Acreage	Description	ZONE
VACANT LAND ZONED FOR RESIDENTIAL USE: Property Class 1									
9.00	3.00	367 BLOOMFIELD AVE	Privately Owned	Y	1.17	0.48 - Slopes	0.00	Highlands data indicates 0.48 acres of slope land. Leaving only .69 acres of developable land which does NOT meet the COAH standard of 6 du/ac threshold.	R-1
9.00	21.00	000 FERNWOOD TRL	Privately Owned	Y	0.25	0.25	0.00	Lot too small, under 0.83 acres, to accommodate 1 LMI unit per COAH standard of 6 du/acre	R-1
12.00	1.00	000 GREAT BAY	Privately Owned	N	1.92	1.92	0.00	Waterbody - Lake	R-1
12.01	1.00	000 BAY OF DEEP WATERS	Privately Owned	N	2.54	2.54	0.00	Waterbody - Lake with .159 acres of wetlands	R-1
17.00	3.00	017 LAURELWOOD DR	Privately Owned	Y	0.09	0.09	0.00	Lot too small, under 0.83 acres, to accommodate 1 LMI unit per COAH standard of 6 du/acre	R-1
19.00	2.00	076 NORTH POCONO RD	Privately Owned	Y	0.549	0.549	0.00	Lot too small, under 0.83 acres, to accommodate 1 LMI unit per COAH standard of 6 du/acre	R-A
19.00	7.00	006 LAURELWOOD DR REAR	Privately Owned	Y	0.253	0.25	0.00	Lot too small, under 0.83 acres, to accommodate 1 LMI unit per COAH standard of 6 du/acre	R-A
20.00	6.00	055 LAURELWOOD DR	Privately Owned	Y	0.41	0.41	0.00	Lot too small, under 0.83 acres, to accommodate 1 LMI unit per COAH standard of 6 du/acre	R-1
20.00	10.00	094 NORTH POCONO RD	Privately Owned	Y	0.119	0.119	0.00	Lot too small, under 0.83 acres, to accommodate 1 LMI unit per COAH standard of 6 du/acre	R-A
24.00	4.00	000 NORTH POCONO RD	Privately Owned	Y	0.706	0.71	0.00	Lot too small, under 0.83 acres, to accommodate 1 LMI unit per COAH standard of 6 du/acre	R-AA
24.00	12.00	000 NORTH POCONO RD	Privately Owned	Y	0.218	0.22	0.00	Lot too small, under 0.83 acres, to accommodate 1 LMI unit per COAH standard of 6 du/acre	R-AA
44.00	11.00	000 LOOKOUT RD	Privately Owned	Y	0.39	0.39	0.00	Lot too small, under 0.83 acres, to accommodate 1 LMI unit per COAH standard of 6 du/acre	R-AA
49.00	3.02	000 LAUREL HILL RD	Privately Owned	Y	0.34	0.34	0.00	Lot too small, under 0.83 acres, to accommodate 1 LMI unit per COAH standard of 6 du/acre	R-AA
51.00	12.00	134 LOOKOUT RD	Privately Owned	Y	0.386	0.39	0.00	Lot too small, under 0.83 acres, to accommodate 1 LMI unit per COAH standard of 6 du/acre	R-AA
56.00	8.02	185 BLVD	Privately Owned		1.157	0.2139 - Slopes	0.94	Slopes greater than 15% according to highlands data (.2139). New home constructed on site as of 2016 tax record. No longer vacant.	R-AA
101.00	44.00	105 LAKE DR	Privately Owned	Y	0.62	0.62	0.00	Lot too small, under 0.83 acres, to accommodate 1 LMI unit per COAH standard of 6 du/acre	R-A
101.00	48.01	123 LAKE DR	Privately Owned		0.38	0.38	0.00	Lot too small, under 0.83 acres, to accommodate 1 LMI unit per COAH standard of 6 du/acre	R-A
101.00	48.02	117 LAKE DR	Privately Owned		0.40	0.40	0.00	Lot too small, under 0.83 acres, to accommodate 1 LMI unit per COAH standard of 6 du/acre	R-A
101.00	105.00	026 LAKE DR	Privately Owned	Y	1.41	0.1904 - slopes	1.22	0.194 ac of steep slopes according to Highlands data.	R-A
117.00	9.02	000 SHERWOOD DR REAR	Privately Owned	Y	0.0370	0.04	0.00	Lot too small, under 0.83 acres, to accommodate 1 LMI unit per COAH standard of 6 du/acre	RC-2
117.00	17	000 SHERWOOD DR	Privately Owned	Y	1.457	0.207 - artificial lake; 0.399 - slopes; 0.606 ac total; 0.851 ac remaining is too narrow	0.00	Waterbody - Lake/Pond is in a portion of the lot. Also, 0.398513 acres has slopes greater than 15% with 0.310 of the .3985 being slopes greater than 20%. Remaining portion is very narrow eliminating the rest of the lot.	RC-3
117.01	53	000 ROBIN HOOD DR	Privately Owned	Y	10.67	0.39 - wetlands; 0.084 - natural lake; 0.154 - artificial lake; 0.98 - slopes greater than 15%; 1.61 total	0.00	Contains a lake, wetlands and a tributary, portions are very narrow running behind residential property. 0.981 acres of slopes from highland data and verified by USGS topo map. Land is open space of a neighborhood development eliminating the rest of the lot from development.	RC-3

Block	Lot	Address	Owner	Sewer Service Area	Listed Acreage	Eliminated/ Constrained Acreage	Developable Acreage	Description	ZONE
118.01	35	000 LOCKLEY CT	Privately Owned	Y	4.72	2.95 - landlocked .61 - too small	0.00	Pine Edge Townhome development open space.	RC-3
118.02	6	000 LOCKLEY CT	Privately Owned	Y	0.98	0.265 - slopes greater than 15%	0.00	With slopes, lot too small, under 0.83 acres, to accommodate 1 LMI unit per COAH standard of 6 du/acre	RC-3
118.03	9	000 LOCKLEY CT	Privately Owned	Y	1.99	.102 - slopes; 1.889 ac remaining are too narrow	0.00	Slopes greater than 15%; rest of the lot is too narrow for development and it is open space for the pine edge townhouse development	RC-3
118.05	1	000 LOCKLEY CT	Privately Owned	Y	0.08	0.08	0.00	Lot too small, under 0.83 acres, to accommodate 1 LMI unit per COAH standard of 6 du/acre	RC-3
123	6	000 WHITBY RD	Privately Owned	Y	0.11	0.11	0.00	Lot too small, under 0.83 acres, to accommodate 1 LMI unit per COAH standard of 6 du/acre	R-A
VACANT LAND ZONED FOR NON-RESIDENTIAL USE: Property Class 1									
2	5	005 PEARTREE RD	Privately Owned	Y	0.27	0.27	0	Lot too small, under 0.83 acres, to accommodate 1 LMI unit per COAH standard of 6 du/acre	B
2	8	382 ROUTE 46	Privately Owned	Y	0.11	0.11	0	Lot too small, under 0.83 acres, to accommodate 1 LMI unit per COAH standard of 6 du/acre	B
4	2.01	000 ROUTE 46	Privately Owned	Y	0.35	0.35	0	Lot too small, under 0.83 acres, to accommodate 1 LMI unit per COAH standard of 6 du/acre	B
5	1.01	000 BLOOMFIELD AVE	Privately Owned	Y	1.0898	0.811 - wetlands	0.00	Wetland covers majority leaving only 0.28 acres (before any buffer applied). Including a buffer will probably eliminate the entire site. 1996 analysis says lot is 1.85 acres with .64 acres of wetlands and .1 acres in a steep slope according to 1996 adjustment.	B
106	1	000 MIDVALE RD @ ROMAIN	Privately Owned	Y	0.043	0.043	0	Lot too small, under 0.83 acres, to accommodate 1 LMI unit per COAH standard of 6 du/acre	A
106	9	048 MIDVALE RD	Privately Owned	Y	0.1492	0.1492	0	Lot too small, under 0.83 acres, to accommodate 1 LMI unit per COAH standard of 6 du/acre	A
108	9	018 ROMAINE RD	Privately Owned	Y	0.045	0.045	0	Lot too small, under 0.83 acres, to accommodate 1 LMI unit per COAH standard of 6 du/acre	A
118.04	2.01	1 BLOOMFIELD AVE	VREP- 2.01 Bloomfield LLC	Y	5.8727	1.25 - slopes	4.62	1.25 ac of steep slopes greater than 15% according to Highlands data.	R-AH3
VACANT LAND WITH ZONE NOT SPECIFIED: Property Class 1									
116	3.06	12 FOX HILL LN	Privately Owned	Y	0.38	0.38	0.00	Lot too small, under 0.83 acres, to accommodate 1 LMI unit per COAH standard of 6 du/acre	

Block	Lot	Address	Owner	Sewer Service Area	Listed Acreage	Eliminated/ Constrained Acreage	Developable Acreage	Description	ZONE
6	12	040 POCONO RD	Mountain Lakes Boro	N	23.25	23.25	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	OL-2
6	15	410 BLVD	Mountain Lakes Boro	N	4.05	4.05	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	OL-2
9	1	000 BLOOMFIELD AVE	Mountain Lakes Boro	Y	0.07	0.07	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-1
9	13	000 LAKEWOOD DR	Mountain Lakes Boro	Y	0.1148	0.1148	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-1
9	14	014 LAKEWOOD DR	Mountain Lakes Boro	Y	0.3099	0.3099	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-1
9	22	008 FERNWOOD TRL	Mountain Lakes Boro	Y	0.51	0.51	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-1
15	5	025 LAURELWOOD DR	Mountain Lakes Boro	Y	0.61	0.61	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-1
17	16	032 LAURELWOOD DR	Mountain Lakes Boro	N	0.25	0.25	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-1
21	33	008 CRANE RD	Mountain Lakes Boro	Y	0.367	0.367	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
21	37	002 CRANE RD	Mountain Lakes Boro	Y	0.261	0.261	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
21	40	000 DORIAN RD	Mountain Lakes Boro	Y	0.4262	0.4262	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
21	41	055 POCONO RD	Mountain Lakes Boro	Y	0.1894	0.1894	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
22	10.01	160 EAST SHORE RD	Mountain Lakes Boro	Y	0.1894	0.1894	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
22	20	401 EAST SHORE RD	Mountain Lakes Boro	Y	1.96	1.96	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
23	39	002 EAST SHORE RD	Mountain Lakes Boro	N	3.76	3.76	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C
23	56	049 NORTH POCONO RD	Mountain Lakes Boro	N	0.55	0.55	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C
23	71	025 NORTH POCONO RD	Mountain Lakes Boro	N	0.16	0.16	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
24	1	079 NORTH POCONO RD	Mountain Lakes Boro	N	8.692	8.692	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C
26	1	000 RATTLESNAKE MEADOW	Mountain Lakes Boro	N	83.46	83.46	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C

Block	Lot	Address	Owner	Sewer Service Area	Listed Acreage	Eliminated/ Constrained Acreage	Developable Acreage	Description	ZONE
27	4	033 CRESTVIEW RD	Mountain Lakes Boro	N	2.41	2.41	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C
27	16	000 CRESTVIEW RD	Morris County Park Commission	N	15.29	15.29	0	County Owned Open Space	C
27	26	000 CRESTVIEW RD	Mountain Lakes Boro	N	9.94	9.94	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C
28	9	000 CRESTVIEW RD	Mountain Lakes Boro	N	28.18	28.18	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C
28	13	000 CRESTVIEW RD	Morris County Park Commission	N	3.97	3.97	0	County Owned Open Space	C
29	1	049 WEST SHORE RD	Mountain Lakes Boro	N	15.57	15.57	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C
29	2	045 WEST SHORE RD	Mountain Lakes Boro	Y	2.32	2.32	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C
30	66	000 WEST SHORE RD	Mountain Lakes Boro	N	0.7016	0.7016	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C
30	70	000 BIRCH LN	Mountain Lakes Boro	N	2	2	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C
31	29	56 WEST SHORE RD	Mountain Lakes Boro	N	7.11	7.11	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C
32	1	030 CRYSTAL RD	Mountain Lakes Boro	N	22.29	22.29	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C
33	8.01	000 BOULEVARD & NO. CRANE	Mountain Lakes Boro	Y	0.02	0.02	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
34	5	311 BLVD	Mountain Lakes Boro	N	3.05	3.05	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-AA
35	1	021 OVERLOOK RD	Mountain Lakes Boro	N	5.08	5.08	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-AA
36	1	027 OVERLOOK RD	Mountain Lakes Boro	N	3.45	3.45	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C
37	1	000 LONGVIEW,LOCUST,IVY	Mountain Lakes Boro	N	5	5	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C
38	12	000 WOODCLIFF RD	Mountain Lakes Boro	N	2.29	2.29	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C
39	1	000 LONGVIEW RD	Mountain Lakes Boro	N	2.48	2.48	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C
39	22	000 LONGVIEW RD	Mountain Lakes Boro	N	1.78	1.78	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C
40	1	056 TOWER HILL RD	Mountain Lakes Boro	N	0.42	0.42	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C

Block	Lot	Address	Owner	Sewer Service Area	Listed Acreage	Eliminated/ Constrained Acreage	Developable Acreage	Description	ZONE
40	19	000 TOWER HILL RD	Mountain Lakes Boro	N	6.43	6.43	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C
41	1	000 EAST SHORE RD NORTH	Mountain Lakes Boro	N	6.67	6.67	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C
42	29	000 CRESTVIEW RD	Mountain Lakes Boro	N	0.6336	0.6336	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C
45	10	000 CRESTVIEW RD	Mountain Lakes Boro	N	1.27	1.27	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C
46	15	001 LOOKOUT RD	Mountain Lakes Boro	Y	0.2575	0.2575	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
47	8	027 LAUREL HILL RD	Mountain Lakes Boro	Y	0.74	0.74	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
48	28	060 LOOKOUT RD	Mountain Lakes Boro	Y	0.58	0.58	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-AA
50	23	128 LOOKOUT RD	Mountain Lakes Boro	Y	0.58	0.58	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-AA
52	13	073 TOWER HILL RD	Mountain Lakes Boro	Y	0.47	0.47	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-AA
52	19.02	050 CONDIT RD	Mountain Lakes Boro	Y	0.8	0.8	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-AA
52	45	000 OGDEN RD	Mountain Lakes Boro	Y	1.76	1.76	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-AA
52	54	000 OGDEN RD	Mountain Lakes Boro	Y	0.83	0.83	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-AA
53	15	175 LAUREL HILL RD	Mountain Lakes Boro	Y	1.2	1.2	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-AA
53	52	000 OGDEN RD @ TWR HILL	Mountain Lakes Boro	Y	6.06	6.06	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-AA
54	12	200 LAUREL HILL RD	Mountain Lakes Boro	Y	0.52	0.52	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-AA
56	14	187 BLVD	Mountain Lakes Boro	Y	0.63	0.63	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-AA
56	34	120 LAUREL HILL RD	Mountain Lakes Boro	Y	0.63	0.63	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-AA
56	39	110 LAUREL HILL RD	Mountain Lakes Boro	Y	0.93	0.93	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-AA
56	52.02	000 LAUREL HILL RD	Mountain Lakes Boro	Y	0.3	0.3	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-AA

Block	Lot	Address	Owner	Sewer Service Area	Listed Acreage	Eliminated/ Constrained Acreage	Developable Acreage	Description	ZONE
56	58.01	030 NORTH BRIARCLIFF ROAD	Mountain Lakes Boro	Y	0.4132	0.4132	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-AA
57	1	097 COBB RD	Mountain Lakes Boro	Y	0.57	0.57	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-AA
58	10	129 BLVD	Mountain Lakes Boro	Y	0.87	0.87	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-AA
58	24	788 COBB RD	Mountain Lakes Boro	Y	0.39	0.39	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-AA
58	30	082 COBB RD	Mountain Lakes Boro	Y	0.85	0.85	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-AA
59	39	050 COBB RD	Mountain Lakes Boro	Y	1.07	1.07	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
59	46	060 COBB RD	Mountain Lakes Boro	Y	0.43	0.43	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
60	5	061 COBB RD	Mountain Lakes Boro	Y	0.42	0.42	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
60	9	051 COBB RD	Mountain Lakes Boro	Y	0.42	0.42	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
60	13	041 COBB RD	Mountain Lakes Boro	Y	0.8	0.8	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
60	27	024 LAUREL HILL RD	Mountain Lakes Boro	Y	0.64	0.64	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
61	25	009 LOWELL AVE	Mountain Lakes Boro	Y	0.72	0.72	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
61	31	021 LOWELL AVE	Mountain Lakes Boro	Y	0.77	0.77	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
61	38	035 LOWELL AVE	Mountain Lakes Boro	Y	0.58	0.58	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
61	45	049 LOWELL AVE	Mountain Lakes Boro	Y	0.5	0.5	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
62	20.01	002 BLVD	Mountain Lakes Boro	Y	0.24	0.24	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
62	25	020 BLVD	Mountain Lakes Boro	Y	0.926	0.926	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
62	33	030 BLVD	Mountain Lakes Boro	Y	0.8264	0.8264	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
62	38	040 BLVD	Mountain Lakes Boro	Y	0.55	0.55	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A

Block	Lot	Address	Owner	Sewer Service Area	Listed Acreage	Eliminated/ Constrained Acreage	Developable Acreage	Description	ZONE
63	11	041 HANOVER RD	Mountain Lakes Boro	Y	0.4591	0.4591	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
63	17	060 BLVD	Mountain Lakes Boro	Y	0.72	0.72	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
64	8	059 MELROSE RD	Mountain Lakes Boro	Y	0.23	0.23	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
64	11	053 MELROSE RD	Mountain Lakes Boro	Y	0.57	0.57	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
64	19	040 HANOVER RD	Mountain Lakes Boro	Y	0.65	0.65	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
65	13	001 MELROSE RD	Mountain Lakes Boro	Y	0.71	0.71	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
66	16	024 MELROSE RD	Mountain Lakes Boro	Y	3.16	3.16	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
68	4	075 KENILWORTH RD	Mountain Lakes Boro	Y	0.73	0.73	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
68	10	061 KENILWORTH RD	Mountain Lakes Boro	N	2.77	2.77	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C
69	11	064 KENILWORTH RD	Mountain Lakes Boro	N	2.58	2.58	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C
70	6	100 KENILWORTH RD	Mountain Lakes Boro	Y	0.918	0.918	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
74	4	117 HANOVER RD	Mountain Lakes Boro	Y	0.52	0.52	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
74	21	106 BLVD	Mountain Lakes Boro	Y	0.46	0.46	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
75	7	121 MELROSE RD	Mountain Lakes Boro	Y	1.29	1.29	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
75	27	124 HANOVER RD	Mountain Lakes Boro	Y	1.1	1.1	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
76	28	120 MELROSE RD	Mountain Lakes Boro	Y	2.11	2.11	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
78	33	055 BRIARCLIFF RD	Mountain Lakes Boro	N	0.27	0.27	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
78	42	058 GLEN RD	Mountain Lakes Boro	Y	0.8	0.8	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
78	67	136 BLVD	Mountain Lakes Boro	Y	0.5537	0.5537	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A

Block	Lot	Address	Owner	Sewer Service Area	Listed Acreage	Eliminated/ Constrained Acreage	Developable Acreage	Description	ZONE
80	1	160 BLVD	Mountain Lakes Boro	Y	0.69	0.69	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
80	28	210 BLVD	Mountain Lakes Boro	Y	0.64	0.64	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
86	9	131 MORRIS AVE	Mountain Lakes Boro	Y	0.41	0.41	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
86	13	121 MORRIS AVE	Mountain Lakes Boro	Y	0.41	0.41	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
86	18	115 MORRIS AVE	Mountain Lakes Boro	Y	0.38	0.38	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
86	22	103 MORRIS AVE	Mountain Lakes Boro	Y	0.26	0.26	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
86	40	035 WILCOX DR	Mountain Lakes Boro	Y	0.6198	0.6198	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
86	41	027 WILCOX DR	Mountain Lakes Boro	Y	0.8605	0.8605	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
86.01	1	149 MORRIS AVE	Mountain Lakes Boro	Y	0.28	0.28	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
86.01	24	000 BELLEVILLE RD	Mountain Lakes Boro	Y	4.09	4.09	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
86.01	32	022 WILCOX DR	Mountain Lakes Boro	Y	0.34	0.34	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
86.01	33	026 WILCOX DR	Mountain Lakes Boro	Y	0.4	0.4	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
88	1	101 MORRIS AVE	Mountain Lakes Boro	Y	0.56	0.56	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
88	6	000 MORRIS AVE	Mountain Lakes Boro	Y	0.21	0.21	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
88	9	085 MORRIS AVE	Mountain Lakes Boro	Y	0.41	0.41	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
88	14	079 MORRIS AVE	Mountain Lakes Boro	Y	0.41	0.41	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C
88	17	075 MORRIS AVE	Mountain Lakes Boro	N	52.004	52.004	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C
88	21	101 POWERVILLE RD	Mountain Lakes Boro	N	2.75	2.75	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C
88	22	101 POWERVILLE RD	Mountain Lakes Boro		2.07	2.07	0	Designated Borough Parkland	N/A
88	27	101 POWERVILLE RD	Mountain Lakes Boro	Y	2.03	2.03	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A

Block	Lot	Address	Owner	Sewer Service Area	Listed Acreage	Eliminated/ Constrained Acreage	Developable Acreage	Description	ZONE
91	1	012 ELM RD	Mountain Lakes Boro	Y	0.46	0.46	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
91	14	200 MORRIS AVE	Mountain Lakes Boro	Y	0.21	0.21	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
91	35	158 MORRIS AVE	Mountain Lakes Boro	Y	0.67	0.67	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
91	39	148 MORRIS AVE	Mountain Lakes Boro	Y	0.69	0.69	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
91	43	138 MORRIS AVE	Mountain Lakes Boro	Y	0.58	0.58	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
91	50.02	128 MORRIS AVE	Mountain Lakes Boro	Y	0.47	0.47	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
91	55	118 MORRIS AVE	Mountain Lakes Boro	Y	0.42	0.42	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
94	9.01	010 BALL RD	Mountain Lakes Boro	Y	0.21	0.21	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
94	16	058 BELVALE RD	Mountain Lakes Boro	Y	0.38	0.38	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
101	71	163 LAKE DR	Mountain Lakes Boro	Y	0.95	0.95	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
101	79	175 FERNWOOD PL	Mountain Lakes Boro	Y	1.61	1.61	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
104	44	079 POLLARD RD	Mountain Lakes Boro	Y	0.28	0.28	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
104	71	025 POLLARD RD	Mountain Lakes Boro	Y	0.43	0.43	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
104	78	011 POLLARD RD	Mountain Lakes Boro	Y	0.36	0.36	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
105	15	260 MORRIS AVE	Mountain Lakes Boro	Y	0.51	0.51	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
105	27	003 POLLARD RD	Mountain Lakes Boro	Y	0.14	0.14	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
107	10	010 POLLARD RD	Mountain Lakes Boro	Y	0.6	0.6	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
108	10	020 ROMAINE RD	Mountain Lakes Boro	Y	1.71	1.71	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
110	33	092 POLLARD RD	Mountain Lakes Boro	Y	0.499	0.499	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A

Block	Lot	Address	Owner	Sewer Service Area	Listed Acreage	Eliminated/ Constrained Acreage	Developable Acreage	Description	ZONE
110	40	000 POLLARD RD	Mountain Lakes Boro	Y	0.132	0.132	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
110	46	120 POLLARD RD	Mountain Lakes Boro	Y	0.17	0.17	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
110	57	140 POLLARD RD	Mountain Lakes Boro	Y	0.72	0.72	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
110	61	150 POLLARD RD	Mountain Lakes Boro	Y	0.62	0.62	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
111	10.02	006 ROCKAWAY TER	Mountain Lakes Boro	Y	0.35	0.35	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
111	19	178 LAKE DR	Mountain Lakes Boro	Y	0.36	0.36	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
112	6	366 MORRIS AVE	Mountain Lakes Boro	Y	0.63	0.63	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
112	45	107 POLLARD RD	Mountain Lakes Boro	Y	0.34	0.34	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
114	1	033 RAYNOLD RD	Mountain Lakes Boro	Y	0.17	0.17	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
114	20	059 CRANE RD	Mountain Lakes Boro	Y	0.41	0.41	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
124	1	000 SCARBOROUGH RD	Mountain Lakes Boro	Y	0.56	0.56	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
127.04	13.01	000 MAPLE WAY	Mountain Lakes Boro	Y	0.79	0.79	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-2
127.05	6	09B GROVE PL	Mountain Lakes Boro	Y	0.2181	0.2181	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-2
127.05	16	005 CRESCENT DR	Mountain Lakes Boro	Y	0.289	0.289	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C
127.06	1	003 CRESCENT DR	Mountain Lakes Boro	Y	38.58	38.58	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C
129	1	056 WOODLAND AVE	Mountain Lakes Boro	Y	6.95	6.95	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C
129.01	18.02	044 WOODLAND AVE	Mountain Lakes Boro	Y	2.43	2.43	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
129.02	1	000 INTERVALE RD	Mountain Lakes Boro	Y	8.27	8.27	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
129.03	13	119 MIDVALE RD	Mountain Lakes Boro	Y	3.86	3.86	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C

Block	Lot	Address	Owner	Sewer Service Area	Listed Acreage	Eliminated/Constrained Acreage	Developable Acreage	Description	ZONE
138	1	000 BOULEVARD & ROCK LANE	Mountain Lakes Boro	Y	0.59	0.59	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C

Public Property 15C: Designated for Conservation, Park Land and Open Space, but Not Listed as Vacant Land in 2015 Tax Assessors Data

21	42	POCONO RD		Y	0.1894	0.1894	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
30	1	000 WEST SHORE RD	Mountain Lakes Boro	N	8.95	8.95	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	C
81	15.02	027 LAKE DR	Mountain Lakes Boro	Y	0.21	0.21	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
100	29	276 BOULEVARD & BEACH	Mountain Lakes Boro	Y	1.24	1.24	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
101	30.02	085 LAKE DR BEACH	Mountain Lakes Boro	Y	0.43	0.43	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
106	9.01	038 MIDVALE RD	Mountain Lakes Boro	Y	0.193	0.193	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A
131	2	000 MORRIS AVE	Mountain Lakes Boro	N	0.26	0.26	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-2
131	3	000 PUBLIC BEACH	Mountain Lakes Boro	N	0.31	0.31	0	Property designated for conservation, park lands and open space in master plan revised 11/14/11	R-A

Public Property 15C (2015 Tax Assessors data): Lakes

79	1	000 WILDWOOD LAKE	Mountain Lakes Boro	N/A	26.13	26.130 AC	0	Lake	H20
131	1	000 MOUNTAIN LAKE	Mountain Lakes Boro	N/A	79.26	79.260 AC	0	Lake	H20
132	1	000 RESERVOIR LAKE	Mountain Lakes Boro	N/A	2.46	2.460 AC	0	Lake	R-A
133	1	000 COVE LAKE	Mountain Lakes Boro	N/A	0.97	.970 AC	0	Lake	H20
134	1	000 SHADOW LAKE & OLIVE	Mountain Lakes Boro	N/A	3.25	3.250 AC	0	Lake	H20
135	1	000 SUNSET LAKE	Mountain Lakes Boro	N/A	15.67	15.670 AC	0	Lake	H20
136	1	000 CRYSTAL LAKE	Mountain Lakes Boro	N/A	20.05	20.050 AC	0	Lake	R-AA
137	1	000 BIRCHWOOD LAKE	Mountain Lakes Boro	N/A	14.27	14.270 AC	0	Lake	R-AA

Public Property 15C (2015 Tax Assessors data): Devoted to Community Purposes

1	2	099 MIDVALE RD	Mountain Lakes Boro	Y	1.96	1.960 AC	0	Devoted to Community Purposes. RR Station Right of Way	R-A
4	22.01	000 BLOOMFIELD AVE	Mountain Lakes Boro	Y	1.23	1.230 AC	0	Devoted to Community Purposes. Well Pump	B
21	38	400 BOULEVARD & POCONO RD	Mountain Lakes Boro	Y	21.47	21.470 AC	0	Devoted to Community Purposes. Municipal Building	R-A
42	12	129 LOOKOUT RD WTR TWR	Mountain Lakes Boro	Y	0.62	.620 AC	0	Devoted to Community Purposes. Water tank.	R-AA
53	1	033 TOWER HILL RD	Mountain Lakes Boro	Y	2.18	2.180 AC	0	Devoted to Community Purposes. Water tower booster station.	R-AA
108	1	002 MIDVALE RD	Mountain Lakes Boro	Y	0.11	0.11	0	Lot too small, under 0.83 acres, to accommodate 1 LVM unit per COAH standard of 6 du/acre	A

Potential Developable Acreage: Vacant Sites Property Class 15C

							0				
Total Listed 15C Property							676.0936				