

Stanhope Borough

Sussex County, New Jersey

Housing Element and Fair Share Plan

June 2025

The original of this document was signed and sealed in accordance with

N.J.A.C. 13:41-1.3b

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I. INTRODUCTION

The New Jersey Supreme Court in 1975 ruled in a decision known as the Mount Laurel I decision, that developing municipalities have a constitutional obligation to provide for a realistic opportunity for the construction of low- and moderate-income housing. In 1983, the Supreme Court went further in the Mount Laurel II decision, creating an incentive for private developers to force compliance with the decision by bring builder remedy lawsuits to municipalities that have not complied with the Mount Laurel decision. The Council on Affordable Housing (COAH) was created in 1985 by the State to administrate the affordable cases in place of the Courts.

In December 2004, COAH's first version of the Third-Round rules became effective to cover the period of 1999 to 2014. The Second-Round rules covered the 1987 to 1999 period. The Third-Round rules were based on a "growth Share" approach that associated the creation of affordable housing with future residential and non-residential growth.

In May 2008, COAH adopted revised Third-Round regulations. These regulations were challenged and invalidated by the Appellate Division in 2008. This decision was affirmed by the Supreme Court in September 2013 and COAH was directed to adopt new regulations. On March 10, 2015, the Supreme Court ruled that COAH was not functioning as these regulations had not been adopted and returned jurisdiction of affordable housing to the trail courts.

Stanhope Borough received First- and Second-Round substantive certification of its Housing Element and Fair Share Plan from COAH on October 2, 1996, and met its prior round obligation of 15 units.

The Borough petitioned COAH on December 1, 2006, for Third-Round substantive certification of its Housing Element and Fair Share Plan repartitioned on April 4, 2008, and August 9, 2010. No objections were received by COAH. The Borough also attempted to comply with COAH's Third-Round rules that were invalidated by the Courts in January 2007.

In 2015, Stanhope Borough entered into a settlement agreement with Fair Share Housing Center regarding the Borough's Third-Round present and prospective need. The Third-Round settlement obligation (Prospective need 2015 to 2025) was agreed to be 126 units. The Borough also agreed to satisfy its 3-unit rehabilitation obligation through participation in the County sponsored rehabilitation program.

On March 20, 2024, Gov. Phil Murphy signed into law a way for municipalities to meet their Fourth-Round affordable housing obligations. This law officially abolished the New Jersey Council on Affordable Housing and streamlined the process for future rounds. It also established a new methodology for calculating regional and municipal affordable housing obligations and provided updates to affordability controls, trust fund regulations and enhanced reporting.

In October 2024, the DCA issued its Affordable Housing Obligations for 2025-2035 (Fourth Round) report. The Fourth-Round report established that the Borough met its prior round obligation and calculated a prospective need of 176 affordable units. After challenges from the municipality, the

municipality court, and the DCA reached a settlement establishing that the prospective need obligation of the Township shall be 101 affordable housing units.

The purpose of the Housing Plan and Fair Share Plan of the Master Plan is to provide realistic opportunities to address the housing needs of the citizens of Stanhope Borough within all income levels. Various housing options shall be integrated into the existing land use pattern to preserve, enhance and protect the character and natural resources of the Borough. The Plan shall meet the intent of the Fair Housing Act, The New Jersey State Development and Redevelopment Plan, The Highlands Regional Master Plan, DCA Rules and the Mount Laurel court decisions.

The Fair Housing Act requires municipalities in the State of New Jersey to include an adopted Housing Element in all Master Plans. The principal purpose of the Housing Element is to provide for methods of achieving the goal of accessibility to affordable housing to meet the municipality's very low, low and moderate-income housing needs. Very Low-income households are defined as those with a family income of less than 30 percent of the median household income, adjusted for household size of the housing region. Low-income households are defined as those with an income no greater than 50 percent of the median household income adjusted for household size of the municipality is based. Moderate- income households are those with incomes no greater than 80 percent of the median household income, adjusted for household size of the housing region.

Stanhope Borough is located in the southeastern part of Sussex County in Housing Region (Region 1), which consists of Bergen, Hudson, Passaic, and Sussex counties. The median household income in the region for a family of four is \$86,164.

Housing Element and Fair Share Plan Requirements:

The Borough has been directed by the Court to prepare a Housing Element and Fair Share Plan. the requirements of the Housing Element are provided below in accordance with N.J.A.C. 5:97-2.1 and N.J.S.A. 52:27D-310.

The following are the Housing Element requirements under the Fair Housing Act:

- 1. An inventory of the Borough's housing stock by age, condition, purchase or retail value, occupancy characteristics, and the number of low- and moderate-income households and substandard housing capable of being rehabilitated.
- A projection of the municipalities housing stock, including the probable future construction of low- and moderate-income housing for the next ten (10) years, considering construction permits issued, approvals of applications for development, and probable residential development
- 3. An analysis of the municipality's demographic characteristics, including but limited to household size, income level and age
- 4. An analysis of the existing and future employment characteristics of the Borough
- 5. A determination of the municipalities present and prospective fair share for low- and moderate-income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low- and moderate-income housing.

6. A consideration of the lands that are most appropriate for construction of low- and moderate-income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low- and moderate-income housing, including a consideration of lands of developers who have expressed a commitment to provide low- and moderate-income housing.

Stanhope Borough is a rural community in Sussex County in northwest New Jersey. The Borough is classified as Suburban PA-2, Environmentally Sensitive PA-5 and Park Land in the New Jersey State Development and Redevelopment Plan. Future housing projects should be located in Suburban Planning Areas. The Borough is located in the Highlands Planning Area. Stanhope is a rural village/bedroom community with existing sewer and public water supply. The total population is 3,610 with 1,741 male and 1,869 female residents. There are 1,535 housing units based on the 2010 US Census. There are 1,396 occupied housing units and 76 vacant units. Seasonal housing units make up of 9 units of the total.

Municipal Objectives:

- 1. Preserve the Borough's natural resources and ecological balance within the context of permitting appropriate development based on sound planning and engineering principles.
- 2. Maintain Stanhope's rural village character
- 3. Maintain a sound fiscal balance by managing residential and commercial growth.
- 4. Provide for a variety of housing opportunities for all income levels in Stanhope in conjunction with public transportation options.
- 5. Provide densities or forms of housing development consistent with the State Plan and Vision Plan by examining the impacts on the natural environment.
- 6. Provide housing opportunities for the senior community.
- 7. Prepare a Fair Share/Housing Plan to meet the affordable housing obligation as assigned by the Courts

Highlands Regional Master Plan:

Stanhope is located within the Highlands Planning Area. The overriding policy of the Housing Element of the Master Plan is to ensure provision of a variety of housing opportunities sufficient to address the needs of the community and the region, including the need for affordable housing, while at the same time respecting the density limits of the Highlands Land Use Plan Element, the resource constraints applicable to the Highlands Area, and the numerous other policies, goals and objectives set forth in the Borough Master Plan. The Housing Plan furthers MLUL purposes of zoning (at N.J.S.A.40:55D-2, specifically 2a., 2e., 2g., 21.) and fulfills the requirements of the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.), which, in keeping with New Jersey Supreme Court doctrine, as expressed in the "Mount Laurel" decisions, recognizes that every municipality in a "growth area" has a constitutional obligation to provide, through its land use regulations, a realistic opportunity for provision of a fair share of its region's present and prospective needs for housing for low- and moderate-income families.

Affordable Housing Inventory:

The Borough over the years has provided opportunities for affordable housing. Table One indicates the "Constructed Units/Credits" and inclusionary zones approved under Stanhope's previous Certifications.

CO	AH Units/Cred	lits Approved fo	or Rounds One, Two, a	and Three:
Type/Location	Block	Lot	# of Units	Rental Bonus
SCARC	10105	17	4	0
SCARC	10303	7	4	4
HABITAT	10302	2	4	0
Inclusionary Rezoning	11203	16	52	0
Inclusionary Rezoning	11202	1-4	74	0

Table 1

Total Units/Credits Approved = 143

II. HOUSING ELEMENT

Existing Housing Stock & Prevention:

According to the 2020 census, there were 1,507 housing units in Stanhope of which 1,432 were occupied and 75 were vacant. The vacancy rate is therefore 5.0%. A majority of the units were built prior to 1979. Residential growth in Stanhope has been stable since 2005 (see chart below).

Contraction and and a	listor	ic Tre	nd of	Certi	ficate	es of (Decup	ancy	and I	Demo	lition	Perm	nits		
Year	'10	'11	'12	'13	'14	'15	'16	'17	'18	'19	'20	'21	'22	'23	'24
CO's Issued	1	0	0	0	0										
Demolition	0	0	1	0	0		1 alian					N. Star			
Net	1	0	-	0	0		1								

The purpose of this section of the Housing Plan is to document and analyze demographic data with existing housing trends.

The social mobility, economic prosperity and international immigration have induced cultural diversity in communities traditionally dominated by European ancestry. The New York Metropolitan cultural influence will continue to diversify the population of Sussex County and Stanhope Borough.

Population Composition by Age:

The Population Composition by age for Stanhope Borough is based on the 2020 Census data. In evaluating the information, current trends need to be factored in such as the baby boom, baby bust and baby boom echo generations.

Gender	Fer	nale	М	ale	To	otal
Under 5 years	71	3.9%	69	4.1%	140	4.0%
5 to 9 years	94	5.1%	90	5.3%	184	5.2%
10 to 14 years	92	5.0%	105	6.2%	197	5.6%
15 to 19 years	98	5.3%	100	5.9%	198	5.6%
20 to 24 years	105	5.7%	90	5.3%	195	5.5%
25 to 29 years	122	6.7%	129	7.6%	251	7.1%
30 to 34 years	140	7.6%	108	6.4%	248	7.0%
35 to 39 years	92	5.0%	102	6.0%	194	5.5%
40 to 44 years	129	7.0%	124	7.3%	253	7.2%
45 to 49 years	111	6.1%	115	6.8%	226	6.4%
50 to 54 years	175	9.6%	124	7.3%	299	8.5%
55 to 59 years	165	9.0%	168	9.9%	333	9.4%
60 to 64 years	145	7.9%	108	6.4%	253	7.2%
65 to 69 years	113	6.2%	121	7.1%	234	6.6%
70 to 74 years	73	4.0%	57	3.4%	130	3.7%
75 to 79 years	55	3.0%	41	2.4%	96	2.7%
80 to 84 years	28	1.5%	27	1.6%	55	1.6%
85 and over	24	1.3%	16	0.9%	40	1.1%
Total	1,832	100.0%	1,694	100.0%	3,526	100.0%

Table 2: Total Population - 2020

Source: 2020 United States Census

Table 2a: Total F	Population - 2023
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Outlinet	Stanhope Borough, New Jersey				
Subject	Estimate	Percent			
Total Population	3,551	100.0%			
Male	1,813	51.1%			
Female	1,738	48.9%			
Under 5 years	273	7.7%			
5 to 9 years	220	6.2%			
10 to 14 years	195	5.5%			
15 to 19 years	263	7.4%			
20 to 24 years	201	5.7%			
25 to 34 years	417	11.7%			
35 to 44 years	442	12.4%			
45 to 54 years	603	17.0%			
55 to 59 years	289	8.1%			
60 to 64 years	179	5.0% 9.0%			
65 to 74 years	321				
75 to 84 years	122	3.4%			
85 years and over	26	0.7%			
18 years and older	2,802	78.9%			
21 years and older	2,668	75.1%			
62 years and older	2,537	71.4%			
65 years and older	552	15.5%			
18 years and older	2,668				
Male	1,297	48.6%			
Female	1,371	51.4%			
65 years and older	469				
Male	197	42.0%			
Female	272	58.0%			

Source: 2023 American Community Survey 5-year estimate

Household Size:

The household size is tabulated from the 2020 Census data by documenting the number of persons per household. The US Census defines a household as one or more persons, whether related or not, living together in one dwelling unit. The average number of persons per household in Stanhope Borough as per the 2020 Census is 2.34 persons.

The number of households as documented in the 2020 Census is 1,507 housing units with 75 vacant units. The dominant housing unit type is single family with the Housing Tenure of owner-occupied housing units being a 1,153 and renter occupied units equaling 279.

Household Income:

The distribution of household income as documented in the 2023 American Community Survey 5year estimate is shown in Table Three. The Sussex County data establishes a benchmark to compare Stanhope Borough to the region. Two hundred twenty (220) households or 16.7 percent of Stanhope's households have an income less than \$50,000 with the County at 17.8 percent. There are 39.6 percent of the households that earn \$150,000 or more compared to 34.9 percent for all of Sussex County. The data indicates a mix of income levels with a higher percentage in the lower income category and a lower percentage in the highest income categories when compared to the Sussex County data.

Table 3: Household Income

Income Amounts	Stanhop	e Borough	Sussex	County
Less than \$10,000	11	0.8%	1,554	2.7%
\$10,000 to \$14,999	16	1.2%	693	1.2%
\$15,000 to \$24,999	0	0.0%	2,241	3.9%
\$25,000 to \$34,999	22	1.7%	2,184	3.8%
\$35,000 to \$49,999	172	13%	3,560	6.2%
\$50,000 to \$74,999	132	10.0%	7,001	12.2%
\$75,000 to \$99,999	171	13.0%	7,458	13.0%
\$100,000 to \$149,999	273	20.7%	12,618	22.0%
\$150,000 to \$199,999	333	25.2%	8,203	14.3%
\$200,000 or more	190	14.4%	11,816	20.6%
1edian Household Income	\$13	4,583	\$114	,316

Source: 2023 American Community Survey 5-year estimate

The New Jersey Council on Affordable Housing has established eligible income limits for Sussex County I Region 1. The 2023 Income chart in the Appendix shows the number of persons per household and the income levels for low, moderate and median as defined by the COAH. The chart is updated yearly and provides the standard to qualify new owners and renters for deed restricted affordable units.

Employment Characteristics:

Sussex County is predominately a bedroom community for businesses along the Interstate 80 & 287 corridor and New York City, with a majority of the residents commuting out of the County. The Stanhope Borough Land Use Plan provides for planned growth in the "Planned Centers" consistent with the New Jersey State Development and Redevelopment Plan. This will provide employment opportunities in the future. Table 4 provides the employment data from 2023 American Community Survey 5-year estimate for the residents of Stanhope Borough. Table 5 provides data concerning employment in the Borough.

Income Amounts	Stanhop	e Borough	Sussex County		
Total	2,014	100.0%	78,190	100.0%	
Agriculture, forestry, fishing and hunting, and mining	0	0.0%	902	1.2%	
Construction	277	13.8%	6,308	8.1%	
Manufacturing	144	7.1%	7,777	9.9%	
Wholesale trade	43	2.1%	1,987	2.5%	
Retail trade	234	11.6%	9,146	11.7%	
Transportation and warehousing, and utilities	113	5.6%	3,680	4.7%	
Information	20	1.0%	1,861	2.4%	
Finance, insurance, real estate and rental and leasing	149	7.4%	4,823	6.2%	
Professional, scientific, management, administrative, and waste management services	245	12.2%	10,375	13.3%	
Educational, health and social services	386	19.2%	18,938	24.2%	
Arts, entertainment, recreation, accommodation and food services	215	10.7%	5,162	6.6%	
Other services (except public administration)	77	3.8%	3,528	4.5%	
Public administration	111	5.5%	3,703	4.7%	

Table 4: Employment by Industry

Source: 2023 American Community Survey 5-year estimate

Housing Conditions:

The Housing conditions section provides Census data concerning Units in Structure, Year Structure Built, Rooms, and Lacking Plumbing.

Units in Structure	Number	Percent
Total Housing Units	1,359	100.0%
1-unit, detached	917	67.5%
1 unit, unattached	179	13.2%
2 units	54	4.0%
3 or 4 units	92	6.8%
5 to 9 units	40	2.9%
10 or more units	77	5.7%
Mobile home or other	0	0

Table 5: Unit Type

Source: 2023 American Community Survey 5-year estimate

Table 6: Year Constructed

Year Built	Percent
Total Housing Units	100.0%
2010 or later	2.0%
1990-1999	5.3%
1980-1989	6.5%
1970-1979	8.7%
1960-1969	25.2%
1940-1959	15.4%
1939 or earlier	11.1%

Source: 2023 American Community Survey 5-year estimate

Table 7: Number of Rooms

Rooms	Percent		
1 room	0.0%		
2 or 3 rooms	5.5%		
4 or 5 rooms	23.3%		
6 or 7 rooms	39.5%		
8 rooms	31.8%		

Source: 2023 American Community Survey 5-year estimate

Table 8: Facility Deficiencies

Rooms	Percent
Lacking complete plumbing	0.0%
Lacking complete kitchen facilities	0.0%

Master Plan and Zoning Analysis:

The zoning changes required to provide for opportunities for planned growth, while protecting the environment and historic village character of Stanhope Borough, will be consistent with the State Plan, Highlands Regional Master Plan and the Sussex County Strategic Growth Plan. The affordable housing obligation for the Round Four obligation can be accomplished within the context of the Master Plan and Zoning Ordnance with overlay zoning permitting apartments with a 20% affordable requirement in specific zones.

Utilities Analysis:

The Borough of Stanhope is part of the Musconetcong Sewerage Authority system with a treatment capacity of 4.3 million gallons per day. Stanhope's allocation is 541,000 per day. The Borough has a public water system supplied by wells. Adequate sewer and water capacity is available to meet the affordable housing obligation through infill development and expansion of utilities to planned development sites. The re zoning sites are all within the sewer service area or are seeking a revision to the Wastewater Plan as needed.

III. FAIR SHARE PLAN

Stanhope Borough has entered into a settlement agreement with Fair Share Housing Center (FSHC) and the Department of Community Affairs (DCA) regarding the Borough's Fourth round present and prospective need, as its present need is zero.

The DCA determined in 2024 that the Borough's prospective affordable housing obligation for the Fourth Round was 176. The Borough responded in January 2025 with a revised obligation number of 61 units based on a Vacant Land Analysis. After settlement between the Borough and Fair Share Housing, the Fourth-Round settlement obligation (Prospective need 2025 to 2035) was agreed to be 101 units.

Proposed Plan:

Stanhope and FSHC have agreed that the Borough's low- and moderate-income housing obligations are as follows:

Fourth-Round Prospective need	101
as adjusted pursuant to this settlement	
agreement)	

Stanhope has and continues to act in good faith in order to comply with its constitutional obligation to provide a realistic opportunity for producing Stanhope's fair share of the regional present and prospective need for low- and moderate-income housing.

The Borough's Fourth round obligation of 101 units will be addressed as follows:

The overlay rezoning of six (6) areas, listed below, for residential development with a twenty (20%) percent affordable housing set-aside.

Area 1, Block 11702, Lots 1 through 5, (currently in the Highway Commercial Zone) will be overlay re-zoned to permit mixed use development on the 3.5-acre area, at a density of 15 units per acre, which allows for a total of 52.5 units. A total of 10.5 affordable units are therefore proposed in Area 1.

Area 2, Block 11701, Lots 1 through 10, (currently in the Planned Light Industrial/Commercial Development Zone) will be overlay re-zoned to permit residential development on the 8.8-acre area, at a density of 22 units per acre, which allows for a total of 193.6 units. A total of 38.7 affordable units are therefore proposed on Area 2.

Area 3, Block 11701, Lots 19, 20, 22, and 23, (currently in the Highway Commercial Zone) will be overlay re-zoned to permit residential development on the 2.5-acre area, at a density of 22 units per acre, which allows for a total of 55 units. A total of 11 affordable units are therefore proposed in Area 3.

Area 4, Block 11604, Lot 1, and Block 11402, Lots 57, and 29 through 35 (portions), (currently in the Highway Commercial Zone) will be overlay re-zoned to permit multi-family residential on the upper floors of the 3.4-acre area, at a density of 6 units per acre, which allows for a total of 20.4 units. A total of 4 affordable units are therefore proposed in Area 4.

Area 5, Block 11401, Lots 1 through 11 and Block 11301 Lots 1 through 4, and Block 11304, Lot 32, (currently in the Highway Commercial Zone) will be overlay re-zoned to permit multi-family residential on upper floors of the 8-acre area, at a density of 6 units per acre, which allows for a total of 48 units. A total of 9.5 affordable units are therefore proposed in Area 5.

Area 6, Block 11802, Lot 1, (currently in Planned Light Industrial/Commercial Development Zone) will be re-zoned to permit high-density residential on the 36-acre lot, at a density of 10 units per acre, which allows for a total of 205 units. A total of 41 affordable units are therefore proposed in Area 6.

The rationale in setting the density as proposed is to provide for the realistic opportunity that a project is built. The areas scheduled for the rezoning are attractive for higher density residential use given the location and the availability of public sewer and water.

Stanhope will adhere to current regulations with respect to the affordability of all units.

Implementation Schedule:

The Stanhope Borough Council will commit to fund any shortfall in its affordable housing programs.

Conclusion:

The Stanhope Borough Housing Element and Fair Share Plan provides for realistic opportunities to address and meet the affordable housing goals and objectives of the Master Plan.

Stanhope Borough is pleased to submit the Housing Plan and Fair Share Plan to the Court for approval.

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APPENDIX A

EXISTING ZONING MAPS



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APPENDIX B

PROPOSED ZONING MAPS

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APPENDIX C

COAH 2025 REGIONAL INCOME LIMITS

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