



TOWNSHIP CLERK  
(973) 328-7430

## TOWNSHIP OF MORRIS

50 WOODLAND AVENUE PO BOX 7603  
CONVENT STATION, NJ 07961  
WWW.MORRISTWP.COM

### RESOLUTION 51-25

(page 1 of 3)

### RESOLUTION PURSUANT TO THE AMENDED FAIR HOUSING ACT COMMITTING THE TOWNSHIP TO ROUND 4 PRESENT AND PROSPECTIVE NEED AFFORDABLE HOUSING OBLIGATIONS

**WHEREAS**, the Township of Morris (the "Township") has a demonstrated history of voluntary compliance with its "Mount Laurel" affordable housing obligations as evidenced by its substantive certification in the First and Second Round and its Final Judgement of Compliance and Repose in the Third Round; and

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

**WHEREAS**, that culminated in a Court-approved Housing Element and Fair Share Plan and a Final Judgment of Compliance and Repose, which precludes builder's remedy lawsuits until July 1, 2025; and

**WHEREAS**, on March 20, 2024, Governor Murphy signed into law an Amendment to the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.) (hereinafter the "Amended FHA"); and

**WHEREAS**, the Amended FHA required the Department of Community Affairs ("DCA") to produce non-binding estimates of municipal fair share obligations on or before October 20, 2024; and

**WHEREAS**, the DCA issued a report on October 18, 2024 the ("DCA Report") wherein it reported its estimate of the obligation for all municipalities based upon its interpretation of the standards in the Amended FHA; and

**WHEREAS**, the DCA Report calculates the Township's Round 4 (2025-2035) obligations as follows: a Present Need or Rehabilitation Obligation of 9 units and a Prospective Need or New Construction Obligation of 571 units; and

**WHEREAS**, the Amended FHA provides that the DCA Report is non-binding, thereby inviting municipalities to demonstrate that the Amended FHA would support lower calculations of Round 4 affordable housing obligations; and

**WHEREAS**, the Amended FHA further provides that "[a]ll parties shall be entitled to rely upon regulations on municipal credits, adjustments, and compliance mechanisms adopted by COAH unless those regulations are contradicted by statute, including P.L. 2024, c.2, or binding court decisions" (N.J.S.A. 52:27D-311 (m)); and

**WHEREAS**, COAH regulations authorize vacant land adjustments as well as durational adjustments; and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-304.3, a municipality's average allocation factor is comprised of the equalized nonresidential factor, income capacity factor, and land capacity factor and shall be averaged to yield the municipality's average allocation factor; and

**WHEREAS**, the DCA has released a Geographic Information Systems spatial data representation of the Land Capacity Analysis for P.L. 2024, c2 containing the Vacant and Developable land information that serves as the basis for calculating the land capacity factor; and



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(page 2 of 3)

**WHEREAS**, the Township has reviewed the lands identified by the DCA for the land capacity factor with respect to the MOD-IV Property. Tax List data, construction permit data, land use board approvals, configuration, and accessibility to ascertain whether these identified developable lands may accommodate development; and

**WHEREAS**, based on the attached report of the Township's Professional Planner, Paul A. Phillips, P.P., A.I.C.P., of Phillips Preiss (**Exhibit A**), the Township accepts the DCA calculation of the Round 4 Present Need of 9 units, however the Township disputes the accuracy of the DCA calculation of the Township's Round 4 Prospective Need affordable housing obligation, and instead has calculated its own Round 4 Prospective Need Obligation and commits itself to a Prospective Need (or New Construction) Obligation of 308 units; and

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

**WHEREAS**, Township's calculation of need is entitled to a "presumption of validity" because it complies with Sections 6 and 7 of the Amended FHA; and

**WHEREAS**, the Township specifically reserves the right to adjust the aforementioned obligation numbers based on, *inter alia*, any one or more of the foregoing adjustments: 1) a windshield survey or similar survey which accounts for a higher-resolution estimate of present need; 2) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; 3) a Durational Adjustment (whether predicated upon lack of sewer or lack of water); and/or 4) an adjustment predicated upon regional planning entity formulas, inputs or considerations, including, but not limited to the Highlands Regional Master Plan and its build out; and

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

**WHEREAS**, in addition to the foregoing, the Township reserves the right to take a position that its Round 4 Present and/or Prospective Need Obligations are lower than described herein in the event that a third party challenges the calculations provided for in this Resolution (a reservation of all litigation rights and positions, without prejudice); and

**WHEREAS**, in addition to the foregoing, nothing in the Amended FHA requires or can require an increase in the Township's Round 4 Present or Prospective Need Obligations based on a successful downward challenge of any other municipality in the region since the plain language and clear intent of the Amended FHA is to establish, among other things, unchallenged numbers by default on or before March 1, 2025; and

**WHEREAS**, in light of the above, the Mayor and the Township Committee find that it is in the best interest of the Township to declare its obligations in accordance with this Resolution and commits to its fair share of 9 units of Present Need and 308 units of Prospective Need, subject to any vacant land and/or durational adjustments it may seek as part of the Housing Element and Fair Share Plan it subsequently submits in accordance with the Amended FHA; and

**WHEREAS**, the Township reserves the right to comply with any additional amendments to the FHA that the Legislature may enact; and



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(page 3 of 3)

**WHEREAS**, in addition to the above, the Acting Administrative Director issued Directive #14-24, dated December 13, 2024, and made the directive available later in the week that followed; and

**WHEREAS**, pursuant to Directive #14-24, "a municipality seeking a certification of compliance with the FHA shall file an action in the form of a declaratory judgment complaint . . . in the county in which the municipality is located . . . within 48 hours after adoption of the municipal resolution of fair share obligations, or by February 3, 2025, whichever is sooner" and

**WHEREAS**, the Township seeks a certification of compliance with the FHA and, therefore, directs its Affordable Housing Counsel to file a declaratory judgment action within 48 hours of the adoption of this Resolution in Morris County;

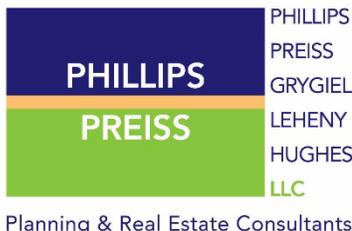
**NOW, THEREFORE, BE IT RESOLVED** on this 29<sup>th</sup> day of January, 2025 by the Township of Morris as follows:

1. All of the above Whereas Clauses are incorporated into the operative clauses of this Resolution.
2. The Township hereby commits to a Round 4 Present Need Obligation of 9 units and a Round 4 Prospective Need Obligation of 308 units described in this Resolution, subject to all reservations of rights set forth above
3. The Township hereby directs its Affordable Housing Counsel to file a declaratory judgment complaint in Morris County within 48 hours after adoption of this Resolution.
4. The Township authorizes its Affordable Housing Counsel to attach this Resolution as an exhibit to the declaratory judgment complaint that is filed and to submit and/or file this Resolution with the Program or any other such entity as may be determined to be appropriate by such counsel.
5. This Resolution shall take effect immediately, according to law.

### CERTIFICATION

I, Suzanne Walsh, Clerk of the Township of Morris, County of Morris, State of New Jersey, do hereby certify that the foregoing is a true copy of a resolution adopted by the Township Committee at a meeting held on January 29, 2025.

  
 Suzanne V. Walsh Township Clerk  
 Township of Morris, County of Morris  
 State of New Jersey



## Memorandum

To: The Township Committee of Morris Township, NJ

From: Paul A. Phillips, AICP, PP  
Elizabeth Leheny, AICP, PP

Date: January 29, 2025

**RE: Assessment and Recommendations for Morris Township, NJ  
Regarding Round 4 Present and Prospective Need  
Affordable Housing Obligations**

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### INTRODUCTION

This memorandum provides an analysis and sets forth recommendations to the Township Committee of Morris Township, NJ (the “Township”) regarding the Township’s Round 4 (2025-2035) Present and Prospective Need affordable housing obligations.

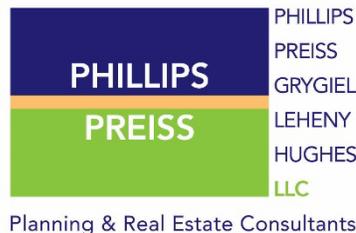
### BACKGROUND

On March 20, 2024, Governor Phil Murphy signed into law P.L. 2024, c.2, an Amendment to the 1985 Fair Housing Act (“FHA”) which required the New Jersey Department of Community Affairs (“DCA”) to provide an estimate of the fair share affordable housing obligations of all municipalities on or before October 20, 2024, based upon the criteria outlined in the amended FHA.

DCA issued a report on October 18, 2024 (the “DCA Report”) wherein it reported its estimate of the fair share affordable housing obligation for all municipalities based upon its interpretation of the standards in the Act.

The DCA Report calculates Morris Township’s Round 4 (2025-2035) fair share affordable housing obligations as follows: a Present Need (Rehabilitation) Obligation of 9 and a Prospective Need (New Construction) Obligation of 571.

The Amended FHA states that the DCA Report is non-binding and permits municipalities to demonstrate that the Amended FHA would support revised calculations of Round 4 fair share affordable housing obligations; and provides municipalities the opportunity to propose a different fair share affordable housing obligation from those reported by the DCA Report. The Amended FHA requires municipalities to adopt a binding resolution no later than January 31, 2025, as to its obligations.



Prior to adopting the binding resolution setting forth the Township’s obligations, Morris has exercised its right to analyze the data reported by DCA in the October 18, 2024 Report. Below is an analysis of the Present Need and Prospective Need obligations stated in the October 18, 2024 Report, as well as our recommendations to the governing body regarding the Township’s Round 4 obligation.

### **PRESENT NEED**

DCA’s proposed non-binding Prospective Need obligation for Morris Township is 9.

***Recommendation: We recommend that Morris Township accept the Present Need (Rehabilitation) Obligation of 9 as reported by the DCA in its October 18, 2024 Report.***

### **PROSPECTIVE NEED**

DCA’s proposed non-binding Prospective Need obligation for Morris Township is 571. As described in the “Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background” report, municipal Prospective Need obligations are calculated as a share of the region in which the municipality is located. Region 2, in which Morris is located, includes Warren, Union, Morris, and Essex Counties.

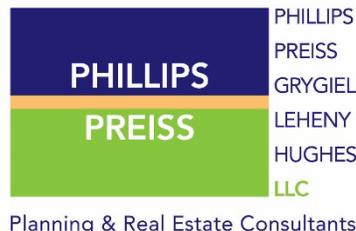
As established in the Amended FHA, the regional Prospective Need is calculated by establishing the increase in households in the region between the 2020 and 2010 Federal Decennial Census and dividing the household change increase by 2.5 to estimate the number of low- and moderate-income households (and the number of homes needed to address same).

The Prospective Need for Region 2 is of 20,506 units, with this need allocated to municipalities throughout the region, except for designated Qualified Urban Aid Municipalities, which are exempt from addressing Prospective Need. Regional Prospective Need is then allocated across the non-qualified urban aid municipalities in the region by applying three factors detailed below.

#### ***Equalized Nonresidential Valuation Factor***

The Equalized Nonresidential Valuation Factor measures the change in nonresidential property valuations in the municipality from 1999 to 2023 divided by the regional total change in nonresidential valuations, with the intent to shift housing to municipalities experiencing employment growth.

Under the DCA calculation, Morris Township experienced an equalized nonresidential valuation growth of \$ 162,848,415 between 1999 and 2023. This represents 0.63 percent of all growth experienced during this period across Region 2, in other words, **the Equalized Nonresidential Valuation Factor for Morris Township is 0.63 percent.**



We have reviewed the calculations that resulted in this number, i.e., the 1999 and 2023 Tax Assessment data for the Township, and do not believe there are any errors that warrant a challenge by the Township.

### ***Income Capacity Factor***

The Income Capacity Factor measures the extent to which a municipality's income level differs from that of the lowest-income municipality in the Housing Region. The factor is calculated by averaging two measures. The first is calculating the municipal share of the regional sum of differences between median household income and an income floor of \$100 below the lowest median household income in the region. The second is the same calculation weighted by number of households within the municipality. The intent is to shift portions of the obligation to municipalities with higher household incomes.

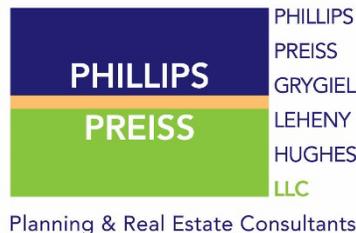
The **Income Capacity Factor for Morris Township is 2.34 percent**. We have reviewed the calculations that resulted in this number and do not believe there are any errors that warrant a challenge by the Township.

### ***Land Capacity Factor***

The Land Capacity Factor purports to determine the total acreage that is developable in a municipality as a proportion of developable acreage in the Region. This is determined by utilizing the most recent land use / land cover data from the New Jersey Department of Environmental Protection (DEP), in combination with the most recently available MOD-IV Property Tax List data from the Division of Taxation in the Department of the Treasury, and construction permit data from DCA. The calculation of developable land is intended to exclude lands subject to development limitations, including open space, preserved farmland, category one waterways and wetland buffers, steep slopes and open waters. DCA preserved all areas that remained that were greater than 2,500 SF in size, under the assumption that an area of twenty-five feet by 100 feet may be considered developable.

DCA estimated that Morris Township has ±288 acres of developable land. The DCA calculated that Region 2 contains a total of 5,358 acres of developable land. As such, DCA calculated that the Township had 5.37 percent of developable land across Region 2.

DCA issued the data that was the basis for the land allocation factor on November 27, 2024. While this data was intended to heed the methodology set forth in the Amended FHA, the land area contained in the dataset was described as an "estimate of the area of developable land, within municipal and regional boundaries, that may accommodate development. It is important to note that the



identified areas could be over or under inclusive depending on various conditions and that municipalities are permitted to provide more detailed mappings as part of their participation in the Affordable Housing Dispute Resolution Program."

The areas identified as developable in the DCA's calculation of the Land Capacity Factor are overinclusive per our analysis. Areas or portions of areas <25' wide (i.e., DCA's methodology report states that a 25' by 100' area was their minimum threshold for developability).

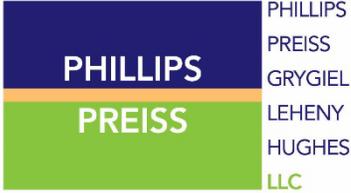
- Areas within the regulatory floodway.
- Open space/parkland properties with deed restrictions and/or on ROSI or listed as dedicated conservation, park lands and open space in the master plan.
- Properties under construction or recently developed.
- Sites with site plan approvals for development and/or permits issued for development.
- Public utility parcels, NJDOT/NJ Turnpike Authority parcels, DRPA parcels, railroad properties, rights-of-way, stormwater management, schools, houses of worship, etc.
- Properties with easements restricting development within developable area.

Accordingly, it is our opinion that the amount of developable land used to calculate the Land Capacity Factor should be adjusted from  $\pm 288$  acres to  $\pm 79$  acres. This would also reduce the total developable land within Region 2 by  $\pm 209$  acres from 5,358 acres to 5,149 acres. **The Land Capacity Factor for the Township would also be reduced from 5.37 percent to  $\pm 1.5$  percent.**

#### ***Prospective Need Obligation***

Pursuant to the Amended FHA, DCA averaged the Equalized Nonresidential Valuation Factor, Land Capacity Factor and Income Capacity Factor for each municipality to determine an Average Allocation Factor, which is the basis for the municipal Prospective Need.

DCA calculated that Morris Township's Average Allocation Factor was 2.78 percent. This translates to Morris having an affordable housing obligation to provide 2.78 percent of Region 2's Prospective Need of 20,506 units or 571 units. However, based on our analysis, the Land Capacity Factor of 1.5 percent results in an Average Allocation Factor of 1.5 percent which translates to a **Prospective Need of 308 units** not the 571 units calculated by DCA. Please see table below.



Planning & Real Estate Consultants

	<b>DCA CALCULATION</b>	<b>TOWNSHIP ESTIMATES</b>
<b>EQUALIZED NONRESIDENTIAL VALUATION FACTOR</b>	±0.6%	±0.6%
<b>INCOME CAPACITY FACTOR</b>	±2.3%	±2.3%
<b>DEVELOPABLE LAND IN REGION 2</b>	5,358 acres	5,149 acres
<b>LAND CAPACITY FACTOR</b>	±5.4%	±1.5%
<b>AVERAGE ALLOCATION FACTOR</b>	±2.8%	±1.5%
<b>REGION 2 PROSPECTIVE NEED</b>	20,506	20,506
<b>PROSPECTIVE NEED</b>	<b>571 units</b> (2.8% of 20,506 units)	<b>308 units</b> (±1.5% of 20,506 units)

***Recommendation:*** We recommend that Morris Township adopt a binding resolution determining a reduced municipal Prospective Need obligation of 308 units based on a recalculation of the Land Capacity Factor to account for methodological errors as supported by the detailed analysis in Attachment A.

Attachment A: DCA Land Features  
Morris Township, Morris County, NJ

ID NUMBERS AND DEVELOPABLE ACREAGE OF EACH DCA FEATURES IDENTIFIED ON BLOCK/LOT		BLOCK	LOT	PROP CLASS	LOCATION	OWNER	TOTAL DEVELOPABLE ACREAGE OF DCA FEATURES IDENTIFIED ON BLOCK/LOT	TOTAL DEVELOPABLE ACREAGE PER TOWNSHIP	NOTES ON WHY PARCEL IS NOT DEVELOPABLE
ID #	ACREAGE								
32553	0.241	203	2	1	128 W HANOVER AVE	PRIVATE OWNER	0.472	0.472	
32552	0.231								
32555	0.693	207	9.01	15C	W HANOVER AVE	MORRIS TOWNSHIP	1.830	0.000	Not developable. DPW yard and facility.
32554	1.091								
32551	0.046								
32551	0.145	207	21	15C	4 JANE WAY	MORRIS TOWNSHIP	0.145	0.000	Not developable. Listing on NJDEP ROSI/2004 open space plan.
32548	0.299	301	23	1	6 WATNONG RD	PRIVATE OWNER	0.527	0.527	
32546	0.229								
32545	0.026	306	21	1	39 MESLAR RD	PRIVATE OWNER	0.026	0.026	
32545	0.056								
32545	0.040	306	23	1	33&35 MESLAR RD	PRIVATE OWNER	0.040	0.040	
32545	0.030								
32545	0.028	306	25	1	29&31 MESLAR RD	PRIVATE OWNER	0.028	0.028	
32545	0.027								
32535	0.157	307	5	15D	93 LAKE RD	THE RABBINICAL COLLEGE OF AMERICA	0.157	0.000	Not developable. Residences for Rabbinical College.
32527	0.772	501	5	1	5 SUSSEX PL	PRIVATE OWNER	0.772	0.771	
32524	0.144	501	15	1	189 SUSSEX AVE	PRIVATE OWNER	0.199	0.199	
32521	0.055								
32525	0.334	501	24	1	22-26 LAKE VALLEY RD	PRIVATE OWNER	1.076	1.076	
32524	0.370								
32523	0.368								
32521	0.004								
32534	0.225								
32533	0.842	501	42	15C	48 LAKE VALLEY RD	MORRIS TOWNSHIP	1.277	0.000	Not developable. Listed on NJDEP ROSI. Utilized as sewer treatment plant. 0.20 acres in floodway.
32529	0.210								
32528	0.036	601	16	15D	221A SUSSEX AVE	RABBINICAL COLLEGE OF AMERICA	0.209	0.000	Not developable. Contains residences associated with Rabbinical College.
32518	0.173								
32518	0.273	601	17.01	1	215 SUSSEX AVE	PRIVATE OWNER	0.273	0.273	
32532	12.378	601	18	1	227 SUSSEX AVE	RABBINICAL COLLEGE OF AMERICA (THE)	32.581	26.160	6.42 acres in floodway.
32531	1.376								
32530	0.341								
32528	17.580								
32522	0.099								
32519	0.630								
32518	0.198								
32549	1.289								
32547	0.771								
32544	0.429	801	10.01	15C	118 LAKE VALLEY RD	TOWNSHIP OF MORRIS	2.489	0.000	Not developable. Application made to NJDEP for listing on ROSI. Reserved for open space as per Resolution 210-13.
32560	0.029	901	1	15C	8 JEAN ST	MORRIS TOWNSHIP	0.200	0.000	Not developable. On ROSI.
32557	0.107								
32556	0.064								
32557	0.051								
32556	0.021	901	5	15C	2 JEAN ST	MORRIS TOWNSHIP	0.072	0.000	Not developable. Surface parking area for DPW employee associated with DPW yard and facility.
32560	2.900	901	6	15C	15 JEAN ST	NJ DEP HUMAN SERV.DIV MGMT & BUDGET	2.900	2.900	
32550	0.108	1101	19	15C	169 LAKE RD	TOWNSHIP OF MORRIS	0.108	0.000	Not developable. Detention basin.
32538	0.178	1201	8	15C	LESLIE CT/REAR LAKE RD	MORRIS TOWNSHIP	0.178	0.000	Not developable. NJDEP ROSI/2004 open space plan.
32538	1.749	1201	9.02	2	8 MERRYWOOD CT	PRIVATE OWNER	1.749	0.000	Not developable. No longer vacant. House constructed in 2024.
32564	1.642	1803	13	15C	WEST HANOVER AVE	MORRIS TOWNSHIP	1.642	0.000	Not developable. NJDEP ROSI/2004 open space plan.
32569	17.211	1901	1	15C	79 KETCH RD	MORRIS COUNTY-BUILDINGS & GROUNDS	26.306	26.306	
32568	8.210								
32567	0.296								
32565	0.069								
32563	0.218								
32562	0.115								
32561	0.186								
32569	1.962	1901	1.01	15C	81 KETCH RD	COUNTY OF MORRIS % MCAIL, INCIARC	1.962	0.000	Not developable. ARC residence with surface parking. Undeveloped portions of site are part of Township's court settlement with Fair Share Housing Center regarding the Red Bulls site.

Attachment A: DCA Land Features  
Morris Township, Morris County, NJ

ID NUMBERS AND DEVELOPABLE ACREAGE OF EACH DCA FEATURES IDENTIFIED ON BLOCK/LOT		BLOCK	LOT	PROP CLASS	LOCATION	OWNER	TOTAL DEVELOPABLE ACREAGE OF DCA FEATURES IDENTIFIED ON BLOCK/LOT	TOTAL DEVELOPABLE ACREAGE PER TOWNSHIP	NOTES ON WHY PARCEL IS NOT DEVELOPABLE
ID #	ACREAGE								
32559	0.550	2301	8	1	34 STARLIGHT DR	PRIVATE OWNER	2.266	0.000	Not developable. Not vacant. Recently approved for two houses.
32558	1.717								
32570	1.069	2401	11	15C	W HANOVER AVE	MORRIS COUNTY	1.069	1.069	
32566	0.381	2404	18	1	REAR LORD STIRLING DR	PRIVATE OWNER	0.381	0.000	Not developable. Rear yard of a lot improved with single-family residence located in Randolph.
32572	0.121	2404	26	15C	634 W HANOVER AVE	COUNTY OF MORRIS, NEW JERSEY	2.212	2.212	Developed with Morris County Health building.
32571	2.091								
32566	0.000								
32537	4.526								
32536	0.356	2601	41	1	5 EDWARD SHIPPEN LN	PRIVATE OWNER	4.881	2.251	2.63 acres of steep slopes and wetlands per LOI associated with an 2021 subdivision application that was denied.
32526	0.116	2802	7.01	1	24 VALLEY VIEW ST	PRIVATE OWNER	0.116	0.116	
32517	0.628	2807	21	15C	KAHDENA RD	MORRIS TOWNSHIP	0.628	0.000	Not developable. Detention basin.
32514	0.781	3204	1	15D	57 KAHDENA RD	WASHINGTON VALLEY CHAPEL, C. & M.A.	0.861	0.000	Developed with Newbridge Church. Improved with church building and associated parsonage.
32508	0.080								
32520	2.237	3301	2	15F	3 AMY DR	PRIVATE OWNER	2.237	0.000	Not developable. Developed with veteran residence.
32499	0.114	3703	6.02	15C	INDIAN HEAD RD	MORRIS TOWNSHIP	0.176	0.000	Not developable. Part of application to NJDEP for listing on ROSI.
32500	0.062								
32501	0.140	3805	35	15C	FAIRMOUNT AVE	MORRIS TOWNSHIP	0.140	0.000	Not developable. Township owned right-of-way for emergency access.
32468	0.221	4004	1	1	253 WESTERN AVE	SOUTHEAST MCMUA	0.221	0.000	Not developable. Utility Right-of-Way.
32440	0.076	4101	1	3B	455 WESTERN AVE	ISTITUTO PONTIFICIO DELLE FILIPPINI	18.639	0.000	Not developable. Improved with Villa Walsh Academy school.
32448	0.930								
32451	0.119								
32452	0.069								
32454	2.249								
32456	0.279								
32462	0.067								
32468	8.315								
32484	5.928								
32466	0.605								
32480	0.063								
32484	16.392	4101	3	15C	PICATINNY RD	MORRIS TOWNSHIP	16.455	0.000	Not developable. On application to NJDEP for listing on ROSI. Known as Jones Woods.
32454	0.002	4101	8	1	PICATINNY ROAD(REAR)	SOUTHEAST MCMUA	0.047	0.000	Not developed. Utility installation. Has water storage tanks owned and operated by Southeast Morris County Municipal Utilities Authority.
32468	0.045								
32470	1.366	4302	6	15C	11 REED RD	MORRIS TOWNSHIP	1.366	0.000	Not developable. Resolution 161-15 authorizing a conservation partnership agreement between Township and MCMUA for purchase of open space. Purchased with County open space funds. Part of an application to NJDEP for listing on ROSI.
32465	0.101	4401	4	15C	12 REED RD	MORRIS TOWNSHIP	1.983	0.000	Not developable. Resolution 161-15 authorizing a conservation partnership agreement between Township and MCMUA for purchase of open space. Purchased with County open space funds. Part of an application to NJDEP for listing on ROSI.
32470	1.881								

Attachment A: DCA Land Features  
Morris Township, Morris County, NJ

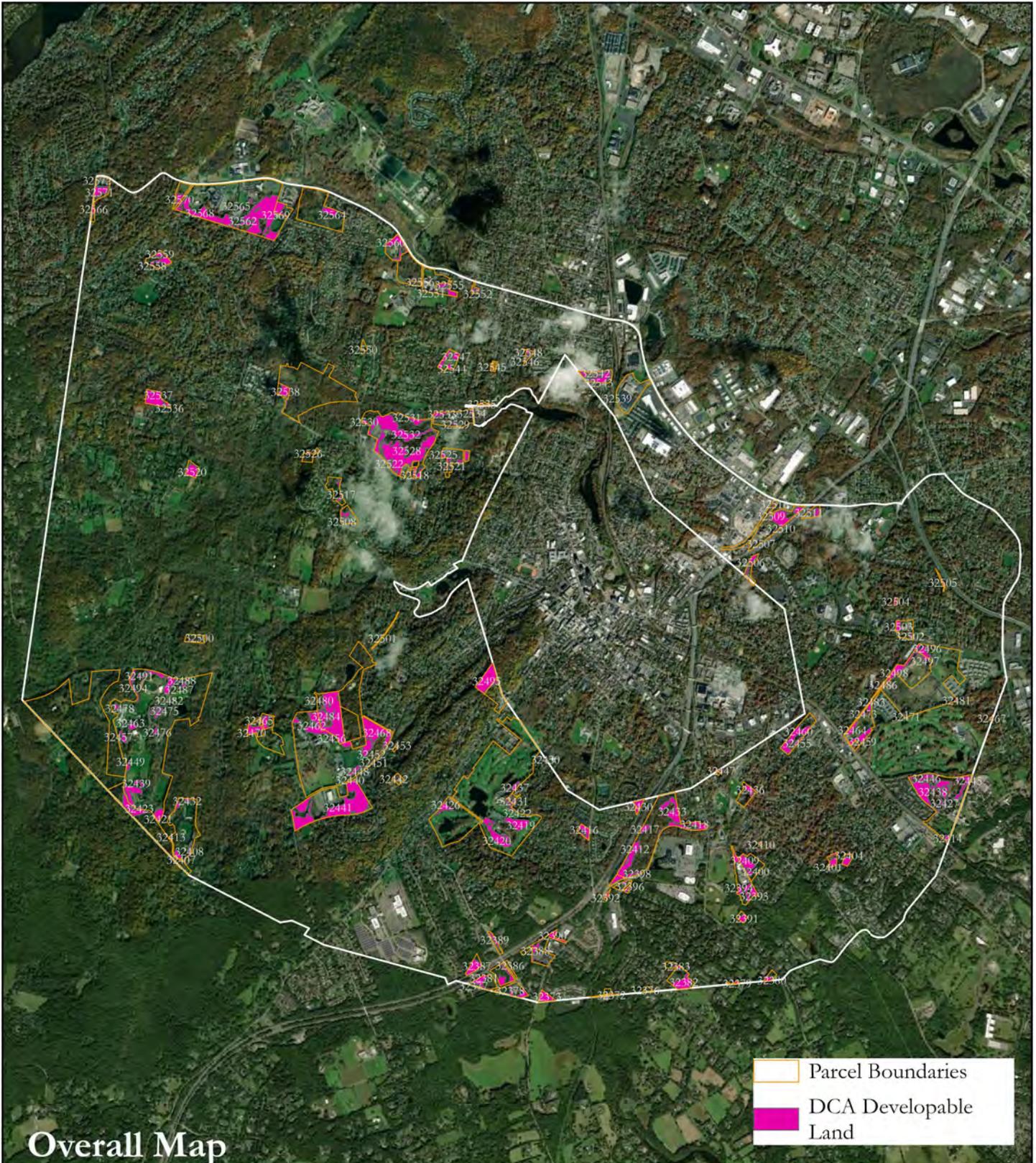
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ID #	ACREAGE								
32423	0.001	4501	1	15C	JOCKEY HOLLOW RD	MORRISTOWN NATL HISTORIC PARK	3.499	0.000	Not developable. Owned by Federal government. Part of Jockey Hollow National Park.
32449	3.498								
32482	0.143	4501	2.01	3B	MENDHAM RD	ORDER OF ST BENEDICT-ST MARYS ABBEY	17.197	0.000	Not developable. Improved with Delbarton school. Also, portions shown as developable have received site plan approval and are under construction.
32487	0.351								
32488	0.101								
32489	0.134								
32490	2.289								
32491	0.124								
32492	0.281								
32493	1.157								
32494	1.483								
32472	0.172								
32475	0.097								
32421	1.622								
32423	0.199								
32439	0.635								
32449	4.205								
32457	0.058								
32458	0.877								
32461	0.752								
32463	0.122								
32474	0.213								
32476	0.710								
32477	1.014								
32478	0.075								
32479	0.383								
32406	0.238	4501	2.04	15C	1 SUGARLOAF RD	ORDER OF ST BENEDICT-ST MARYS ABBEY	2.103	0.000	Not developable. Fragmented features on parcel improved with recreational facilities owned and operated by Delbarton School.
32407	0.699								
32408	0.124								
32411	0.133								
32413	0.090								
32415	0.095								
32428	0.447								
32432	0.277								
32449	0.049	4501	3	15C	270 MENDHAM RD	MORRIS COUNTY PARK COMMISSION	0.049	0.000	Not developable. Morris County Parkland listed on the Township's Open Space Plan.
32470	0.161	4601	1.02	3B	35 PICATINNY RD	ROSENHAUS, ALBERT M	0.161	0.000	Not developable. Private residence on lot.
32441	22.260	4801	1	15C	430 WESTERN AVE	N J DEPT OF DEFENSE	22.260	0.000	Not developable. State-owned National Guard Armory. Active military installation.
32442	0.060	5301	55	1	101 SKYLINE DR	SOUTHEAST MCMUA	0.060	0.000	Not developable. Utility installation. Has water storage tanks owned and operated by Southeast Morris County Municipal Utilities Authority.
32453	0.129	5301	66	15C	MOUNTAINSIDE DR REAR	MORRIS TOWNSHIP	0.129	0.000	Not developable. Detention basin.
32495	6.098	5506	24	15C	CHESTNUT ST	MORRISTOWN NATL HISTORIC PARK	6.096	0.000	Not developable. Fort Nonsense National Park owned by the Federal Government.
32495	0.445	5506	25	15D/4A	95 MT KEMBLE AVE	MORRISTOWN MEMORIAL HOSP.%M.TROXLER	0.445	0.000	Not developable. Round Three affordable housing site.
32426	1.396	5801	1	3B	9 SPRING BROOK RD	SPRING BROOK COUNTRY CLUB	1.396	0.000	Not developable. Recently approved for single-family condominiums.
32434	0.022	5802	1	3B	9 SPRING BROOK RD	SPRING BROOK COUNTRY CLUB	10.314	0.000	Not developable. Part of golf course, owned by its members, and improved with facilities and fairways.
32437	0.908								
32419	3.560								
32420	5.293								
32422	0.223								
32429	0.307	5904	6	1	93 OVERLOOK RD	93 OVERLOOK RD, LLC	0.325	0.325	
32434	0.092								
32437	0.077								
32429	0.002								
32431	0.153	6302	51.01	2	225 JAMES ST	FOOTES LANE LLC	1.692	0.000	Not developable. House constructed in 2024.
32416	1.692								
32377	0.057	6602	1	15C	SERVICE RD F	N J DEPT OF TRANSPORTATION	2.027	0.000	Not developable. Part of NJDOT jughandle/right-of-way.
32381	1.970								
32387	2.524	6603	5	15C	HARTER RD (REAR)	N J DEPT OF TRANSPORTATION	2.524	0.000	Not developable. NJDOT jughandle/right-of-way.
32389	0.757	6606	1	15C	OLD HARTER RD	NJ DEPT OF TRANSPORTATION	0.757	0.000	Not developable. NJDOT jughandle/right-of-way.
32385	2.319	6702	1	15C	SERVICE RD F	NJ DEPT OF TRANSPORTATION	2.318	0.000	Not developable. NJDOT jughandle/right-of-way.
32386	0.208	6703	1	15C	HARTER RD	NJ DEPT OF TRANSPORTATION	0.208	0.000	Not developable. NJDOT jughandle/right-of-way.
32374	0.955	6704	1	15D	100 HARTER RD	RESTORATION HOUSE CHURCH-MORRISTOWN	1.480	0.000	Not developable. Improved with Restoration House Church of Morristown. Part of lot improved with church and ancillary facilities,
32375	0.067								
32378	0.460								

Attachment A: DCA Land Features  
Morris Township, Morris County, NJ

ID NUMBERS AND DEVELOPABLE ACREAGE OF EACH DCA FEATURES IDENTIFIED ON BLOCK/LOT		BLOCK	LOT	PROP CLASS	LOCATION	OWNER	TOTAL DEVELOPABLE ACREAGE OF DCA FEATURES IDENTIFIED ON BLOCK/LOT	TOTAL DEVELOPABLE ACREAGE PER TOWNSHIP	NOTES ON WHY PARCEL IS NOT DEVELOPABLE
ID #	ACREAGE								
32388	0.587	6705	3	15D	283 JAMES ST	CHURCH JESUS CHRIST, LATTR DAY SNTS	0.587	0.000	Not developable. Improved with Church of Jesus Christ of Latter Day Saints. Part of lot improved with church and ancillary facilities.
32388	0.697	6705	3.01	1	JAMES ST	CHRH JESUS CHRIST,LDS CRCH TAX DIV	1.960	1.960	
32390	1.264								
32373	2.193	6801	75	15C	JAMES ST	HARDING LAND TRUST	2.193	0.000	Not developable. Deed restricted land owned by Harding Land Trust a non-profit dedicated to preserving farmland, woodlands and natural areas in Harding.
32430	0.358	6904	24	15C	REAR COTTONWOOD RD	MORRIS TOWNSHIP	0.358	0.000	Not developable. Detention basin.
32430	1.096	6904	25	1	REAR JAMES ST	WINDMILL PND TWNHM ASSN %INTEGRA MG	1.096	0.000	Not developable. Common land of homeowners association.
32398	0.000	7001	1	1	SOUTHGATE PKWY	MARTIN & PARMIGIANI/SOUTHGATE CTR 4	1.210	0.000	Block 7001, Lots 1 and 2 are subject to a conservation easement restricting all development except for an approximately 2.98 acres on Lot 2.
32412	1.210								
32418	3.198								
32433	4.377								
32398	0.726								
32412	5.052								
32417	0.853	7001	2	1	SOUTH ST	MORRISTOWN MOB IV LLC	14.206	2.976	Block 7001, Lots 1 and 2 are subject to a conservation easement restricting all development except for an approximately 2.98 acres on Lot 2.
32397	0.403								
32396	0.335	7003	1	1	LAURA LN	MARTIN & PARMIGIANI/SOUTHGATE CTR 4	0.335	0.230	Pipeline easement precludes development on 0.38 acres leaving 0.23 developable.
32392	0.397	7101	3	15C	BLACKBERRY LN	NJ DEPT OF TRANSPORTATION	0.39669	0.000	Not developable. NJDOT jughandle/right-of-way.
32372	0.013	7201	19	1	44 LAURA LN	PRIVATE OWNER	0.013	0.000	Not developable. Access driveway to single-family home in Harding Township.
32372	0.112	7201	20	1	LAURA LN	PRIVATE OWNER	0.112	0.000	Not developable. Portion of larger parcel improved with a single-family home in Harding Township.
32393	0.944	7401	1	15C	30 FLORENCE AVE	MORRIS TOWNSHIP	3.505	0.000	Not developable. Township Sewage Treatment Plant and Municipal facilities/offices.
32394	0.664								
32395	1.152								
32409	0.745								
32383	0.132	7504	2	1	29 EAGLE NEST RD	SOUTHEAST MCMUA	0.132	0.000	Not developable. Utility installation. Has water storage tanks owned and operated by Southeast Morris County Municipal Utilities Authority.
32376	0.076	7504	8	1	REAR LAURA LN	PRIVATE OWNER	0.076	0.000	Not developable. Part of a larger parcel improved with a single-family home located in Harding Township.
32382	3.468	7602	26	3B	36 VAN BEUREN RD	PRIVATE OWNER	3.674	0.000	Not developable. Lot improved with a single-family home.
32384	0.206								
32410	0.105	7701	3	15C	FLORENCE AVE	MORRIS TOWNSHIP	0.105	0.105	
32400	0.075	7708	1	15C	35 FLORENCE AVE	MORRIS TOWNSHIP	3.158	0.000	Not developable. Part of Township Sewage Treatment Plant and also listed on NJDEP ROSI.
32399	0.464								
32409	2.619								
32391	1.004								
32379	0.170	7804	1	1	626 VAN BEUREN RD	PRIVATE OWNER	0.170	0.000	Not developable. Part of driveway to single-family home in Harding Township.
32380	0.582	7804	9	1	56 SPRING VALLEY RD	PRIVATE OWNER	0.582	0.582	
32436	1.064	8003	15	15C	50 WOODLAND AVE	MORRIS TOWNSHIP	1.064	0.000	Not developable. Municipal complex.
32447	0.126	8004	3	1	DEGAN LN	PRIVATE OWNER	0.126	0.126	
32403	1.138	8201	6	1	13 FOX HOLLOW RD	PRIVATE OWNER	1.252	1.252	
32404	0.114								
32401	0.061	8201	7.01	2	5 FOX HOLLOW RD	PRIVATE OWNER	1.305	0.000	Not developable. Developed with a single-family home.
32402	0.947								
32405	0.297								
32455	0.507								
32460	4.357	8301	2	15D	189 MADISON AVE	SRS MOST BLESSED VIRGIN MARY MT CRM	4.864	0.000	Not developable. Carmelite monastery. Religious institution of cloistered nuns.
32459	0.053	8604	15	1	2 PRESCOTT RD	JCP&L C/O FIRST ENERGY SERVICE CO	0.053	0.000	Not developable. Utility use. JCP&L substation and cell tower.

Attachment A: DCA Land Features  
Morris Township, Morris County, NJ

ID NUMBERS AND DEVELOPABLE ACREAGE OF EACH DCA FEATURES IDENTIFIED ON BLOCK/LOT		BLOCK	LOT	PROP CLASS	LOCATION	OWNER	TOTAL DEVELOPABLE ACREAGE OF DCA FEATURES IDENTIFIED ON BLOCK/LOT	TOTAL DEVELOPABLE ACREAGE PER TOWNSHIP	NOTES ON WHY PARCEL IS NOT DEVELOPABLE	
ID #	ACREAGE									
32438	0.667	8801	1	1	PUNCH BOWL RD	SISTERS OF CHARITY OF ST ELIZABETH	13.918	0.000	Not developable. Part of a Round Three affordable housing site.	
32443	3.151									
32444	5.737									
32445	2.207									
32446	1.140									
32414	0.416									
32424	0.100									
32425	0.161									
32427	0.069									
32435	0.270									
32483	0.101	9101	1	15C	85 COLUMBIA RD	TOWNSHIP OF MORRIS	0.277	0.000	Not developable. Parcel is only 20 feet wide.	
32485	0.085									
32486	0.061									
32498	0.030									
32497	0.687	9101	4	1	101 COLUMBIA RD	RED BULL ARENA INC	2.655	0.000	Not developable. Part of approval for Red Bulls training facility. Under construction.	
32498	1.968									
32481	0.094	9101	5	1	103 COLUMBIA RD	RED BULL ARENA INC, ATT: GREG DOMICO	2.740	0.000	Not developable. Part of approval for Red Bulls training facility. Under construction.	
32496	0.104									
32497	1.326									
32498	1.084									
32471	0.131									
32483	0.672									
32485	0.022	9101	8	15C	1 PRESCOTT RD	TOWNSHIP OF MORRIS	4.580	0.000	Not developable. Former Honeywell site land dedicated as part of the site's redevelopment for municipal open space.	
32486	0.050									
32498	0.219									
32459	2.234									
32464	1.126									
32469	0.081									
32473	0.175									
32467	0.084									
32502	0.157	9202	1	1	7 DELAWARE RD	PRIVATE OWNER	0.084	0.000	Not developable. Part of a lot improved with a single-family residence in Florham Park.	
32503	0.976									
32503	0.976	9401	6	15D	21 NORMANDY HEIGHTS RD	MORRISTOWN UNITARIAN FELLOWSHIP	1.133	0.000	Not developable. Unitarian Church lands. Also, lands are part of church approval for expansion which is currently under construction.	
32504	0.244									
32504	0.244	9402	32	1	OAK PARK DR	PRIVATE OWNER	0.244	0.244		
32505	0.188	9403	1	15C	CROMWELL DR	MORRIS TOWNSHIP	0.188	0.188		
32506	1.044	10001	11	1	MALCOLM ST REAR	PSCRWE LLC	1.044	1.044		
32512	0.767	10001	18	1	E HANOVER AVE	PSCRWE, LLC	0.955	0.695	0.26 acres in floodway.	
32511	0.188									
32516	0.032									
32515	0.136									
32513	0.856									
32510	4.204									
32509	0.176									
32507	0.184									
32516	0.426	10105	87	15C	RAILROAD - RIDGEDALE AVE	MORRISTOWN & ERIE RAILWAY, INC	0.426	0.000	Not developable. Morristown-Erie railway/railroad tracks right-of-way.	
32539	0.219	10401	1	15C	161 E HANOVER AVE	MORRIS COUNTY	0.219	0.000	Not developable. Less than 25 feet in width. Narrow linear strip along parking area for improved Mennen Sports arena property.	
32543	2.691	10501	86	15C	REAR FARMHOUSE LN	NJ DEPT OF TRANSPORTATION	3.737	3.737		
32542	0.226									
32541	0.618									
32540	0.202									
							<b>DCA Calculations</b>	<b>Township Estimates</b>		
<b>Total Developable Acreage</b>							<b>287.77</b>	<b>79.18</b>		
<b>Land Capacity Factor</b>							<b>5.37%</b>	<b>1.50%</b>		
<b>Total Estimated Prospective Need in Units</b>							<b>571</b>	<b>308</b>		

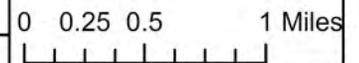


### Overall Map

# Township of Morris DCA Land Capacity Analysis Parcels

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Maxar

# 2025

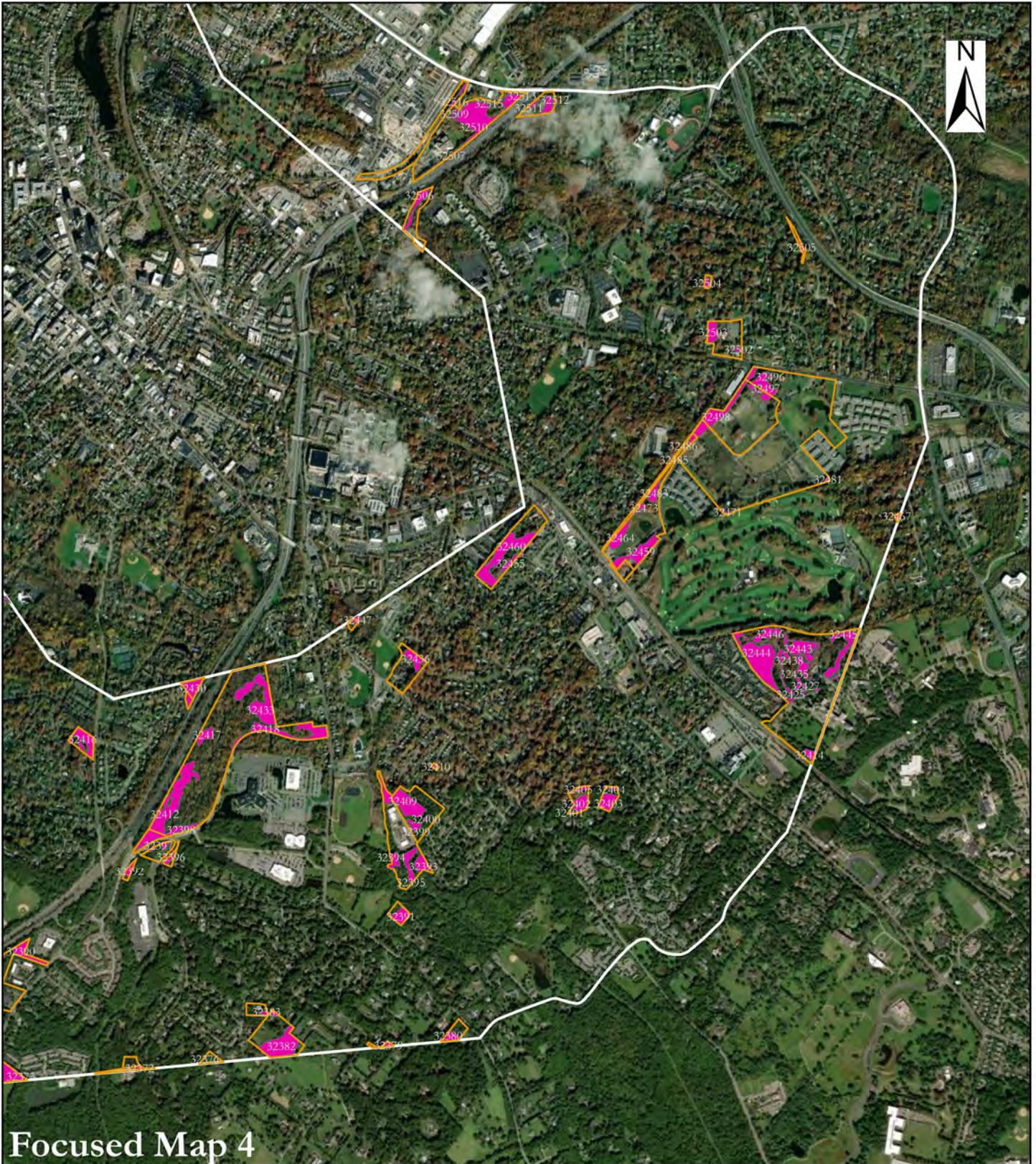


Coordinate System: NAD 1983 State Plane New Jersey FIPS 2900 US Feet









Focused Map 4



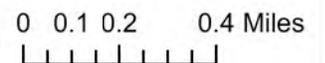
## Township of Morris DCA Land Capacity Analysis Parcels

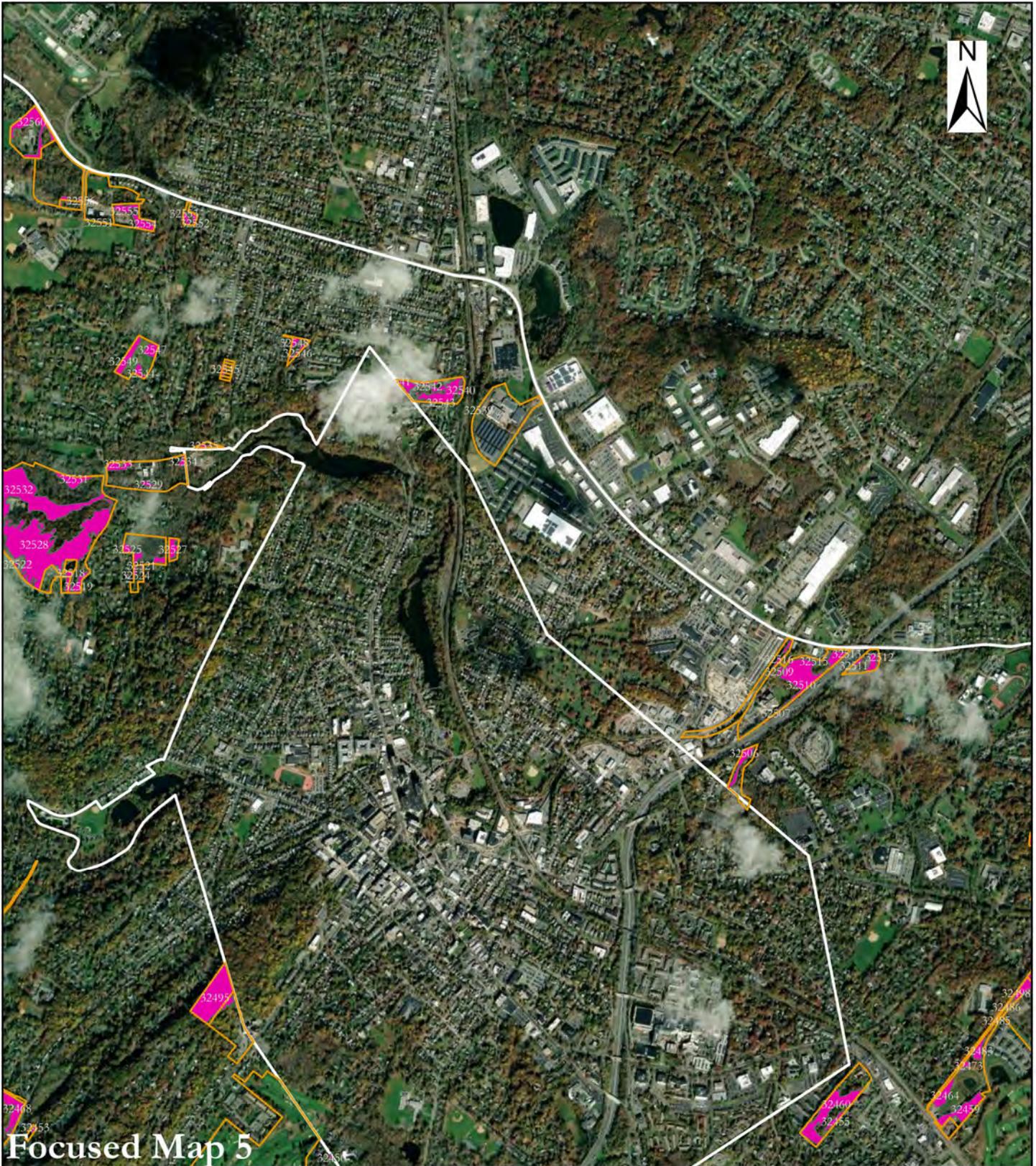
Earthstar Geographics, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Maxar

2025

- Parcel Boundaries
- DCA Developable Land

Coordinate System: NAD 1983 State Plane New Jersey FIPS 2900 US Feet





Focused Map 5



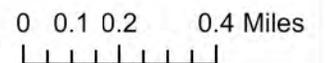
## Township of Morris DCA Land Capacity Analysis Parcels

Earthstar Geographics, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

2025

-  Parcel Boundaries
-  DCA Developable Land

Coordinate System: NAD 1983 State Plane New Jersey FIPS 2900 US Feet





## PAUL PHILLIPS, AICP, PP

Mr. Phillips joined the firm in 1977 and became its managing principal in 1983. In addition to his land use planning and master plan work, Mr. Phillips directs PPGLH's real estate, redevelopment and condemnation-related assignments. For over 30 years, he has served as the planning consultant to various municipal boards and governing bodies, and has also obtained approvals for hundreds of private development projects.

Mr. Phillips displays an outstanding knowledge of New Jersey zoning, redevelopment and condemnation law. He has testified on numerous occasions as an expert in New Jersey Superior Court and was the planning witness in several landmark rulings by the Appellate Division/Supreme Court. Mr. Phillips is widely recognized as one of New Jersey's prominent redevelopment planners, advising such public sector clients as Bloomfield, Fort Lee, Hoboken, Millburn, Montclair, Morristown, Netcong, Newark and Woodbridge, New Jersey. He has been a featured panelist on redevelopment issues at conferences organized by the New Jersey Chapter of the American Planning Association, New Jersey Future, the New Jersey League of Municipalities and New Jersey State Bar Association and ICLA. Mr. Phillips also regularly advises planning and zoning boards in a number of municipalities, including Morris, Millburn and Freehold Townships. He has also been very active in the affordable housing field since the advent of Mt. Laurel II and New Jersey's Fair Housing Act, having prepared affordable housing plans for numerous municipal clients. Mr. Phillips' work has won awards from the NJ Chapter of the American Planning Association, New Jersey Future, New Jersey Planning Officials and Downtown New Jersey. Mr. Phillips has a master's degree in urban planning from Hunter College.

### PROFESSIONAL EXPERIENCE

Phillips Preiss Grygiel Leheny Hughes LLC  
 President, 1991 - present  
 Vice President, 1983 - 1991  
 Senior Planner, 1977 - 1983

### EDUCATION

New York University, Real Estate Institute  
 Coursework in real estate \ appraisal and finance, 1979 - 1980  
 Hunter College,  
 Master of Urban Planning, 1977  
 City College of New York,  
 Bachelor of Arts in Sociology, (Magna Cum Laude), 1975

### PROFESSIONAL LICENSES AND MEMBERSHIPS

American Institute of Certified Planners  
 American Planning Association  
 Licensed Professional Planner, State of New Jersey

### PROFESSIONAL ACTIVITIES

New Jersey Chapter, American Planning Association:  
 Panelist and moderator, chapter conferences  
 New Jersey Future Redevelopment Forum: Panelist  
 New Jersey State League of Municipalities:  
 Annual Conference Panelist



## ELIZABETH LEHENY, AICP, PP

Ms. Leheny joined PPGLH in March 2005. Ms. Leheny has expertise in community planning and economic development, downtown revitalization, and historic preservation. She is prime author of the Comprehensive Plan and Zoning Code revisions for the Village of Ossining, NY as well as a market and sensitivity analysis for the Village's formerly industrial waterfront area; co-author for a downtown preservation plan in Saddle River, NJ; co-author of the Township of Cranbury's Open Space and recreation plan; co-author of the open space and housing plan for Rhinebeck, NY; and is in the process of writing the Historic Preservation Element for the Borough of Saddle River, NJ. Her previous work experience includes permitting large real estate projects in Boston, MA for local, state and national review. In addition, Ms. Leheny has a wide variety of work experience in historic preservation in New York City. Her combined background in urban planning and historic preservation provides her with insight into both the economic and advocacy approaches to shaping the built environment.

### PROFESSIONAL EXPERIENCE

Phillips Preiss Grygiel Leheny Hughes LLC  
Principal, 2011 - present  
Associate, 2007 - 2011  
Planner, 2005 - 2007  
Epsilon Associates, Inc.  
Project Planner, 2004 - 2005  
DoCoMoMo  
Planner, 2001  
New York Landmarks Conservancy  
Planner, 2000

### EDUCATION

Massachusetts Institute of Technology  
Master of City Planning, 2003  
Columbia University School of Architecture,  
Planning and Preservation,  
Master of Science in Historic Preservation, 2001  
Bachelor of Arts in History, 1996

### PROFESSIONAL LICENSES AND MEMBERSHIPS

American Institute of Certified Planners,  
American Planning Association  
Licensed Professional Planner, State of New Jersey

### PROFESSIONAL ACTIVITIES

American Planning Association National Planning Conference,  
Mobile Workshop Presenter, 2007

# Civil Case Information Statement

## Case Details: MORRIS | Civil Part Docket# L-000270-25

**Case Caption:** IN THE MATTER OF MORRIS TWP

**Case Initiation Date:** 01/30/2025

**Attorney Name:** STEVEN K WARNER

**Firm Name:** SAVO SCHALK CORSINI WARNER

GILLESPIE O'GRODNICK FISHER

**Address:** 56 EAST MAIN ST STE 301

SOMERVILLE NJ 08876

**Phone:** 9085260707

**Name of Party:** PLAINTIFF : Morris Township

**Name of Defendant's Primary Insurance Company**

(if known): Unknown

**Case Type:** AFFORDABLE HOUSING

**Document Type:** Complaint

**Jury Demand:** NONE

**Is this a professional malpractice case?** NO

**Related cases pending:** NO

**If yes, list docket numbers:**

**Do you anticipate adding any parties (arising out of same transaction or occurrence)?** NO

**Does this case involve claims related to COVID-19?** NO

**Are sexual abuse claims alleged by: Morris Township?** NO

## THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

**Do parties have a current, past, or recurrent relationship?** NO

**If yes, is that relationship:**

**Does the statute governing this case provide for payment of fees by the losing party?** NO

**Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition:**

**Do you or your client need any disability accommodations?** NO

**If yes, please identify the requested accommodation:**

**Will an interpreter be needed?** NO

**If yes, for what language:**

**Please check off each applicable category: Putative Class Action?** NO **Title 59?** NO **Consumer Fraud?** NO **Medical Debt Claim?** NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule 1:38-7(b)*

01/30/2025

Dated

/s/ STEVEN K WARNER

Signed