

BEDMINSTER TOWNSHIP
SOMERSET COUNTY, NEW JERSEY

THIRD ROUND
HOUSING ELEMENT
and
FAIR SHARE PLAN

Adopted June 7, 2018

Prepared by the
Bedminster Township Planning Board
with assistance from Banisch Associates, Inc.
111 Main Street
Flemington, NJ 08822



Francis J. Banisch, PP, AICP
License No. 1686



Date

The original of this document has been signed and sealed pursuant to N.J.A.C. 13:41-1.3

TABLE OF CONTENTS

I. INTRODUCTION3

II. HOUSING ELEMENT3

 A. INVENTORY OF MUNICIPAL HOUSING UNITS 4

 B. ANALYSIS OF DEMOGRAPHIC CHARACTERISTICS..... 9

 C. SUMMARY OF EMPLOYMENT DATA 13

 D. HIGHLANDS REGIONAL MASTER PLAN 14

III. FAIR SHARE PLAN..... 16

 A. SUMMARY OF FAIR SHARE PLAN 16

 B. UNITS AND CREDITS ADDRESSING THE PRIOR ROUND..... 16

 C. PRESENT NEED 17

 D. UNITS AND CREDITS ADDRESSING POST-1999 PROSPECTIVE NEED..... 17

 E. MEETING THE THIRD ROUND OBLIGATION REQUIREMENTS 18

III. SUMMARY20

I. INTRODUCTION

This Housing Plan Element has been prepared in accordance with the Municipal Land Use Law, specifically N.J.S.A. 40:55D-28b(3), to address Bedminster Township’s cumulative housing obligation for the period commencing in 1987 and extending to June 30, 2025. This Plan has also been prepared pursuant to the New Jersey Fair Housing Act (N.J.S.A. 52:27D-310 et seq.) which outlines the mandatory requirements for a Housing Plan Element, including an inventory and projection of the municipal housing stock; an analysis of the demographic characteristics of the Township’s residents and a discussion of municipal employment characteristics. As required by the New Jersey Fair Housing Act, municipalities that choose to enact and enforce a zoning ordinance are obligated to prepare a Housing Element as part of the community’s Master Plan.

The Council on Affordable Housing (COAH) adopted third round rules in 2004 (N.J.A.C. 5:94 Procedural and N.J.A.C. 5:95 Substantive) that were subsequently invalidated by the Appellate Division on January 25, 2007. COAH then adopted modified rules in June 2008 (N.J.A.C. 5:96 Procedural and N.J.A.C. 5:97 Substantive) which, in turn, were followed by additional legal challenges. In a decision issued on October 8, 2010, the Appellate Division invalidated a number of provisions in N.J.A.C. 5:97 including its central component, the “growth share” methodology; a decision later upheld by the New Jersey Supreme Court on September 26, 2013.

COAH again drafted revised third round rules (N.J.A.C. 5:98 Procedural and N.J.A.C. 5:99 Substantive) which were to apply to a period commencing on November 17, 2014. However, COAH deadlocked on a vote to officially adopt the rules at its October 20, 2014 meeting, which resulted in the March 15, 2015 Mt. Laurel IV decision by the N.J. Supreme Court [In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing]. Finding COAH unable to perform the duties assigned it under the law and regulation, the Supreme Court removed COAH from the process, placing jurisdiction back with the courts.

This third round Housing Element and Fair Share Plan for Bedminster Township utilizes the Court-approved affordable housing obligation that resulted from settlement of lawsuits between Bedminster Township and Fair Share Housing Center (FSHC). The Township’s affordable housing obligation per the settlement is as follows:

Prior Round (1987-1999)	154
Third Round Prospective Need (1999-2025)	225
Present Need (Rehabilitation)	2

II. HOUSING ELEMENT

The Municipal Land Use Law, at N.J.S.A. 40:55D-28(d)3 requires a housing plan element to be prepared “...pursuant to section 10 of P.L. 1985, c. 222 (C.52:27D-310), [New Jersey Fair Housing Act] including, but not limited to, residential standards and proposals for the construction and improvement of housing”

Bedminster Township is located in northwestern Somerset County, where it borders the Lamington River and is traversed by Interstates 78, 287 and State Route 202/206. The Township’s diverse landscape spans a range from Highlands region to the north, to rural farmland, to suburban in the southern portion of the Township, where regional sewer service is available. It has been this infrastructure that has attracted growth to southern Bedminster, where most of the Township’s affordable housing is situated. The Township of Bedminster received substantive certification of its Housing Element and Fair Share Plan from COAH on May 1, 1996.

This first part of this HE/FSP will address the Township’s housing stock and demographic characteristics. This is followed by the Fair Share Plan which addresses Bedminster Township’s affordable housing obligation.

A. INVENTORY OF MUNICIPAL HOUSING UNITS

The primary sources of information for the inventory of the Township’s housing stock are the 2010 U.S. Census Summary File 2 and the 2015 American Community Survey 5-Year Estimates (herein ACS).

It is important to recognize the data limitations when interpreting the two different types of tables in this document. The 2010 SF2 data are specifically for the period around April 2010, and as a hundred percent count are the most precise figures. Limitations include a) a narrow scope confining to basic demographic and housing information, b) no coverage on economic information, and c) out of date (seven years old).

The 2015 ACS data, which represents estimates from a 2011 to 2015 pooled sample, and the 2010 SF3 data (April 2010 sample) provide a wider coverage. However, one should NOT relate the 2011-2015 ACS figures to a single 2015 figure, because the sample estimates are from data collected throughout a five year period.

Table 1 identifies the units in a structure by tenure; as used throughout this Plan Element, “tenure” refers to whether a unit is owner-occupied or renter-occupied. The ACS recorded 4,354 housing units in the Township, of which 4,117 (95.0%) were occupied. The Township’s housing stock consists primarily of one-family dwellings, with 28% detached dwellings and 37% attached dwellings. The Township has a low percentage of renter-occupied units (26%) compared to the County (24%) and State (36%).

TABLE 1: Units in Structure by Tenure for Occupied Units, 2012-2016

Units in Structure	Occupied Units		
	Total (%)	Owner (%)	Renter (%)
1, detached	28	81	18
1, attached	37	82	18
2	2	18	82
3 or 4	9	71	29
5 to 9	8	83	17
10 to 19	11	66	34
20 to 49	7	39	61
50 or more	1	19	81

Source: 2012-2016 American Community Survey 5-Year Estimates, B25032.

Table 2 indicates the year housing units were built by tenure, and Table 3 compares the Township to Somerset County and the State. The construction during the 1980's had the largest impact on the Township with 60% of the Township's housing units built in that decade.

TABLE 2: Year Structure Built by Tenure for Occupied Units, 2011-2015

Year Built	Total Units	% of Total	Occupied Units	
			Owner	Renter
2010 or later	12	0	12	0
2000 - 2009	100	2	63	37
1990 - 1999	772	18	558	214
1980 - 1989	2,634	60	1,904	599

1970 -1979	179	4	151	11
1960 - 1969	142	3	90	26
1950 - 1959	148	3	80	68
1940 - 1949	52	1	11	26
Pre-1940	315	7	195	72
Total	4,359	100	3,064	1,053

Source: 2012-2016 American Community Survey 5-Year Estimates, B25036.

*due to rounding

Bedminster Township has a comparatively young housing stock, with nearly 3,518 units constructed since 1980. Table 3 compares the year of construction for all dwelling units in the Township to Somerset County and the State.

The most striking comparison in the table is that of the percentage of units constructed between 1980 and 1989. The Township had a much higher percentage of units constructed during these years (at 60.5%) compared to the County (19.5%) and the State (11.5%). It also had a lower percentage of units constructed after 2000 (2.6% as compared to 9.8% for Somerset County and 11.1% for the State).

The Township has a newer overall housing stock than both the County and the State, and the percentage of units constructed between 1940 and 1949 and the percentage of those constructed before 1970 were lower than both the County and the State.

TABLE 3: Comparison of Year of Construction for Occupied Units in Township, County, and State, 2012-2016

Year Built	%		
	Bedminster Township	Somerset County	New Jersey
2010 or later	.3	2	1.5
2000 – 2009	2.3	9.6	9.6
1990 – 1999	17.7	18	9.4
1980 – 1989	60.5	19.5	11.9
1970 – 1979	4.1	11	12.9
1960 – 1969	3.3	13	13.6
1950 – 1959	3.4	11	15.4
1940 – 1949	1.2	4.9	7.7
Pre-1940	7.2	11	18

Source: 2012-2016 American Community Survey 5-Year Estimates, DP04

Table 4 documents household size in occupied housing units by tenure, and Table 5 documents the number of bedrooms per unit by tenure. Table 4 shows that the Township has an almost equal distribution of renter and owner occupied households with one or two person with 78% for both renter and owner occupied units.

TABLE 4: Household Size in Occupied Housing Units by Tenure, 2012-2016

Household Size	Total Units	Owner-occupied Units	Renter-occupied Units
1 person	1,838	1,368	470

2 persons	1,406	1,051	355
3 persons	510	361	149
4 persons	258	194	64
5 persons	96	81	15
6 persons	4	4	0
7+ persons	5	5	0
Total	4,117	3,064	1,053

Source: 2012-2016 American Community Survey 5-Year Estimates, B25009

Most of Bedminster Township’s housing has 2 bedrooms or more (82%), with owner-occupied units generally larger than rentals. Table 5 demonstrates that most of renter-occupied units had 1-2 bedrooms (671 units) compared with 214 rentals with 3 or more bedrooms.

TABLE 5: Number of Bedrooms per Unit by Tenure for Occupied Units, 2012-2016

Number of Bedrooms	Total Occupied Units	(% of Total Units)	Occupied Units	
			Owner	Renter
No bedroom	197	5	29	168
1 bedroom	518	13	412	106
2 bedrooms	2,037	49	1,472	565
3 bedrooms	693	17	552	141
4 bedrooms	421	10	348	73
5+ bedrooms	251	6	251	0

Source: 2012-2016 American Community Survey 5-Year Estimates, B25042.

Table 6 compares the Township’s average household size for all occupied units, owner-occupied units and renter-occupied units to Somerset County and the State. The Township’s average household size for renter-occupied units is lower than those of the County and State, while the average household size for owner-occupied units is higher than that of Somerset County, and nearly equal with that of the State.

TABLE 6: Average Household Size for Occupied Units for Township, County, and State, 2010

Jurisdiction	All Occupied Units	Owner-occupied units	Renter-occupied units
Bedminster Township	2.75	2.80	2.23
Somerset County	2.61	2.71	2.42
New Jersey	2.68	2.79	2.47

Source: 2010 U.S. Census, SF-2,PCT1, HCT5 for Township, County, and State.

As seen in Table 7, the Township had a significantly lower percentage of four or more bedroom units (16.3%) than either the County (35.2%) or the State (25.3%). The Township also had a higher percentage of units with two to three bedrooms (66.3%) than the County (53.5%) and the State (58.5%).

TABLE 7: Percentage of Occupied Units by Number of Bedrooms, 2012-2016

Jurisdiction	None	One	Two or Three	Four or More
--------------	------	-----	--------------	--------------

Bedminster Township	4.8%	12.6%	66.3%	16.3%
Somerset County	1.1%	10.3%	53.5%	35.2%
New Jersey	2.3%	13.9%	58.5%	25.3%

Source: 2012-2016 American Community Survey 5-Year Estimates for Township, County and State, S2504.

The ACS also includes indicators of the condition of the housing stock. These indicators are used by the Council on Affordable Housing (COAH) in calculating a municipality's deteriorated units and indigenous need. In the first two rounds of COAH's fair share allocations (1987-1999), COAH used seven indicators to calculate indigenous need: age of dwelling; plumbing facilities; kitchen facilities; persons per room; heating fuel; sewer; and water.

In the proposed Round Three rules, COAH reduced this to three indicators, including the age of the unit (Pre-1940 units in Table 2) and whether there are complete kitchen and plumbing facilities. The Supreme Court upheld this approach in March 2015. ACS defines these features as follows:

Plumbing Facilities – Complete plumbing facilities include hot and cold piped water, a flush toilet, and a bathtub or shower. All three facilities must be located inside the dwelling unit.

Kitchen Facilities – Complete kitchen facilities include a sink with piped water, a range or cook top and oven, and a refrigerator. All three facilities must be located inside the dwelling unit.

Table 8 compares the Township, County and State for the above indicators of housing quality. The Township has no units with incomplete plumbing or kitchen facilities.

**TABLE 8: Housing Quality Indicators for Township, County, and State
2012-2016**

Condition	-----%-----		
	Bedminster Township	Somerset County	New Jersey
Complete plumbing facilities	100%	99.8%	99.7%
Complete kitchen facilities	100%	99.3%	99.3%

Source: 2012-2016 American Community Survey 5-Year Estimates for Township, County and State, S2504.

The complexion of the municipal housing stock is also gleaned from housing values and gross rents for residential units. The ACS summary of housing values presented in Table 9 indicates that the majority of owner-occupied units (79%) are valued between \$300,000 and \$999,999, with 38% of units priced about \$500,000. The median residential housing value in the 2011-2015 ACS was \$464,200.

TABLE 9: Value of Owner Occupied Residential Units, 2011-2015

Value	Number of Units	%
\$0 – 50,000	14	0
\$50,000 – 99,999	128	4
\$100,000 – 149,999	219	7
\$150,000 – 199,999	131	4

\$200,000 – 299,999	533	17
\$300,000 – 499,999	1219	40
\$500,000 – 999,999	568	19
\$1,000,000 +	241	8

Note: Median Value \$366,400. 2012-2016 American Community Survey 5-Year Estimates, B25077.

Source: 2012-2016 American Community Survey 5-Year Estimates, B25075.

In 2000, 50% of units rented for \$1,250-\$1,999 and 12% rented for over \$2,000/month. Table 10 indicates that in 2012-2016, nearly 90% of leased housing units rented for \$1,000 or more, and 81% of the units rented for \$1500 or more. The median gross rent has risen by almost 43% from 2000 to 2012-2017.

TABLE 10: Gross Rents for Renter-Occupied Housing Units, 2012-2016

Monthly Rent	Number of Units	--% (of those who paid rent)--
Under \$200	0	0
\$200 – 299	16	2
\$300 – 499	0	0
\$500 – 749	0	0
\$750 – 999	75	9
\$1,000 – 1,499	79	9
\$1,500 or more	705	81
No rent paid	178	--

Note: Median gross rent for Bedminster Township is \$1,870/month, as compared to \$1,299/month in 2000.

Source: 2012-2016 American Community Survey 5-Year Estimates, B25063.

As seen on Table 11, 33% of renter households earned less than \$50,000 per year, and most of these households were paying more than 35% of their income for rent. At the other end of the spectrum, 47% of households earned more than \$100,000 per year, and most of these households were paying less than 29.9% of their income for rent, with 63% of them paying less than 19.99% of their income for rent. A figure of 30% is considered the limit of affordability for rental housing costs.

TABLE 11: Household Income by Gross Rent as a Percentage of Household Income, 2012-2016

Income	Number of Households	Percentage of Household Income					
		0 – 19.99%	20 – 24.9%	25 – 29.9%	30 – 34.9%	35% +	Not computed
< \$10,000	138	0	0	0	0	17	121
\$10,000 - 19,999	54	0	0	0	0	54	0
\$20,000 - 34,999	42	0	0	0	0	37	5
\$35,000 - 49,999	111	0	20	0	0	66	25

\$50,000 - 74,999	129	0	31	0	0	98	0
\$75,000 - 99,999	88	0	27	36	0	25	0
\$100,000 or more	491	309	106	45	4	0	27

Source: 2012-2016 American Community Survey 5-Year Estimates, B25074.

B. ANALYSIS OF DEMOGRAPHIC CHARACTERISTICS

As with the inventory of the municipal housing stock, the primary sources of information for the analysis of the demographic characteristics of the Township's residents are the 2010 U.S. Census and the 2012-2016 American Community Survey (ACS). These two sources provide a wealth of information concerning the characteristics of the Township's population in 2010.

The 2010 Census indicates that the Township had 8,165 residents, or 137 fewer residents than in 2000, representing a population decrease of approximately 1.7%. The Township's 1.7% decrease in the 2000's compares to a 8.7% increase in Somerset County and a 4.5% increase in New Jersey.

Nearly 63% of Township residents were over 35 in 2010 when the Township had relatively few millennials. The age distribution of the Township's residents is shown in Table 12, broken down by gender. Males outnumbered females in the youngest age groups (0-4). Females predominated in all other age groups.

TABLE 12: Population by Age and Sex, 2010

Age	Total Persons	Male	Female
0-4	399	204	195
5 – 17	1,045	471	574
18 – 34	1,571	742	829
35 – 54	2,783	1,225	1,558
55 – 64	1,218	554	664
65 +	1,149	455	694
Total	8,165	3,651	4,514

Source: 2010 U.S. Census, SF 2, PCT3/PCT5.

Table 13 compares the Township to the County and State for the same age categories. The Township had a lower percentage in the 5-17 category (12.8%) than both the County (19.0%) and the State (17.3%). The Township had slightly higher percentages in the 35-54, 55-64, and 65+ age categories.

TABLE 13: Comparison of Age Distribution for Township, County, and State (% of persons), 2010

Age	Bedminster Township	Somerset County	New Jersey
0-4	4.9%	5.9%	6.2%
5 – 17	12.8%	19.0%	17.3%
18 – 34	19.2%	17.8%	21.3%

35 – 54	34.1%	32.9%	29.8%
55 – 64	14.9%	12.0%	11.9%
65 +	14.1%	12.4%	13.5%
Median	43.3	40.2	39.0

Source: 2010 U.S. Census, SF 2 for Township, County and State, PCT3/PCT5.

Table 14 provides the 2010 Census data on household size for the Township, while Table 15 compares household sizes in the Township to those in Somerset County and the State. The Township had more 1 and 2 person than both the County and the State. The average number of persons per household was 1.97.

TABLE 14: Persons in Household, 2010

Household Size	Number of Households
1 person	1,819
2 persons	1,330
3 persons	453
4 persons	329
5 persons	127
6 persons	32
7 or more persons	10
Total Households	4,100

Source: 2010 U.S. Census, SF 2, PCT20/HCT6.

TABLE 15: Comparison of Persons in Household for Township, County, and State (% of households)

Household Size	Bedminster Township	Somerset County	State
1 person	44	23	25
2 persons	32	30	30
3 persons	11	18	17
4 persons	8	18	16
5 persons	3	7	7
6 persons	1	3	3
7 or more persons	0	2	2
Persons per household	1.97	2.71	2.68

Source: 2010 U.S. Census, SF 2 for Township, County and State, PCT20/HCT6.

Table 16 presents a detailed breakdown of the Township’s population by household type and relationship. There were 8,059 family households in the Township (% of total households) and 1,354 non-family households (householder living alone or with non-relative). The percentage of family households dropped slightly from 2000 to 2010, as 80% of households were family households in 2000.

In terms of the proportion of family and non-family households, the Township had fewer family households than the County and the State (49.3% for the Township, 71.9% for the County, and 69.3% for the State) in 2010.

TABLE 16: Persons by Household Type and Relationship, 2010

	Number	%
--	--------	---

Total households	4,100	100.0
Family households (families)	2,022	49.3
With own children under 18 years	806	19.7
Husband-wife family	1,600	39.0
With own children under 18 years	612	14.9
Male householder, no wife present	98	2.4
With own children under 18 years	44	1.1
Female householder, no husband present	324	7.9
With own children under 18 years	150	3.7
Nonfamily households	2,078	50.7
Householder living alone	1,819	44.4
Male	642	15.7
65 years and over	91	2.2
Female	1,177	28.7
65 years and over	331	8.1

Source: 2010 U.S. Census, SF 2, PCT22/PCT 28 and PCT38/39.

Bedminster has more wealth and less poverty than Somerset County and New Jersey. Table 17 provides 2012-2016 income data for the Township, County and State. The Township's per capita and median household and median family incomes were significantly higher than those for the State. The definitions used for households and families in Table 17 are similar to those identified in the description for Table 16, so that the household figure in Table 17 includes families. By way of comparison, in the 2000 Census, Bedminster's per capita income jumped to 62% (almost \$14,646) from \$53,549 to \$68,195. Increases for the County and State were modest (roughly 1/3).

TABLE 17: 2012-2016 Income for Township, County, and State

Jurisdiction	Per Capita Income (\$)	Median Income (\$)	
		Households	Families
Bedminster Township	68,195	133,379	136,036
Somerset County	50,034	138,633	123,137
New Jersey	37,538	101,634	90,757

Source: 2012-2016 American Community Survey 5-Year Estimates for Township, County and State, DP03 and S1901.

Table 18 addresses the lower end of the income spectrum, providing data on poverty levels for persons and families in 2012-2016. The determination of poverty status and the associated income levels is based on the 2013 cost of an economy food plan and ranged from an annual income of \$11,770 for a one-person family to \$40,898 for an eight-person family (three-person family is \$20,090). Many federal programs, including food stamps, use the economy food plan as the determining guideline. According to the data in Table 18, the Township has a lower proportion of persons and families qualifying for poverty status than the County or State.

Since 2000, the percentage of persons and families in poverty status increased across the board, the Township's increase for families in poverty was less dramatic than the increases seen in the County and State. Table 18 also compares poverty status from the 2000 Census to poverty status from the 2012-2016 ACS for the Township, County and State.

TABLE 18: Comparison of Poverty Status for Persons and Families for Township, County, and State, 1999 to 2012-2016
 (% with 1999 or 2011-2015 income below poverty)

Jurisdiction	Persons (%)		Families (%)	
	1999	2011-2015	1999	2009-2013
Bedminster Township	3.1%	5.6%	1.9%	2.2%
Somerset County	3.8%	5.2%	2.3%	3.6%
New Jersey	8.5%	10.9%	6.3%	8.1%

Source: 2012-2016 American Community Survey 5-Year Estimates for Township, County and State, DP03; 2000 U.S. Census, SF-3 for Township, County and State, DP-3

A variety of interesting insights into an area's population can be gathered from the ACS, which includes a vast array of additional demographic data. For example, Table 19 provides a comparison of the percent of persons who moved into their current homes prior to 2000; this is a surrogate measure of the mobility/stability of a population. These data indicate that the percentage of current Township residents residing in the same house in 2012-2016 as in 2000 is less than that of the County and State.

TABLE 19: Resided in Current Dwelling prior to 2000 for Township, County and State, 2012-2016

Jurisdiction	Percent living in dwelling prior to 2000
Bedminster Township	64.9%
Somerset County	71.6%
New Jersey	68.8%

Source: 2012-2016 American Community Survey 5-Year Estimates for Township, County and State, DP04.

Bedminster's population is comparatively quite well educated, as seen on Table 20. While the percentage of residents with a high school diploma or higher exceeds that of the County and State, the percentage with a bachelor's degree or higher far exceeds that of the County and the State. The figures for the Township have increased since 2000, when 96% of residents had a high school degree or higher and 60% had a bachelor's degree or higher.

TABLE 20: Educational Attainment for Township, County and State Residents, 2012-2016
 (Persons 25 years and over)

Jurisdiction	Percent (%) high school graduates or higher	Percent (%) with bachelor's degree or higher
Bedminster Township	98%	65.1%
Somerset County	94.1%	53%
New Jersey	88.9%	37.5%

Source: 2011-2015 American Community Survey 5-Year Estimates for Township, County and State, S1501.

The ACS also provides data on the means of transportation which people use to reach their place of work. Table 21 compares the data for the Township, County, and State relative to driving alone, carpooling, using public transit, and using other means of transportation. A lack of public transit here virtually assures that a relatively high percentage of workers will drive alone, and a relatively low percentage of workers who carpool or use transit. Of the 8.7% using other means, 5.5% work from home and 3.2% walk to work.

**TABLE 21: Means of Transportation to Work for Township, County and State Residents,
2012-2016
(Workers 16 years old and over)**

Jurisdiction	Percent who drive alone	Percent in carpools	Percent using public transit	Percent using other means
Bedminster Township	83.1%	6.1%	2%	8.7%
Somerset County	78.5%	7.9%	4.8%	8.8%
New Jersey	71.7%	8.1%	2%	9%

Source: 2012-2016 American Community Survey 5-Year Estimates for Township, County and State, DP03.

C. SUMMARY OF EMPLOYMENT DATA

The ACS provides detailed information on a municipality’s resident population regarding their means of employment. Nearly 2/3 of Bedminster Township residents are in management, business, science and arts occupations. Employment characteristics are described in two ways: first, by occupation, which is the type of work the employee performs; and second, by industry, or the type of business in which the employee works. Table 22 provides data for these two characteristics.

**TABLE 22: Selected Employment Characteristics of Resident Population,
2012-2016**

Employed civilian population 16 years and over	5,097	
OCCUPATION	Persons	%
Management, business, science, and arts occupations	3,204	62.9
Service occupations	401	7.9
Sales and office occupations	1,172	23
Natural resources, construction, and maintenance occupations	142	2.8
Production, transportation, and material moving occupations	178	3.5
INDUSTRY		
Agriculture, forestry, fishing and hunting, and mining	41	.8
Construction	123	2.4
Manufacturing	538	10.6
Wholesale trade	135	2.6
Retail trade	516	10.1
Transportation and warehousing, and utilities	71	1.4
Information	280	5.5
Finance and insurance, and real estate and rental and leasing	823	16.1
Professional, scientific, and management, and administrative and waste management services	932	18.3
Educational services, and health care and social assistance	1,181	23.2

Arts, entertainment, and recreation, and accommodation and food services	195	3.8
Other services, except public administration	154	3
Public administration	108	2.1

Source: 2012-2016 American Community Survey 5-Year Estimates, DP03.

Table 23 identifies the types of industries that are found within the municipality.

TABLE 23: Employment and Wages by Industry, Bedminster Township, 2016

Description	Average Units	Average Annual Units	Average Annual Wages
FEDERAL GOVT TOTALS	2	26	\$61,206
STATE GOVT TOTALS	1	25	\$71,533
LOCAL GOVT TOTALS	3	189	\$58,829
LOCAL GOVT EDUCATION	1	104	\$64,129
Agriculture	.	.	.
Construction	12	140	\$98,734
Manufacturing	.	.	.
Wholesale Trade	21	257	\$153,452
Retail Trade	.	.	.
Transp/Warehousing	.	.	.
Information	15	575	\$135,712
Finance/Insurance	36	827	\$167,901
Real Estate	.	.	.
Professional/Technical	64	491	\$140,384
Management	.	.	.
Admin/Waste Remediation	.	.	.
Education	6	79	\$29,020
Health/Social	36	290	\$57,953
Arts/Entertainment	.	.	.
Accommodations/Food	22	254	\$27,056
Other Services	47	209	\$33,315
Unclassifieds	5	10	\$80,929
PRIVATE SECTOR TOTALS	342	8,787	\$122,682

Source: N.J. Depart of Labor and Workforce Development, Office of Research and Information, Quarterly Census of Employment and Wages, Annual Municipal Data by Sector, 2016.

DP = Data do not meet publication standards

D. HIGHLANDS REGIONAL MASTER PLAN

Bedminster Township is situated entirely within the New Jersey Highlands, divided between the Highlands Planning Area, which occupies most of Bedminster and the Highlands Preservation Area which represents less than 10% of Bedminster's land area.

The Regional Master Plan is conceived as a voluntary guide to growth and resource management for the Planning Area but its requirements are State mandates in the Preservation Area.

Bedminster has elected to conform the local plan and ordinances to the RMP for the Preservation Area, but not for the Planning Area where Bedminster's resource conservation zoning is deemed sufficient to achieve local and regional objectives. Bedminster's opportunities to produce housing, including affordable housing, are extremely limited in the Preservation Area, north of Pottersville Road. Here, of the 14 potentially developable properties, only one parcel, which can yield three (3) lots, meets the NJDEP septic density standards for development.

Consistent with the intent of the Highlands RMP, growth in Bedminster Township has been focused along the State highway corridor, around the existing infrastructure in the State Plan-designated centers of Bedminster Village and Pluckemin. Inclusionary developments (The Hills, Timberbrooke) and a senior housing neighborhood (Pluckemin Park) in Pluckemin have produced nearly 4,000 dwelling units, including 694 affordable units, in a compact arrangement with good regional access.

Future development/redevelopment of affordable housing will be oriented within the sewerred historic development areas and will never need to extend into the Highlands Preservation Area.

As seen on Attachment A, "Highlands-Module 7: Municipal Implementation Plan and Schedule Update for Housing Element and Fair Share Plan" Bedminster has completed the mandatory components of Plan Conformance including the Highlands Environmental Resource Inventory (7-18-12), the Highlands Element of the Bedminster Master Plan (10-01-15) and the Checklist Ordinance (12-19-16) and the optional Exemption Ordinance (12-19-16).

III. FAIR SHARE PLAN

A. SUMMARY OF FAIR SHARE PLAN

A Fair Share Plan is defined as a “...*plan or proposal, which is in a form that may readily be converted into an ordinance, by which a municipality proposed to satisfy its obligation to create a realistic opportunity to meet its fair share of low and moderate income housing needs of its region and which details the affirmative measures the municipality proposes to undertake to achieve its fair share of low and moderate income housing...*”¹

Bedminster Township has approved nearly 700 affordable housing units since the mid 1980’s. As a result, no inclusionary rezoning will be required to satisfy the 1987-2025 fair share affordable housing obligation (except as a potential option to meet a rental requirement, see section E(2) below). This Fair Share Plan utilizes the Court-approved affordable housing obligation for Bedminster Township, which is as follows:

Prior Round (1987-1999)	154
Third Round Prospective Need (1999-2025)	225
Present Need (Rehabilitation)	2

B. UNITS AND CREDITS ADDRESSING THE PRIOR ROUND

Bedminster Township has more than fully addressed the 379-unit fair share obligation for the period 1987 to 2025. A total of 694 affordable housing units have been approved, constructed and occupied, nearly double the total fair share obligation. Bedminster participated in an affordable housing partnership that resulted in the creation of 50 affordable senior citizen apartments (Pluckemin Park), and successfully rehabilitated 4 housing units according to COAH requirements.

Bedminster approved 644 affordable units in inclusionary developments at The Hills and Timberbrooke. These developments produced over 3,000 total housing units, radically transforming the Pluckemin neighborhood character and dramatically expanding community service needs. Bedminster rose to the challenge to meet these needs and assimilated this regional-scale planned development into the fabric of the community.

Bedminster and the Fair Share Housing Center entered into a settlement in response to the Declaratory Judgment action Bedminster filed in 2015. That agreement and the applicable COAH rules provided the basis for this Fair Share Plan.

Table 24 indicates the sources of units and credits applied against the 154-unit prior round as it was presented to the Court.

¹ N.J.A.C. 5:93-1.3

Table 24: Affordable Units Applied to Prior Round (1987-1999)			
		Type	
Prior Round and Third Round	Units	Rental	Sales
The Hills – Parkside - Family	216	54	162
The Hills- Village Green - Family	260	0	260
The Hills – Cortland - Family	144	48	96
Timberbrooke - Family	24	0	24
Pluckemin Park - Senior	50	50	0
Total	694	152	542

Bedminster Township delivered a total of 694 new construction affordable units during this period, exceeding the 154-unit obligation by 542 units. Up to 25% of the 154-unit obligation is permitted as rental bonuses, allowing up to 38 rental bonuses for the prior rounds, bringing the carry forward total to 580 units and bonus credits.

C. PRESENT NEED

The Township has a present need (rehabilitation) obligation of 2 units. Bedminster will utilize surplus new construction credits to satisfy the 2-unit obligation, leaving a carry-forward total of 578 units/credits to the third round.

D. UNITS AND CREDITS ADDRESSING POST-1999 PROSPECTIVE NEED

Combining the 578 excess units from the prior round with rental bonuses (57 third round) and the potential for a future 46-unit substantial compliance reduction, which the settlement agreement would permit in the fourth round if consistent with then-applicable law, yields a total of 681 units/credits. In addition, the Township also has roughly 300 units with extended affordability controls, providing a total of roughly 981 units and credits to be applied to the third round and beyond.

As shown in Table 25, Bedminster Township will substantially exceed its 225-unit third round obligation through the surplus credits and rental bonuses from the prior round and the COAH-approved substantial compliance reduction compliance as detailed in Table 25 below.

Table 25: Affordable Units and Bonus Credits Available for Third Round and Beyond (1999-2025, post-2025)			
Fourth Round	Units	Credits/Reductions	Totals
Excess from prior rounds	578		578
Substantial Compliance Reduction		46*	46
Extended Affordability Controls	300*		300
Rental Bonus Maximum for Third Round = 57 (25% of 225)		57	57
TOTAL	840	141	981

* Permitted in the fourth round if consistent with then-applicable law.

**Approximate number completed at the time of settlement.

When the 981 units and credits in Table 25 are applied against the 225-unit third round fair share obligation approved by the Court, 756 units/credits remain available to be applied to the fourth and future rounds.

E. MEETING THE THIRD ROUND OBLIGATION REQUIREMENTS

The requirements to address the third round obligation under N.J.A.C. 5:93-5.15(d) and pursuant to the settlement agreement with Fair Share Housing Center include:

- At least twenty-five percent of the Third Round Prospective Need shall be met through rental units, including at least half in rental units available to families.
- At least half of the units addressing the Third Round Prospective Need in total must be available to families.
- 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.
- 13% of the Townships obligation shall be available to very low income households with half of the very low income units being available to families.
- No more than 25% of the prospective need may be age restricted
- No more than 25% of the prospective need shall be eligible for rental bonuses

These are further detailed below:

1. Rental Unit Obligation – 94 Required, 152 Provided

The municipal rental obligation, a required component of meeting the fair share obligation, is calculated at 25 percent of the prospective need. This calculation results in a

requirement for 38 rental units for the prior round (154 x .25) and 56 affordable rental units in the third round (225 x .25) for a total of 94 rentals for the period 1987-2025.

As seen in Table 26, there are a total of 152 rental units provided for the prior round, where 94 are required.

Table 26: Rental Units	
The Hills – Parkside - Family	54
The Hills – Cortland - Family	48
Pluckemin Park - Senior	50
Total	152

2. Family Units – 113 Required, 644 Provided; Family Rentals - 28 Required, 28 to be Provided

At least 50% of the third round prospective need units must be available to families (not age restricted or group home units), requiring at least 113 family units/credits. The only non-family units in this fair share plan are the 50 age restricted units at Pluckemin Park, below the 56-unit third round cap. When these 50 units are subtracted from the 694 actual new construction units developed to date, there are a total of 644 family units.

By July 1, 2021 the Township will either have approved inclusionary rezoning to permit 28 family rental units, or will have selected a developer to construct a 100% affordable development of 28 units.

3. Low-Moderate Split and Very-Low Income Obligation – 4 Very Low Income Units Required, 4 to be Provided

No more than 50% of the prospective need affordable units will be moderate income units and at least 50% of the prospective need affordable units will be affordable to low income and very low income households. The low/mod split was provided among the units constructed to date.

The four (4) very low income units will be included among the 28 family rental units.

4. Age-restricted Units – 94 Permitted, 50 Provided

Combining the prior round age-restricted cap (38 units) and the third round age-restricted cap (56 units) yields a combined prior and third round age-restricted cap of 94 units. The fair share plan includes 50 age-restricted units, well below the cumulative age-restricted cap.

5. Rental Bonus Credits – 95 permitted, 92 Credited in Settlement with FSHC

Rental bonus credits are applied as provided in N.J.A.C. 5:93-5.1, which permits bonus credits for rental units up to 25% of the prospective need. For the prior round this rule allowed up to 38 bonus credits and for the third round the total is 57 units. The combined potential for rental bonus credits is thus 95 for both rounds.

III. SUMMARY

With a 1987-2025 (38-year) obligation of 379 units, Bedminster has incurred a fair share of roughly 10 units per year since 1987. Combining the 694 affordable units built in Bedminster to date, roughly 300 of which have seen their affordability controls extended, and the bonus credits and substantial compliance reduction awarded by COAH, Bedminster has produced a total of 1,135 affordable units/credits to date. This total is roughly three times the 38-year fair share obligation and leaves a surplus of 756 affordable units/credits applicable to the fourth round and beyond consistent with then-applicable law.

Decades ago, after COAH calculated Bedminster's obligation at fewer than 200 units, Judge Eugene Serpentelli agreed to reduce Bedminster's court-ordered obligation from 819 units to the 694 units that had been constructed and occupied. At the time, the Judge allowed that Bedminster had probably met its obligation extending halfway through the 21st century. However, Bedminster's remaining 1,100+ credits toward future rounds should cover a much longer period than the Judge predicted if the affordable housing fair share continues to accrue at this rate

ATTACHMENT A

**Highlands - Module 7: Municipal Implementation Plan and Schedule Update for Housing Element and Fair Share Plan
Bedminster Township**

MUNICIPAL IMPLEMENTATION PLAN AND SCHEDULE FOR PLAN CONFORMANCE BY TASK		Amended Grant Agreement Task #	Approved Budget	Status and Comments	Completion Date
1.	Housing Element & Fair Share Plan (Module 3)			Housing Plan Certified	
2.	Highlands Environmental Resource Inventory (Module 4) – Adopted	1		Closed	07/18/12
3.	Highlands Element of Municipal Master Plan (Module 5) – Adopted	2		Closed	10/01/15
4.	Municipal Master Plan Elements (as applicable)				
	a. Land Use Plan Element				
	b. Conservation Plan Element				
	c. Circulation Plan Element				
	d. Land Preservation and Land Stewardship Plan Element				
	e. Agriculture Retention/Farmland Preservation Plan Element	4	\$20,000	Plan will focus on agricultural retention and sustainability. Scope of work approval required prior to release of funds.	
	f. Community Facilities Plan Element				
	g. Sustainable Economic Development Plan Element	5	\$10,000	Plan to enhance economic sustainability in the context of the community's preservation goals and in conjunction with previous Township efforts toward the (now expired) Bedminster Village Center approved by Office of State Planning.	
	h. Historic Preservation Plan Element				
	i. Development Transfer Plan Element (optional)				
	j. Septic System Yield Allocation (if applicable)				
5.	Highlands Land Use Ordinances (Module 6) – Adopted	3		Not required under Checklist Ordinance approach	
	a. Adopt Reexamination Report and Resolution	6		Not required under Checklist Ordinance approach	
	b. Adopt Checklist Ordinance	7		Closed	12/19/16
	c. Adopt Exemption Ordinance (Optional)				12/19/16
6.	Zoning Map Update – Adopted (Update to reflect Highlands Overlay Zones, Districts)	8		Not required under Checklist Ordinance approach	
7.	Cluster Development for Agricultural Resource Areas				
8.	Resource Management Plans and Programs				
	a. Water Use and Conservation Management Plan				
	b. Habitat Conservation and Management Plan	10	\$20,000	Municipality-wide. Scope of work approval required prior to release of funds.	
	c. Stream Corridor Protection/Restoration Plan (optional)	11	\$20,000	Focus on high priority stream reaches. Scope of work approval required prior to release of funds.	
	d. Wastewater Management Plan	9	\$1,500	NJDEP Administrative Order 2010-03; Plan to be included as Chapter of Somerset County WMP.	
	e. Septic System Management/Maintenance Plan				
	f. Scenic Resource Management Plan (optional)				
	g. Municipal Stormwater Management Plan		\$15,000		
	h. Regional Stormwater Management Plan (if applicable)				
	i. Land Preservation and Land Stewardship Program				
9.	Board of Health Ordinances				
10.	Implementing Ordinances for Management Plans and Programs				
11.	Redevelopment and Brownfields Opportunities (optional)				
12.	RMP Updates (optional)				
13.	Map Adjustment Petition(s) (optional)				
14.	Highlands Center Petition (optional)				
15.	Submission of Municipal Planning and Regulatory Documents and Supporting Materials				
16.	Discretionary Documents or Requests (financial and technical assistance requests from the municipality)				
17.	Attendance at Highlands Council Training Sessions				
	a. Ordinance Administration: Application Procedures, Implementation, Enforcement	12	\$2,500	Land Use Administrator/Board Secretary, Zoning Officer, Enforcement Officer, Property Inspector, Professionals	