

Master Plan Element Section IV

Housing Element & Fair Share Plan

Appendices Book 01

Adopted February 4, 2026

Township of West Windsor | Mercer County, New Jersey



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Appendix A: Resolutions

Appendix A-1:
January Resolution and Fourth Round
Decision and Order

RESOLUTION

AFFORDABLE HOUSING OBLIGATIONS FOR 2025-2035 (FOURTH ROUND)

- WHEREAS, on March 20, 2024, Governor Murphy signed P.L.2024, c.2. into law, establishing a new framework for determining and enforcing municipalities' affordable housing obligations under the New Jersey Supreme Court's Mount Laurel doctrine and the State's Fair Housing Act; and
- WHEREAS, the law requires that the New Jersey Department of Community Affairs (DCA) perform a calculation of regional need, and nonbinding municipal present and prospective affordable housing needs, in accordance with the formulas established in the law; and
- WHEREAS on October 18, 2024, the DCA released its "Affordable Housing Obligations For 2025-2035 (Fourth Round)" report, establishing the Fourth Round (2025- 2035) fair share methodology and calculations of low- and moderate-income housing obligations for New Jersey's 564 municipalities; and
- WHEREAS, the calculation and obligations for each municipality are presented by way of guidance in an Appendix at the end of the DCA report; and
- WHEREAS, per P.L. 2024, c.2, in order for the Township of West Windsor to maintain immunity from exclusionary zoning litigation, it must determine its municipal present and prospective obligations in accordance with the formulas established in sections 6 and 7 of the law by binding resolution no later than January 31, 2025; and
- WHEREAS, P.L. 2024, c.2 permits the Township of West Windsor to diverge from the DCA's calculations in determining its obligations, in case local factors exist that make the calculations unreasonable and/or incorrect; and
- WHEREAS, the Township of West Windsor has taken into consideration the calculations in the October 8, 2024 report published by the DCA to determine its obligations; and
- WHEREAS, the present and prospective fair share obligations of the Township of West Windsor are as follows: Present Need: 4 units; Prospective Need: 392 units; and
- WHEREAS, within 48 hours of adoption of this resolution, the Clerk of the Township of West Windsor shall post this resolution on its official website and with the Affordable Housing Dispute Resolution Program; and
- WHEREAS, the Township retains the right to conduct a vacant land adjustment (VLA) to determine its realistic development potential (RDP) at a later date which may be lower than the Prospective Need Obligation identified herein.

NOW, THEREFORE, BE IT RESOLVED on this 27th day of January, 2025, by the Township Council of the Township of West Windsor in the County of Mercer, and the State of New Jersey that, pursuant to P.L.2024, c.2: The Township Council of the Township of West Windsor hereby formally determines the present and prospective fair share obligations for the Fourth Round of municipal affordable housing compliance for the Township of West Windsor. These findings are documented in the report of its planner, Burgis Associates, attached hereto.

This resolution shall be posted on the Township of West Windsor's official website and with the Affordable Housing Dispute Resolution Program within 48 hours of adoption.

CERTIFICATION

I, Allison D. Sheehan, Township Clerk do hereby certify the foregoing is a true copy of a resolution adopted by the West Windsor Township Council at their meeting held on the 27th of January, 2025.


Allison D. Sheehan
Township Clerk
West Windsor Township

Appendix A-2:
Planning Board Resolution of Adoption

RESOLUTION

HOUSING ELEMENT AND FAIR SHARE PLAN FOR 2025-2035 (FOURTH ROUND)

- WHEREAS, on March 20, 2024, Governor Murphy signed P.L. 2024, c.2 into law (“Amended Act”), establishing a new framework for determining and enforcing municipalities’ affordable housing obligations under the State’s Fair Housing Act and New Jersey Supreme Court’s Mount Laurel doctrine; and
- WHEREAS, per the Amended Act, the Township of West Windsor adopted a binding resolution establishing its present and prospective affordable housing obligation in accordance with the methodology and formula set forth in the Amended Act; and
- WHEREAS, in order for the Township to maintain immunity from exclusionary zoning litigation, it also filed a declaratory judgment action (“DJ Action”) captioned “In the Matter of the Application of West Windsor Township,” Docket No. MER-L-204-25, in order to participate in the Program established by the Amended Act and seek an order of compliance with the new law and the Mount Laurel doctrine; and
- WHEREAS, certain parties, including Fair Share Housing Center, via answers to the DJ Action, challenged the Township’s determination of its present and prospective affordable housing obligation, asserting that the Township’s numbers should be higher; and
- WHEREAS, in accordance with the procedures established by the Amended Act and Directive #14-24 of the Administrative Office of the Courts, the parties entered into a mediation process presided over by one of the Mount Laurel judges assigned to the program established to resolve disputes, the Affordable Housing Dispute Resolution Program (the “Program”), Judge Mary Jacobson, J.S.C. (Ret.); and
- WHEREAS, in order to settle the matter within the timeframe required by the Amended Act and to avoid costly and protracted litigation, the Township agreed to settle the matter with FSHC and accept a higher number of affordable housing units than as set forth in its resolution (“Settlement Agreement”), subject to its right to conduct a vacant land adjustment (VLA) to determine its realistic development potential when it came to preparing the Township’s 2025-3035 Housing Element and Fair Share Plan (“HEFSP”); and
- WHEREAS, on April 1, 2025, Judge Jacobson entered the recommendation of the Program to the Superior Court, the Hon. Robert Lougy, A.J.A.C. presiding, for the Court to accept the Township’s Settlement Agreement with FSHC and reject the other objectors’ challenges; and
- WHEREAS, the Superior Court, in an Order dated April 8, 2025 (“Order Approving Settlement Agreement”), accepted and adopted the Program’s recommendations and the terms of the Settlement Agreement and rejecting the other objectors’ challenges, which

Order authorized the Township to proceed to the compliance phase and prepare and adopt its HEFSP by June 30, 2025, in accordance with the timeframe established by the Amended Act, and the Township did so; and

WHEREAS, the Township has prepared a revised HEFSP and Appendices in accordance with the Amended Act, with considerable input from its planners, Municipal staff, and attorneys; and

WHEREAS, a hearing to consider adopting the HEFSP was duly noticed and held on February 4, 2026; and

WHEREAS, the HEFSP is in conformance with the Settlement Agreement and the Order Approving Settlement Agreement and with a further Settlement Agreement with FSHC approved by the Township on January 26, 2026.

NOW, THEREFORE, BE IT RESOLVED on this 4th day of February 2026 that the 2025-2035 Housing Element and Fair Share Plan is adopted by the West Windsor Township Planning Board.

ADOPTED: February 4, 2026

I hereby certify that the above resolution was adopted by the West Windsor Township Planning Board at its meeting held on the 4th day of February, 2026.



Lisa Komjati, Secretary
West Windsor Township Planning Board

Appendix A-3:
West Windsor Township Council
Resolution of Endorsement

RESOLUTION

HOUSING ELEMENT AND FAIR SHARE PLAN FOR 2025-2035 (FOURTH ROUND)

- WHEREAS, on March 20, 2024, Governor Murphy signed P.L. 2024, c.2 into law (“Amended Act”), establishing a new framework for determining and enforcing municipalities’ affordable housing obligations under the State’s Fair Housing Act and New Jersey Supreme Court’s Mount Laurel doctrine; and
- WHEREAS, per the Amended Act, the Township adopted a binding resolution establishing its present and prospective affordable housing obligation in accordance with the methodology and formula set forth in the Amended Act; and
- WHEREAS, in order for the Township to maintain immunity from exclusionary zoning litigation, it also filed a declaratory judgment action (“DJ Action”) in order to participate in the Program established by the Amended Act and seek an order of compliance with the new law and the Mount Laurel doctrine; and
- WHEREAS, certain parties, including Fair Share Housing Center, via answers to the DJ Action, challenged the Township’s determination of its present and prospective affordable housing obligation, asserting that the Township’s numbers should be higher; and
- WHEREAS, in accordance with the procedures established by the Amended Act and Directive #14-24 of the Administrative Office of the Courts, the parties entered into a mediation process presided over by one of the Mount Laurel judges assigned to the program established to resolve disputes, the Affordable Housing Dispute Resolution Program (the “Program”), Judge Mary Jacobson, J.S.C. (Ret.); and
- WHEREAS, in order to settle the matter within the timeframe required by the Amended Act and to avoid costly and protracted litigation, the Township agreed to settle the matter with FSHC and accept a higher number of affordable housing units than as set forth in its resolution (“Settlement Agreement”), subject to its right to conduct a vacant land adjustment (VLA) to determine its realistic development potential (RDP) when it came to preparing the Township’s 2025-2035 Housing Element and Fair Share Plan (“HEFSP”); and
- WHEREAS, on April 1, 2025, Judge Jacobson entered the recommendation of the Program to the Superior Court, the Hon. Robert Lougy, A.J.A.C. presiding, for the Court to accept the Township’s Settlement Agreement with FSHC and reject the other objectors’ challenges; and

WHEREAS, the Superior Court, in an Order dated April 8, 2025 (“Order Approving Settlement Agreement”), accepted and adopted the Program’s recommendations and the terms of the Settlement Agreement and rejecting the other objectors’ challenges, which Order authorized the Township to proceed to the compliance phase and prepare and adopt its HEFSP by June 30, 2025, in accordance with the timeframe established by the Amended Act, and the Township did so; and

WHEREAS, the Township has prepared a revised HEFSP and Appendices in accordance with the Amended Act, with considerable input from its planners, Municipal staff, and attorneys; and

WHEREAS, A hearing of the West Windsor Township Planning Board to consider adopting the HEFSP was duly noticed and held on February 4, 2026; and

WHEREAS, the Planning Board duly adopted the HEFSP at the meeting on February 4, 2026; and

WHEREAS, the HEFSP is in conformance with the Settlement Agreement and the Order Approving Settlement Agreement and with a further Settlement Agreement with FSHC approved by the Township on January 26, 2026; and

WHEREAS, it is in the best interest of the Township for the Township Council to endorse the HEFSP.

NOW, THEREFORE, BE IT RESOLVED on this 4th day of February 2026 that the 2025-2035 Housing Element and Fair Share Plan is endorsed by the West Windsor Township Council.

ADOPTED: February 4, 2026

I hereby certify the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 4th day of February, 2026.


Allison D. Sheehan
Township Clerk
West Windsor Township

Appendix B: Structural Conditions Survey

Appendix C: Fourth Round Settlement Agreement

RESOLUTION

SETTLEMENT AGREEMENT WITH FAIR SHARE HOUSING CENTER
REGARDING FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN

- WHEREAS, the Township of West Windsor (the “Township”) having filed a resolution of participation in the Affordable Housing Dispute Resolution Program (the “Program”) and a declaratory judgment action pursuant to N.J.S.A. 52:27D-301 et. seq. (the “Fair Housing Act”) on January 28, 2025; and
- WHEREAS, the Court having entered an order on April 8, 2025 setting the Township’s Fourth Round fair share obligations as a Present Need of 61 units and a Prospective Need of 480 units, which no party appealed, and ordering the Township to file a Housing Element and Fair Share Plan (“HEFSP”) by June 30, 2025; and
- WHEREAS, the Township having filed its HEFSP on June 26, 2025 (“HEFSP”); and
- WHEREAS, Fair Share Housing Center (“FSHC”) having filed a challenge pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) regarding the Township’s HEFSP on August 12, 2025; and
- WHEREAS, In addition to FSHC, four other objectors, consisting of Tri-State Petro Inc., WWM Properties, ALR West Windsor Property LLC, and AvalonBay Communities, Inc., having filed challenges to the Township’s HEFSP (collectively, the “Other Challengers”); and
- WHEREAS, the Township and FSHC having agreed to amicably resolve the issues set forth in the challenge through a settlement agreement (entitled “Mediation Agreement Before the Affordable Housing Dispute Resolution Program,” referred to herein as the “Settlement Agreement”), which will be presented for review by the Program and referral to the Mount Laurel judge pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) and Administrative Directive #14-24, which, if approved, will result in a compliance certification for the Township for the Fourth Round; and
- WHEREAS, the Township has prepared its HEFSP and Appendices in accordance with the Amended Fair Housing Act, with considerable input from the Township staff; and
- WHEREAS, the Planning Board duly adopted the HEFSP at the meeting on June 25, 2025; and
- WHEREAS, some changes were subsequently made to the HEFSP as a result of settlement discussions with FSHC and other participants in the Fourth Round process, consisting mainly of the addition of the “Tractor Supply/ALR” site, the addition of inclusionary/age-restricted development units by BXP, already in the Plan, and more units at the Obals/LaPlaca site, also already in the Plan, as further described in the revised HEFSP; and

WHEREAS with respect to the Other Challengers, ALR is now in the Program and will be withdrawing its challenge; Avalon Bay and the Township agreed to a modification of its Third Round W Squared development and AVB will also be withdrawing its challenge; and while settlement has not been reached with WWM or Tri-State Petro, who were both seeking to have their sites included in the Plan, it is not expected that they will prevent the Township from obtaining Compliance and immunity; and

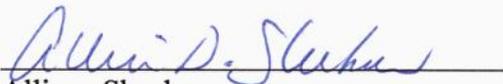
WHEREAS, the Settlement Agreement is the result of extensive discussions with FSHC, with input from Township staff; and

WHEREAS, it is in the best interests of the Township for the Township Council to enter into the Settlement Agreement in order to obtain a court-ordered Certification of Compliance with the Fair Housing Act, and immunity from builder's remedy lawsuits.

NOW, THEREFORE, BE IT RESOLVED on this 26th day of January, 2026 that the Settlement Agreement between FSHC and the Township in the form attached hereto be approved and the Mayor and the Clerk be authorized and directed to execute the same.

ADOPTED: February 2, 2026

I hereby certify the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 2nd day of February, 2026.



Allison Sheehan
Township Clerk
West Windsor Township

MULLER & BAILLIE, P.C.

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MEMORANDUM

To: Township Council
From: Martina Baillie, Esq
cc: Marlena Schmid
John Mauder
Samuel Surtees
Re: Fourth Round Settlement Agreement
Date: January 14, 2026 - for Township Council meeting on January 26, 2026

The Township Council is asked to approve a settlement agreement (“Agreement”) between the Township and Fair Share Housing Center in the form attached hereto (titled, “Mediation Agreement Before the Affordable Housing Despite Resolution Program”), which will end the litigation brought by Fair Share Housing Center (“FSHC”) against the Township challenging its Fourth Round Housing Element & Fair Share Plan (“Plan”). It is expected that the Program Judge, Judge Jacobson, will accept the Agreement and approve the Plan and recommend the same to the Mount Laurel Judge, Judge Lougy, and that Judge Lougy will accept Judge Jacobson’s recommendation and issue a Certification of Compliance for the Township, entitling it to immunity from builder’s remedy lawsuits.

The Agreement sets forth the Township’s fair share obligations and outlines the Township’s plan to satisfy these obligations. This includes the Township’s Fourth Round Program to meet its prospective need obligation of 480 affordable housing credits, a number that was already established at a prior stage of the Fourth Round process. The Township anticipates exceeding the prospective need number by 27, with a total of 507 credits, consisting of 411 actual affordable units and 96 bonus credits. The mechanisms to meet these obligations are detailed in the

Township's Plan, endorsed by Council on June 18, 2025, with a few changes made to the Plan thereafter as a result of settlement discussions with FSHC and other participants in the Fourth Round process. The main changes are the inclusion of another site, referred to as the "Tractor Supply (ALR)" site, which proposes an inclusionary development with 54 affordable units, the addition of inclusionary/age-restricted development units by BXP, already in the Plan, and more units at the Obals/LaPlaca site, also already in the Plan. The Agreement sets forth some conditions in Paragraph 9, to provide certain documentation, such as updated zoning ordinances and spending plan, all of which the Township will or has done.

The Agreement is the result of extensive discussions with FSHC, with input from Township staff. It cannot be changed as FSHC will not accept further changes given its obligation to submit an agreement to Judge Jacobson in short order, and FSHC will sign it as soon as Council approves it.

With respect to the other parties that challenged the Township's previously adopted Plan, the following is noted: ALR is now in the Program and will be withdrawing its challenge; Avalon Bay and the Township agreed to a modification of its Third Round W Squared development and AVB will also be withdrawing its challenge; and while settlement has not been reached with WWM or Tri-State Petro, who were both seeking to have their sites included in the Plan, it is not expected that they will prevent the Township from obtaining Compliance and immunity.

MEDIATION AGREEMENT BEFORE THE AFFORDABLE HOUSING DISPUTE
RESOLUTION PROGRAM

In the Matter of the Application of the Township of West Windsor, County of Mercer
Docket No. MER-L-204-25

WHEREAS, the Township of West Windsor (the “Township” or “West Windsor”) having filed a resolution of participation in the Affordable Housing Dispute Resolution Program (the “Program”) and a declaratory judgment action pursuant to N.J.S.A. 52:27D-301 et. seq. (the “Fair Housing Act”) on January 28, 2025; and

WHEREAS, the Court entered an order on April 8, 2025 setting the Township’s Fourth Round fair share obligations as a Present Need of 61 units and a Prospective Need of 480 units, which no party appealed, and ordering the Township to file a Housing Element and Fair Share Plan (“HEFSP”) by June 30, 2025; and

WHEREAS, the Township having filed its HEFSP on June 26, 2025 (“Adopted HEFSP”);
and

WHEREAS, FSHC having filed a challenge pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) regarding the Township’s HEFSP on August 12, 2025; and

WHEREAS, Tri-State Petro Inc. having filed a challenge pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) regarding the Township’s HEFSP on August 28, 2025; and

WHEREAS, ALR West Windsor Property LLC having filed a challenge pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) regarding the Township’s HEFSP on August 28, 2025; and

WHEREAS, AvalonBay Communities, Inc. having filed a challenge pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) regarding the Township’s HEFSP on September 2, 2025; and

WHEREAS, WWM Properties West, LLC having filed a challenge pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) regarding the Township’s HEFSP on August 29, 2025; and

WHEREAS, the Township and FSHC have agreed to amicably resolve the issues set forth in the challenge through this mediation agreement and present this agreement for review by the Program and referral to the Mount Laurel judge pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) and Administrative Directive #14-24, which if approved will result in a compliance certification for the Township for the Fourth Round;

THEREFORE, the Township and FSHC agree:

Fair Share Obligations

1. The Township’s Present Need or Rehabilitation Obligation is 61, the Township’s Prior Round Obligation (1987-1999) is 899, the Township’s Third Round Obligation (1999-2025) is 1,500, the Township’s Fourth Round Prospective Need (2025-2035) is 480.

Satisfaction of Fair Share Obligations

2. The Township conducted a structural conditions survey pursuant to NJAC 5:93-5.2(a) which reduced its rehabilitation obligation from 61 units to 4 units. The Township will address its remaining Present Need via its municipal owner-occupied housing rehabilitation program, administered by Piazza & Associates, Inc. In addition, the Township will also create and administer a cost closing program, a homeowners association fees program, and a veterans ownership maintenance assistance program.
3. The Township’s Prior Round Obligation is 899 and has been met with the following mechanisms:

MECHANISM	TYPE	UNITS	BONUS	TENURES	STATUS
Avalon Watch	Inclusionary	103	103	Rental	Complete
Windsor Haven	Inclusionary	37	0	Sale	Complete
Windsor Ponds	Inclusionary	39	0	Sale	Complete
Meadow Lane Apartments	Inclusionary	35	0	Rental	Complete

Bear Creek-The Hamlet	Inclusionary	61	0	Rental	Complete
Bear Creek-Village Grande	Inclusionary/ Age-Restricted	14	0	Sale	Complete
Bear Creek Senior Living	Age-Restricted	10	0	Rental	Complete
Estates at Princeton Junction	Inclusionary	136	122	Rental	Complete
The Gables	100% Affordable/ Age-Restricted	84	0	Rental	Complete
Walden Woods	100% Affordable	16	0	Sale	Complete
Enable	Alternative Living Arrangement	3	0	Rental	Complete
SERV	Alternative Living	3	0	Rental	Complete
Eden-Village Road West	Alternative Living	7	0	Rental	Complete
Eden-Wood Hollow Road	Alternative Living	5	0	Rental	Complete
Windsor Ponds RCA	Regional Contribution Agreement	20	0	-	Complete
Nassau Pavilion RCA	Regional Contribution Agreement	80	0	-	Complete
Renaissance RCA	Regional Contribution Agreement	21	0	-	Complete
Prior Round Total: 899		674	225		

4. The Township's Third Round Obligation is 1,500 and shall be met with the following mechanisms:

MECHANISM	TYPE	UNITS	BONUS	TENURE	STATUS
Estates at Princeton Junction	Inclusionary	39	39	Rental	Complete
The Elements at West Windsor	Inclusionary/ Age- Restricted	6	0	Sale	Complete
WW Gardens/ Princeton Terrace 1	Inclusionary	69	69	Rental	Complete
WW Gardens/ Princeton Terrace 2	Inclusionary	24	24	Rental	Complete
Artis	Inclusionary/Age- Restricted	6	0	Rental	Complete
Avalon Watch	Extension of Controls	103	0	Rental	Complete
Windsor Haven	Extension of Controls	37	0	Sale	Complete
Community Options	Alternative Living	3	3	Rental	Complete
Maneely/Toll	Inclusionary	6	6	Rental	Complete

Project Freedom	100% Affordable	54	54	Rental	Complete
	Alternative Living	24	24	Rental	Complete
Ellsworth Center	Inclusionary	6	6	Rental	Partially constructed
W Squared (formerly Avalon Bay Redevelopment Area)	Inclusionary & Assisted Living	144	100	Rental & Sale	Under construction
Woodmont Way (PTS/Woodstone)	Inclusionary	89	50	Rental	Complete
400 Steps	Inclusionary	36	0	Rental	Approved
The Townes at West Windsor (Heritage Village)	Inclusionary	60	0	Sale	Under construction
	Alternative Living	4	0	Rental	
Princeton Ascend	Inclusionary	5	0	Rental	Complete
Meridian Walk (formerly Duck Pond/Garden Homes)	Inclusionary	100	0	Rental	Under construction
The Lofts at Princeton (formerly Princeton Executive Park, Roseland/Mack Cali)	Inclusionary	164	0	Rental	Under construction
VCC Princeton Junction (formerly Sun Bank Property)	Inclusionary	3	0	Rental	Under construction
Dr. Mian Property	Inclusionary	2	0	Rental	Proposed
Bear Creek Senior Living	Inclusionary/ Age-Restricted	51	0	Rental	Under construction
Bear Brook Homes	Inclusionary	2	0	Sale	Under construction
HomeFront	Alternative Living	5	0	Rental	Under construction
Regency at West Windsor (formerly the Reserve)	Inclusionary/ Age-Restricted	22	0		Under Construction
Beer Creak – The Hamlet	Extension of Controls	61	0	Rental	Complete
Third Round Total: 1,500		1,125	375		

5. The Township's Fourth Round Prospective Need Obligation is 480 and shall be met with the following mechanisms, further described in **Exhibit A**:

MECHANISM	TYPE	UNITS	BONUS	TENURE	STATUS
BMS Site	Inclusionary	163	81		Proposed

Woodmont Commercial Site	Inclusionary	9	0		Proposed
Obals/LaPlaca	Inclusionary	20	10		Proposed
BXP: Carnegie Center-400 Series	Inclusionary	82	0		Proposed
BXP (Block 7.15 Lot 12.09)	Inclusionary/ Age-Restricted	69	0		Proposed
K. Hovnanian (formerly Ellsworth Center)	Inclusionary	10	5		Proposed
Tractor Supply (ALR Site)	Inclusionary	54	0		Proposed
Eden-Oak Lane	Alternative Living	4	0		Proposed
Fourth Round Total: 507		411	96		

Unit Type and Income Distribution Requirements

6. The Township and FSHC agree that the Township’s HEFSP as presented above satisfies the following standards set forth in P.L. 2024, c. 2, including but not limited to, with respect to the following, and that the Township shall maintain satisfaction with such requirements for the Fourth Round:

- a. Age Restricted Cap. The Township agrees that it shall not exceed the age-restricted cap found in N.J.S.A. 52:27D-311(l), which requires age-restricted units to be capped at 30 percent of the overall Fourth Round affordable housing units that address the Fourth Round Prospective Need obligation exclusive of any bonus credits.

- b. Family units. Pursuant to N.J.S.A. 52:27D-211(l), the Township shall satisfy a minimum of 50 percent of the actual affordable housing units, exclusive of any bonus credits created to address its Fourth Round Prospective Need affordable housing obligation through the creation of housing available to families with children and otherwise in compliance with the requirements and controls established pursuant to Section 21 of P.L.1985, c.222 (C.52:27D-321).
- c. Rental and family rental units. Pursuant to N.J.S.A. 52:27D-311(l), at least 25 percent of the actual affordable housing units, exclusive of any bonus credits, created to address its Prospective Need affordable housing obligation shall be addressed through rental housing, including at least half as available to families with children.
- d. Very low-income units. Pursuant to N.J.S.A. 52:27D-329.1, 13 percent of all affordable units referenced in this Agreement addressing the Township's Prospective Need obligation shall be very low-income units for households earning 30 percent or less of the regional median income, with half of the very low-income units being available to families.
- e. All new construction units shall be adaptable in conformance with P.L.2005, c.350/N.J.S.A. 52:27D-311(a) and (b), and all other applicable law.
- f. All Prior Round and Third Round compliance shall continue to meet with the applicable percentages and standards for bonuses, family and senior housing, rental and family rental, very low-income units, and adaptability set forth in any prior settlement agreement between FSHC and the Township, statutory requirements, and the Prior Round and Third Round regulations.

7. In all developments that produce affordable housing, the Township and FSHC agree that, unless varied by a prior court order of the trial court, the below terms shall apply:
- a. All of the affordable units shall fully comply with the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1, et seq. (“UHAC”), including but not limited to the required bedroom and income distribution, length of affordability controls, and phasing of affordable units.
 - b. The applicability of the updated form of UHAC versus the prior form of UHAC shall be as set forth in the statute and most current form of UHAC adopted by HMFA. Any terms of a prior agreement, judgment, or grant of substantive certification as to prior round of obligations modifying UHAC as to affordability controls longer than the now current regulations or as to very low-income units shall remain in effect as to those prior rounds of obligations.
 - c. The Township agrees that in order to meet the low-income and very low-income requirement of the Fair Housing Act, it shall adopt an ordinance requiring for all affordable housing developments in its HEFSP that 50 percent of the affordable units within each bedroom distribution shall be required to be for low-income households earning 50 percent or less of the regional median income, including 13 percent of the affordable units within each bedroom distribution shall be required to be for very low-income households earning 30 percent or less of the regional median income.
 - d. The Township agrees to review its Affordable Housing Ordinance and other ordinances to ensure that it complies with the most up to date requirements of

UHAC and revise those ordinances accordingly as part of its Fourth Round HEFSP and implementing ordinances.

- e. The affordable units shall be affirmatively marketed in accordance with UHAC and applicable law. The affirmative marketing shall include posting of all affordable units on the New Jersey Housing Resource Center website in accordance with applicable law. The affirmative marketing plan shall include the following community and regional organizations: FSHC; the Latino Action Network; Willingboro NAACP; Trenton NAACP; Mercer Alliance; HomeFront; and the Supportive Housing Association.

Process for Approval and Implementation

8. Pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) and Administrative Directive #14-24, the municipality and FSHC recognize that the Program and/or county level housing judge must still review this agreement and the resulting HEFSP and implementing ordinances and resolutions for compliance with the Fair Housing Act prior to issuing a compliance certification, as follows:
 - a. The Township and FSHC shall present this mediation agreement to the Program member for review upon full execution by both parties.
 - b. The Program Member shall review the agreement and if satisfied with compliance with the Fair Housing Act shall refer this matter to the Mount Laurel judge for review and entry of certification of compliance, conditioned on adoption of all implementing ordinances and resolutions.
 - c. The Township shall adopt all implementing ordinances and resolutions no later than March 15, 2026, including but not limited to the outstanding items identified in the

next paragraph. No later than 48 hours after adoption or March 15, 2026, whichever is sooner, the Township shall file the information required by Paragraph 9 and any other adopted ordinances and resolutions on eCourts.

- d. No later than April 15, 2026, the Township and FSHC shall provide via filing on eCourts a form of consent order granting final compliance certification for the Court's review or identify any remaining issues of compliance that may be disputed at which point the court shall schedule a conference to review any such areas.
 - e. Both parties agree to implement the terms of this Agreement. If the Program, county level housing judge, or any appellate court rejects this Agreement, the parties reserve their right to rescind any action taken in anticipation of the Program's approval and return to status quo ante. All parties shall have an obligation to fulfill the intent and purpose of this Agreement, unless to do so would be inconsistent with the final, unappealable adjudication of any Program or court ruling or judgment. The terms of this agreement may be enforced through an enforcement motion in this declaratory judgment or a separate action before the Program or the Superior Court, Law Division.
9. The Township and FSHC agree that the following conditions remain to be met prior to March 15, 2026 as conditions of compliance certification:
- a. The Township agrees to provide any revised or updated site plan approval for Bear Creek, Ellsworth Center, and 400 Steps before March 15, 2026. The Township agrees to provide annual updates to the court and FSHC on December 31st as to the status of these developments.

- b. The Township will provide a letter or agreement from any property owner in the plan that currently has a site plan approval for a use other than the inclusionary affordable housing use proposed in the Amended HEFSP which confirms the availability of the site and commitment to abandon any existing site plan approval once the inclusionary residential zoning is in place.
 - c. The Township shall provide a draft ordinance or redevelopment plan for any site that needs to be rezoned for the Fourth Round plan by January 31, 2026 and to adopt all ordinances by March 15, 2026.
 - d. The Township will adopt a Fourth Round Spending Plan in accordance with P.L. 2024, c. 2 and the regulations at N.J.A.C. 5:99.
 - e. The Township will update and adopt its affordable housing ordinance, development fee ordinance, affirmative marketing plan, and other administrative documents in accordance with the regulations at N.J.A.C. 5:80-26.1, et seq., and N.J.A.C. by March 15, 2026.
10. The Township's Compliance Certification shall be subject to required ongoing monitoring as follows:
- a. The Township by February 15, 2026, and annually, agrees to electronically enter data into the AHMS system of the Department of Community Affairs of a detailed accounting of all development fees and any other payments into its trust fund that have been collected including residential and non-residential development fees, along with the current balance in the municipality's affordable housing trust fund as well as trust funds expended, including purposes and amounts of such expenditures, in the previous year from January 1st to December 31st.

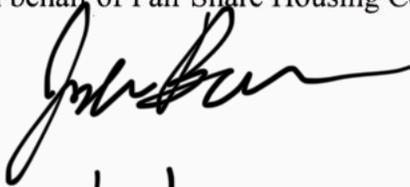
- b. The Township by February 15, 2026, and annually, agrees to electronically enter data into the AHMS system of the Department of Community Affairs of up-to-date municipal information concerning the number of affordable housing units actually constructed, construction starts, certificates of occupancy granted, and the start and expiration dates of deed restrictions. With respect to units actually constructed, the information shall specify the characteristics of the housing, including housing type, tenure, affordability level, number of bedrooms, date and expiration of affordability controls, and whether occupancy is reserved for families, senior citizens, or other special populations.
 - c. For the midpoint realistic opportunity review as of July 1, 2030, pursuant to N.J.S.A. 52:27D-313, the Township or other interested party may file an action through the Program seeking a realistic opportunity review and shall provide for notice to the public, including a realistic opportunity review of any inclusionary development site as set forth in the adopted HEFSP that has not received preliminary site plan approval prior to the midpoint of the 10-year round. Any such filing shall be through eCourts or any similar system set forth by the Program with notice to any party that has appeared in this matter.
11. This Agreement may be executed in counterparts, all of which together shall constitute the same agreement, and any exhibits or schedules attached hereto shall be hereby made a part of this Agreement. This Agreement shall not be modified, amended or altered in any way except by a writing signed by each of the parties. Each party acknowledges that each has entered into this Agreement on its own volition without coercion or duress after consulting with its counsel, that each signatory is the proper person and possesses the authority to sign

the Agreement, and that this Agreement was not drafted by any one of the parties, but was drafted, negotiated and reviewed by all parties, therefore, the presumption of resolving ambiguities against the drafter shall not apply. Unless otherwise specified, it is intended that the provisions of this Agreement are to be severable. The validity of any article, section, clause or provision of this Agreement shall not affect the validity of the remaining articles, sections, clauses or provisions hereof. If any section of this Agreement shall be adjudged by a court to be invalid, illegal, or unenforceable in any respect, such determination shall not affect the remaining sections. No member, official or employee of the municipality shall have any direct or indirect interest in this Agreement, nor participate in any decision relating to the Agreement which is prohibited by law, absent the need to invoke the rule of necessity.

On behalf of the Township of West Windsor:


Hemant Marathe, Mayor
Date: 2/2/26

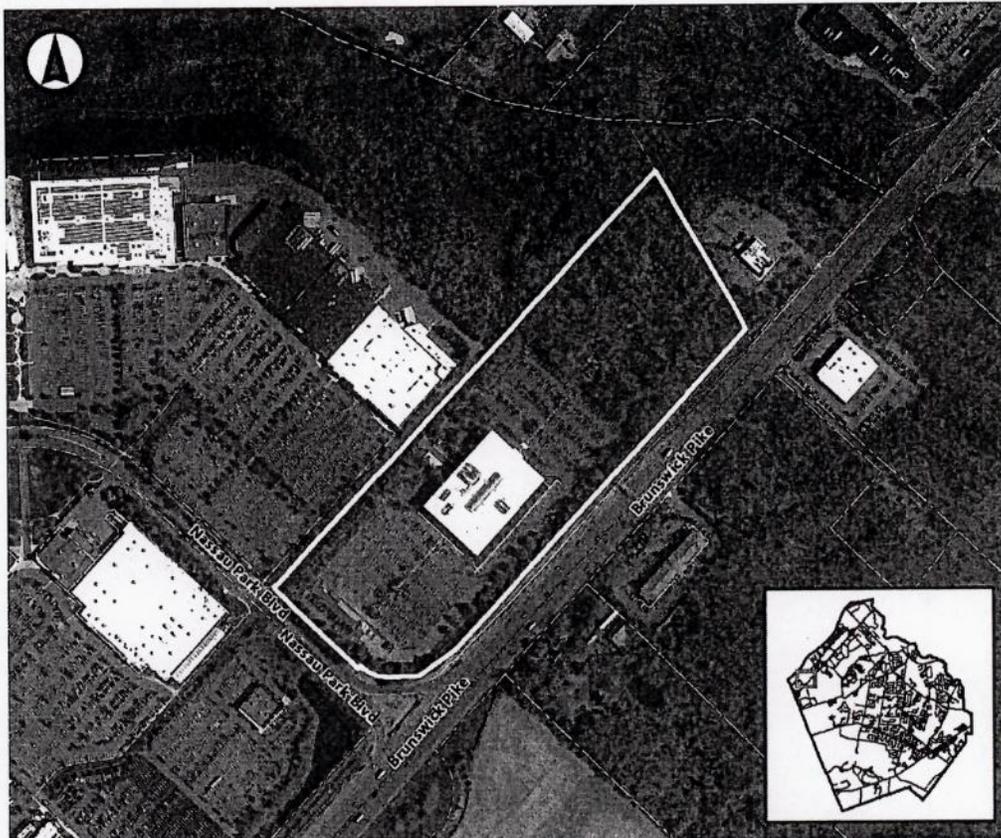
On behalf of Fair Share Housing Center:


Date: 2/12/26


Allison D. Sheehan, Township Clerk
2/2/26

Exhibit A

BMS Site



Map 1: BMS Site (scale: 1" = 600')

The BMS Site, which is identified by municipal tax records as Block 7.04 Lot 1, is located in the westerly portion of the Township at the intersection of US Route 1 and Nassau Park Boulevard. The site has an area of approximately 22.276 acres and is somewhat rectangular in shape. It is presently developed with a three-story office building with associated parking areas located along its southwesterly and northeasterly sides.

The Township intends to rezone the property to a new R-5E Residence District which is designed to encourage an inclusionary multifamily development to replace the existing office building. A draft ordinance has been prepared which permits a density of 29.2 units per acre and a minimum affordable housing set-aside of 25%. The draft ordinance also establishes a maximum height of 6 stories and 70 feet.

The Township anticipates that the site can accommodate a total of 650 residential units, including 163 affordable units. Furthermore, in accordance with NJAC 52:27D-311.k.(6), the Township is eligible to receive one-half bonus credit for affordable units constructed on land that is or was previously developed and utilized for retail, office, or commercial space. Thus, the site can receive 81 bonus credits.

This site represents appropriate location for an inclusionary multifamily development. As encouraged by the State Development and Redevelopment Plan (SDRP) as well as the amended Fair Housing Act (FHA), this component encourages the redevelopment of a property formerly used for commercial purposes. It is also located immediately adjacent to the Nassau Park and Nassau Pavilion shopping centers and thus represents a complementary use which will assist in the viability of those centers by adding an increased customer-base within walking distance thereof. The site is also located in close proximity to other commercial centers and employment opportunities along the US Route 1 corridor. Finally, several bus stops are located along Nassau Park Boulevard.

Accordingly, the BMS Site represents an appropriate location for affordable housing and meets the Four-Prong Test as follows:

1. Approvable Site

The Township has already prepared a draft zoning ordinance which would permit an inclusionary housing development at the site. This ordinance was prepared in concert with a concept plan prepared by the property owner and thus represents a realistic opportunity for development. The site contains wetland areas and a flood hazard area within its northeasterly portion. However, no buildings or parking areas are proposed to be located within this constrained area. The redevelopment of the site will predominantly occur within those areas already disturbed.

2. Available Site

The Township is unaware of any title or easement issues on the site which would interfere with the proposed development.

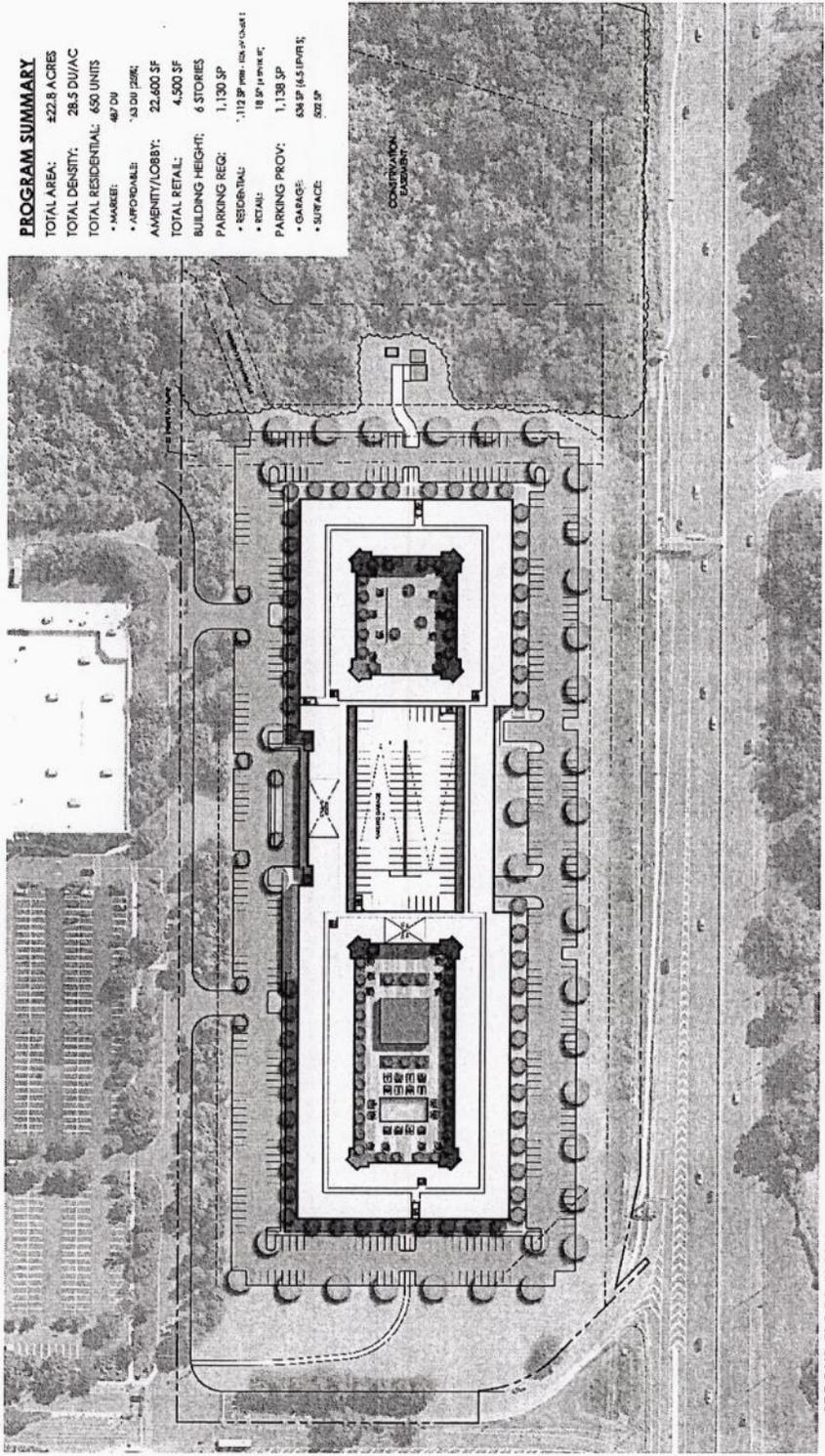
3. Developable Site

The subject site is located in water and sewer service areas.

4. Suitable Site

The site is surrounded by complementary land uses. Most notable are the Nassau Park and Nassau Pavilion shopping centers which are located immediately adjacent to the subject site. Other commercial shopping centers are also located in close proximity to the site, including but not limited to the Quakerbridge Mall, the Mercer Mall, Windsor Green, and the Square at West Windsor. In addition, the BMS Site is located within close proximity to nearby employment centers including the Carnegie Center Office development. Finally, it is within close proximity to several bus stops as well as other nearby existing multifamily developments, including Meridian Walk and Princeton Executive Park. The proposed inclusionary multifamily development at this site is therefore supportive of the SDRP, the amended FHA, and Smart Growth principles.

Based on the above information, the BMS Site is eligible for **163 credits and 81 bonuses** which equate to **244 total credits**.



PROGRAM SUMMARY
 TOTAL AREA: 422.8 ACRES
 TOTAL DENSITY: 28.5 DU/AC
 TOTAL RESIDENTIAL: 650 UNITS
 MARKET: 487 DU
 AFFORDABLE: 163 DU (25%)
 AMENITY/LOBBY: 22,600 SF
 TOTAL RETAIL: 4,500 SF
 BUILDING HEIGHT: 6 STORIES
 PARKING REQ: 1,130 SP
 RESIDENTIAL: 112 SP (17% of total)
 RETAIL: 18 SP (1.6%)
 PARKING PROV: 1,138 SP
 GARAGE: 528 SP (46.4%)
 SURFACE: 522 SP

CONCEPT SITE PLAN
 DATE: 12/09/2025

3441 BRUNSWICK PIKE
 WEST WINDSOR TOWNSHIP, NEW JERSEY
CONTR. # 2025-01-0000-000-0000-0000-0000

AVG PARTNERS

SECOND FLOOR PLAN
 SCALE: 1" = 40'-0"

MINNO WASKO
 ARCHITECTS AND PLANNERS
100 LAWRENCE STREET, SUITE 1100, HARTFORD, CONNECTICUT 06103
 TEL: 860.234.1100 FAX: 860.234.1101 WWW.MWASO.COM

Woodmont Commercial Site



Map 2: Woodmont Commercial Site (scale: 1" = 400') (note: condo line is approximate)

The Woodmont Commercial Site, which is identified by municipal tax records as Block 86 Lot 58.02, is located in the northwesterly portion of the Township near the intersection of Meadow Road and Canal Pointe Boulevard. The site has a condo lease area of approximately 1.54 acres and is irregular in shape.

In July of 2024, the site received preliminary and final site plan approval for the development of a day care center and an office building. The Township intends to rezone the portion of the site approved for the office building to a new R-5F Residence District. This new district is designed to encourage an inclusionary multifamily development. A draft ordinance has been prepared which permits a maximum density of 24 units per acre and a minimum affordable housing set-aside of 25%. The draft ordinance also establishes a maximum height of 4 stories and 60 feet.

The Township anticipates that the site can accommodate a total of 35 residential units, including 9 affordable units.

This site represents appropriate location for an inclusionary multifamily development. It is located within walking distance of the MarketFair shopping center and thus represents a complementary use which will assist in the viability of that center by adding an increased local customer base. The site is also located in close proximity to other commercial centers and employment opportunities along the US Route 1 corridor. Finally, several bus stops are located within walking distance of the property.

Accordingly, the Woodmont Commercial Site represents an appropriate location for affordable housing and meets the Four-Prong Test as follows:

1. Approvable Site

The Township has already prepared a draft zoning ordinance which would permit an inclusionary housing development at the site. This ordinance was prepared in concert with a concept plan prepared by the site's prospective developer and thus represents a realistic opportunity for development.

Furthermore, the site does not contain any significant environmental constraints.

2. Available Site

The Township is unaware of any title or easement issues on the site.

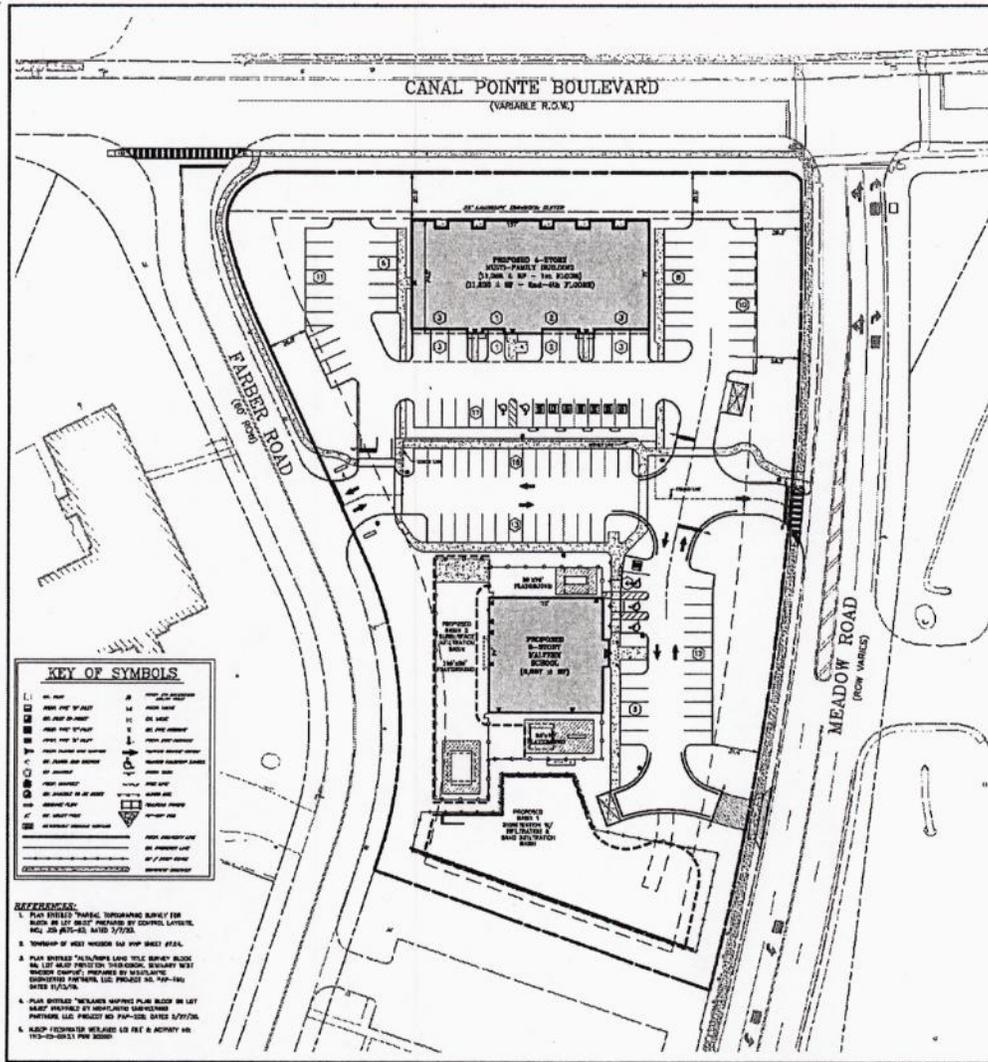
3. Developable Site

The subject site is located in water and sewer service areas.

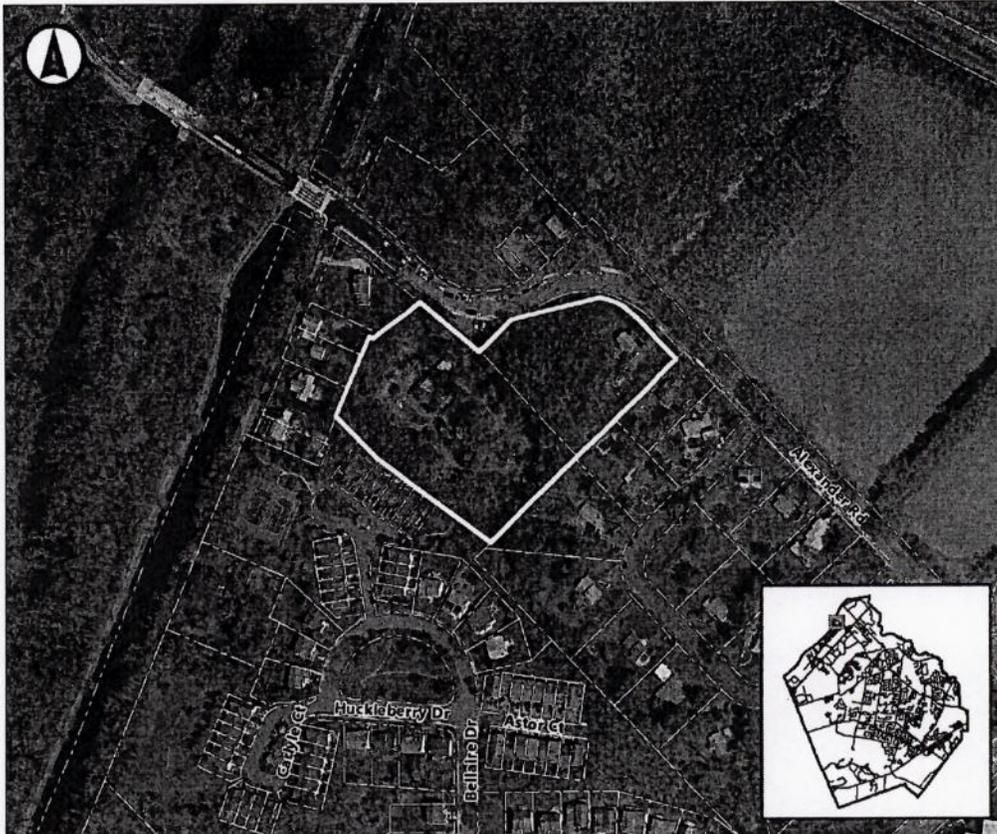
4. Suitable Site

The site is surrounded by several complementary land uses. Several shopping centers are located in close proximity to the site, including but not limited to MarketFair, Windsor Green, and the Square at West Windsor. Employment centers, including the Carnegie Center office development, are also located in close proximity to the site. In addition, the site is situated near other existing multifamily developments including Woodmont Way, Princeton Executive Park, and Meridian Walk. The proposed inclusionary multifamily development at this site is therefore a complementary use and is supportive of the SDRP and Smart Growth principles.

Based on the above information, the Woodmont Commercial Site is eligible for **9 credits**.



Obal's/LaPlaca



Map 3: Obals/LaPlaca

The Obals/LaPlaca Site, which is identified by municipal tax records as Block 7 Lots 9.01 and 31, is located near the northerly corner of the Township. The site has a collective area of approximately 5.18 acres and is irregular in shape. Lot 9.01 is presently developed with a boarding house, while Lot 31 is developed with a former commercial nursery.

The Township intends to rezone the property to a new R-5G Residence District which is designed to encourage an inclusionary multifamily development. A draft ordinance has been prepared which permits a maximum density of 15.6 units per acre and a minimum affordable housing set-aside of 25%. The draft ordinance also establishes a maximum height of 4 stories and 50 feet.

The Township anticipates that the site can accommodate a total of 80 residential units, including 20 affordable units. Furthermore, in accordance with NJAC 52:27D-311.k.(6), the Township is eligible to receive one-half bonus credit for affordable units constructed on land that is or was previously developed and utilized for retail, office, or commercial space. Thus, the site can receive 10 bonus credits.

This site represents appropriate location for an inclusionary multifamily development. As encouraged by the State Development and Redevelopment Plan (SDRP) as well as the amended Fair Housing Act (FHA), this component encourages the redevelopment of a property formerly used for commercial purposes. It is located immediately adjacent to another multifamily development and thus represents a complementary land use. The site is also located in close proximity to other commercial centers and employment opportunities along the US Route 1 corridor.

Accordingly, the Obals/LaPlaca Site represents an appropriate location for affordable housing and meets the Four-Prong Test as follows:

1. Approvable Site

The Township has already prepared a draft zoning ordinance for the site which would permit an inclusionary housing development. This ordinance was prepared in concert with a concept plan prepared by the site's contract purchaser and thus represents a realistic opportunity for development.

Furthermore, the site does not contain any significant environmental constraints.

2. Available Site

The Township is unaware of any title or easement issues on the site.

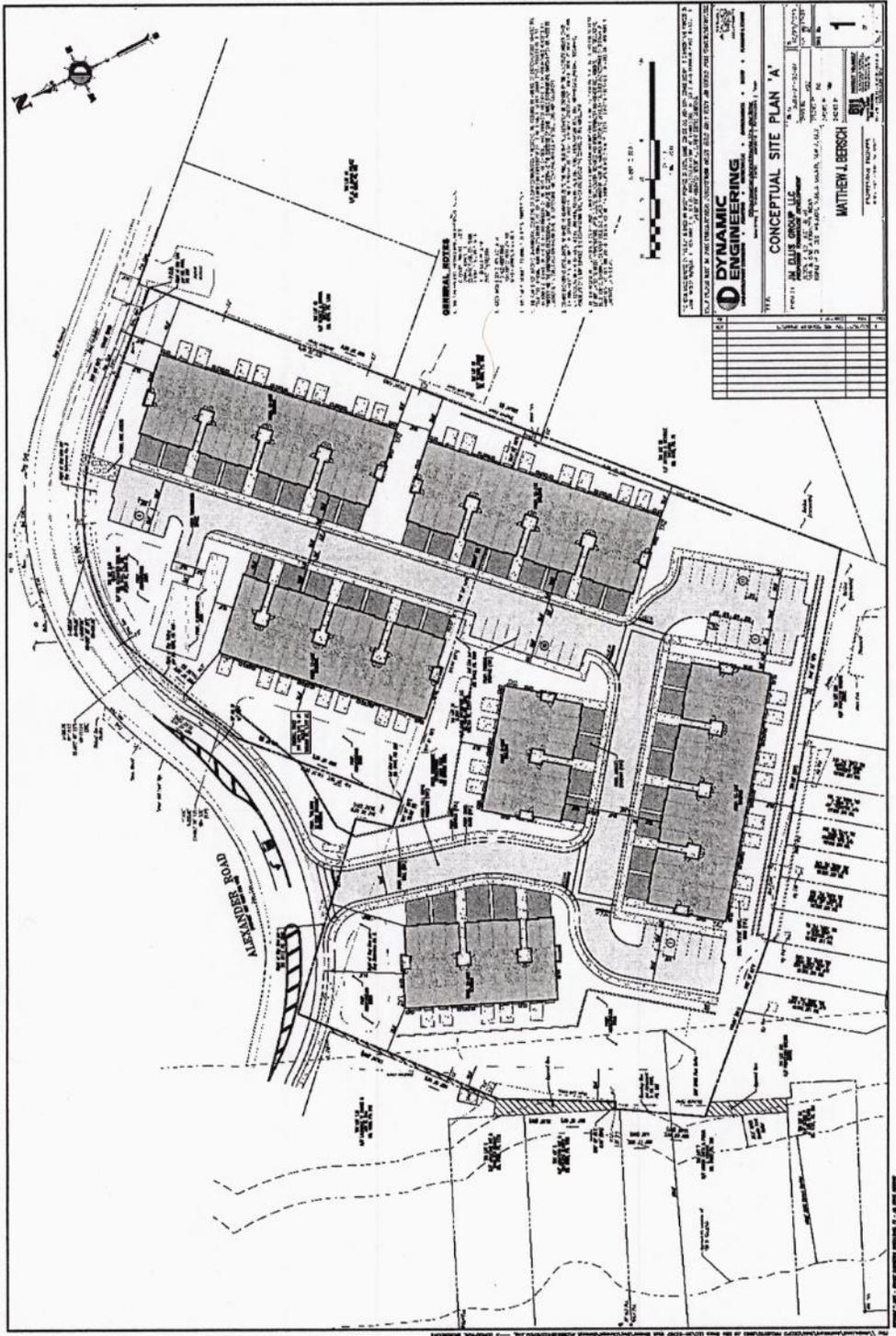
3. Developable Site

The subject site is located in water and sewer service areas.

4. Suitable Site

The site is surrounded by several complementary land uses. The Princeton Greens multifamily development is located to the immediate southwest of the subject site. Furthermore, it is located in close proximity to the US Route 1 corridor and therefore has access to several shopping and employment centers. The proposed inclusionary multifamily development at this site is therefore a complementary use and is supportive of the SDRP, the amended FHA, and Smart Growth principles.

Based on the above information, the Obals/LaPlaca Site is eligible for **30 credits**.



DYNAMIC ENGINEERING
 CONSULTING ENGINEERS
 1000 W. 10th Street, Suite 100
 Oklahoma City, Oklahoma 73106
 Phone: (405) 521-1111
 Fax: (405) 521-1112
 Website: www.dynamic-engineering.com

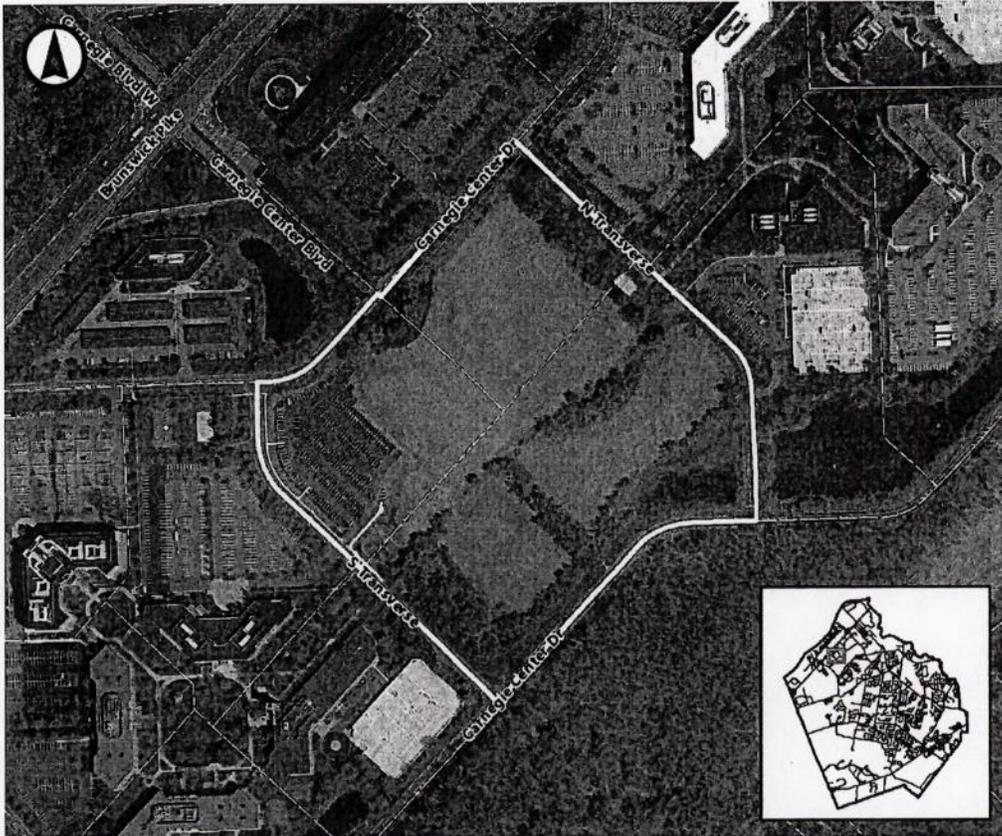
CONCEPTUAL SITE PLAN 'A'

PROJECT: INGLIS GROUP LLC
 1000 W. 10th Street, Suite 100
 Oklahoma City, Oklahoma 73106
 Phone: (405) 521-1111
 Fax: (405) 521-1112
 Website: www.dynamic-engineering.com

MATTHEW J. BERSCH
 PROJECT MANAGER
 1000 W. 10th Street, Suite 100
 Oklahoma City, Oklahoma 73106
 Phone: (405) 521-1111
 Fax: (405) 521-1112
 Website: www.dynamic-engineering.com

NO.	DATE	DESCRIPTION
1	10/1/2011	ISSUED FOR PERMIT

BXP: Carnegie Center 400 Series



Map 4: BXP: Carnegie Center – 400 Series (scale: 1" = 500')

The BXP: Carnegie Center – 400 Series Site, which is identified by municipal tax records as Block 9 Lots 84 and 85, is located in the northwesterly portion of the Township near the intersection of Carnegie Center Boulevard and Carnegie Center Drive. The site has a collective area of approximately 27.5 acres and is irregular in shape. While it received site plan approval for an office development, it remains undeveloped except for a parking lot located in its northwesterly corner.

The Township intends to rezone the property to a new R-5H Residence District which is designed to encourage an inclusionary multifamily development. A draft ordinance has been prepared which permits a maximum density of 11.8 units per acre and a minimum affordable housing set-aside of 25%. The draft ordinance also establishes a maximum height of 4 stories and 65 feet.

The Township anticipates that the site can accommodate a total of 326 residential units, including 82 affordable units.

This site represents appropriate location for an inclusionary multifamily development. It is located within the Carnegie Center office development and thus has immediate access to an employment center located within walking distance. The site is also located in close proximity to other commercial centers and employment opportunities along the US Route 1 corridor. Finally, several bus stops are located in close proximity to the site.

Accordingly, the BXP: Carnegie Center – 400 Series Site represents an appropriate location for affordable housing and meets the Four-Prong Test as follows:

1. Approvable Site

The Township has already prepared a draft zoning ordinance which would permit an inclusionary housing development at the site. This ordinance was prepared in concert with a concept plan prepared by the property owner as well as the site's contract purchaser and thus represents a realistic opportunity for development.

The site contains isolated, non-connected wetlands which can be mitigated off-site through a wetlands mitigation bank.

2. Available Site

The Township is unaware of any title or easement issues on the site.

3. Developable Site

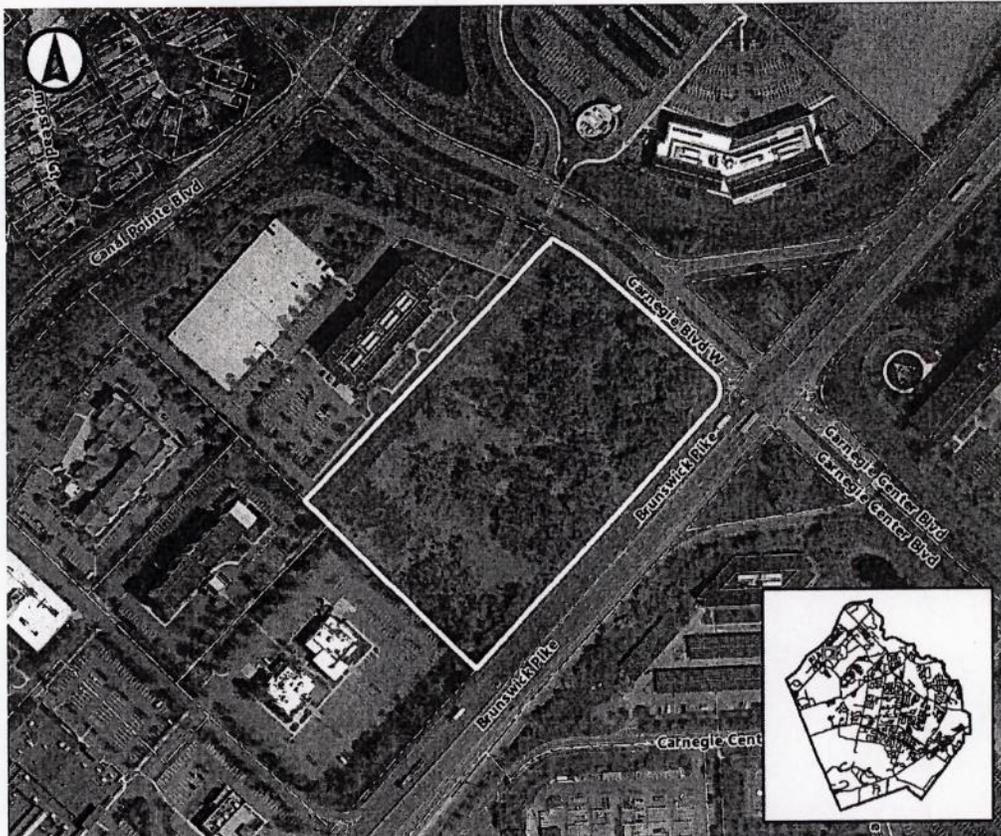
The subject site is located in water and sewer service areas.

4. Suitable Site

The site is surrounded by complementary land uses. Several shopping centers, including MarketFair, Windsor Green, and the Square at West Windsor, are located within close proximity to the subject site. Employment centers, including the Carnegie Center office development, are also located in close proximity to the site. In addition, the site is situated near other multifamily developments including Woodmont Way, Princeton Executive Park, and Meridian Walk. The proposed inclusionary multifamily development at this site is therefore a complementary use and is supportive of the SDRP and Smart Growth principles.

Based on the above information, the BXP: Carnegie Center – 400 Series Site is eligible for **82 credits**.

BXP: Carnegie Center 901 Series



Map 5: BXP: Carnegie Center – 901 Series (scale: 1" = 400')

The BXP: Carnegie Center – 901 Series Site, which is identified by municipal tax records as Block 7.15 Lot 12.09, is located in the northwesterly portion of the Township near the intersection of US Route 1 and Carnegie Center Boulevard. The site has an area of approximately 10 acres and is mostly rectangular in shape. While it received site plan approval for an office development, it remains undeveloped.

The Township intends to rezone the property to a new R-5I Residence District. This new zone is designed to encourage an inclusionary multifamily development, with the option of an age-restricted inclusionary multifamily development. A draft ordinance has been prepared which permits a maximum density of 27.5 units per acre and a minimum affordable housing set-aside of 25%. The draft ordinance also establishes a maximum height of 4 stories and 65 feet.

The Township anticipates that the site can accommodate a total of 275 residential units, including 69 affordable units.

This site represents appropriate location for an inclusionary multifamily development. It is located immediately adjacent to the MarketFair shopping center and thus represents a complementary use which will assist in the viability of those centers by adding an increased customer-base within walking distance thereof. The site is also located in close proximity to other commercial centers and employment opportunities along the US Route 1 corridor. Finally, several bus stops are located along Nassau Park Boulevard.

The BXP: Carnegie Center – 400 Series Site represents an appropriate location for affordable housing and meets the Four-Prong Test as follows:

1. Approvable Site

The Township has already prepared a draft ordinance which would permit an inclusionary housing development at the site. This ordinance was prepared in concert with a concept plan prepared by the property owner as well as the site's contract purchaser and thus represents a realistic opportunity for development.

Furthermore, the site does not contain any significant environmental constraints.

2. Available Site

The Township is unaware of any title issues on the site. While a site line easement exists on site, it is presently unenforced as evidenced by the property's existing vegetation and will be removed prior to construction.

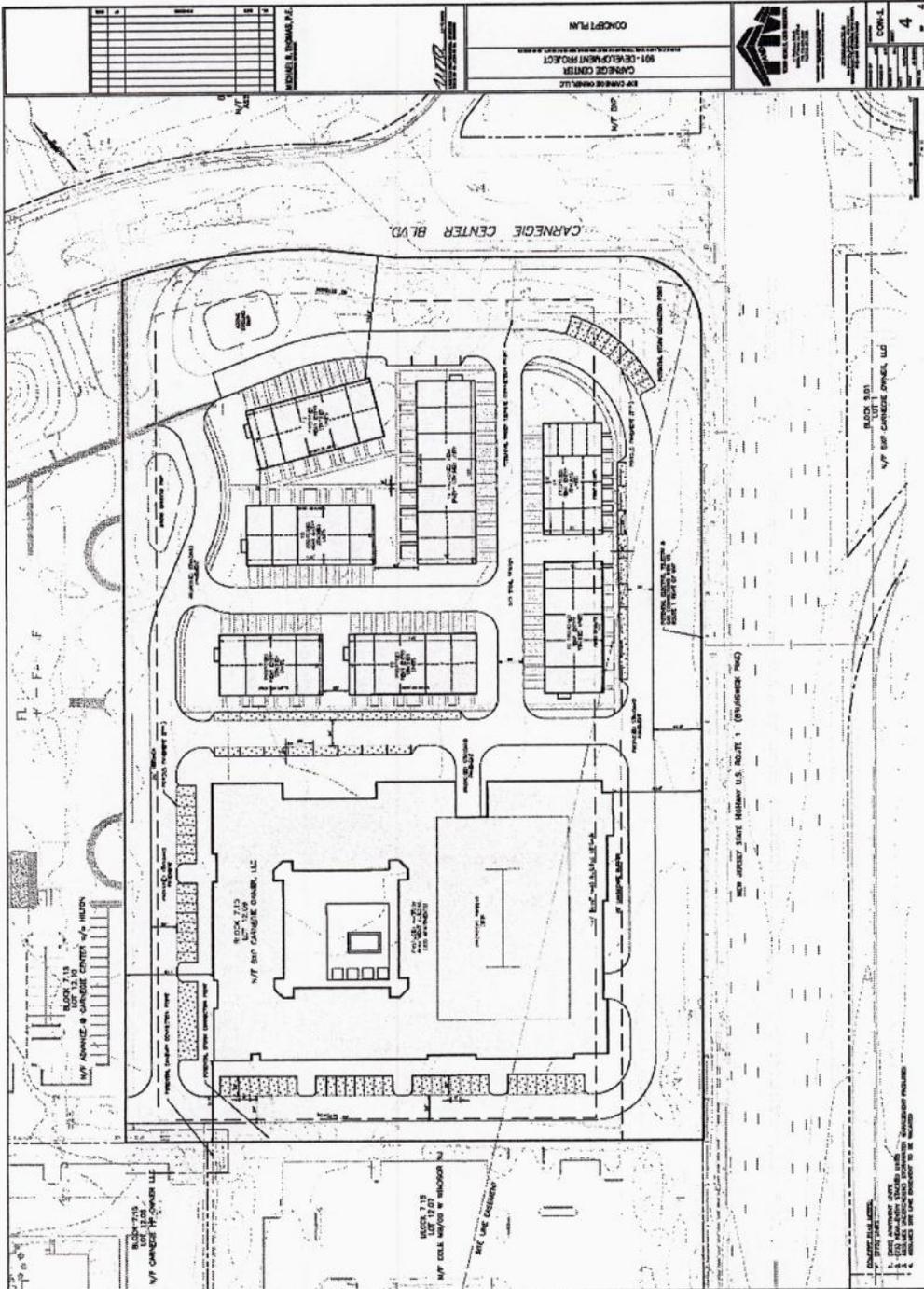
3. Developable Site

The subject site is located in water and sewer service areas.

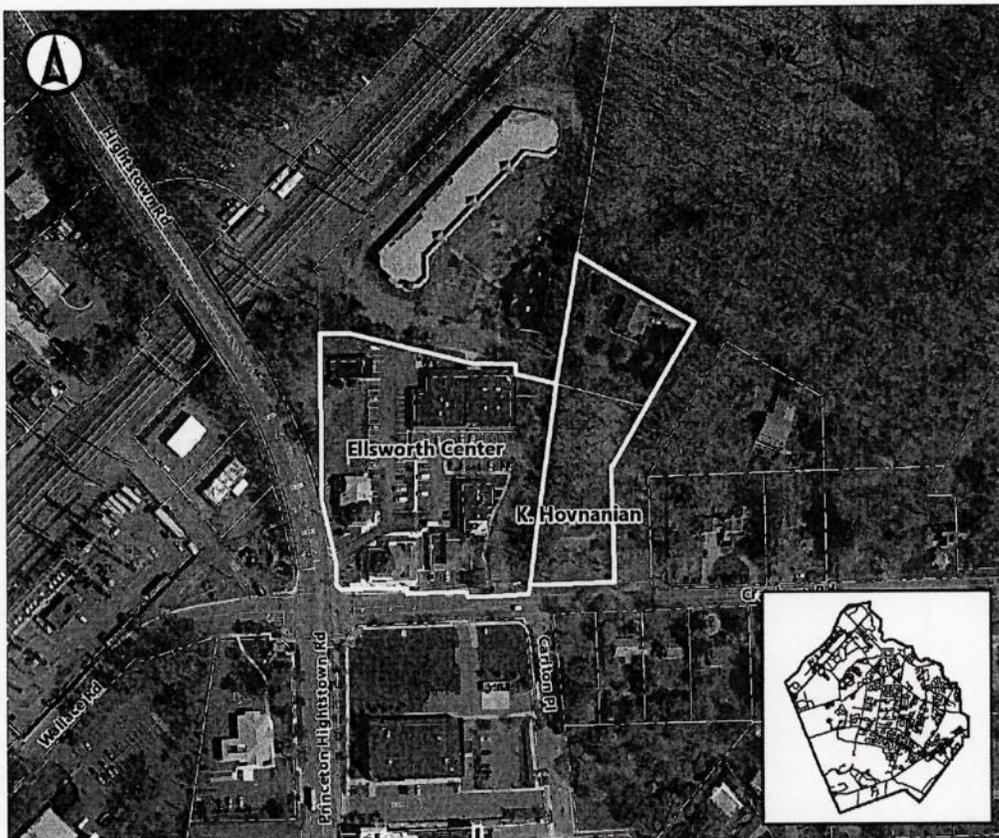
4. Suitable Site

The site is surrounded by complementary land uses. The MarketFair shopping center is located immediately adjacent to the site, while Windsor Green and the Square at West Windsor are located in close proximity as well. Employment centers, including the Carnegie Center office development, are also located in close proximity to the site. In addition, the site is situated near other existing multifamily developments including Woodmont Way, Princeton Executive Park, and Meridian Walk. The proposed inclusionary multifamily development at this site is therefore a complementary use and is supportive of the SDRP and Smart Growth principles.

Based on the above information, the BXP: Carnegie Center – 901 Series Site is eligible for **69 credits**.



K. Hovnanian (renamed from Ellsworth Center)



Map 6: The Ellsworth Site (scale: 1" = 300')

The K. Hovnanian Site, which is identified by municipal tax records as Block 5 Lots 62 and 76, is located in the north-central portion of the Township at the intersection of Princeton Hightstown Road and Cranbury Road.

As detailed in the HE&FSP, the K. Hovnanian Site was formerly part of the Ellsworth Center which had received a series of approvals for a mixed use development permitting 30 total units of which 6 were to be affordable. Subsequently, the Ellsworth Center prepared a revised concept plan for Block 5 Lots 20 and 20.01 through 20.04 which is included herein. This concept plan reduces the total number of units from 30 to 26 and maintains the aforementioned 6 affordable units which will continue to be applied to the Third Round.

Block 5 Lots 62 and 76 are now to be developed separately by K. Hovnanian as a townhouse development. The developer has prepared a concept plan which shows 37 total units including 10 affordable units which are to be applied to the Fourth Round. Furthermore, in accordance with NJAC 52:27D-311.k.(3), the Township is eligible to receive one-half bonus credit for affordable units constructed on land that is within a one-half mile radius of a New Jersey Transit rail station. Thus, the site can receive 5 bonus credits.

The Township intends to rezone the K. Hovanian Site to a new RP-7B Princeton Junction Redevelopment Plan District. This district is designed to encourage an inclusionary multifamily development. A draft ordinance has been prepared which permits a density of 25 units per acre.

This site represents appropriate location for an inclusionary multifamily development. The site is located within the Princeton Junction Redevelopment Area, the goal of which is to create a mixed-use environment. It is also located within walking distance of the Princeton Junction Train Station as well as several commercial uses along Princeton-Hightstown Road.

The K. Hovanian Site represents an appropriate location for affordable housing and meets the Four-Prong Test as follows:

1. Approvable Site

The Township has already prepared a draft zoning ordinance which would permit a mixed use inclusionary housing development at the site. This ordinance was prepared in concert with concept plans prepared by the property owner as well as a contract purchaser and thus represents a realistic opportunity for development.

2. Available Site

The Township is unaware of any title or easement issues and construction has commenced for inclusionary development on the property.

3. Developable Site

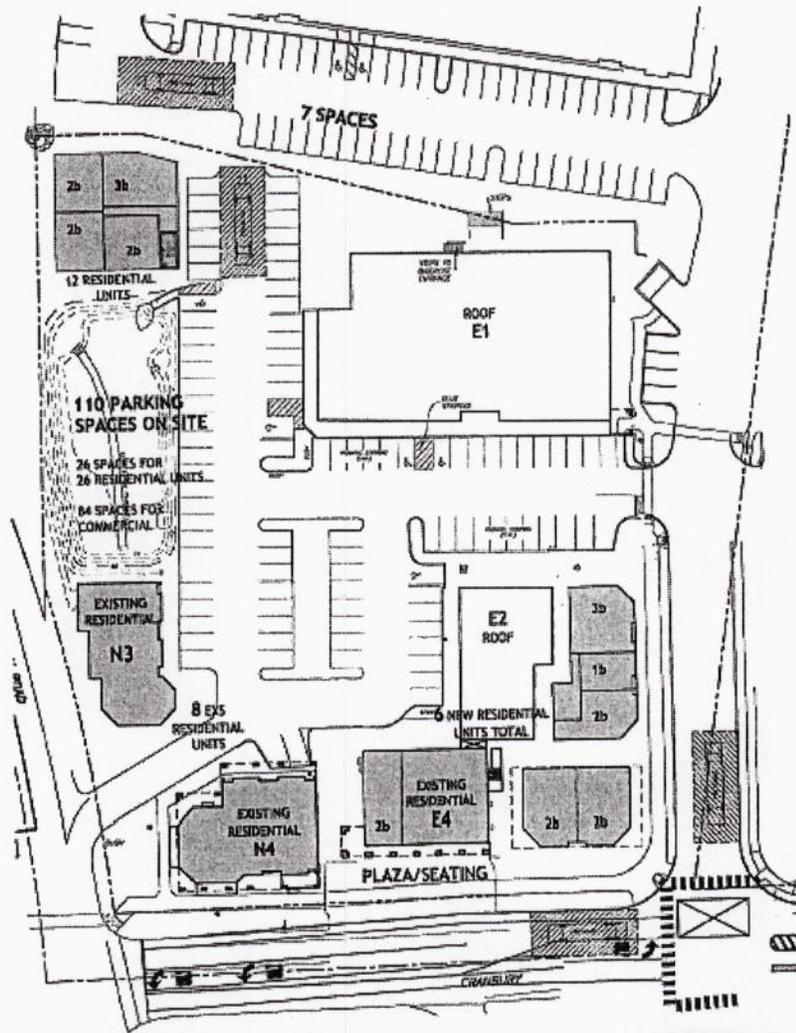
The Township is unaware of any title or easement issues and construction has commenced for inclusionary development on the property.

4. Suitable

The K. Hovanian Site is located in the Princeton Junction Redevelopment Area, the goal of which is to create a mixed-use village environment. It is adjacent to the approved 400 Steps inclusionary development and is within walking distance of the Princeton Junction Train Station as well as several commercial uses. The site also has frontage along Cranbury Road and Princeton-Hightstown Road. There are no known environmental features on the property. The proposed inclusionary multifamily development at this site is therefore a complementary use and is supportive of the SDRP and Smart Growth principles.

Based on the above information, the K. Hovnanian Site is eligible for **15 credits**.¹

¹ Prior iterations of this plan incorrectly identified this component as generated 6 units with 3 bonus credits.



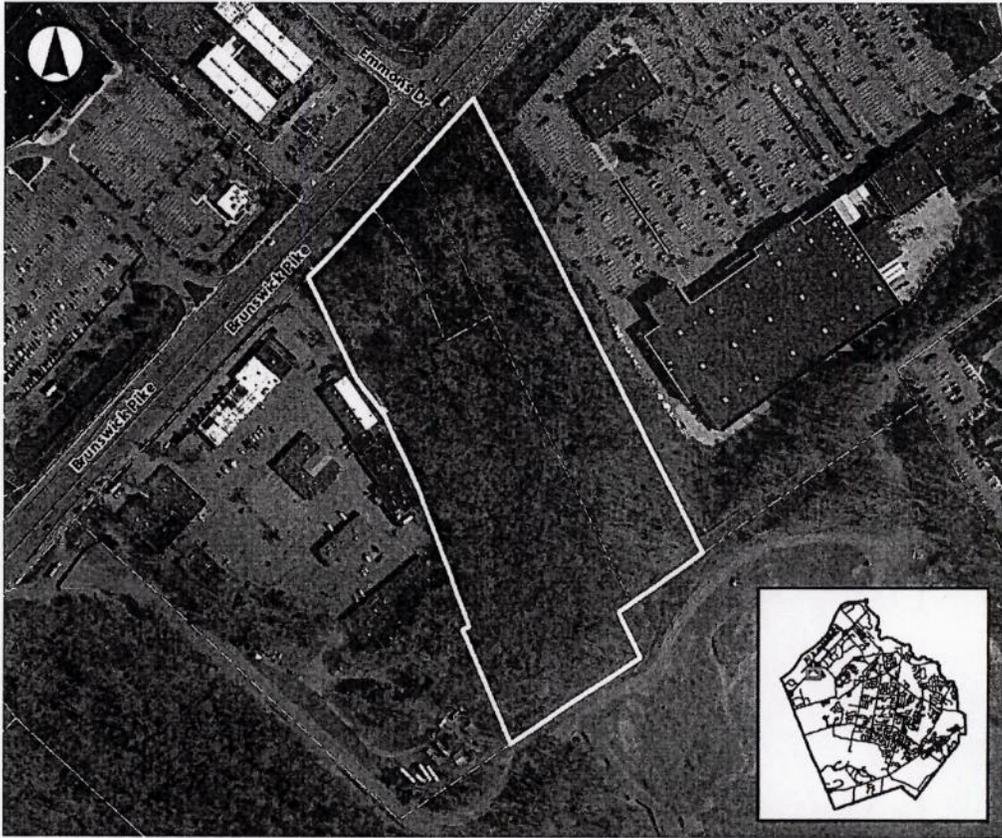
**ELLSWORTH VILLAGE SQUARE
WEST WINDSOR, NJ**

11.13.2025

**REDEVELOPMENT PLAN UPDATE
RESIDENTIAL FLOOR**



ALR (Tractor Supply) Site



Map 7: ALR (Tractor Supply) (scale: 1" = 400')

The ALR (Tractor Supply) Site, which is identified by municipal tax records as Block 8 Lots 17, 25, and 30, is located in the northwesterly portion of the Township along the US Route 1 corridor. The site has a collective area of approximately 12.4 acres and is irregular in shape. While it previously received site plan approval for an urgent care facility, a Tractor Supply retail store, and a hotel, it remains vacant.

The Township intends to rezone the property to a new R-5J Residence District. This new zone is designed to encourage an inclusionary multifamily development. A draft ordinance has been prepared which permits a maximum density of 17.4 units per acre and a minimum affordable housing set-aside of 25%. The draft ordinance also establishes a maximum height of 4 stories and 60 feet.

The Township anticipates that the site can accommodate a total of 216 residential units, including 54 affordable units.

This site represents appropriate location for an inclusionary multifamily development. It is located immediately adjacent to the Square at West Windsor shopping center and thus represents a complementary use which will assist in the viability of those centers by adding an increased customer-base within walking distance thereof. The site is also located in close proximity to other commercial centers and employment opportunities along the US Route 1 corridor. Finally, it is located in close proximity to a bus stop near the intersection of US Route 1 and Meadow Road.

Accordingly, the ALR (Tractor Supply) Site represents an appropriate location for affordable housing and meets the Four-Prong Test as follows:

1. Approvable Site

The Township has already prepared a draft zoning ordinance which would permit an inclusionary housing development at the site. This ordinance was prepared in concert with a concept plan prepared by the prospective developer and thus represents a realistic opportunity for development.

While the site contains a wetland area as well as a floodplain in its southwesterly corner, the proposed improvements will be located outside of these constrained areas.

2. Available Site

The Township is unaware of any title or easement issues on the site.

3. Developable Site

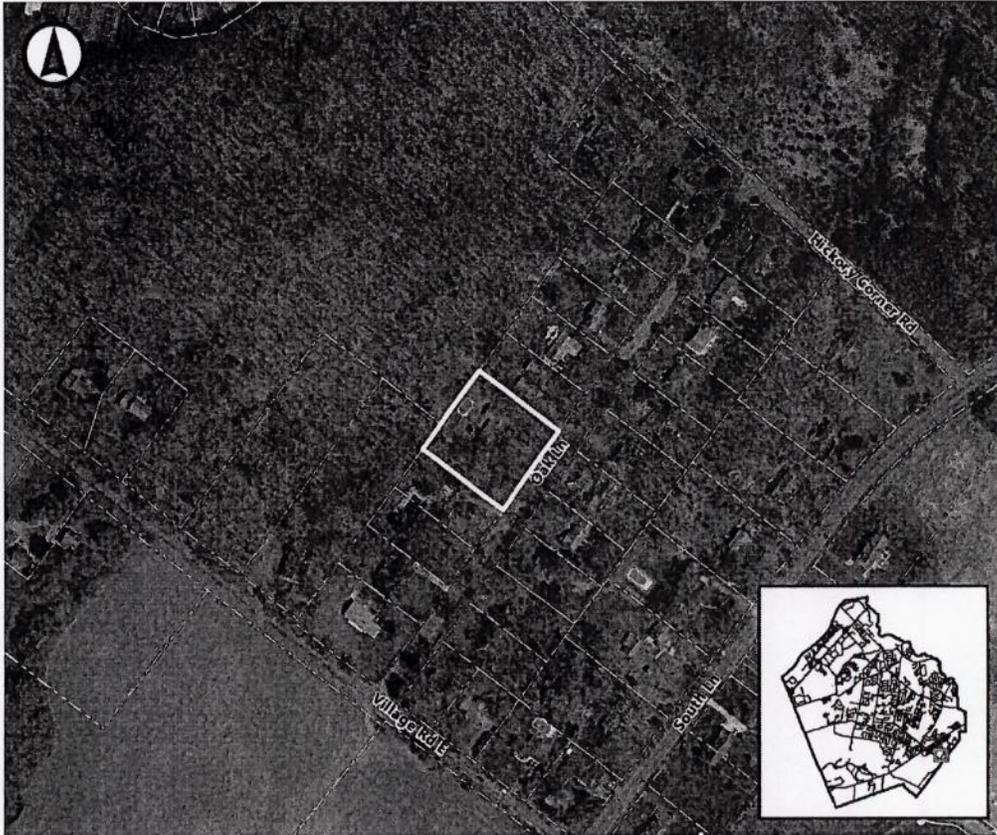
The subject site is located in water and sewer service areas.

4. Suitable Site

The site is surrounded by complementary land uses. The Square at West Windsor shopping center is located immediately adjacent to the site, while the Windsor Green and MarketFair shopping centers are also located in close proximity. Employment centers, including the Carnegie Center office development, are also located in close proximity to the site. In addition, the site is situated near other existing multifamily developments including Woodmont Way, Princeton Executive Park, and Meridian Walk. The proposed inclusionary multifamily development at this site is therefore a complementary use and is supportive of the SDRP and Smart Growth principles.

Based on the above information, the ALR (Tractor Supply) Site is eligible for **54 credits**.

Eden – Oak Lane



Map 8: Eden - Oak Lane (scale: 1" = 400')

The Eden Institute operates a facility located in the westerly portion of the Township. This facility is licensed as a group home for the developmentally disabled by the Department of Human Services of Licensing. The home serves 4 very-low income individuals.

This facility has 30-year controls as evidenced by the Supportive and Special Needs Housing Survey Form and Deed. The property also has a Declaration of Covenants, Conditions, and Restrictions. The development is eligible for crediting under N.J.A.C. 5:93-5.8 as an alternative living arrangement. The site, which is identified by municipal tax records as Block 35 Lot 17, is located at 313 Oak Lane.

Based on the above information, Eden – Oak Lane is eligible for **4 credits**.