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Attorneys for Petitioner, Holland Township

IN THE MATTER OF THE  
APPLICATION OF THE TOWNSHIP OF  
HOLLAND, A Municipal Corporation of  
the State of New Jersey,

Petitioner.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION  
HUNTERDON COUNTY  
DOCKET NO.

CIVIL ACTION  
(Mount Laurel)

**COMPLAINT FOR DECLARATORY  
JUDGMENT PURSUANT TO  
N.J.S.A. 52:27D-313**

The Township of Holland, a Municipal Corporation of the State of New Jersey, having its principal place of business at 61 Church Road, Milford, New Jersey, 088482, by way of Complaint for Declaratory Judgment pursuant to N.J.S.A. 52:27D-313 and N.J.S.A. 2A:16-50 et seq. says:

**BACKGROUND**

1. Petitioner Township of Holland (hereinafter “Petitioner” and/or “Holland” and/or “Township”) is a body politic and corporate organized under the laws of the State of New Jersey.
2. On March 20, 2024, the New Jersey Legislature adopted P.L. 2024, c. 2, which amended the Fair Housing Act (FHA) (N.J.S.A. 52:27D-302 et seq.), abolished the Council of Affordable Housing (“COAH”), promulgated procedures and guidelines implementing the Affordable Housing Alternate Dispute Resolution Program (the “Program”), and created a new process for municipalities to come into constitutional compliance with their affordable housing obligations.

3. Holland is located in Hunterdon County in Region 3 pursuant to the N.J.S.A. 52:27D-304.2.

4. Holland has made a good faith effort to meet its first, second, and third round affordable housing obligations.

5. Pursuant to first, second, and third round obligations, Holland Township has provided for affordable housing through an RCA with Lambertville, an accessory apartment program, and approval of an inclusionary development.

6. Pursuant to N.J.S.A. 52:27D-304.1(f)(1)(a), a municipality may determine its present and prospective fair share obligation for affordable housing consistent with the established methodologies.

7. Pursuant to N.J.S.A. 52:27D-304.1(d), the Department of Community Affairs (the “DCA”) is responsible for providing a report setting forth non-binding calculations of regional and municipal affordable housing need for the Fourth Round based on the provisions of N.J.S.A. 52:27D-304.2 and -304.3.

8. Pursuant to N.J.S.A.52:27D-304.1(f)(1)(b), participating municipalities must adopt and file resolutions calculating their housing obligations for the Fourth Round by January 31, 2025.

9. P.L. 2024, c. 2 established the Program within the New Jersey Judiciary for the purpose of resolving disputes associated with municipal affordable housing obligations and compliance. In furtherance of that end, the Administrative Director of the Courts issued Directive #14-24 on December 13, 2024 directing municipalities to file declaratory judgment actions seeking certification of municipal compliance with the FHA within 48 hours of adoption of a resolution establishing the municipality’s fair share obligation.

10. On or about October 18, 2024, DCA issued a report entitled “Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background.” (the “DCA Report”).

11. On or about November 20, 2024, DCA provided a GIS data set that was used to calculate each municipality’s land capability factor in the DCA Report.

12. The webpage associated with such data set (<https://njdca.maps.arcgis.com/home/item.html?id=12acdf0a5104f8f8a2f604e96063e74>) notes:

The land areas identified in this dataset are based on an the best available data using publicly available data enumerated in N.J.S.A. 52:27D-304.3c(4) to estimate the area of developable land, within municipal and regional boundaries, that may accommodate development. *It is important to note that the identified areas could be over or under inclusive depending on various conditions and that municipalities are permitted to provide more detailed mappings as part of their participation in the Affordable Housing Dispute Resolution Program.* (emphasis added).

13. Pursuant to the DCA Report, the Fourth Round affordable housing obligations calculated for Holland are as follows:

Present Need: 0

Prospective Need: 43

14. Holland accepts the conclusions set forth in the DCA Report, except those regarding the land capacity allocation factor applicable to Holland.

15. DCA maintains that the areas the DCA identified as developable may be “overinclusive.”

16. Holland Township’s Professional Planner, has determined that such data set is “overinclusive” and has prepared a report dated January 14, 2025 stating such, which is attached hereto as part of **Exhibit A.** (“Planner’s Land Capacity Report”).

17. Specifically, the Township Planner found that the data compiled by DCA to calculate the Township’s “land capacity factor” erroneously noted 11.767 acres as vacant and developed land. Such properties are detailed in the Planner’s Land Capacity Report.

18. Removing such properties from the inventory of vacant land in the Township reduces the total vacant land from 17.767 acres to 5.999 acres and reduces the “average allocation factor” applicable to Holland from 0.37 to 0.33%.

19. Correcting the land capacity factor and the average allocation factor reduces the Township’s prospective affordable housing obligation as calculated in the DCA Report from 43 to 38.

20. N.J.S.A. 52:27D-304.1(f)(1)(b) provides that: “the municipality’s determination of its fair share obligation shall have a presumption of validity, if established in accordance with sections 6 and 7 of P.L. 2024, c. 2...”

21. Holland’s calculation of need is entitled to a “presumption of validity” because it complies with Sections 6 and 7 of P.L. 2024, c. 2.

22. On January 21, 2025, Holland adopted a Resolution setting forth its affordable housing obligations for the Fourth Round as follows:

Present Need: 0

Prospective Need: 38

A copy such resolution is attached hereto as Exhibit A.

23. Holland desires that the Court review and accept the municipal fair share obligation of Holland as set forth in the Resolution attached hereto as Exhibit A.

24. In compliance with P.L. 2024, c. 2, Holland shall draft and file a Housing Element and Fair Share Plan demonstrating compliance with the Fourth Round affordable

housing obligations.

25. After such filing, Holland desires that the Court review and accept its Housing Element and Fair Share Plan and approve the Program's issuance of a Certificate of Compliance.

**COUNT ONE**

**(DECLARATORY RELIEF, CONSTITUTIONAL COMPLIANCE)**

26. Holland repeats and realleges each and every allegation set forth in Paragraphs 1-25 of this Complaint as if set forth herein at length.

27. Pursuant to the Declaratory Judgments Act, N.J.S.A. 2A:16-50 et seq., N.J.S.A. 52:27D-313, and P.L. 2024, c. 2, Holland has a right to a declaratory judgment verifying and confirming Holland's full compliance with its constitutional affordable housing obligations

**WHEREFORE**, Petitioner, the Township of Holland, respectfully seeks that the Court grant the following relief:

a. An Order exercising jurisdiction over the compliance by the Township of Holland with its constitutional affordable housing obligations; and

b. An Order declaring, pursuant to N.J.S.A. 52:27D-304.1(f), that the affordable housing obligations set forth by Holland Township in the Resolution dated January 21, 2025 are established; and

c. An Order declaring that the Township of Holland is under the Court's voluntary compliance declaratory judgment jurisdiction and that the Township is immunized and protected against builder's remedy litigation and exclusionary zoning challenges; and

d. An Order declaring that the Township of Holland's Housing Element and Fair Share Plan, including its spending plan, satisfactorily addresses its affordable housing mandates and provides the Township with immunity and repose against builder's remedy

litigation and exclusionary zoning challenges for a period of ten (10) years from the date of the Final Judgment.

- e. A Judgment of Compliance and Repose for a period of ten (10) years from its date of entry.
- f. An Order granting such additional relief as the Court deems equitable and just.

GEBHARDT & KIEFER, P.C.  
*Attorneys for Petitioner, Township of Holland*

By /s/ Tara Ann St. Angelo  
TARA ANN ST. ANGELO

Dated: January 22, 2025

**DESIGNATION OF TRIAL COUNSEL**

Pursuant to Rule 4:25-4, Tara Ann St. Angelo, Esq. is hereby designated as Trial Counsel for Petitioner Township of Holland.

GEBHARDT & KIEFER, P.C.  
*Attorneys for Petitioner, Township of Holland*

By: /s/ Tara Ann St. Angelo  
TARA ANN ST. ANGELO

Dated: January 21, 2025

**CERTIFICATION**

Pursuant to Rule 4:5-1, it is hereby certified that the matter in controversy is not the subject of any other action pending in any other Court or of a pending arbitration or administrative proceeding to the best of knowledge and belief. To the best of our knowledge, no other action, arbitration or administrative proceeding is contemplated. Furthermore, we know of no other parties that should be joined in the above action.

GEBHARDT & KIEFER, P.C.  
*Attorneys for Petitioner, Township of Holland*

By: /s/ Tara Ann St. Angelo  
TARA ANN ST. ANGELO

Dated: January 21, 2025







# RESOLUTION 2025-27

61 Church Road  
Milford, New Jersey 08848  
Phone (908) 995-4847  
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[www.hollandtownshipnj.gov](http://www.hollandtownshipnj.gov)

## RESOLUTION REGARDING FAIR SHARE AFFORDABLE HOUSING OBLIGATIONS FOR THE FOURTH ROUND

**WHEREAS**, the New Jersey Supreme Court, through its rulings in Southern Burlington County NAACP v. Mount Laurel, 67 13 N.J. 151 (1975) and Southern Burlington County NAACP 14 v. Mount Laurel, 92 N.J. 158 (1983), has determined that every municipality in New Jersey has a constitutional obligation to provide through its land use regulations a realistic opportunity for its fair share of its region's present and prospective needs for housing for low- and moderate-income families; and

**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 New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 *et al.*); and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-304.1(f)(1)(b), each municipality must adopt a binding resolution no later than January 31, 2025 determining its present and prospective fair share obligation for the Fourth Round; and

**WHEREAS**, pursuant to Administrative Directive #14-24 issued by the Administrative Office of the Courts on December 13, 2024, "[a] municipality seeking a certification of compliance with the [Fair Housing Act] shall file an action in the form of a declaratory judgment complaint and Civil Case Information Statement (Civil CIS) in the county in which the municipality is located" within 48 hours of adopting the municipal resolution of fair share obligations; and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-304.1(d), the New Jersey Department of Community Affairs issued "a report on the calculations of regional need and municipal obligations for each region of the State" on or about October 18, 2024 (the "DCA Report"); and

**WHEREAS**, on or about November 20, 2024, DCA provided a GIS data set that was used to calculate each municipality's land capability factor in the DCA Report.

**WHEREAS**, the webpage associated with such data set (<https://njdca.maps.arcgis.com/home/item.html?id=12acdfe0a5104f8f8a2f604e96063e74>) notes:

The land areas identified in this dataset are based on an the best available data using publicly available data enumerated in N.J.S.A. 52:27D-304.3c(4) to estimate the area of developable land, within municipal and regional boundaries, that may accommodate development. ***It is important to note that the identified areas could be over or under inclusive depending on various conditions and that municipalities are permitted to provide more detailed mappings as part of their participation in the Affordable Housing Dispute Resolution Program.*** (emphasis added).

**WHEREAS**, the DCA Report set the municipal obligation for Holland Township as follows:

Present Need: 0  
Prospective Need: 43

**WHEREAS**, the Township accepts the conclusions set forth in the DCA Report, except those regarding the land capacity allocation factor applicable to Holland; and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-304.1(f)(1)(a), a municipality may determine its present and prospective fair share obligation for affordable housing consistent with the established methodologies; and

**WHEREAS**, DCA maintains that the areas the DCA identified as developable may be “overinclusive;” and

**WHEREAS**, the Township’s Professional Planner, has determined that such data set is “overinclusive” and has prepared a report dated January 15, 2025 stating such, which is attached hereto as Exhibit A; and

**WHEREAS**, the data compiled by DCA to calculate the Township’s “land capacity factor” erroneously included approximately 11.767 acres as vacant and developed land as outlined in the attached report from the Township Planner (**Exhibit A**); and

**WHEREAS**, removing such property from the inventory of vacant land in the Township reduces the total vacant land from 17.767 acres to 5.999 and reduces the “average allocation factor” from 0.37% to 0.33%, as outlined in the report attached hereto as **Exhibit A**; and

**WHEREAS**, the correction of the land capacity factor and the average allocation factor reduces the Township’s prospective affordable housing obligation from **43 to 38**, as outlined in the report attached hereto as **Exhibit A**; and

**WHEREAS**, N.J.S.A. 52:27D-304.1(f)(1)(b) provides that: “the municipality’s determination of its fair share obligation shall have a presumption of validity, if established in accordance with sections 6 and 7 of P.L. 2024, c. 2...” and

**WHEREAS**, the Township’s calculation of need is entitled to a “presumption of validity” because it complies with Sections 6 and 7 of P.L. 2024, c. 2; and

**WHEREAS**, the Township specifically reserves its rights to:

- a. Adjust the Township’s fair share obligations based on a Vacant Land Adjustment, a lack of public water or sewer infrastructure (i.e. a Durational Adjustment), Highlands Build Out Analysis, and / or all other applicable adjustments, permitted in accordance with applicable statute, regulations or law;
- b. Revoke or amend this Resolution and the Township’s Fourth Round Affordable Housing Obligations to account for decisions of a court of competent jurisdiction or a change in applicable legislation; and
- c. The right to take any contrary position, or adjust its Fourth Round Affordable Housing Obligations, in the event of a third party challenge to the Township’s Fourth Round Affordable Housing Obligations.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Committee of the Township of Holland, Hunterdon County, New Jersey, as follows:

2. Holland Township hereby determines, based on the DCA Report, corrections to the data utilized therein, and advice of the Municipal Planner and Attorney, to adopt the following obligations as

its binding Fourth Round Affordable Housing Obligations:

Present Need: 0

Prospective Need: 38

3. The adoption of this Resolution and the aforementioned Fourth Round Affordable Housing Obligations is subject to all reservations of rights, which specifically include, without limitation, the following:
  - a. The right to adjust the Township's fair share obligations based on a Vacant Land Adjustment, a lack of public water or sewer infrastructure (i.e. a Durational Adjustment), Highlands Build Out Analysis, and all other applicable adjustments, permitted in accordance with applicable statute, regulations or law with such adjustments to be adopted as part of the municipality's Fourth Round Housing Element and Fair Share Plan.;
  - b. The right to revoke or amend this Resolution and the Township's Fourth Round Affordable Housing Obligations to account for decisions of a court of competent jurisdiction or a change in applicable legislation; and
  - c. The right to take any contrary position, or adjust its Fourth Round Affordable Housing Obligations, in the event of a third party challenge to the Township's Fourth Round Affordable Housing Obligations.
4. The Municipal Clerk and Municipal Attorney are authorized to take all actions required by N.J.S.A. 52:27D-304.1(f)(1)(b), including:
  - a. Filing a Declaratory Judgment Complaint, along with this Resolution and a Case Information Statement, in the appropriate venue with the Program or any other such entity as may be determined to be appropriate, to initiate an action within 48 hours of the adoption of this Resolution pursuant to the requirements of P.L.2024, c.2, and AOC Directive #14-24
  - b. Publishing this Resolution on the Township's website.
5. The Municipal Attorney, Municipal Planner, and Planning Board are authorized to take all actions to draft documents necessary to comply with all Fourth Round affordable housing obligations, including drafting a Housing Element and Fair Share Plan, an Affordable Housing Trust Fund Spending Plan, and effectuating ordinances and resolutions.
6. This Resolution shall take effect immediately.

I, Melissa Tigar, Municipal Clerk, hereby certify that the foregoing resolution is a true and accurate copy of a resolution adopted by the Mayor and Township Committee of the Township of Holland at a regular and duly convened meeting held on January 21, 2025.

In witness thereof, I have set my hand and affixed the seal of the Township of Holland the 21<sup>st</sup> day of January 2025.

  
\_\_\_\_\_  
Melissa Tigar, RMC  
Municipal Clerk





Shelbourne at Hunterdon  
53 Frontage Road, Suite 110  
Hampton, New Jersey 08827  
Main: 877 627 3772



## Memorandum

To: Matthew Lyons, Esq., Township Attorney  
From: Darlene A. Green, PP, AICP  
Date: January 14, 2025  
Subject: Review and Findings of DCA Land Capacity Analysis GIS Data  
Project No.: HLP-001A

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This office serves as the Planner for the Township of Holland. On March 20, 2024, the Governor signed Bill A4, referred to as P.L. 2024, c.2. This new law modifies the Fair Housing Act, specifically N.J.S.A. 52:27D-304.3, which concerns the methodology to determine the prospective (Fourth Round) affordable housing obligation.

Three factors are employed to allocate the Regional Need to each applicable community – equalized non-residential valuation, income capacity, and land capacity. N.J.S.A. 52-27D-304.3c.(4) describes the land capacity factor and the steps to determine developable land. The law requires the use of the “land use/land cover data” most recently published by the Department of Environmental Protection (“DEP”) as one of the analysis inputs.

P.L. 2024, c.2. tasked the Department of Community Affairs (“DCA”) with calculating the Fourth Round affordable housing obligations. DCA released a report entitled Affordable Housing Obligation for 2025-2035 (Fourth Round) Methodology and Background (“DCA Report”).<sup>1</sup> This report describes the steps taken to compute the Fourth Round Obligation. Page 15 of the report states “The datasets mandated for use by the legislation have significant limitations in their use. The LULC data reflect a geographic depiction of the classification system established by the U.S. Geological Survey (Anderson Codes) and modified by DEP. Based on aerial imagery from 2020, land areas are identified by category to reflect uses and coverages.”

P.L. 2024, c.2. also modified N.J.S.A. 52:27D-304.1 regarding requirements, specifically subsection a. which states, “Each municipality shall determine its municipal present and prospective need obligations...and may take into consideration the calculations in the report published by the department...”

The DCA Report was released on October 18, 2024. It was accompanied by a detailed spreadsheet illustrating the various calculations used in determining the Fourth Round affordable housing obligations. The spreadsheet includes a tab for each of the three allocation factors (land capacity,

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<sup>1</sup> [https://www.nj.gov/dca/dips/pdf/FourthRoundCalculation\\_Methodology.pdf](https://www.nj.gov/dca/dips/pdf/FourthRoundCalculation_Methodology.pdf)



equalized non-residential valuation, and income capacity). However, the spreadsheet only noted an aggregated acreage value for each town. Detailed Geographic Information Systems ("GIS") mapping illustrating the location of the developable areas was not released until November 27, 2024. The timing of the production of the GIS data has made this exercise more difficult and on a rushed timeline.

Moreover, the link to the DCA GIS data<sup>2</sup>, which includes a description section includes the following language:

"The land areas identified in this dataset are based on an the best available data using publicly available data enumerated in N.J.S.A. 52:27D-304.3c.(4) to estimate the area of developable land, within municipal and regional boundaries, that may accommodate development. **It is important to note that the identified areas could be over or under inclusive depending on various conditions and that municipalities are permitted to provide more detailed mappings as part of their participation in the Affordable Housing Dispute Resolution Program.**" (emphasis added)

This office was tasked with reviewing the detailed GIS mapping for accuracy. On or about December 2, 2024, this office downloaded the GIS data prepared by the DCA.<sup>3</sup> The DCA data was then overlaid with Township parcels, publicly-available environmental constraints data, mapped utility easements, and mapped conservation easements.

The DCA GIS data identifies 17 areas within the Township as developable. These areas total 17.766 acres according to the GIS data. Each area has been assigned a unique "ObjectID" or identification number by DCA. The table attached as **Exhibit A** lists each area's identification number (see column "DCA ObjectID"), weighted acres, vacant acres, and municipal total identified by DCA.<sup>4</sup> Our office then added a column to identify the block(s) and lot(s) each area encompasses. We then reviewed each identified area to confirm if it was developable. To the extent an area was not objectively developable, it was removed from the inventory. Our detailed findings for each of the 17 identified areas is provided under "Findings/Comments". Finally, the table contains a column labeled "Adjusted Developable Acres" based upon the results of our area-by-area analysis.

The locations of the 17 identified areas can be viewed in the "Environmental Constraints with NJDCA Land Capacity Analysis Results" maps attached as **Exhibit B** and **Exhibit C**.

This detailed evaluation reveals that DCA's analysis is over inclusive and only two of the 17 identified areas are developable. The two areas encompass 5.999 acres. Therefore, the Township of Holland's developable acreage is 5.999 acres, not 17.766 acres. When this corrected acreage data is entered into DCA's excel spreadsheet<sup>5</sup> the Township's Land Capacity Factor is amended from 0.17% to

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<sup>2</sup> <https://njdca-data-hub-njdca.hub.arcgis.com/datasets/land-capacity-analysis-for-p-l-2024-c-2/about>

<sup>3</sup> Ibid.

<sup>4</sup> Note that the DCA GIS attribute table labels this column as "vacant acres" not developable acres.

<sup>5</sup> [https://www.nj.gov/dca/dlps/4th\\_Round\\_Numbers.shtml](https://www.nj.gov/dca/dlps/4th_Round_Numbers.shtml)



0.06%. The Township's Average Allocation Factor decreases from 0.37% to 0.33% and, accordingly, Holland's Fourth Round Obligation is adjusted from 43 to 38.

The below table illustrates the revisions to the allocation factors and Fourth Round Prospective Need Obligation as a result of our analysis.

Allocation Factor/Prospective Need	DCA Calculation	Proposed Revision
Land Capacity Factor	0.17%	<b>0.06%</b>
Equalized Non-residential Valuation Factor	-0.01%	-0.01%
Income Capacity Factor	0.95%	0.95%
Average Allocation Factor	0.37%	<b>0.33%</b>
Prospective Need Obligation	43	<b>38</b>

DCA's land capacity analysis followed the steps outlined in P.L. 2024, c.2 (N.J.S.A. 52-27D-304.3c.(4)) to determine land capacity. As described above, the base layer of information was the land use/land cover data prepared by DEP, which is based on aerial imagery from 2020. Our review of the data for the Township of Holland reveals the following shortcomings with the GIS analysis prepared by the DCA:

- It does not capture conservation easements.
- It is blind to block and lot lines and identifies portions of existing developed sites as developable. Many of these instances occur in rear and side yard setback areas.
- It fails to account for area shape and size. For example, areas as narrow as 2.4 feet are identified as developable.
- It does not take into account utility easements.

These issues are illustrated in **Exhibit B** and **Exhibit C**. Furthermore, supplemental documentation regarding specific sites' easements can be found at:

<https://co.hunterdon.nj.us/DocumentCenter/View/7994/Holland-Township-Tax-Map-PDF>.

Holland does not dispute the DCA's calculation for Equalized Non-residential Valuation or Income Capacity. Thus, the Township is accepting the DCA analysis, but for the corrections to the Land Capacity Factor described in this memorandum. Correcting the Land Capacity Factor yields a Fourth Round Prospective Need Obligation of 38, not 43.

Exhibit A



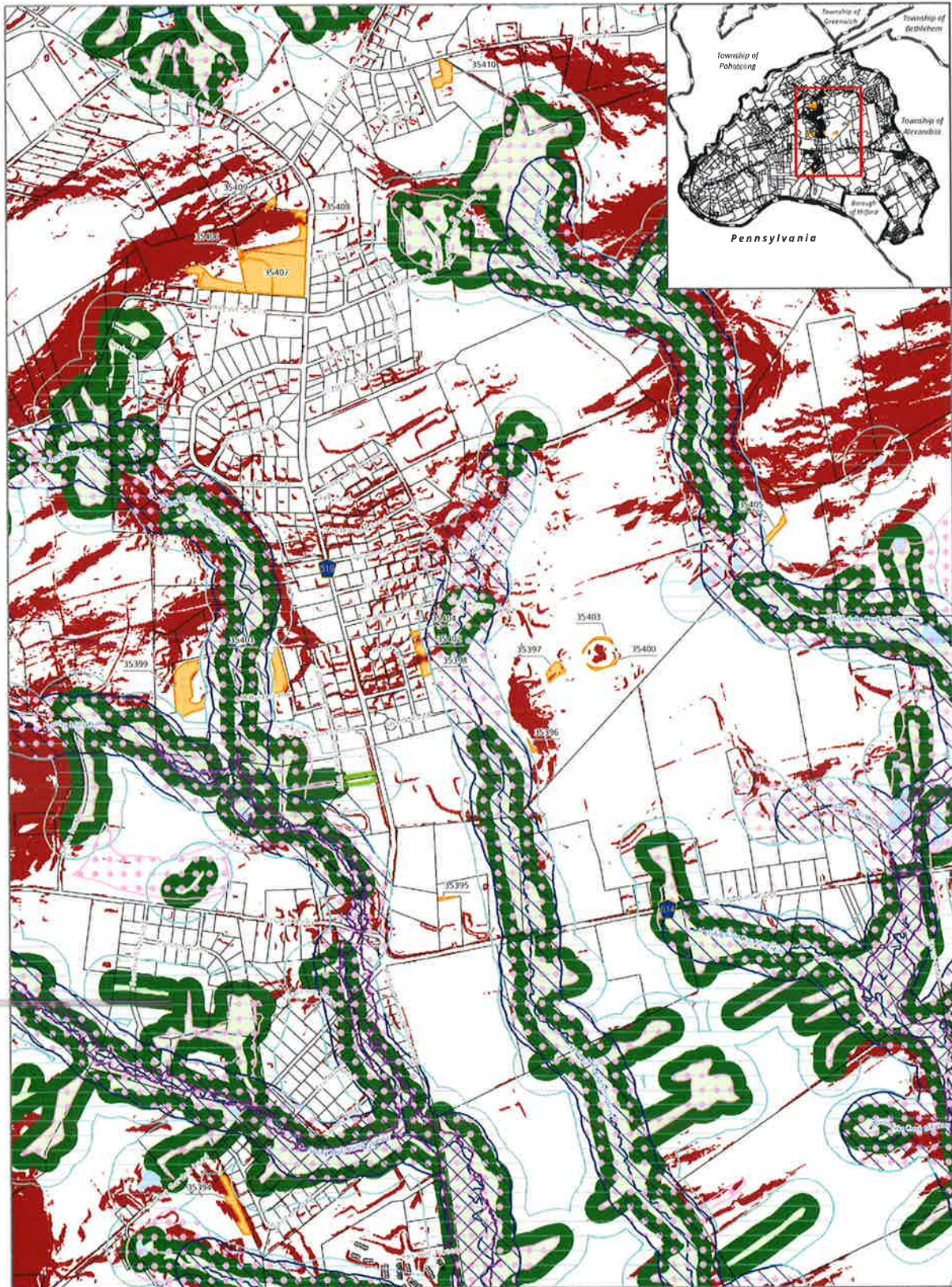
Township of Holland: DCA Land Capacity Factor Analysis						
DCA ObjectID	Weighted Acres	Vacant Acres*	Municipal Total	Block(s) / Lot(s)	Findings/Comments	Adjusted Developable Acres
35394	1.038276	1.038276	17.76565	B24, L5 Q0179	The identified area is rectangular and measures 686 feet long and 30 feet to 104.5 feet wide. However, the northern quarter of the area is between 30 and 63.2 feet wide and a portion of the southern half is between 41 feet and 53.9 feet wide. These areas cannot accommodate development due to their shape. Additionally, the identified area is the side yard of a developed property. Therefore, the identified area is not developable.	0
35395	0.068609	0.068609	17.76565	B6, L62.02	The identified area is located in the rear yard of an existing developed lot. Additionally, the area is triangular with a base of 29.3 feet and height of 190 feet. The area totals 2,989 square feet. The shape and size of the identified area cannot accommodate development. For these reasons, the identified area is not developable.	0
35396	0.063984	0.063984	17.76565	B6, L1.01 Q0269	The identified area is located on the Oak Hill Golf Club property between Holes 7 and 8. The area is "L"-shaped with the "l" portion measuring 130.3 feet long by 39.1 feet wide, which tapers to 0 feet in the north. The "l" portion measures 61.7 feet long by 22 feet wide. The area totals 2,787 square feet. The size and shape of the identified area cannot accommodate development. Due to these factors, the identified area is not developable.	0
35397	0.517998	0.517998	17.76565	B6, L1.01 Q0269	The identified area is located on the Oak Hill Golf Club property near the green of Hole 2 and just north of a maintenance building. The identified area contains 0.091603 acres of steep slopes. Due to these factors, the identified area is not developable.	0
35398	0.333328	0.333328	17.76565	B6, L1.01 Q0269	The identified area is located on the Oak Hill Golf Club property north of the Hole 9 tee. The identified area is located between existing single-family homes to the west and a 300' C1 stream buffer to the east. Due to these factors, the identified area is not developable.	0
35399	2.660299	2.660299	17.76565	B10, L21 Q0096	This "C"-shaped area is the side and rear yard of an existing developed lot. Therefore, the identified area is not developable.	0
35400	0.125305	0.125305	17.76565	B6, L1.01 Q0269	The identified area is located on the Oak Hill Golf Club property, just north of Hole 3. The area is "C"-shaped and varies in width from 2.4 feet to 35.6 feet. The area totals 5,458 square feet. The size and shape of the area cannot accommodate development. Due to these factors, the identified area is not developable.	0
35401	1.152953	1.152953	17.76565	B10, L21 Q0096	The identified area is located in the front yard of an existing developed lot. The identified area is not developable.	0
35402	0.277232	0.277232	17.76565	B6, L1.01 Q0269	The identified area is located on the Oak Hill Golf Club property north of the Hole 9 tee. The identified area is located between existing single-family homes to the west and a 300' C1 stream buffer to the east. Due to these factors, the identified area is not developable.	0
35403	0.142107	0.142107	17.76565	B6, L1.01 Q0269	The identified area is located on the Oak Hill Golf Club property, just south of Hole 2. The area is "C"-shaped and varies in width from 1.6 feet to 30.5 feet. The area totals 6,190 square feet. The size and shape of the area cannot accommodate development. Due to these factors, the identified area is not developable.	0
35404	0.119151	0.119151	17.76565	B6, L1.01 Q0269	The identified area is located on the Oak Hill Golf Club property in the far west corner of the tract. The area measures 97.3 feet by 44 to 66 feet and totals 5,190 square feet. The size and shape of the area cannot accommodate development. Due to these factors, the identified area is not developable.	0
35405	0.360832	0.360832	17.76565	B6, L1.01 Q0269	The identified area is located on the Oak Hill Golf Club property in the far east corner of the tract, near the green of Hole 5. The area measures 297.2 feet long by 48.3 feet wide. Additionally, the Highlands Open Water Protection Area ("OWPA") and Riparian Area encompass a portion of the area in the south. Due to these factors, the identified area is not developable.	0
35406	0.059845	0.059845	17.76565	B5, L48.04 Q0037	The identified area is located in the far northwest corner of Lot 48.04. The area measures 97.9 feet by 8.4 feet to 35.3 feet and totals 2,607 square feet. The size and shape of the area cannot accommodate development. Additionally, Sheet 5 of the Township's Tax Map illustrates a 30-foot-wide sanitary sewer easement along the western property line of Lot 48.04. This easement encompasses a majority of the identified area. Due to these factors, the identified area is not developable.	0

Township of Holland: DCA Land Capacity Factor Analysis						
DCA ObjectID	Weighted Acres	Vacant Acres*	Municipal Total	Block(s) / Lot(s)	Findings/Comments	Adjusted Developable Acres
35407	9.603409	9.603409	17.76565	B5, L48 Q0037, 48.03 Q0037, & 48.04 Q0037	The identified area is irregularly shaped and traverses three lots. The area is primarily located on Lot 48.04 with a rectangular portion on Lot 48 and an "L"-shaped portion on Lot 48.03. Sheet 5 of the Township's Tax Map illustrates a conservation easement encompassing the southeast corner of Lot 48 and a majority of the western half of Lot 48.04. Additionally, there is a 30-foot-wide sanitary sewer easement along the western property line of Lot 48.04. The area of these easements encompass 3.606762 acres of the identified area. The remaining area is divided into two sections, one on Lot 48 and one on Lots 48.03 and 48.04. The remaining section on Lot 48 is irregularly shaped and totals 0.403489 acres. However, there is a southern "leg" that measures 138.5 feet long and 55.5 feet wide, which tapers to 11.2 feet wide in the south. This portion of the Lot 48 section totals 3.743 square feet. Therefore, the developable area of the section on Lot 48 is reduced to 0.317562 acres. The section on Lots 48.03 and 48.04 totals 5.591873 acres. However, a ridge of steep slopes is present on Lot 48.03, which totals 2,812.4 square feet and reduces the developable area of this section to 5.527309 acres. Therefore, the total developable acres of the identified area is 5.844871 acres.	5.844871
35408	0.204756	0.204756	17.76565	B5, L48.03 Q0037	The identified area is irregularly shaped with "legs" in the southeast and northwest corners of the area that are less than 20 feet wide and cannot accommodate development. The remaining area is rectangular and measures 65.5 feet wide by 86.6 feet deep. Said area totals 6,717.8 square feet. Due to these factors, the developable area is reduced to 0.154 acres.	0.154
35409	0.165011	0.165011	17.76565	B5, L48.03 Q0037	The identified area is irregularly shaped and is located in the northernmost tip of Lot 48.03. The area is shaped like an arrow with the "-" portion measuring 94 feet long and 10 feet wide. The shape of this portion cannot accommodate development. The remaining triangular portion has a base of 92.7 feet and height of 84 feet and totals 4,715 square feet, which cannot accommodate development. Due to these factors, the identified area is not developable.	0
35410	0.872556	0.872556	17.76565	B6, L16 Q0236	The identified area is the side and rear yard of an existing developed lot. Therefore, the identified area is not developable.	0
<b>Total</b>	<b>17.765651</b>	<b>17.765651</b>				<b>5.998871</b>

\*The DCA GIS attribute table labels this column as "vacant acres", not developable acres.

Exhibit B





**ENVIRONMENTAL CONSTRAINTS WITH NJDCA LAND CAPACITY ANALYSIS RESULTS**

TOWNSHIP OF HOLLAND  
HUNTERDON COUNTY, NEW JERSEY

**Legend**

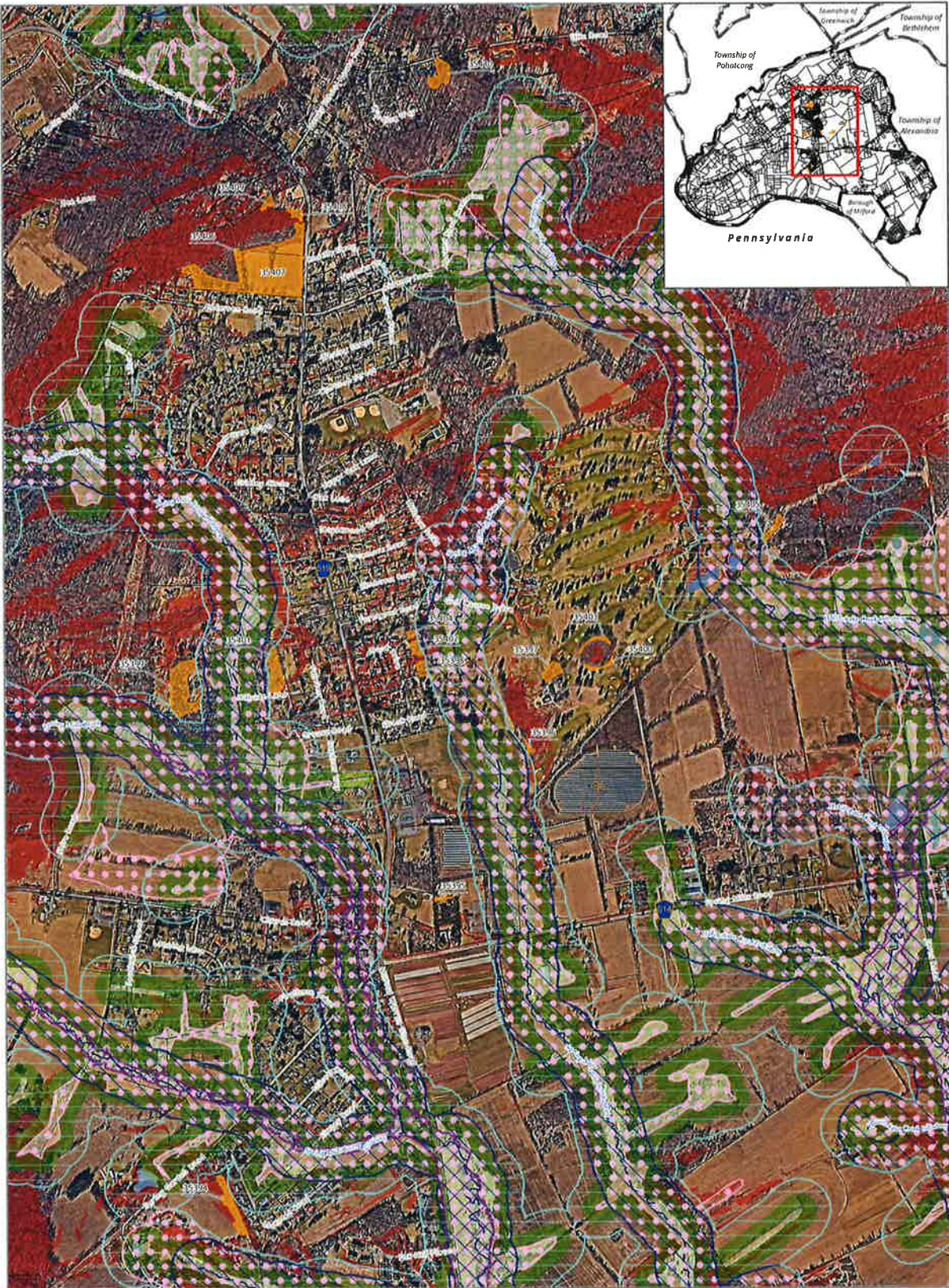
- |                                      |                                  |
|--------------------------------------|----------------------------------|
| Parcels                              | Highlands Riparian Area          |
| NJDCA Land Capacity Analysis Results | Wetlands                         |
| Water Bodies                         | 50-ft Wetlands Buffer            |
| Category One (C1) Streams            | 150-ft Wetlands Buffer           |
| 300-ft C1 Stream Buffer              | FEMA Special Flood Hazard Area   |
| Highlands Open Water Protection Area | Areas with slopes 15% or greater |



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HLP001A

Exhibit C



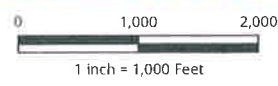


**ENVIRONMENTAL CONSTRAINTS WITH NJDCA LAND CAPACITY ANALYSIS RESULTS**

TOWNSHIP OF HOLLAND  
HUNTERDON COUNTY, NEW JERSEY

**Legend**

- Parcels
- NJDCA Land Capacity Analysis Results
- Water Bodies
- Category One (C1) Streams
- 300-ft C1 Stream Buffer
- Highlands Open Water Protection Area
- Highlands Riparian Area
- Wetlands
- 50-ft Wetlands Buffer
- 150-ft Wetlands Buffer
- FEMA Special Flood Hazard Area
- Areas with slopes 15% or greater



January 3, 2025  
HLP001A



# Civil Case Information Statement

## Case Details: HUNTERDON | Civil Part Docket# L-000045-25

**Case Caption:** IN THE MATTER OF HOLLAND TWP  
**Case Initiation Date:** 01/23/2025  
**Attorney Name:** TARA ANN ST ANGELO  
**Firm Name:** GEBHARDT & KIEFER, PC  
**Address:** 1318 ROUTE 31 NORTH  
ANNANDALE NJ 08801  
**Phone:** 9087355161  
**Name of Party:** PETITIONER : IMO Application of Holland  
Twp  
**Name of Defendant's Primary Insurance Company**  
(if known): None

**Case Type:** AFFORDABLE HOUSING  
**Document Type:** Complaint  
**Jury Demand:** NONE  
**Is this a professional malpractice case?** NO  
**Related cases pending:** NO  
**If yes, list docket numbers:**  
**Do you anticipate adding any parties (arising out of same transaction or occurrence)?** NO  
**Does this case involve claims related to COVID-19?** NO  
**Are sexual abuse claims alleged by: IMO Application of Holland Twp?** NO

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

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

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

**If yes, is that relationship:**

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

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

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

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

**Will an interpreter be needed?** NO

**If yes, for what language:**

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

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

01/23/2025  
Dated

/s/ TARA ANN ST ANGELO  
Signed

