

Community Planning
Land Development and Design
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FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN

BOROUGH OF CRESSKILL
BERGEN COUNTY, NEW JERSEY

PREPARED FOR:

MAYOR AND COUNCIL AND THE PLANNING BOARD OF THE BOROUGH OF CRESSKILL
BA# 4135.01

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The original document was appropriately signed and sealed on January 19, 2026 in accordance with Chapter 41 of Title 13 of the State Board of Professional Planners.

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INTRODUCTION

It has been over seven years since the Cresskill Planning Board adopted the Borough's Third Round Housing Element and Fair Share Plan. After adoption by the planning board, the Housing Element and Fair Share Plan was presented to the Mayor and Council, who subsequently endorsed the adopted master plan element. Upon endorsement, the Housing Element and Fair Share Plan was the subject of a court hearing with the Honorable Gregg A. Padovano, J.S.C. presiding. After hearing all the testimony, including both a written and verbal report from the Special Adjudicator assigned to Cresskill's case, on February 18, 2021, Judge Padovano granted Cresskill Final Unconditional Declaratory Judgement of Compliance and Repose for and to the locally adopted and endorsed Housing Element and Fair Share Plan.

Significantly, the Final Unconditional Declaratory Judgement of Compliance and Repose issued by Judge Padovano endorsed and approved Cresskill vacant land adjustment analysis. The basis for this judicial finding was Cresskill lacked sufficient land resources to fully satisfy the Prospective Need obligation assigned to Cresskill. This was demonstrated to the Court through mapping and analysis which demonstrated that of the very few vacant parcels located in Cresskill, most were either very small, environmentally constrained, or both.

In 2025, the affordable housing framework bears little resemblance to the Third Round framework Cresskill navigated to secure its Third Round Final Unconditional Declaratory Judgement which is continuing in full force and effect. The main change agent was the adoption of amendments to the Fair Housing Act. These amendments were signed into law by Governor Murphy in March 2024.

The Borough's Historic Response to Its' Affordable Housing Obligations

The Borough of Cresskill has prepared a number of Housing Elements and Fair Share Plans over the years to address its continuing affordable housing obligation. The Council on Affordable Housing ("COAH"), had adopted first in 1987 and again in 1994 a 'fair share' methodology to determine housing-need numbers for all municipalities in the state, and then adopted, combined first and second round housing need numbers for Cresskill covering the years 1987-1999.

The Borough Planning Board adopted its Second Round plan in June 1995 and received substantive certification from COAH in February of 2000. Cresskill subsequently received Third Round substantive certification from COAH on September 8, 2010.

Cresskill's fair share plan certified by COAH in 2010, detailed mechanisms to fully address the Borough's total 1987-2018 affordable housing obligation as that obligation had been determined by COAH.

The Borough's planning response to its affordable housing obligation was to designate the Hoke/Daibes Park site for production of 18 affordable rental units capable of generating 18 rental bonus credits. In addition, the Borough entered into and fully funded two Regional Contribution Agreements ("RCA"), one that transferred 8 units of new construction obligation to Weehawken, the second agreement transferred 26 units to the City of Bayonne. These actions fully satisfied Cresskill's 70-unit new construction affordable housing obligation.

Cresskill also participated in the rehabilitation of 26 dwellings occupied by income qualified households, thus fully satisfying the rehabilitation portion of the Borough's affordable housing obligation.

Cresskill also responded affirmatively to address COAH's Third Round housing cycle. To achieve compliance, Cresskill proposed a number of sites and activities to fully address the prospective need obligation. Cresskill Plaza, Sunrise Assisted Living, Wolfe, North Jersey Community Bank, accessory apartments and rental bonuses were all slated to fully satisfy the Third Round housing obligation as established pursuant to COAH's adopted regulations.

The rules and regulations adopted by COAH in 2008 were challenged, and in an October 2010 decision the Appellate Division invalidated COAH's growth share methodology. Further, the Court directed COAH to adopt Third Round rules consistent with the fair share methodology previously found acceptable by the Court as a way of determining and distributing affordable housing obligations among the municipalities.

COAH ultimately failed to adopt Third Round regulations that could survive judicial review. This led to a March 2015 Supreme Court decision finding that COAH was effectively dysfunctional, and consequently, the Supreme Court returned jurisdiction over matters of affordable housing back to the trial courts where it had resided prior to the passage of the Fair Housing Act and the creation of COAH in 1986.

On July 6, 2015, the Borough filed with the Court a Declaratory Judgement motion. One component of the motion was the recognition that a new HE&FSP, which was intended to address the Borough's third round affordable housing obligation through 2025, would be prepared.

With the aid of a Special Adjudicator, Cresskill was able to successfully negotiate with Fair Share Housing Center. This negotiation resulted in a Settlement Agreement which was presented to the Superior Court for its approval. This Court approved Settlement Agreement, formed the foundation upon which Cresskill prepared an updated Third Round affordable housing plan. A copy of this settlement agreement is attached as Appendix A-1. Appendix A-2 is a copy of the Final Unconditional Declaratory Judgement of Compliance and Repose.

Both Fair Share Housing Center and more importantly, the Superior Court reviewed and then agreed Cresskill did not have the land capacity to fully satisfy the affordable housing prospective need obligation established for the Borough in the Third Round. This continues to be true today and is the underlying basis as to why Cresskill has prepared an updated Vacant Land Adjustment for the Fourth Round affordable housing cycle.

Fourth Round Affordable Housing Obligation

Recognizing the Third Round affordable housing cycle was drawing to a close, the state legislature drafted, passed and sent Fair Housing Act amendments to the Governor. In March of 2024, Governor Murphy signed these amendments into law.

The adopted amendments to the Fair Housing Act empowered and directed the Department of Community Affairs ("DCA") to calculate each municipality's affordable housing obligations for the Fourth Round. These numbers were published in October 2024. Each municipality was assigned a Present Need obligation which is sometimes called the rehabilitation component. DCA established Cresskill's assigned Present Need obligation at zero (0) housing units.

The remaining obligation established in the October DCA report addressed the municipal Prospective Need. DCA established Cresskill's Prospective Need obligation as 155 affordable housing dwelling units.

Pursuant to the Fair Housing Act amendments, prior to addressing the Fourth Round affordable housing obligation municipalities must review their past affordable housing efforts. The amendments require:

As part of its housing element and fair share plan, the municipality shall include an assessment of the degree to which the municipality has met its fair share obligation from the prior rounds of affordable housing as established by prior court approval, or approval by the council, and determine to what extent this obligation is unfulfilled or whether the municipality has credits in excess of its prior round obligations.

The remaining sections of this document will provide the mandatory components of a housing element and fair share plan. A wealth of information on Cresskill's people, housing stock and employment characteristics will be detailed. Past affordable housing activities and mechanisms will be briefly discussed as will Cresskill's affordable housing status. The document will then provide a pathway by which Cresskill will demonstrate to both the affordable housing program and the county housing judge compliance with all Fourth Round affordable housing cycle requirements. This plan has been designed to achieve a compliance certification from the affordable housing

program and continued immunity from builder's remedy lawsuits for the duration of the Fourth Round affordable housing cycle.

SECTION I: HOUSING ELEMENT

A. COMMUNITY OVERVIEW

The Borough of Cresskill occupies an area of 2.1 square miles (1,200 acres) in the eastern portion of Bergen County. It is bordered by Demarest to the north, Alpine to the east, Tenafly to the south, and Dumont to the west.

Cresskill is predominantly a residential community, with 2,812 residential parcels and just 70 vacant parcels in 2023 as reflected in Table 1 below. The information population Table 1 is taken from the data published by the Division of Local Government Services within the Department of Community Affairs.

The majority of vacant parcels are either small, environmentally constrained or both. Cresskill’s development pattern consists primarily of detached single-family dwellings with three apartment developments. Residential development accounts for 92.2% of the Borough’s total assessed value. Commercial development is limited to just 74 parcels. There are only 2 industrial parcels in the Borough.

**Table 1: 2023 Land Use
Cresskill, New Jersey**

Land Classification	# of Parcels	Value
Residential	2,812	\$2,246,386,500
Commercial Parcels	74	\$153,045,200
Industrial Parcels	2	\$11,395,100
Apartment	3	\$9,785,200
Vacant Parcels	70	\$16,102,500
Total	2,961	\$2,436,714,500

Source: NJDCA Division of Local Government Services, 2023 figures and values

The 2024 amendments to the Fair Housing Act require each municipality to perform an analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multigenerational family continuity as expressed in the recommendations of the Multigenerational Family Housing Continuity Commission.

Regardless of our firm’s inability to find a report from, or recommendations of, the Multigenerational Family Housing Continuity Commission, we have examined Cresskill’s Zoning Ordinance. This review indicates the Borough’s Zoning Ordinance neither specifically discourages nor encourages multigenerational family continuity. We do note that Cresskill’s Third Round affordable housing plan and this, the Fourth Round plan, do propose as one of several compliance mechanism, the creation of 9 (nine) accessory apartments. Accessory apartments represent a flexible mechanism to produce affordable housing and in fact, accessory apartments can

be used to accommodate aging parents or even young adults in the family homestead. So, the use of accessory apartment as endorsed in this housing plan is one concrete implementation response to encourage multigenerational housing in the Borough.

It is further noted however, that many dwellings in Cresskill are quite large and can and in fact do accommodate family members who might not necessarily fit within the modern definition of a nuclear family. There are many instances of retired parents living with a child and his or her family. There are also numerous examples of older adult children, some with children of their own, who continue to reside in the family home in Cresskill. In this regard multigenerational family continuity is occurring and continues to be practiced in Cresskill even in the absence of specific governmental steps, outside the accessory apartment program, to foster such an environment.

B. INVENTORY OF MUNICIPAL HOUSING STOCK

This section of the Housing Element provides an inventory of the Borough’s housing stock, as required by the Municipal Land Use Law. The inventory details housing characteristics such as age, condition, purchase/rental value, and occupancy. It also details the number of affordable units available to low-and moderate-income households and the number of substandard housing units capable of being rehabilitated.

1. Number of Dwelling Units. Beginning in the year 2020, Cresskill has experienced a significant reduction in construction activity as compared to construction activity recorded for earlier years. The housing stock has remained fairly static since 2020, as only 38 new dwelling units have received certificates of occupancy this decade.

**Table 2: Year Structure Constructed (1960 to 2024)
Borough of Cresskill, New Jersey**

Year	Total Dwelling Units	Percent Change
1960	532	-
1970	216	16.6
1980	266	6.7
1990	90	2.8
2000	377	11.8
2010	262	8.2
2020	12	0.3
2021	1	0.03
2022	5	0.1
2023	19	9.5
2024 (through Nov.)	1	

Sources: 2003 Bergen County Data Book, U.S. Census – 1990 & 2000,
*American Community Survey 5-Year Estimates. 2020- 2024 DCA Construction Reporter.

The following table provides additional detail regarding the tenure and occupancy of the Borough’s housing stock. As shown below, nearly 81% of Cresskill’s housing stock was estimated to be owner-occupied in 2023, a slight decrease from the 84.8% recorded in 2010, and down from the 89.1% recorded in 2000. The number of rental units in the community has increased from 287 in 2000, increasing to 479 in 2010 before further increasing by 118 to 597 dwelling units in 2023.

Table 3: Housing Units by Tenure and Occupancy Status (2000 to 2023)
Borough of Cresskill, New Jersey

Category	2000		2010		2023	
	No. Units	Percent	No. Units	Percent	No. Units	Percent
Owner-Occupied Units	2,343	89.1%	2,667	84.8%	2,488	80.6
Renter-Occupied Units	287	10.9%	479	15.2%	597	19.4%
Vacant Units	72	2.7%	153	4.6%	115	3.6%
Total Units	2,702	100.0%	3,299	100.0%	3,200	100.0%

Sources: U.S. Census – 1990 & 2000, American Community Survey 5-Year Estimates.

2. Housing Characteristics. The following tables provide additional information on the characteristics of the Borough’s housing stock, including data on the number of units in structures and the number of bedrooms. As shown below, the housing stock is predominantly characterized by single-family detached units, which represented nearly 80% of all dwelling units in 2023. This is a slight decrease from previous periods and reflects the creation of additional multi-family units in varied housing types since 2000. Nearly 70% of the dwellings in Cresskill contain either 3 or 4 bedrooms. An additional 10% of dwellings contain 5 or more bedrooms.

Table 4: Units in Structure (2000 to 2023)
Borough of Cresskill, New Jersey

Units in Structure	2000		2010		2023	
	Number	Percent	Number	Percent	Number	Percent
1-unit, detached	2,416	89.4%	2,749	83.3%	2,551	79.7%
1-unit, attached	105	3.9%	201	6.1%	181	5.7%
2 units	87	3.2%	67	2.0%	47	1.5%
3 or 4 units	49	1.8%	17	0.5%	48	1.5%
5 to 9 units	21	0.8%	26	0.8%	0	0.0%
10 to 19 units	0	0.0%	92	2.8%	58	1.8%
20 or more units	16	0.6%	147	4.5%	310	9.7%
Mobile home	8	0.3%	0	0.0%	5	0.2%
Boat, RV, van, etc.	0	0.0%	0	0.0%	0	0.0%
Total	2,702	100.0%	3,299	100.0%	3,200	100.0%

Sources: U.S. Census – 1990 & 2000, American Community Survey 5-Year Estimates.

Table 5: Number of Bedrooms in Housing Units (2000 to 2023)
Borough of Cresskill, New Jersey

Number of Bedrooms	2000		2010		2023	
	Number	Percent	Number	Percent	Number	Percent
Zero	14	0.5	38	1.2%	104	3.3%
One	110	4.0	137	4.2%	245	7.7%
Two	279	10.32	323	9.8%	293	9.2%
Three	1,318	48.77	1,385	42.0%	1,081	33.8%
Four	679	25.12	898	27.2%	1,154	36.1%
Five or More	302	11.71	518	15.7%	323	10.1%
Total	2,702	100%	3,299	100.0%	3,147	100.0%

Sources: U.S. Census – 1990 & 2000, American Community Survey 5-Year Estimates.

3. Housing Age. The following table details the age of the Borough’s housing stock. As shown, just 1.1% of the Borough’s housing units were constructed since 2020. The Census data reports 44.2% of the Borough’s housing stock was constructed prior to 1960.

Table 6: Year Structure Built
Borough of Cresskill, New Jersey

Year Built	Number of Units	Percent
2020 to 2024	38	1.1%
2010 to 2019	262	8.2%
2000 to 2009	377	11.8%
1990 to 1999	90	2.8%
1980 to 1989	266	8.3%
1970 to 1979	216	6.8%
1960 to 1969	532	16.6%
1950 to 1959	644	20.1%
1940 to 1949	376	11.8%
1939 or earlier	392	12.3%
Total	3,200	100.0%

Sources: U.S. Census – 2014 American Community Survey 5-Year Estimates.

4. Housing Conditions. An inventory of the Borough’s housing conditions is presented in the following tables. The first table identifies the extent of overcrowding in the Borough, defined as housing units with more than one occupant per room. The data indicates that the number of occupied housing units considered overcrowded is negligible (0.5%) but has fluctuated since 2000. It is noted in 2023, only 0.5% of the dwellings, representing just 14 housing units had more than 1.01 occupants per room.

Table 7: Occupants Per Room (2000 to 2023)
Borough of Cresskill, New Jersey

Occupants Per Room	2000		2010		2023	
	Number	Percent	Number	Percent	Number	Percent
1.00 or less	2,547	96.8%	3,137	99.7%	3,071	99.5%
1.01 to 1.50	55	2.1%	0	0.0%	14	0.5%
1.51 or more	28	1.1%	9	0.3%	0	0.0%
Total	2,630	100.0%	3,146	100.0%	3,085	100.0%

Sources: U.S. Census 2000, American Community Survey 5-Year Estimates.

The table below presents other key characteristics of housing conditions, including the presence of complete plumbing and kitchen facilities and the type of heating equipment used. As shown, the percentage of units lacking complete kitchen and plumbing facilities has remained a nearly insignificant percentage of occupied housing units between 2000 and 2023. All dwellings in Cresskill were equipped with standard heating systems.

Table 8: Equipment and Plumbing Facilities (2000 to 2023)
Borough of Cresskill, New Jersey

Facilities	2000		2010		2023	
	Number	Percent	Number	Percent	Number	Percent
<u>Kitchen:</u> With Complete Facilities	2,621	99.7%	3,134	99.6%	3,064	99.3%
Lacking Complete Facilities	9	0.3%	12	0.4%	21	0.7%
<u>Plumbing:</u> With Complete Facilities	2,630	100%	3,124	99.3%	3,085	100%
Lacking Complete Facilities	0	0.0%	22	0.7%	0	0.0%
<u>Heating Equipment:</u> Standard Heating Facilities	2,630	100%	3,146	100.0%	3,085	100%
Other Means, No Fuel Used	0	0.0%	0	0.0%	0	0.0%

Sources: U.S. Census –2000, American Community Survey 5-Year Estimates.

5. Purchase and Rental Values. As shown in the following table, 24.2% of Cresskill’s rental housing stock had monthly rents under \$1,000 in 2000. By 2023, only 1.2% of renters were paying less than \$1,000 rent per month. In 2023, over 41% of renters were paying \$3,000 per month or more for rent. Interestingly, there has been a reported doubling in the number of households that paid no cash rent from 2010 to 2023.

**Table 9: Gross Rent of Renter-Occupied Housing Units (2000 to 2023)
Borough of Cresskill, New Jersey**

Gross Rent	2000		2010		2023		
	Number	Percent	Number	Percent	Gross Rent	Number	Percent
Less than \$200	0	0.0%	0	0.0%	Less than \$500	0	0.0%
\$200 to \$299	0	0.0%	0	0.0%	\$500-\$999	7	1.2%
\$300 to \$499	0	0.0%	20	4.3%	\$1,000 to \$1,499	142	24.9%
\$500 to \$749	8	2.8%	12	2.6%	\$1,500 to \$1,999	52	9.1%
\$750 to \$999	61	21.4%	0	0.0%	\$2,000 to \$2,499	135	23.7%
\$1,000 to \$1,499	59	20.7%	132	28.3%	\$2,500 to \$2,999	0	0%
\$1,500 or More	141	49.4%	302	64.8%	\$3,000 and up	234	41.1%
No Cash Rent	16	5.6%	13	--%	No cash rent	27	--%
Total	285	100.0%	466	100.0%		570	100.0%
Median Gross Rent	\$1,571		\$2,000		\$2,311		
Bergen County Median Gross Rent	\$872		\$1,236		\$2,455		

Sources: U.S. Census –2000, American Community Survey 5-Year Estimates.

Table 10 on the next page shows that less than 7% of Cresskill’s owner-occupied units had a value of \$499,000 or less in 2023. By far the largest segment of Cresskill homes (72%) are worth between \$500,000 and \$999,999. Over 20% of owner-occupied dwellings in Cresskill were worth over \$1,000,000 in 2023. This is by far the second largest value range in Cresskill. This is just around double the percentage of homes that were worth over \$1,000,000 just 13 years earlier in 2010, whereas in 2000, only slightly more than 11% of Cresskill’s owner-occupied units had a value of \$500,000 or more. This substantial increase is in part a function of the increase in values that occurred throughout the region prior to the recession in 2008. The median value of Cresskill’s owner-occupied housing stock is now significantly higher than

Bergen County as a whole.

Table 10: Value of Owner-Occupied Housing Units (2000 to 2023)
Borough of Cresskill, New Jersey

Value Range	2000		2010		2023	
	Number	Percent	Number	Percent	Number	Percent
Less than \$50,000	60	2.7%	33	1.2%	5	0.2%
\$50,000 to \$99,999	8	0.4%	7	0.3%	0	0.0%
\$100,000 to \$149,999	33	1.5%	0	0.0%	0	0.0%
\$150,000 to \$199,999	181	8.1%	0	0.0%	0	0.0%
\$200,000 to \$299,999	1,049	46.9%	19	0.7%	11	0.4%
\$300,000 to \$499,999	646	28.9%	853	32.0%	150	6.0%
\$500,000 to \$999,999	127	5.7%	1,472	55.2%	1,809	72.7%
\$1,000,000 or More	133	5.9%	283	10.6%	513	20.6%
Total	2,237	100.0%	2,667	100.0%	2,488	100.0%
Median Value	\$281,100		\$592,800		\$764,800	
Bergen County Median Value	\$250,300		\$482,300		\$650,000	

Sources: U.S. Census 2000, American Community Survey 5-Year Estimates.

6. Number of Units Affordable to Low- and Moderate-Income Households. Cresskill is within affordable housing Region No. 1, which consists of Bergen, Passaic, Hudson and Sussex Counties. Based on generally recognized regional income limits updated on April 12, 2024, the median household income for a three-person household in Region 1, is \$108,371. A three-person moderate-income household, defined as 80% of the median income, would have an income not exceeding \$86,697.

Pursuant to applicable New Jersey affordable housing regulations, N.J.A.C. 5:80-26.6 Price restrictions for ownership units, a moderate-income household should not be spending more than 28% of eligible monthly income on taxes, mortgage, homeowner association and private mortgage insurance fees. An affordable sales price for a three-person moderate-income household earning 80% of the median income is estimated at approximately \$303,439. In 2023, the last year for which data has been published, the percentage of housing units in the Borough valued at less than \$300,000 was 0.6%. According to the data, there were 16 homes in Cresskill with a value of \$300,000 or less.

For renter-occupied housing, an affordable monthly rent for a three-person household is estimated at approximately \$2,167, approximately 30% of the household's gross monthly

income. According to the most recent U.S. Census data, just over 35.2% of the Borough’s rental units had a gross rent less than \$2,000. There were 201 rental units in Cresskill at or below this price point.

7. Substandard Housing Capable of Being Rehabilitated. The number of units in a community that are in need of rehabilitation and are not likely to experience “spontaneous rehabilitation” has been provided by the New Jersey Department of Community Affairs in its October 2024 report. Cresskill’s rehabilitation obligation has been estimated to be zero (0) units.

C. POPULATION ANALYSIS

The MLUL requires that a Housing Element provide data on the municipality’s population, including population size, age and income characteristics.

1. Population Size. As seen in the table below, the Borough experienced its greatest population growth in the 1950s and 1960s. Cresskill’s population then declined for twenty years before rebounding in 2000. Census data from 2020 indicates the Borough had 9,155 residents, representing a 6.8% increase over the 2010 Census figure, while the available estimated data for 2023 reveals this figure has decreased by 54 residents to 9,101 residents in 2023.

**Table 11: Population Growth (1920 to 2023)
Borough of Cresskill, New Jersey**

Year	Population	Population Change	Percent Change
1920	942	-	-
1930	1,924	982	104.2%
1940	2,246	322	16.7%
1950	3,534	1,288	57.3%
1960	7,290	3,756	106.2%
1970	8,298	1,008	13.82%
1980	7,609	-689	-8.30%
1990	7,558	-51	-0.6%
2000	7,746	188	2.4%
2010	8,573	827	10.6%
2020	9,155	582	6.8%
2023	9,101	-54	-0.58

Sources: U.S. Census

2. Age Characteristics. The Borough’s age characteristics are outlined in the table below. As shown, the Borough’s population is growing older, consistent with suburban national trends. Cresskill’s median age has increased since 2000 from 40.9 to 43.7 years in 2010, before increasing to 45 years in 2023. The number of children under the age of 19 years of age increased between 2000 and 2010 before experiencing a minor drop by 2023. The under 19-age cohort has remained in the 20% of Cresskill’s population.

Table 12: Age Characteristics (2000 to 2023)
Borough of Cresskill, New Jersey

Age	2000		2010		2023	
	Number	Percent	Number	Percent	Number	Percent
Under 5 years	530	6.8	372	4.3	366	4.0
5 to 19 years	1,609	20.8	2,098	24.5	2,032	22.3
20 to 24 years	263	3.4	289	3.4	484	5.3
25 to 34 years	680	8.8	457	5.3	525	5.8
35 to 44 years	1,365	17.6	1,313	15.3	1,147	12.6
45 to 54 years	1,204	15.5	1,478	17.2	1,682	18.5
55 to 64 years	787	10.1	1,078	13.8	1,190	12.8
65 to 74 years	644	8.3	635	7.4	809	8.9
75 to 84 years	487	6.3	523	6.1	328	3.6
85 years and over	177	2.3	330	3.8	538	5.9
Total Population	7,746		8,573		9,101	
Median Age	40.9		43.7		45.0	

Source: U.S. Census – 1990, 2000, 2010

3. Average Household Size. The average household size for the Borough has declined in Cresskill as reflected in Table 13 below. In 1980, the average household size in Cresskill included 3.19 people. Since the 1990 census, the average household size has never exceeded 2.95 and has often been slightly smaller. The American Community Survey data reflects an average household size of 2.90 for the year 2023.

Table 13: Average Household Size (1980 to 2023)
Borough of Cresskill, New Jersey

Year	Total Population	Number of Households	Average Household Size
1980	7,609	2,357	3.19
1990	7,558	2,537	2.95
2010	8,573	3,002	2.84
2020	9,155	3,102	2.84
2023	9,101	3,085	2.90

Sources: U.S. Census – 1980, 2000, 2010 2023 American Community Survey 5-Year est.

4. Household Income. Detailed household income figures are shown in the table below. As shown, nearly 60% of the Borough’s households had an income of \$150,000 or more in 2023 which is a significant increase in median income reported for earlier years. The Borough’s median household income in 2023 (\$173,293) was substantially greater than the median household income of Bergen County (\$116,709) as a whole.

Table 14: Household Income (1999 to 2023)
Borough of Cresskill, New Jersey

Income Category	1999		2010		2023	
	Number	Percent	Number	Percent	Number	Percent
Less than \$10,000	97	3.6%	116	3.7%	31	1.0%
\$10,000 to \$14,999	41	1.5%	95	3.0%	34	1.1%
\$15,000 to \$24,999	115	4.3%	144	4.6%	23	0.7%
\$25,000 to \$34,999	188	7.1%	182	5.8%	107	3.5%
\$35,000 to \$49,999	220	8.3%	191	6.1%	310	10.0%
\$50,000 to \$74,999	499	18.7%	389	12.4%	295	9.6%
\$75,000 to \$99,999	417	15.7%	335	10.6%	101	3.3%
\$100,000 to \$149,999	547	20.5%	605	19.2%	339	11.0%
\$150,000 to \$199,999	191	7.2%	445	14.1%	506	16.4%
\$200,000 or more	348	13.1%	644	20.5%	1,339	43.4%
Total	2663	100.0%	3,146	100.0%	3,007	100.0%
Median Household Income	\$84,692		\$105,625		\$173,293	
Bergen County Median	\$57,640		\$81,708		\$116,709	

Sources: U.S. Census – 1990 & 2000, American Community Survey 5-Year Estimates.

Note: 1990 Census Survey did not include categories for “\$150,000 to \$199,999” or “\$200,000 or more”

5. Housing cost-burden. Households that pay more than 30% of their income for housing are considered cost burdened and may have difficulty affording other necessities such as food, clothing, transportation and medical care. Data concerning 1999 from the census reveals that approximately 30.1% of owner-occupied households and 47.3% of rental households experienced housing costs of 30% or more. The percentage of cost-burden homeowners in 2023, was estimated to be 38.6%, while for renters living in the Borough, the percentage who are cost burdened is rather high at 59.3%.

Table 15: Housing Cost as Percentage of Income (1999 to 2023)
Borough of Cresskill, New Jersey

Percentage of Income	1999				2023			
	Owner-occupied		Renter		Owner-occupied		Renter	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Less than 20 percent	1062	47.6%	84	32.0%	496	28.8%	102	21.8%
20 to 29 percent	494	22.1%	54	20.6%	562	32.7%	88	18.9%
30 percent or more	673	30.1%	124	47.3%	664	38.6%	276	59.3%
Occupied Units	2,229	100.00%	262	100.00%	1,722	100.00%	466	100.00%

Sources: U.S. Census – 2000, American Community Survey 5-Year Estimates.

D. EMPLOYMENT ANALYSIS

The MLUL requires that the Housing Element include data on employment levels in the community. The following tables present information on the Borough’s employment characteristics.

1. Employment Status. The following table provides information on the employment status of Borough residents aged 16 and over. Of those in the labor force in 2023, just 3.2% were unemployed. This figure represents a somewhat higher percentage of the workforce than were unemployed in 2000 or 2010 when the local unemployment rate was just 1.5% or even lower. The number of residents holding civilian employment has climbed steadily through the years, increasing by over 1,100 between 2000 and 2023. This data and the data addressing cost burdened residents identified in Table 15, might suggest that even as residents of Cresskill are experiencing higher salaries, these high salaries may in some instances be overshadowed by the dramatic increase in housing costs, especially for renters.

Table 16: Employment Status, Population 16 and Over (2000 to 2023)
Borough of Cresskill, New Jersey

Employment Status	2000		2010		2023	
	Number	Percent	Number	Percent	Number	Percent
In labor force	3,731	62.7%	4,125	65.2%	4,812	67.8%
Civilian labor force	3,731	62.7%	4,125	65.2%	4,812	67.8%
Employed	3,644	61.2%	4,035	63.8%	4,582	64.6%
Unemployed	87	1.5%	90	1.4%	230	3.2%
% of civilian labor force	2.3%		2.1%		5.0%	
Armed Forces	0	0.0%	0	0.0%	0	0.0%
Not in labor force	2,223	37.3%	2,202	34.8%	2,281	32.2.0%
Total Population 16 and Over	5,954		6,327		7,093	

Sources: U.S. Census – 1990 & 2000, 2023 American Community Survey 5-Year Estimates.

2. Employment Characteristics of Employed Residents. The following two tables detail information on the employment characteristics of employed Cresskill residents. Table 17 details occupation characteristics, while Table 18 details industry characteristics.

Table 17: Employed Residents Age 16 and Over, By Occupation (2000 to 2023)
Borough of Cresskill, New Jersey

Occupation	2000		2010		2023	
	Number	Percent	Number	Percent	Number	Percent
Management, Professional and related occupations	1,955	53.6%	2,303	57.1%	2,852	63.9%
Service Occupation	284	7.8%	246	6.1%	458	10.2%
Sales and Office Occupations	982	26.9%	1,063	26.3%	937	20.9%
Farming, fishing and forestry occupations	0	0.0%	0	0.0%	0	0.0%
Construction, extraction and maintenance	291	8.0%	192	4.8%	90	2.0%
Production, transportation and material moving occupations	132	2.8%	231	5.7%	216	4.8%
Total	3,644	100.0%	4,035	100.0%	4,463	100.0%

Sources: U.S. Census – 1990 & 2000, American Community Survey 5-Year Estimates.

Table 18: Employed Residents Age 16 and Over, By Industry (2000 to 2023)
Borough of Cresskill, New Jersey

Industry	2000		2010		2023	
	Number	Percent	Number	Percent	Number	Percent
Agriculture, forestry, fishing, hunting and mining	0	0.0%	0	0.0%	0	0.0%
Construction	250	6.9%	345	8.6%	224	4.9%
Manufacturing	290	8.0%	343	8.5%	399	8.7%
Wholesale trade	249	6.8%	327	8.1%	214	4.7%
Retail trade	369	10.1%	384	9.5%	242	5.3%
Transportation and warehousing, and utilities	106	2.9%	130	3.2%	93	2.0%
Information	107	2.9%	205	5.1%	146	3.2%
Finance, insurance, real estate and rental and leasing	522	14.3%	458	11.4%	583	12.7%
Professional, scientific, management, administrative and waste management services	335	9.2%	498	12.3%	740	16.2%
Educational, health and social services	888	24.4%	958	23.7%	1,465	32.0%
Arts, entertainment, recreation, accommodation and food services	179	4.9%	223	5.5%	207	4.5%
Other services	223	6.1%	94	2.3%	114	2.5%
Public administration	126	3.5%	70	1.7%	155	3.4%
Total	3,644	100.0%	4,035	100.0%	4,582	100.0%

Sources: U.S. Census – 1990 & 2000, American Community Survey 5-Year Estimates.

E. HOUSING AND EMPLOYMENT PROJECTIONS

The following section identifies the extent to which recent development has occurred in the community, to assist in the projection of future residential and employment projections.

1. Probable Future Employment and Regional or Community Factors Impacting Upon Future Municipal Employment. Employment has fluctuated over the past years in the Borough, between a low of 1,349 in the COVID-19 year of 2020 to a high of 2,273 in 2015. Generally speaking, Cresskill has experienced stable job growth through the years with COVID-19 disrupting this pattern. It is noted in the 3 years since COVID, job growth has been positive every year. Table 19 displays the number of jobs between the years 2004 and 2023.

Table 19: Covered Employment Trends 2004-2023
Borough of Cresskill, New Jersey

Year	Number of Jobs	Change in Number of Jobs	Percent Change
2004	1,799		
2005	1,861	62	3.4%
2006	1,888	27	1.4%
2007	1,956	68	3.6%
2008	2,013	57	2.9%
2009	2,165	152	7.5%
2010	2,237	72	3.3%
2011	2,177	-60	-2.6%
2012	2,154	-23	-0.9%
2013	2,174	20	0.9%
2014	2,247	73	3.3%
2015	2,273	26	1.15%
2016	2,139	-134	-5.89%
2017	2,125	-14	-0.65%
2018	2,102	-23	-1.08%
2019	2,173	71	3.37%
2020	1,349	-824	-37.9%
2021	1,432	83	6.15%
2022	1,498	66	4.60%
2023	1,523	25	1.66%

Sources: Department of Labor and Workforce Development

- a. Probable Non-Residential Development of Lands. During the years studied, 0 square feet of office space was constructed. During the years studied and for which data is reported, Cresskill saw 0 square feet of retail space constructed. The Borough experienced an average of approximately 6,126 square feet of new non-residential space per year over the past decade. Two-thirds of this space was in the educational and dormitory/MF category. Cresskill anticipates a slower pace of non-residential growth to occur over the next ten-year period as there are few parcels to develop. Table 20 indicates in 7 of the years for which data is provided, there was 5,000 square feet of non-residential space or less added to the Borough’s total amount of non-residential development. Truly, Cresskill has experienced very little non-residential development activity during the studied years.

Table 20: Non-Residential Space Authorized by Building Permits (sq. ft.) (2014 to 2023)
Cresskill, New Jersey

Year Issued	Office	Retail	A-2	A-3	Educa-tional	Indus-trial	Storage	Total
2014	0	0	0	0	0	0	0	0
2015	0	0	0	0	0	0	0	0
2016	0	Data not reported	0	0	0	0	0	0
2017	0	0	0	0	0	0	0	0
2018	0	0	0	0	28,033	0	0	28,033
2019	0	0	0	0	0	0	0	0
2020	0	0	0	18,620	0	0	0	18,620
2021	0	0	0	0	0	0	2,208	2,208
2022	0	0	0	0	12,400	0	0	12,400
2023	0	0	0	0	0	0	0	0
Total	0	0	0	18,620	40,433	0	2,208	61,261

Source: New Jersey Department of Community Affairs (DCA) Construction Reporter.

2. Projection of the Municipality's Housing Stock. With limited acreage remaining in the municipality that may be developed for residential use, it is anticipated that the Borough's residential growth shall remain very modest, as reflected in the recent annual data shown below. The data reveal that in the last 15 years, the number of net new dwellings in Cresskill increased by double digits only in 2016. In most years, the number of dwellings increased by a handful, with some years experiencing a net reduction in the number of dwellings. It is noted that since 2010, the Borough's housing stock has increased by a total of 167 dwellings which has been partially offset by 128 demolitions of dwellings. Over the past 15 years, Cresskill has experienced a net increase of 39 new dwellings, on average less than 3 net dwellings per year.

Table 21: Trends in Residential Development
 Analysis of Certificates of Occupancy and Demolition Permits, 2005-2024
 Borough of Cresskill, New Jersey

Year	COs Issued	Demo Permits Issued	Net Growth
2005	13	11	2
2006	92 (15SF/77 mixed-use)	13	79
2007	17	9	8
2008	9	7	2
2009	1	0	1
2010	7	6	1
2011	6	5	1
2012	7	6	1
2013	7	5	2
2014	7	11	-4
2015	12	14	-2
2016	43	9	34
2017	19	13	6
2018	15	20	-5
2019	6	8	-2
2020	3	6	-3
2021	8	10	-2
2022	11	6	5
2023	11 (6 1& 2Fam/5MF)	5	6
2024	5	4	1
15 Tr. Total	167	128	39
15 YR Average	11.13	8.53	2.6

SECTION II: FAIR SHARE OBLIGATION

A. Summary of Fourth Round Obligation

The following section provides a brief description of Cresskill's affordable housing fair share obligation.

The 2024 amendments to the Fair Housing Act authorized and directed the Department of Community Affairs to prepare a report to the Governor, Legislature and municipalities detailing the projected 10-year affordable housing obligation of each individual municipality comprising the various housing regions of New Jersey. This 10-year time frame begins on July 1, 2025 and continues until June 30, 2035.

The Department of Community Affairs report was released in October 2024. As pertains to the Borough of Cresskill, the report established the Borough's 10-year affordable housing obligation as:

Present Need	0 Unit
Prospective Need	155 Units.

In addition to establishing the Borough's next 10-year affordable housing obligation, the amendments to the Fair Housing Act also requires municipalities to look back and analyze how well they implemented earlier affordable housing obligations. Were the affordable housing targets established in earlier plans achieved? Did the Borough's efforts fall short?

The HE&FSP identifies the manner in which the Borough's fair share affordable housing obligations – inclusive of an assigned 0-unit rehabilitation obligation, a fully implemented 41-unit Prior Round obligation, and a 155-unit DCA assigned prospective need Fourth Round housing obligation – are to be addressed. This is summarized below.

1. Rehabilitation Share. Cresskill has been assigned a zero (0) rehabilitation or Present Need obligation for the Fourth Round. Since there is no obligation to be met, Cresskill need not do anything additional to address Fourth Round Present Need.
2. 41-Unit Prior Need Obligation. Cresskill was originally assigned a Third Round Prior Need obligation of 230 units. Cresskill did not possess the land resources to satisfy this obligation. Subsequently, the Borough, through a vacant land analysis, was able to demonstrate the ability to provide no more than 41-affordable housing units. This 41-unit obligation was accepted and included in a Settlement Agreement. It was also accepted and approved by the Honorable Gregg A. Padovano, JSC. Cresskill's Third Round housing plan demonstrated compliance with this requirement. It is recognized that one aspect of the plan, an accessory apartment program was not as successful as intended. A potential shortfall of affordable housing was avoided however, as a municipally sponsored 100% affordable development was

constructed. In addition, Cresskill mandatory setaside ordinance successfully produced one affordable housing unit located at 478 Knickerbocker Road.

3. Fourth Round Prospective Need Housing Obligation. The October report generated by DCA assigned Cresskill a Prospective Need obligation of 155 affordable units for the next ten (10) year housing cycle. In response to this affordable housing obligation, Burgis on behalf of the Borough, prepared a Vacant Land Assessment in accordance with the applicable affordable housing regulations. Small properties and environmentally sensitive properties were excluded by the assessment. Based on the findings indicated by Cresskill's Vacant Land Assessment, the Borough's RDP is established at zero (0) units. This analysis also establishes the Borough's Unmet Need obligation to be 155 units.

New language in the Fair Housing Act amendments require communities relying on a vacant land assessment such as Cresskill to, "identify sufficient parcels likely to redevelop during the current round of obligations to address at least 25 percent of the prospective need obligation that has been adjusted and adopt realistic zoning that allows for such adjusted obligation". Cresskill has taken and advocated that this phrase means 25% of the RDP must be identified and realistic zoning adopted. Both Fair Share Housing Center and the Special Adjudicator assigned to Cresskill's case have taken the position that it is 25% of the prospective need number for which realistic zoning must be adopted. For the purposes of achieving a settlement with the affordable housing dispute resolution program, Cresskill has agreed to accept the Special Adjudicator's position. Cresskill's assigned prospective need obligation is 155 units of affordable housing. 25% of 155 or 38.75 units is the amount of unmet need Cresskill will be required to satisfy by adopting realistic zoning. Cresskill has committed to addressing its unmet need obligation consistent with this interpretation of the statute.

Without adopting the interpretation advocated by FSHC, but to facilitate terms for potential settlement of FSHC's challenge to Cresskill Fourth Round housing plan, Cresskill undertook an examination of the community to identify parcels likely to redevelop during the period 2025-2035 and design zoning regulations which would allow such parcels to be redeveloped in a manner which can generate sufficient affordable housing units. This Borough-wide examination will be discussed later in the HE&FSP.

SECTION III: FAIR SHARE PLAN

A. THIRD ROUND PLAN SUMMARY

A fourth round housing plan must necessarily review the municipality’s progress in addressing earlier housing obligations. This ‘look-back’ provision is included in the Fair Housing Act in C.52:27D-304.1(2)(a). Cresskill did adopt a Third Round HE&FSP. This earlier plan identified the Borough’s affordable housing obligation and then detailed the mechanisms employed to comply with the affordable housing obligation.

For the Third Round housing cycle, Cresskill and FSHC entered into a Settlement Agreement which was presented to and approved by the Honorable Judge Gregg A. Napolitano, JSC. Pursuant to the Settlement Agreement, Cresskill’s Third Round affordable housing obligation included:

Rehabilitation of Dilapidated Housing	51-unit obligation
Prior Round Housing Cycle	70-unit obligation
Third Round Housing Cycle	230-unit obligation.

Understanding the current status of the community’s housing stock, Borough officials believed the 51-unit obligation overstated the number of dilapidated dwelling units in Cresskill. Knowing the rules allowed for a ‘windshield survey’ to more accurately estimate the number of dilapidated housing units in town, the Borough directed its construction official to perform a careful study of its housing stock.

Based on this windshield survey, the rehabilitation obligation was reduced from 51 units to 4 units. To address this obligation, the Borough participated in the Bergen County Housing Authority Home Improvement Program. Further, the Borough did reserve \$80,000 to continue its rehabilitation program even though this program has previously rehabilitated more units than required to fully satisfy the obligation established for the Third Round Housing cycle.

The 70-unit Prior Round obligation was fully satisfied through various means, including inclusionary development at the Hoke site in Cresskill and funding of two regional contribution agreements, one with the City of Bayonne, the second one with the Township of Weehawken. Satisfaction of the Prior Round is demonstrated in Table 22 below:

Table 22: Plan Components Addressing Second Round New Construction Obligation
Borough of Cresskill

Plan Component	Number of Units	Status
Regional Contribution Agreement	34	Completed Completed
City of Bayonne RCA	26	
Township of Weehawken RCA	8	
Inclusionary Development Daibes/ Hoke Site	36 18 rental units + 18 rental bonus	Completed
Total	70	Completed

Cresskill was originally assigned a Third Round new construction obligation of 230-units. Through the vacant land analysis (“VLA”) process this obligation was reduced to a 41-unit RDP. The 41-unit vacant land analysis was found acceptable and included in the Settlement Agreement between Cresskill and FSHC.

Cresskill addressed the Third Round RDP through a variety of approaches and properties, including both a judicially approved accessory apartment program and bonus credits. Table 24 below provides documentation as to how Cresskill addressed its 41-unit RDP obligation.

Table 23: Third Round RDP Completed Compliance Mechanisms
Borough of Cresskill

Name of Development	Number of Affordable Units
S& K Auto	1
North Jersey Community Bank	1
Cresskill Plaza	6
Sunrise Assisted Living	10
River View Associates	1
Wolfer Mixed-Use	1
BCUW E. Madison Ave.	9
478 Knickerbocker Rd.	1
Rental Bonus Credits	11
TOTAL	41

Table 24 above demonstrates how Cresskill’s Third Round plan generated 41-affordable housing credits. Included within this table are two (2) projects that were not originally included in the Third

Round approved plan. By including these projects which successfully produced affordable housing units Cresskill was able to fully achieve compliance with the 41-unit obligation.

Cresskill achieved full plan compliance through the addition of a municipally sponsored nine (9)-unit building located along East Madison Avenue in the center of town adjacent to the senior center. The Bergen County United Way was the entity which constructed the development. This municipally sponsored site is designated on Borough tax maps as Block 83 Lots 108 and 109.

Included in the East Madison Avenue building are a variety of affordable housing units, for which Cresskill can claim nine (9) affordable housing credits. More specifically there are three (3) rental apartments for developmentally disabled adults, 2 affordable rental apartments and a four (4) bedroom group home for development disabled adults. All units are rentals and have affordability controls lasting 30 years. The Knickerbocker Road affordable unit generated by Wakelee Drive will also be encumbered with a 30-year deed restriction.

Cresskill can also claim one (1) additional unit of affordable rental housing as a result of the implementation of the mandatory setaside ordinance previously adopted by the Governing Body. The property which provided one (1) additional affordable housing unit is identified as 478 Knickerbocker Road, owned by the 15 Wakelee Drive Corporation.

B. SUMMARY OF FAIR SHARE OBLIGATION FOR THE 4TH ROUND AFFORDABLE HOUSING CYCLE

As a result of the 2024 amendments to the Fair Housing Act, the Department of Community Affairs was empowered and directed to prepare a report to the Governor, Legislature and municipalities detailing the projected 10-year affordable housing obligation of each individual municipality comprising the various housing regions in the State. This ten-year timeframe begins on July 1, 2025 and continues until June 30, 2035.

DCA released its report in October 2024. With regard to the Borough of Cresskill, the report established the Borough’s 10-year affordable housing obligation as:

Present Need	0 Unit.
Prospective Need	155 Units.

With regard to Cresskill’s Present Need obligation, the Department of Community Affairs has determined the Borough’s obligation for the current ten-year period beginning July 1, 2025 is 0 units. As such, Cresskill is not required to take any additional action addressing Present Need, also called the rehabilitation component, since there is a lack of demonstrated need in the community. Simply put, there is no Present Need affordable housing obligation to satisfy.

Turning attention to Prospective Need, the October report indicates the Borough of Cresskill has a Fourth Round Prospective Need obligation of 155 affordable housing units. DCA came to this conclusion irrespective of the earlier judicial determination that Cresskill is a nearly fully built out community.

C. VACANT LAND ADJUSTMENT

The Borough's affordable housing obligation is also informed by a vacant land adjustment and the imposition of a realistic development potential (RDP) analysis that was undertaken pursuant to the amendments to the Fair Housing Act. As detailed within the amendments, when computing a municipal adjustment regarding lack of available land resources, the municipality shall confirm the following classifications of land were correctly excluded:

- (a) Any land that is owned by a local government entity for a public purpose other than housing;
- (b) Any land listed in Cresskill's master plan as being dedicated for purposes of conservations, park lands or open space and which is owned, leased, licensed, or in any manner operated by a county, municipality or tax-exempt, nonprofit organization;
- (c) Any vacant contiguous parcels of land in private ownership of a size which would accommodate fewer than five housing units based on appropriate standards pertaining to housing density;
- (d) Historic and architecturally important sites listed on the State Register of Historic Places or National Register of Historic Places prior to the date of filing a housing element and fair share plan;
- (e) Agricultural lands when the development rights to these lands have been purchased or restricted by covenant;
- (f) Sites designated for active recreation that are designated for recreations purposes in the municipal master plan; and,
- (g) Environmentally sensitive lands where development is prohibited by any State or federal agency, including but not limited to, the Highlands Water Protection and Planning Act for lands in the Preservation Area and for lands in the Planning Area for Highlands conforming municipalities.

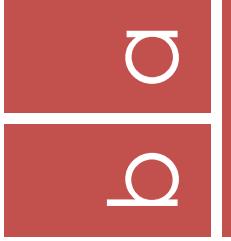
The vacant land analysis identified all vacant sites of minimally 0.83 acres in size, imposed wetland, steep slope and flood plain information and deductions pursuant to the applicable regulations, and calculated the remaining unconstrained acreage that is to be utilized to determine the Borough's RDP.

At the conclusion of Burgis' vacant land analysis, it was determined that there is no property in the Borough which can comply with the requirements for construction of an inclusionary development containing both affordable housing and market rate units. Stated another way, all the vacant land in the borough should be excluded from consideration as affordable housing construction sites. Thus,

Cresskill's Realistic Development Potential is 0 affordable housing units. Likewise, Cresskill's Unmet Need is established as 155 affordable housing units.

The Borough's vacant land assessment is presented in the accompanying map and table on the following pages.

Table 24: Vacant Land Assessment
Borough of Cresskill, New Jersey



COMMUNITY PLANNING
LAND DEVELOPMENT AND DESIGN
LANDSCAPE ARCHITECTURE

B U R G I S
A S S O C I A T E S , I N C .

Table 24: Vacant Land Assessment
Borough of Cresskill, New Jersey

BOROUGH OF CRESSKILL: VACANT LAND ASSESSMENT FOURTH ROUND HOUSING CYCLE

ID#	Block	Lot	Property Location	Comments	Total Area (ac.)	Contributory Area (ac.)	Developable?
1	67	3	Piermont Road	Railroad property	2.20	0.00	No
2	67	1	Piermont Road	Railroad Property	6.81	0.00	No
3	91.08	9	Huyler Landing Road	Qualified toward previous round RDP.	1.6	0.00	No
4	91.1	4	Hoover Dr.	Qualified toward previous round RDP.	1.04	0.00	No
5	91.07	5	Huyler Landing Rd.	Qualified toward previous round RDP.	0.92	0.00	No
6	91.07	3	Huyler Landing Rd.	Too small with steep slopes	0.94	0.00	No
7	90.01	17.02	Lams Lane	Qualified toward previous round RDP.	0.62	0.00	No
8	211	5	Eisenhower Dr.	Too small with steep slopes	0.98	0.00	No
9	91.09	3	Truman Dr.	Qualified toward previous round RDP.	0.93	0.00	No
10	91.1	5	Vaccaro Dr.	Too small with steep slopes	0.40	0.00	No
11	66	11	7 th St.	Too small	0.32	0.00	No
12	92.08	38	E. Madison Ave.	Too small	0.43	0.00	No
13	179	61	Palisades Ave.	Too small	0.29	0.00	No
14	13	1.06	Knickerbocker Rd.	Too small	0.26	00.0	No
15	15	7	Brookside Ave.	Too small	0.30	0.00	No
16	67	2	Railroad	Too small	0.22	0.00	No
17	75	14	Westervelt Pl.	Too small	0.17	0.00	No
18	91.1	3	Pendergast Ct.	Too small with steep slopes	0.29	0.00	No
19	67	3.03	Piermont Rd.	Too small	0.16	0.00	No

ID#	Block	Lot	Property Location	Comments	Total Area (ac.)	Contributory Area (ac.)	Developable?
20	32	408	Magnolia	Too Small	0.18	0.00	No
21	91.03	212.01	Lambs Lane	Too small with steep slopes and C-1 stream	0.73	0.00	No
22	101	28	12 th St.	Too small	0.13	0.00	No
23	62	1033	6 th Street	Too small after constraints removed	0.13	0.00	No
24	154	27	Phelps Ave.	Too small	0.12	0.00	No
25	92.03	12	Kenilworth Dr.	Too small with steep slopes	0.13	0.00	No
26	90.01	1	Lambs Lane	Too small	0.16	0.00	No
27	139	101	Magnolia Ave.	Too small with steep slopes	0.22	0.00	No
28	34	291	Jefferson Ave.	Too small	0.13	0.00	No
29	14.05	1	Knickerbocker Rd.	Too small	0.11	0.00	No
30	85	37	Hillside Ave.	Too small	0.11	0.00	No
31	83	108	E. Madison Ave.	Too small	0.11	0.00	No
32	10	93	Gilmore Ave.	Too small	0.15	0.00	No
33	85	89	Center St.	Too small	0.09	0.00	No
34	86	162	E. Madison Ave.	Too small	0.35	0.00	No
35	154	35	Phillips Ave.	Too small	0.08	0.00	No
36	83	90	E. Madison	Too small	1.36	0.00	No
37	91.06	38	Vaccaro Dr.	Too small	0.22	0.00	No
38	80	7	E. Madison	Too small	0.10	0.00	No
39	117	20	Short Pl.	Too small	0.09	0.00	No
40	1.01	25	Heather Hill Rd.	Too small	0.13	0.00	No
41	154	39	Phelps Ave.	Too small	0.08	0.00	No
42	1.03	13	Mountain View Rd.	Too small with steep slopes	0.19	0.00	No
43	86	110	Center St.	Too small	0.08	0.00	No
44	15	6	Prospect Ave.	Too small with steep slopes	0.28	0.00	No
45	67	3.04	Piermont Rd.	Too small	0.07	0.00	No

ID#	Block	Lot	Property Location	Comments	Total Area (ac.)	Contributory Area (ac.)	Developable?
46	134	109	Madison Ave.	Too small	0.13	0.00	No
47	114	27	Highland St.	Too small	0.07	0.00	No
48	154	1	Phelps Ave.	Too small	0.08	0.00	No
49	80	8	E. Madison Ave.	Too small	0.12	0.00	No
50	154	29	Phelps Ave.	Too small	0.07	0.00	No
51	139	22	Knickerbocker Ave.	Too small	0.13	0.00	No
52	154	32	Phelps Ave.	Too small	0.07	0.00	No
53	145	340	10 th St.	Too small	0.17	0.00	No
54	159	27	Delmar Ave.	Too small	0.12	0.00	No
55	145	349	10 th St.	Too small	0.11	0.00	No
56	2	5	Grant Ave.	Open Space	8.1	0.00	No
57	22	14	Prospect Ave.	Too small	0.11	0.00	No
58	145	343	10 th St..	Too small	0.22	0.00	No
59	180	56	Linwood Ave.	Open Space	1.3	0.00	No
60	113	14.01	Highland Ave.	Too small	0.06	0.00	No
61	145	347	10 th St.	Too small	0.11	0.00	No
62	22	16	Prospect Ave.	Too small	0.11	0.00	No
63	145	319	11 th St.	Too small	0.05	0.00	No
64	1.02	11	Mountain View Rd.	Too small	0.09	0.00	No
65	182	24	Broadway	Too small	0.13	0.00	No
66	90.01	12.03	Lambs Lane.	Too small	0.14	0.00	No
67	22	18	Prospect Ave.	Too small	0.11	0.00	No
68	1.01	15	Mountain View Ct.	Too small	0.08	0.00	No
69	179	18	E. Madison Ave.	Too small	0.05	0.00	No
70	145	349	10 th St..	Too small	0.10	0.00	No
71	176	1	Ackerman Pl.	Too small	0.11	0.00	No
72	108	29	Linwood Ave.	Too small	0.41	0.00	No

ID#	Block	Lot	Property Location	Comments	Total Area (ac.)	Contributory Area (ac.)	Developable?
73	179	31.01	County Rd.	Too Small	0.07	0.00	No
74	146	366	10 th St.	Too small	0.23	0.00	No
75	180	38	County Rd.	Too small	0.13	0.00	No
76	67	3.01	Piermont Rd.	Too small	0.03	0.00	No
77	28	23	Maple St.	Too small	0.13	0.00	No
78	25	21	Monroe Ave.	Too small	0.11	0.00	No
79	146	372	10 th St.	Too small	0.51	0.00	No
80	1.02	13	Mountain View Ct.	Too small	0.03	0.00	No
81	1.03	14	Mountain View Rd.	Too small	0.03	0.00	No
82	14	42.01	Roosevelt St.	Too small	0.04	0.00	No
83	67	3.02	Piermont Rd.	Too small	0.03	0.00	No
84	130	33	Phelps Ave.	Too small	0.01	0.00	No
85	75	48	Hillside Ave.	Too small with steep slopes and C-1 buffers	0.30	0.00	No
86	207	8	Churchill Rd.	Too small with steep slopes and C-1 buffers	0.51	0.00	No
87	158	11	South St.	Too small	0.28	0.00	No
88	158	55.02	Delmar Ave.	Too small	0.14	0.00	No
89	160	10	Delmar Ave.	Too small, Open Space	0.51	0.00	No
90	163	14	Park Ave.	Too small, Open Space	0.49	0.00	No
91	166	27	Piermont Rd.	Too small, C-1 buffers	0.05	0.00	No
92	17	10	Grant Ave.	Too small, C-1 buffers	0.24	0.00	No
93	173	89	Piermont Rd.	Too small, Open Space	0.38	0.00	No
94	175	2	Dogwood Lane	Open Space	4.83	0.00	No
95	17	9	Grant Ave.	Too small, Open Space	0.70	0.00	No
96	1.03	35	Heather Hill Rd.	Too small	0.172	0.00	No
97	12	2.03	Grant Ave.	Too small	0.76	0.00	No

ID#	Block	Lot	Property Address	Comments	Total Area (ac.)	Contributory Area (ac.)	Developable?
98	188	9	Douglass Dr.	Open Space	4.9	0.00	No
99	204	1	Pierce Ave.	Open Space	6.59	0.00	No
100	20	8	Grant Ave.	Too small with steep slopes	0.56	0.00	No
101	210	22	Hillside Ave.	Open Space	2.75	0.00	No
102	210	7	Eisenhower Dr.	Too small with steep slopes	0.88	0.00	No
103	210	8	Eisenhower Dr.	Open Space	0.94	0.00	No
104	210	9	Eisenhower Dr.	Open Space	1.05	0.00	No
105	22	20	Prospect Ave.	Too small	0.17	0.00	No
106	23	1	Prospect Ave.	Too small	0.40	0.00	No
107	28	1	Merritt Ave.	Too small with steep slopes	0.07	0.00	No
108	28	3	Merritt Ave.	Too small	0.72	0.00	No
109	3.01	7	Grant Ave.	Too small, Open Space	0.39	0.00	No
110	34	265	7 th St.	Too small	0.172	0.00	No
111	39	21	2 nd St.	Too small	0.34	0.00	No
112	40	1	Madison Ave.	Too small	0.15	0.00	No
113	4	1	Merrifield Way	Too small, Open Space	0.67	0.00	No
114	41	3.01	2 nd St.	Too small with steep slopes	0.365	0.00	No
115	4	9.01	Merryfield Way	Too small	0.44	0.00	No
116	49	599	4 th St.	Too small	0.22	0.00	No
117	50	551	3 rd St.	Too small	0.45	0.00	No
118	65	865	Evergreen Ave.	Too small	0.47	0.00	No
119	69	36	Meadow St.	Steep slopes, C-1 buffers	1.55	0.00	No
120	69	49.01	Piermont Rd.	Too small, steep slopes, C-1 buffers	0.34	0.00	No
121	69	49.02	Piermont Rd.	Too small, steep slopes, C-1 buffers	0.34	0.00	No
122	73.01	46	Piermont Rd.	Too small, Open Space	0.27	0.00	No
123	75	18	Westervelt Pl.	Too small	0.24	0.00	No

ID#	Block	Lot	Property Location	Comments	Total Area (ac.)	Contributory Area (ac.)	Developable?
124	79	232	Hillside Ave.	Too small with steep slopes	0.43	0.00	No
125	83	109	E. Madison Ave.	Too small, qualified under previous round	0.15	0.00	No
126	91.01	1	Engle St.	Too small, C-1 buffer	0.55	0.00	No
127	9	1	Mezzine Dr.	Open Space	3.86	0.00	No

Land Categorization		Acreage
Total Vacant Land (Mapped)(ac.)		65.29 ac
Total Developable Area Qualifying for RDP Analysis		0.00 ac

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Fourth Round Prospective Need Housing Obligation. The October report generated by DCA assigned Cresskill a Prospective Need obligation of 155 affordable units for the next ten (10) year housing cycle. In response to this affordable housing obligation, Burgis on behalf of the Borough, prepared a Vacant Land Assessment in accordance with the applicable affordable housing regulations. Based on Cresskill's Vacant Land Assessment, the Borough's RDP is established at zero (0) units. This analysis also establishes the Borough's Unmet Need obligation to be 155 units.

Among the significant changes brought around by the 2024 amendments to the Fair Housing Act, is the provision found in C.52:27D-310.1. The relevant portion of this clause is reproduced below:

...identify sufficient parcels likely to redevelop during the current round of obligations to address at least 25 percent of the prospective need obligation that has been adjusted and adopt realistic zoning that allows for such adjusted obligation, or demonstrate why the municipality is unable to do so."

Exactly what the Legislature meant by the above repeated clause is unclear. Cresskill and many other municipalities understood this clause to mean towns must adopt realistic zoning to allow for the redevelopment of parcels equal to 25% of the RDP. Fair Share Housing Center and the Special Adjudicator assigned to Cresskill have a very much different opinion. They believe it requires realistic zoning be established such that 25% of the Prospective Need obligation be redeveloped within the timeframes of the Fourth-Round housing cycle.

Cresskill carried out a Borough-wide examination to identify parcels likely to redevelop. This analysis was taken without adopting the interpretation advocated by FSHC. This analysis was undertaken to facilitate negotiations of terms for potential settlement of FSHC's challenge to Cresskill's Fourth-Round housing element.

Cresskill's assigned Prospective Need obligation for the Fourth Housing cycle is 155 units. 25% of 155 equals 39 units of additional affordable housing. To fully comply with the Unmet Need obligation as determined by the Affordable Housing Dispute Resolution Program, Cresskill will fully maintain each of the programs established during the Third-Round housing cycle. These include a mandatory affordable housing setaside program requiring the establishment of deed restricted affordable dwellings whenever five (5) or more market-rate housing units are proposed. A copy of this adopted ordinance is included as Appendix A-6.

The Borough will also continue the existing overlay zoning provisions drafted and adopted during the Third-Round housing cycle but with an important change affecting Block 181 Lot 1. Cresskill's Fourth Round HE&FSP will increase both the allowable density and the mandatory affordable housing setaside affecting this parcel. These changes are expected to increase the number of

affordable housing dwellings that will be generated from redevelopment activities on this site. The previously adopted zoning ordinance, Ord. No.19-01-1533, is included as Appendix A-9 to this Housing Element and Fair Share plan.

Further, the Borough will establish overlay zoning on selected identified parcels to meet this newly established unmet need obligation. The parcels selected are ones close to Cresskill's main commercial hub and include all the lots comprising Block 74 and Block 80. The overlay zone will permit development at 18 units to the acre and require an affordable housing setaside of 25%. The remaining parcels are located along Madison Avenue. These two lots are developed with different uses and are in separate ownership. Due to the limited size of these two lots the overlay zone density is proposed to be 15 units to the acre with an affordable housing setaside of 25%.

As detailed above, the HE&FSP can accommodate the entirety of the community's adjusted housing obligation through 2035 in a manner that affirmatively addresses affordable housing needs while at the same time maintaining the overall character and environment attributes of the community. Each of the mechanisms used to achieve compliance with the affordable housing obligation is identified above.

It is recognized that the amendments to the Fair Housing Act are new and untested. These amendments establish new substantive and procedural requirements on how municipalities achieve constitutional compliance with affordable housing obligations. Understanding the unsettled nature of affordable housing, this plan may require adjustment and refinement prior to the conclusion of the Fourth Round housing cycle.

PLAN COMPONENTS

This section of the plan details the projects, mechanisms and funding sources which will be used to meet the Borough's Fourth Round affordable housing obligations, as discussed above.

1. Rehabilitation Share. The Borough has been assigned a rehabilitation share or Present Need obligation by the Department of Community Affairs. This obligation is zero (0) units. Therefore, there is no Present Need obligation which the Borough needs to satisfy.
2. Prior Round Obligation. As previously identified in this plan, a number of affordable developments were completed in accordance with the Borough's Second Round and Third Round Plans. The existing plan components which were implemented to address the Borough's earlier affordable housing obligation are identified in tables elsewhere in this HE&FSP. The key takeaway is Cresskill has fully satisfied its prior round affordable housing obligations from these affordable housing obligations.

3. Unmet Need. Cresskill undertook several actions to address its affordable housing Unmet Need obligation as that obligation was determined to be for the Third Round. Cresskill adopted an amendment to its land use ordinance requiring all approved residential developments containing five or more dwelling units to reserve 20% of the development for deed restricted affordable housing. This mandatory setaside ordinance did effectuate the construction of a single affordable housing at 478 Knickerbocker Road. Without having the mandatory setaside ordinance in place, this affordable housing unit would not have been constructed. As stated earlier, Cresskill will maintain this ordinance during the balance of the Fourth Round housing cycle but increase the affordable setaside requirement to 25%.

Cresskill is aware there is a new provision in the Fair Housing Act amendments. It is extremely difficult to understand exactly what this provision requires. Some, including FSHC, suggest it requires vacant land communities to adopt realistic zoning provisions to encourage redevelopment in the present affordable housing cycle. The statute states, "Any municipality that receives an adjustment of its prospective need obligations for the fourth round or subsequent rounds based on a lack of vacant land shall, as part of the process of adopting and implementing its housing element and fair share plan, identify sufficient parcels likely to redevelop during the current round of obligations to address at least 25 percent of the prospective need obligation that has been adjusted and adopt realistic zoning that allows for such adjusted obligation, or demonstrate why the municipality is unable to do so.

Cresskill is a very small, nearly completely developed residential community. This has been demonstrated in both the Third and Fourth Rounds. For the Third Round Cresskill had a 41-unit RDP. For this affordable housing round, the community has an RDP of zero units. These RDP numbers reveal the community has very few parcels that can be developed or redeveloped as inclusionary housing sites.

Cresskill examined the entire town and concluded properties listed below where those that were likely to redevelop and could have their zoning adjusted to allow for inclusionary development. The lack of potential redevelopment sites should come as no surprise to those who know Cresskill. While the Borough has over 2,800 residential properties according to DCA in 2024, it is a far different story with regard to non-residential development. According to information compiled by DCA, in 2024, the Borough only had two (2) industrial properties and 74 commercial properties. Truly, a very small universe of potential redevelopment targets.

The properties that might redevelop within the next ten (10) years are listed in the table below. Based on size of lots, the exact location of each lot and its proposed density, the potential affordable housing yield is also indicated.

Table 25: Plan Components to Address Unmet Need

Parcel #	Block & Lot #	Tax Classification (ac.)	Parcel Size	Proposed Res. Density (Du/Ac)	Proposed Affordable Housing Setaside (%)	Potential AH Yield
1	B. 27, L. 70	4A	0.51	15	25	2
2	B. 27. L 69.01	4A	0.68	15	25	3
3	B. 181, L.1	4B	2.57	22	25	14
4	Block 74, all lots	4B	1.98	18	25	9
5	Block 80, all lots	4B	2.12	18	25	11

Single-family dwellings are by far the predominate form of development in Cresskill. To establish a range of potential densities a few existing Cresskill multi-family developments were examined. These developments were constructed with densities of 8.5 du/ac, 11 du/ac., and 12.6 du/ac. This information helps inform the plan as to what a reasonable density for sites likely to redevelop with an affordable housing component might be.

As a component of the Fourth-Round housing cycle, Cresskill will rezone these parcels for inclusionary development with a range of appropriate densities, ranging from a low of 15 units per acre to a high of 22 units per acre. Block 181 Lot 1 can support a greater density, so Cresskill will re-zone this parcel for development at 22 dwelling units per acre. It is noted that the selected density for these parcels that might redevelop is higher than any of the existing multi-family developments studied. The density was selected in a concerted effort to generate development that can support affordable units through an internal subsidy. Cresskill will not need to assist financially in order for affordable housing units to be generated on the selected sites.

Newly constructed development will have a 25% affordable housing setaside and be required to meet all requirements mandated by the Uniform Affordability Controls regulations. These affordable housing steps Cresskill is committing to may generate 40 or so affordable family rental units. This affordable housing yield must be viewed in the context of a small community with a 0-unit RDP and very few lots which may redevelop in the next ten years.

To further maximize opportunities to address the unmet need obligation, Cresskill will consider using affordable housing trust fund money to establish a market-to affordable program or a municipally sponsored group home. Cresskill was successful during the Third-Round in establishing a joint venture with a non-profit and creating a group home building.

At the time Cresskill uses affordable housing trust fund money to establish one or more group homes or implements a market-to-affordable program, full compliance with provisions of the New Jersey Barrier Free Subcode will be required prior to the issuance of a certificate of occupancy for the dwelling. All such programs will be overseen by the Borough's Administrative Agent and be in full compliance with the amended Uniform Housing Affordability Controls regulations as adopted by DCA.

Cresskill includes both mechanisms in this HE&FSP to better respond to local housing needs and local market conditions, recognizing that it may implement one or the other program or both or neither. Cresskill anticipates the market-to-affordable program will target existing apartments or condominium units for acquisition. If a group home is purchased a home with three (3) or four (4) bedrooms will be targeted. Borough officials will consider a dwelling for group home purchase with fewer bedrooms if the property has expansion potential. The Spending Plan allocates an appropriate sum for supportive and special needs housing and an additional amount for the potential market-to-affordable program. Cresskill recognizes it may spend more, it may spend less or it may not spend any development fee money in support of these programs. Cresskill reserves the right to fund one program or the other and, upon motion to the Court, with Notice to Fair Share Housing Center, to amend the Spending Plan to shift funds among the two programs, if desirable. A new Spending Plan will be prepared and adopted prior to March 15, 2026.

Funding for these potential programs will draw only from the affordable housing trust fund. The general revenues of the Borough will not be used to fund either a group home or market-to-affordable program.

Cresskill has adopted various operating manuals to guide and regulate the accessory apartment program, the marketing of affordable housing units, tenant selection, price and rents levels and other aspects of implementing an affordable housing program. All of these approvals and adoptions will continue and be effective through the end of the Fourth Round. Cresskill will continue to retain an Administrative Agent to ensure compliance with all applicable regulations. The Municipal Housing Liaison will also continue to have responsibilities for initial contact with affordable housing developers and potential occupants of affordable housing dwellings.

Cresskill's affirmative marketing plan has been designed to reach income eligible households throughout the four counties comprising Region 1. This regional marketing strategy will continue to be implemented by the Administrative Agent and is designed to target those potentially eligible households least likely to apply for affordable housing units in the region. It remains an on-going and continuing program. A multi-media approach to capture the attention of the targeted audience will continue to be implemented.

Cresskill's Affordable Housing Ordinance, previously adopted by the municipality will be replaced with a newer Affordable Housing Ordinance in order to comply with new DCA requirements and the amended Fair Housing Act.