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Our File No.: MAYSC-001

IN THE MATTER OF THE
APPLICATION OF THE
BOROUGH OF MAYWOOD, COUNTY
OF BEGEN, STATE OF NEW JERSEY

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: BERGEN COUNTY
DOCKET NO.: BER-L-699-25

**SUBMISSION OF HOUSING ELEMENT
AND FAIR SHARE PLAN IN
ACCORDANCE WITH MAY 5, 2025 ORDER
OF THE COURT**

Declaratory Plaintiff, the Borough of Maywood, County of Bergen, State of New Jersey (hereinafter, "Maywood" or the "Borough"), a municipal corporation of the State of New Jersey, with principal offices located at 15 Park Avenue, Maywood, New Jersey 07607, hereby submits the Borough's Housing Element and Fair Share Plan in accordance with the Court's Order dated May 5, 2025.

WEINER LAW GROUP, LLP
Attorneys for Declaratory Plaintiff, Borough
of Maywood

By: /s/ Patrick J. McNamara
Patrick J. McNamara Esq.

Dated: June 26, 2025

- Exhibit 1:** Housing Element and Fair Share Plan (HE/FSP) – Kauker & Kauker April 2025
- Exhibit 2:** Resolution of the Planning Board adopting the HE/FSP and the Resolution of the Borough Council endorsing the HE/FSP
- Exhibit 3:** Resolutions of the Planning Board adopting the West Pleasant Avenue Area in Need of Redevelopment with Power of Eminent Domain
- Exhibit 4:** Investigation of Area in Need of Redevelopment – West Pleasant Avenue
- Exhibit 5:** Resolution of the Borough Council and Resolution of the Planning Board adopting the West Pleasant Avenue Area in Need of Redevelopment with Power of Eminent Domain
- Exhibit 6:** Statement from Kauker and Kauker setting forth the Basis for the Preliminary Investigation/Area in Need of Redevelopment Study
- Exhibit 7:** Summary of Affordable Housing Trust Fund Spending Plan by Kauker and Kauker
- Exhibit 8:** Affirmative Marketing Plan prepared by Triad – May 2025
- Exhibit 9:** East Hunter Redevelopment Plan, last revised June 8, 2022, prepared by Kauker and Kauker
- Exhibit 10:** Contract between Triad and the Borough of Maywood for Professional Services regarding implementation of Affordable Housing Administrative Services for 2025

Exhibit 1

Housing Element and Fair Share Plan (HE/FSP) – Kauker &
Kauker April 2025

**MASTER PLAN
HOUSING ELEMENT AND
FAIR SHARE PLAN

MAYWOOD, NEW JERSEY**

April 15, 2025

Prepared for:
The Borough of Maywood

Prepared by:



**356 Franklin Avenue
Wyckoff, New Jersey 07481**

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201 847-2424 F**

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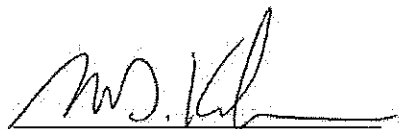
Prepared by

Michael D. Kauker, AICP, PP

and

Michael F. Kauker, PP

This copy conforms to the original copy of this report which is stamped and signed by Michael D. Kauker, Professional Planner's License Number 5737 and Michael F. Kauker, Professional Planner's License Number 993, in accordance with N.J.S.A. 45:14A regulating the practice of Professional Planning in the State of New Jersey.



Michael D. Kauker



Michael F. Kauker

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**MASTER PLAN
HOUSING ELEMENT**

**BOROUGH OF MAYWOOD, NJ
APRIL 15, 2025**

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1.0 INTRODUCTION

1.1 Purpose and Scope

This Round 4 Housing Element and Fair Share Plan has been developed to fulfill Maywood's constitutional obligation to provide its fair share of affordable housing, as required by the New Jersey Fair Housing Act (P.L.1985, c.222) and the Mount Laurel Doctrine. This plan complies with the recently enacted Assembly Bill A-4, which establishes a new framework for determining municipal fair share housing obligations for the Fourth Round (2025-2035). It serves as a comprehensive guide to meeting the municipality's affordable housing obligations while ensuring compliance with regulations set forth by the Council on Affordable Housing (COAH) or other applicable judicial directives.

The Housing Element component identifies current and projected housing needs within the municipality, incorporating a detailed analysis of demographics, economic trends, housing stock, and land use policies. The Fair Share Plan outlines the strategies and regulatory mechanisms to meet the municipality's assigned affordable housing obligation, including zoning amendments, inclusionary housing requirements, and redevelopment opportunities.

The mechanisms proposed by the Borough of Maywood will promote the constitutional goal of creating the realistic opportunity for producing its fair share of the present and prospective need for low- and moderate-income housing.

1.2 Legal and Regulatory Context

The preparation of this Housing Element and Fair Share Plan is mandated by Section 2 of P.L.1985, c.222 (C.52:27D-302), which requires every New Jersey municipality to adopt a housing plan as part of its Master Plan to address affordable housing needs. This requirement is rooted in the New Jersey Supreme Court's Mount Laurel decisions, which mandate that municipalities take affirmative steps to provide realistic housing opportunities for low- and moderate-income households.

The enactment of Assembly Bill A-4 (2024) introduces a new methodology for determining fair share obligations, replacing the previous court-driven compliance process. Under A-4, the New Jersey Department of Community Affairs (DCA) will be responsible for establishing municipal obligations for the Fourth Round, reducing judicial oversight that has influenced housing policy since the 2015 court rulings. The legislation also includes incentives for municipalities that proactively comply with their obligations, as well as penalties for non-compliance.

1.3 Content of a Housing Element

The Housing Element submitted to the Court shall include the minimum requirements set forth in N.J.S.A. 52:27D-310 of the Fair Housing Act. It shall be designed to ensure access to affordable housing that addresses both current and future needs, with particular emphasis on low- and moderate-income households, and shall include at minimum the following:

- a. An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low- and moderate-income households and substandard housing capable of being rehabilitated, and in conducting this inventory the municipality shall have access, on a confidential basis for the sole purpose of conducting the inventory, to all necessary property tax assessment records and information in the assessor's office, including but not limited to the property record cards;
- b. A projection of the municipality's housing stock, including the probable future construction of low- and moderate-income housing, for the next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;
- c. An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age;
- d. An analysis of the existing and probable future employment characteristics of the municipality;
- e. A determination of the municipality's present and prospective fair share for low- and moderate-income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low- and moderate-income housing, as established pursuant to section 3 of P.L.2024, c.2 (C.52:27D-304.1);
- f. A consideration of the lands that are most appropriate for construction of low- and moderate-income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low- and moderate-income housing, including a consideration of lands of developers who have expressed a commitment to provide low- and moderate-income housing;
- g. 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, adopted pursuant to paragraph (1) of subsection f. of section 1 of P.L.2021, c.273 (C.52:27D-329.20);
- h. For a municipality located within the jurisdiction of the Highlands Water Protection and Planning Council, established pursuant to section 4 of P.L.2004, c.120 (C.13:20-4), an analysis of compliance of the housing element with the Highlands Regional Master Plan of lands in the Highlands Preservation Area, and lands in the Highlands Planning Area for Highlands-conforming municipalities. This analysis shall include consideration of the municipality's most recent Highlands Municipal Build Out Report, consideration of opportunities for redevelopment of existing developed lands into inclusionary or 100 percent affordable housing, or both, and opportunities for 100 percent affordable housing in both the Highlands Planning Area and Highlands Preservation Area that are consistent with the Highlands regional master plan; and
- i. An analysis of consistency with the State Development and Redevelopment Plan, including water, wastewater, stormwater, and multi-modal transportation based on guidance and technical assistance from the State Planning Commission.

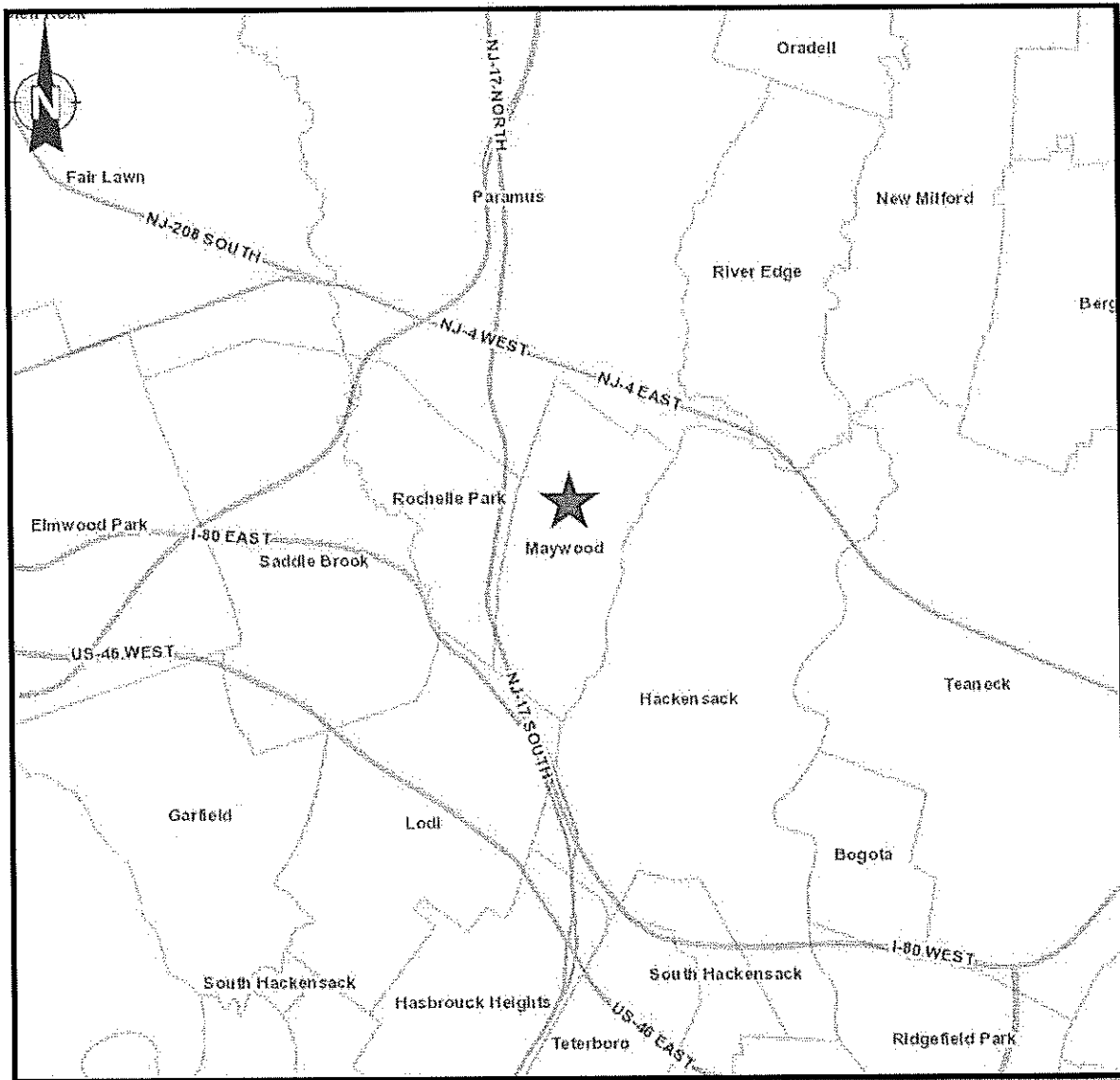
1.4 Content of a Fair Share Plan

The Fair Share Plan describes the completed or proposed mechanisms and funding sources, if applicable, that will be utilized to address a municipality's affordable housing obligation as

established in the Housing Element. More specifically, it will address the rehabilitation share, Prior Round Obligation (1987-1999), Gap Present Need Obligation (1999-2015), Round 3 obligation (2015 to 2025) and Round 4 Obligation (2025 to 2035). It shall also include if applicable draft ordinances necessary to implement that plan and other information that may be required by the Court or other reviewing agency.

2.0 HOUSING ELEMENT

The Borough of Maywood has an area of approximately 1.3 square miles and is located in the southern central section of Bergen County, New Jersey. Bergen County is part of Housing Region 1 as established by COAH consisting of Bergen, Passaic, Hudson and Sussex Counties. The following map depicts the regional location of the Borough of Maywood.



Source: County of Bergen Maps On-Line

2.1 Inventory of Existing Housing

An inventory of the municipality's housing stock including an analysis of housing characteristics is presented in the following section of this report.

The Borough of Maywood is primarily a fully developed one-family residential community which offers a variety of housing choices. As of the 2020 U.S. Census there were a total of 3,829 housing units in the Borough of Maywood. There were 3,717 occupied housing units as compared to only 112 vacant housing units. Out of the 3,717 occupied housing units, 2,452 were owner-occupied as compared to 1,265 renter-occupied housing units. The average household size of these units was 2.62 persons per household and the average family size was slightly higher at 3.23 persons per family.

Most of the development activity in the Borough occurred prior to 1959 with the largest period of development between 1950 and 1959. Development gradually declined over the next two decades and saw a slight increase between 1990 and 1999 followed by another decrease in development since 2000. This decline in housing construction is a result of a corresponding reduction in the amount of vacant and developable land. The age of the existing housing stock is depicted in the following table.

Table 1
Age of Housing Unit by Year Built

Year Structure Built	Maywood		Bergen County	
	Estimate	Percent	Estimate	Percent
Built 2020 or later	0	0.0	6821	1.8
Built 2010 to 2019	54	1.4	21,625	5.8
Built 2000 to 2009	48	1.2	24,017	6.5
Built 1990 to 1999	61	1.6	18,102	4.9
Built 1980 to 1989	228	5.8	29,610	8.0
Built 1970 to 1979	338	8.6	34,912	9.4
Built 1960 to 1969	338	8.6	51,652	13.9
Built 1950 to 1959	1,069	27.4	72,946	19.7
Built 1940 to 1949	740	18.9	36,120	9.7
Built 1939 or earlier	1,032	26.4	74,659	20.2
Total housing units	3,659	100%	357,828	100%

Source: US Census, 2023 American Community Survey 5-year Estimates DP04.

The condition of these units is generally very good and according the 2023 American Community Survey 5-Year Estimates, there are 0 units that are lacking complete plumbing facilities and only 7 units that are lacking complete kitchen facilities. There are 3,129 units or 82.0% that use gas as their primary source of house heating fuel, 62 units or 1.6% that use bottled, tank, or LP gas, 372 units or 9.8% that use electricity, 214 units or 5.6% that use fuel oil or kerosene, 6 units or 0.6% that use wood, 25 units or 0.7% that use other fuel source and 6 or 0.2% that use no fuel.

According to the 2023 American Community Survey 5-Year Estimates (DP04), the Borough of Maywood contains a total of 3,908 housing units. The housing stock is predominantly composed of single-family detached homes, which account for 69.2% of all units.

Two-family homes make up 13.1% of the housing inventory, followed by structures with 3 or 4 units at 9.5%. Multi-unit buildings with 5 to 19 units combined represent a small share of the housing stock (2.7%), while larger structures with 20 or more units make up 3.8%. There are no reported mobile homes, boats, RVs, vans, or similar housing units in the borough.

Table 2 below details the number of housing units by structure type.

Table 2
Number of Housing Units in Structure

Units In Structure	# of Housing	
	Units	Percent
Total housing units	3908	100.0%
1-unit, detached	2705	69.2
1-unit, attached	66	1.7
2 units	513	13.1
3 or 4 units	372	9.5
5 to 9 units	49	1.3
10 to 19 units	54	1.4
20 or more units	149	3.8
Mobile home	0	0.0
Boat, RV, van, etc.	0	0.0

Source: US Census, 2023 American Community Survey 5-year Estimates DP04

According to the 2023 American Community Survey 5-Year Estimates (DP04), Maywood had 2,625 owner-occupied housing units. The majority of these homes fall within higher value categories, reflecting a strong local housing market.

Approximately 48.6% of owner-occupied units were valued between \$500,000 and \$999,999, while another 45.8% were valued between \$300,000 and \$499,999. Lower-value homes were far less common: only 1.6% of units were valued under \$50,000, and fewer than 1% fell into each bracket between \$50,000 and \$199,999. No homes were reported with values of \$1 million or more.

The median home value in Maywood was estimated at \$495,700. Table 3 below details the distribution of owner-occupied housing values.

Table 3
Owner-Occupied Housing Units by Value

Value	# of Housing	
	Units	Percent
Owner-occupied units	2,625	100%
Less than \$50,000	41	1.6
\$50,000 to \$99,999	23	0.9
\$100,000 to \$149,999	17	0.6
\$150,000 to \$199,999	11	0.4
\$200,000 to \$299,999	56	2.1
\$300,000 to \$499,999	1,201	45.8

\$500,000 to \$999,999	1,276	48.6
\$1,000,000 or more	0	0.0
Median (dollars)	495,700	(X)

Source: US Census, 2023 American Community Survey 5-year Estimates DP04

According to the 2023 American Community Survey 5-year Estimates, the median monthly owner costs for persons with a mortgage were \$3,013 and \$1,251 for persons without a mortgage.

As reported in the 2023 American Community Survey 5-Year Estimates (DP04), Maywood had 1,164 renter-occupied housing units where rent was paid. The majority of renters (40.7%) paid between \$1,500 and \$1,999 per month, followed by 24.9% paying between \$2,000 and \$2,499. Another 15.7% of renters paid between \$2,500 and \$2,999.

Only a small portion of rental units fell into the lower rent brackets, with 8.5% paying less than \$500, and less than 1% paying between \$500 and \$999. The share of households paying \$3,000 or more in rent stood at 3.9%.

The median gross rent in Maywood was \$1,932. An additional 25 housing units were reported as having no rent paid.

Table 4 below provides a detailed breakdown of gross rent per unit.

Table 4
Gross Rent per Unit

Gross Rent	# of Units	Percent
Occupied units paying rent	1,164	100%
Less than \$500	99	8.5
\$500 to \$999	8	0.7
\$1,000 to \$1,499	65	5.6
\$1,500 to \$1,999	474	40.7
\$2,000 to \$2,499	290	24.9
\$2,500 to \$2,999	183	15.7
\$3,000 or more	45	3.9
Median (dollars)	1,932	(X)
No rent paid	25	(X)

Source: US Census, 2023 American Community Survey 5-year Estimates DP04

2.2 Projection of Housing Stock

The Borough of Maywood is fully developed, with limited vacant land available for new construction. This is reflected in Table 5, which summarizes development activity from 2014 to 2023. Over the past decade, residential development has been minimal: only 16 building permits and 5 demolition permits were issued, resulting in a net gain of just 11 housing units. On

average, this equates to 1.6 building permits, 0.5 demolition permits, and a net increase of 1.1 units per year.

Most years during this period saw either no activity or only limited changes in the housing stock. In particular, 2016, 2020, and 2022 recorded no new construction or demolitions, underscoring the borough's slow pace of residential growth. This pattern aligns with Maywood's status as a built-out community with minimal land available for new housing development.

Looking ahead, no significant growth is anticipated in the foreseeable future. Any future increases in housing stock are expected to result primarily from site-specific redevelopment projects undertaken to satisfy Maywood's affordable housing obligations.

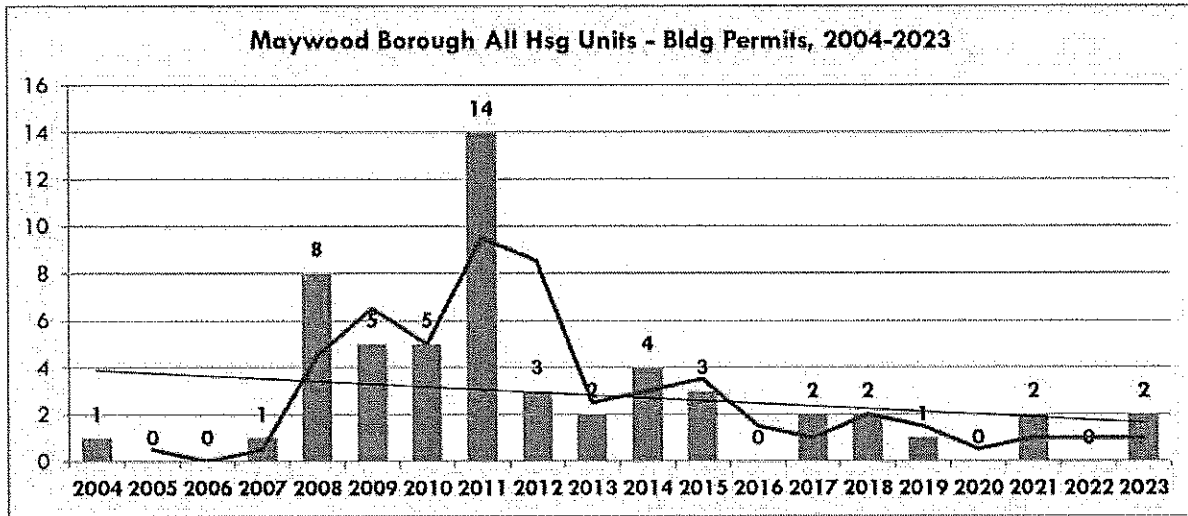
Table 5 provides a year-by-year summary of residential building and demolition permits, along with corresponding net housing growth.

Table 5
Residential Building Permits and Demolitions - 2014 to 2023

Year	Building Permits	Demolition Permits	Net Growth
2014	4	3	0
2015	3	1	0
2016	0	0	0
2017	2	0	0
2018	2	0	0
2019	1	1	0
2020	0	0	0
2021	2	0	0
2022	0	0	0
2023	2	0	0
Total:	16	5	11
10 Year Avg.	1.6	0.5	1.1

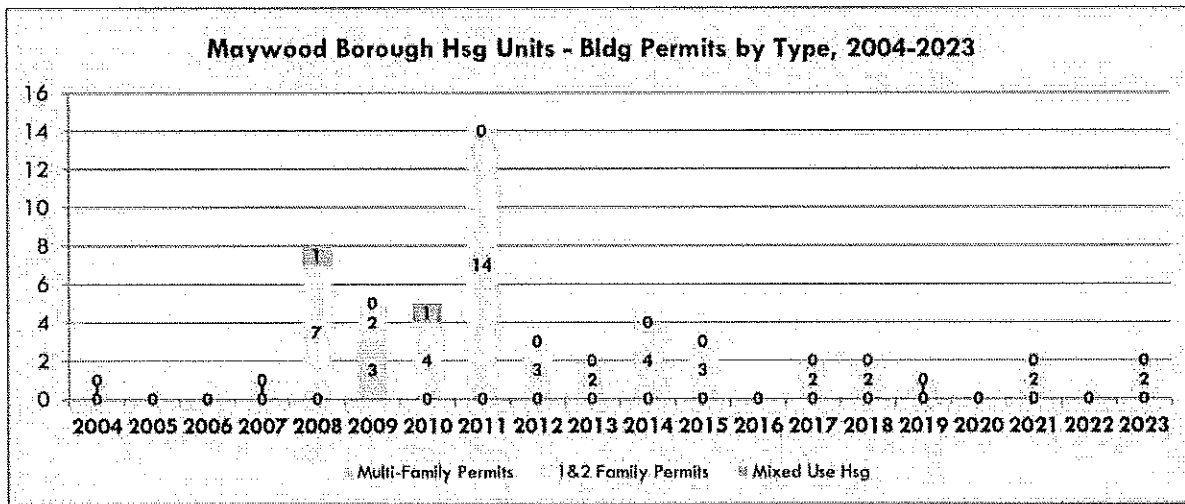
Source: NJ Department of Community Affairs

Chart 1: Building Permits 2004-2023

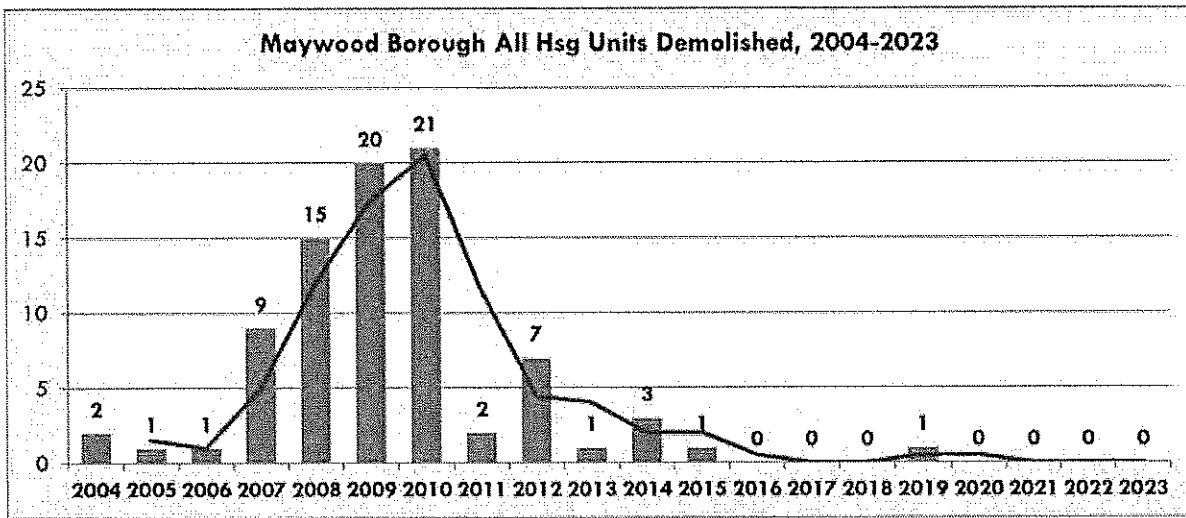


Source: NJ Department of Community Affairs

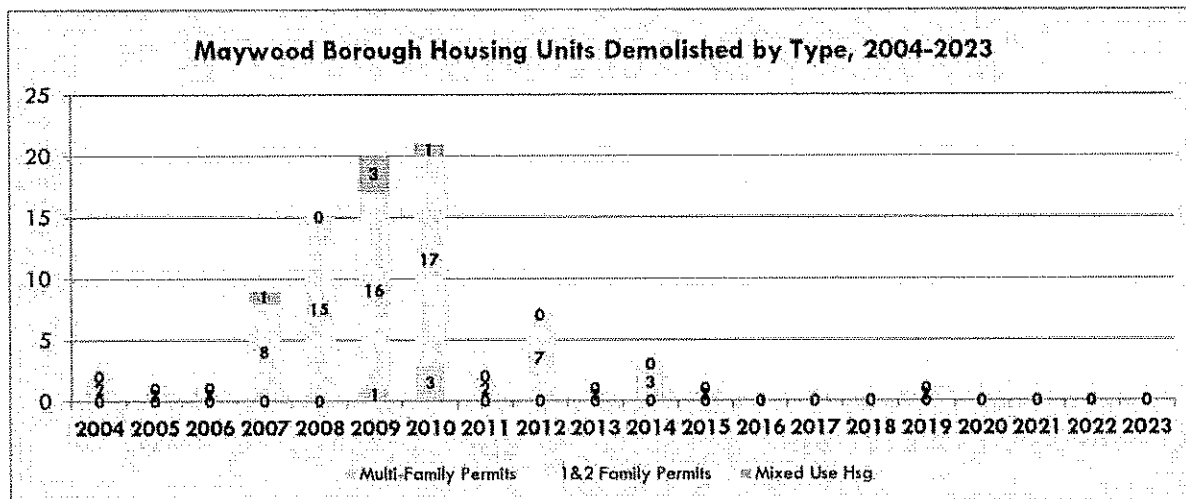
Chart 2: Building Permits by Type 2004-2023



Source: NJ Department of Community Affairs

Chart 3: Demolitions 2004-2023

Source: NJ Department of Community Affairs

Chart 4: Demolitions by Type 2004-2023

Source: NJ Department of Community Affairs

Based on the historical residential growth trends depicted in Table 5, it is anticipated that if growth were to continue at the same rate there would be an additional 1.1 units per year over the next 10 years for a net growth of 11 units. Including the units that are projected to be constructed as a result of additional development in this plan the total increase in the number of units at the end of the 10-year period would be 101 units inclusive of the 11 units of projected growth, 66 units resulting from development of the Hofmann property included in the Round 3 Plan and 24 units resulting from the probable residential development of lands and included in the Vacant Land Adjustment. The Borough of Maywood is a predominantly fully built out community with little to no vacant land available for new development with the exception of the properties identified in this report for redevelopment and potentially older underutilized properties.

2.3 Analysis of the Municipality's Demographic Characteristics

2.3.1 Population Trends

Over the past decade, the Borough of Maywood has experienced modest population growth. According to U.S. Census Bureau data, the population reached 10,080 in 2020, an increase of 525 people, or 5.5%, compared to the 2010 total of 9,555.

Historically, the borough experienced its most significant population surge between 1940 and 1950, growing by 113.89%. In contrast, between 1970 and 1980, the population declined by 10.75%, marking the most substantial decrease in Maywood's history. Since then, population levels have remained relatively stable, with only minor fluctuations and a modest increase noted in 2020.

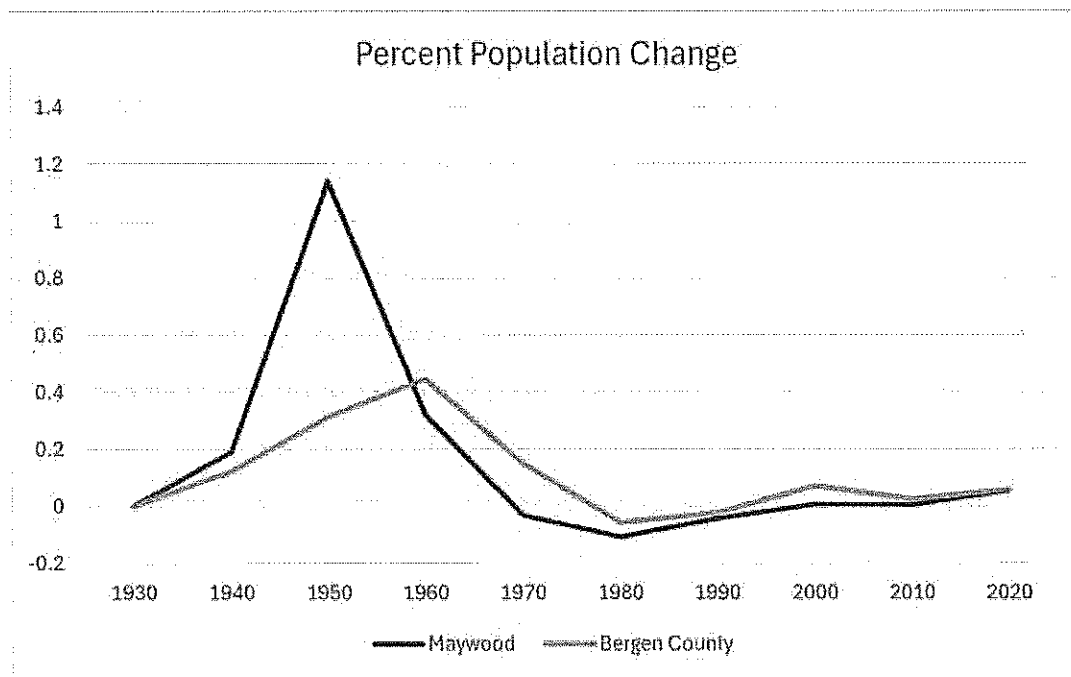
The limited growth in recent decades is primarily due to the borough's fully developed status, with little vacant land available for new construction or large-scale development.

Table 6 below illustrates the historical population trends for Maywood in comparison with Passaic County from 1930 to 2020.

Table 6: Population Trend from 1930 to 2020

Maywood				Bergen County			
Year	Population	# Change	% Change	Year	Population	# Change	% Change
1930	3,398	---	---	1930	364,977	---	---
1940	4,052	654	19.25%	1940	409,646	44,669	12.24%
1950	8,667	4,615	113.89%	1950	539,139	129,493	31.61%
1960	11,460	2,793	32.23%	1960	780,255	241,116	44.72%
1970	11,087	-373	-3.25%	1970	897,148	116,893	14.98%
1980	9,895	-1,192	-10.75%	1980	845,385	-51,763	-5.77%
1990	9,473	-422	-4.26%	1990	825,380	-20,005	-2.37%
2000	9,523	50	0.53%	2000	884,118	58,738	7.12%
2010	9,555	32	0.34%	2010	905,116	20,998	2.38%
2020	10,080	525	5.49%	2020	955,732	50,616	5.59%

Source: U.S. Census Bureau, 1930-2020

Chart 5: Percent Population Change

Source: U.S. Census Bureau, 1930-2020

2.3.2 Population Composition by Age

Between 2010 and 2020, Maywood's total population increased by 525 residents, representing a 5.49% growth. While the overall population grew, the age distribution reflects notable demographic shifts.

Younger age cohorts (under 25 years) experienced minor fluctuations. The number of children under 5 declined by 6.41%, and the 5–9 age group saw a slight drop of 1.26%. However, the 15–19 and 20–24 age groups grew by 11.09% and 13.92%, respectively.

The 25–34 and 45–54 age cohorts declined by 12.98% and 11.28%, respectively, suggesting a potential migration of working-age adults. Conversely, the 35–44 group saw an increase of 8.80%.

The most significant growth occurred among older adults. Residents aged 65–74 increased by 53.02%, and those 85 and older rose by 23.60%. These trends, along with an increase in median age from 41.7 to 43.3 years, point to an aging population.

This information suggests that Maywood is gradually transitioning toward an older demographic profile, with implications for local services, housing, and healthcare needs in the coming years.

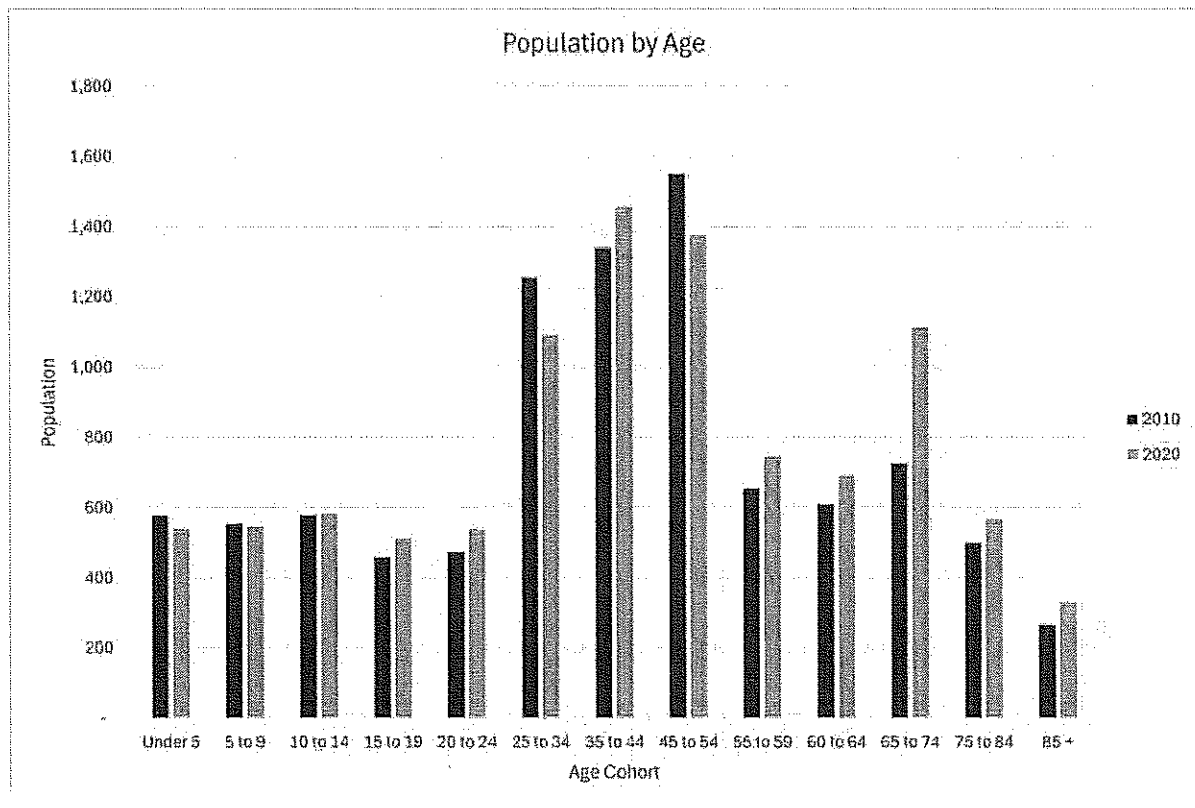
The age group characteristics based upon the 2010 and 2020 US Censuses are shown in **Table 7**.

Table 7
Population Change - 2010 to 2020

Age	2010		2020		Change 2010 - 2020	
	#	%	#	%	#	%
Total population	9,555	100	10,080	100.00%	525	5.49%
Under 5 years	577	6.04%	540	5.36%	(37)	-6.41%
5 to 9 years	555	5.81%	548	5.44%	(7)	-1.26%
10 to 14 years	579	6.06%	583	5.78%	4	0.69%
15 to 19 years	460	4.81%	511	5.07%	51	11.09%
20 to 24 years	474	4.96%	540	5.36%	66	13.92%
25 to 34 years	1,256	13.14%	1,093	10.84%	(163)	-12.98%
35 to 44 years	1,341	14.03%	1,459	14.47%	118	8.80%
45 to 54 years	1,552	16.24%	1,377	13.66%	(175)	-11.28%
55 to 59 years	655	6.86%	748	7.42%	93	14.20%
60 to 64 years	609	6.37%	693	6.88%	84	13.79%
65 to 74 years	728	7.62%	1,114	11.05%	386	53.02%
75 to 84 years	501	5.24%	567	5.63%	66	13.17%
85 years and over	267	2.79%	330	3.27%	63	23.60%
Median age (years)	41.7	(X)	43.3	(X)		

2.3.2.1.1.1.1.1 Source: US Census Bureau, 2010 and 2020 DP1

Chart 6: Population by Age



2.3.3 Population Composition by Sex

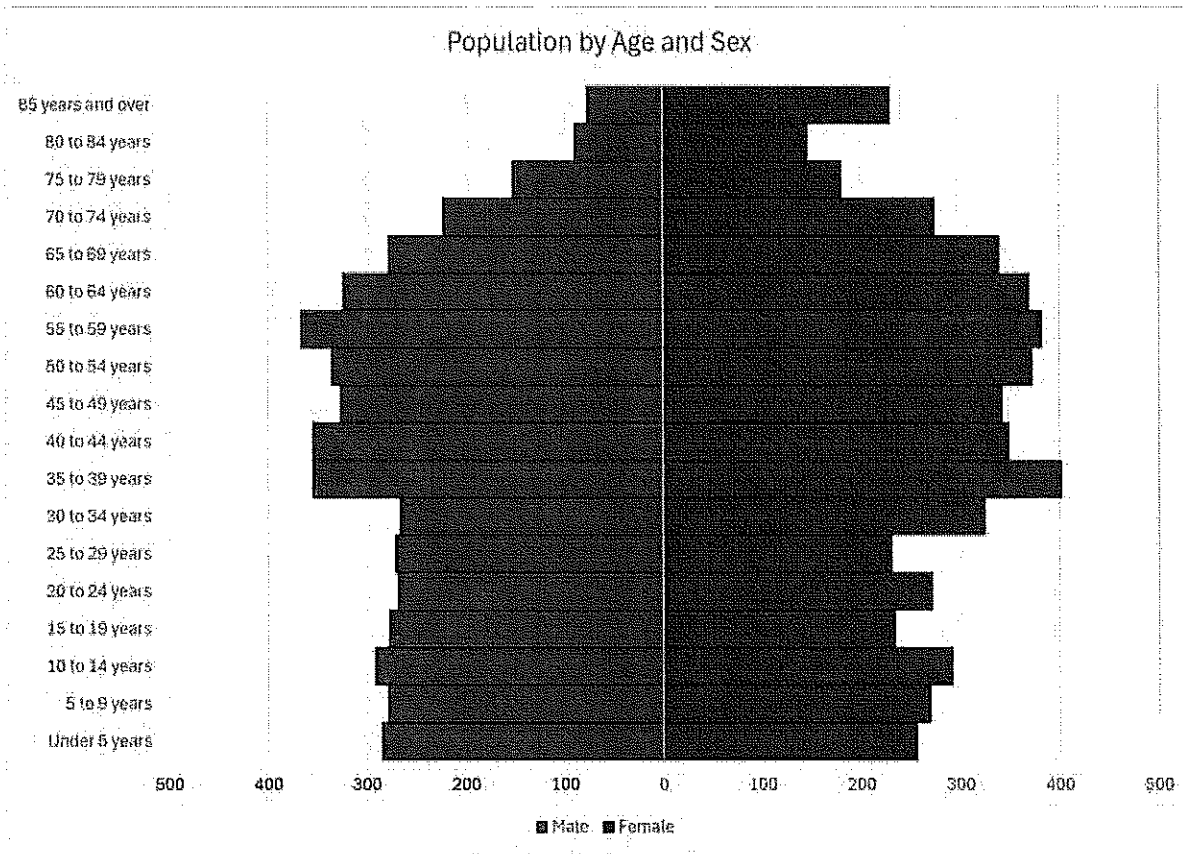
According to recent demographic data, Maywood's population is composed of 4,810 males and 5,270 females. The age distribution is relatively balanced across both genders, with the largest population groups falling within the 35 to 59 age range. Notably, females outnumber males in the older age brackets, particularly among residents aged 85 and over, where the female population is nearly three times that of the male population. The data reflects a generally aging population, with a gradual decrease in population percentages among the younger age cohorts. The table below provides a detailed breakdown of the population by age and gender.

Table 8
Age and Gender Distribution, 2020

Age	Male Population		Female Population	
	Number	Percent	Number	Percent
Under 5 years	284	5.9%	256	4.9%
5 to 9 years	278	5.8%	270	5.1%
10 to 14 years	291	6.0%	292	5.5%
15 to 19 years	277	5.8%	234	4.4%
20 to 24 years	268	5.6%	272	5.2%
25 to 29 years	271	5.6%	231	4.4%
30 to 34 years	266	5.5%	325	6.2%
35 to 39 years	354	7.4%	402	7.6%
40 to 44 years	354	7.4%	349	6.6%
45 to 49 years	326	6.8%	343	6.5%
50 to 54 years	335	7.0%	373	7.1%
55 to 59 years	366	7.6%	382	7.2%
60 to 64 years	323	6.7%	370	7.0%
65 to 69 years	277	5.8%	340	6.5%
70 to 74 years	222	4.6%	275	5.2%
75 to 79 years	152	3.2%	180	3.4%
80 to 84 years	89	1.9%	146	2.8%
85 years and over	77	1.6%	230	4.4%
	4,810		5,270	

Source: U.S. Census Bureau, 2020 DP1

Chart 7: Population by Age and Sex



Source: U.S. Census Bureau, 2020 DP1

2.3.4 Population Composition by Race

Based on the available data, Maywood has a total population of 8,927 residents. Most of the population identifies as one race (92.1%), while 7.9% identify as two or more races. White residents make up the largest racial group at 79.7%, followed by Asian residents at 4.0%, and Black or African American residents at 3.5%. Individuals identifying as "Some Other Race" account for 4.7% of the population, while American Indian and Alaska Native residents represent 0.4%. Native Hawaiian and Other Pacific Islander residents comprise a very small portion of the population at less than 0.1%. The table below provides a detailed breakdown of the population by race.

Table 9: 2020 Racial Characteristics

Race	Number	Percent
Total population	8,927	100.0
One Race	8,225	92.1
White	7,114	79.7

Black or African American	308	3.5
American Indian and Alaska Native	32	0.4
Asian	354	4.0
Native Hawaiian and Other Pacific Islander	1	0.0
Some Other Race	416	4.7
Two or More Races	702	7.9

Source: US Census Bureau, 2020 DPI.

2.3.5 Household Income

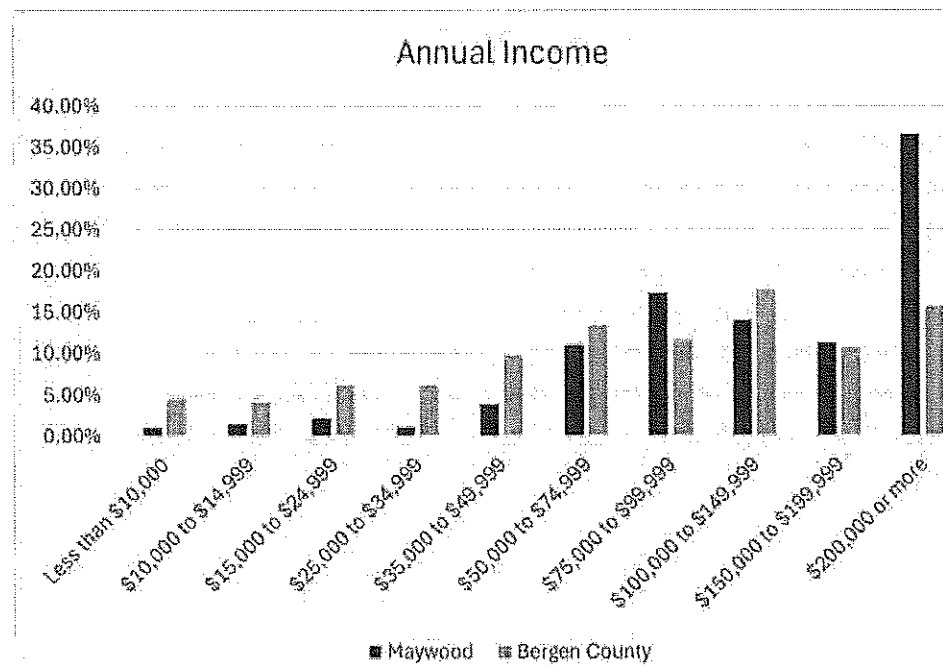
In 2023, the median household income in Maywood was \$131,810, significantly higher than Passaic County's median of \$87,137. A comparison between Maywood and Passaic County for 2023 is presented in Table 6.

Table 10: Household Incomes

Income	Borough of Maywood		Passaic County	
	# of Households	Percent	# of Households	Percent
Total	2,998	100%	177,964	100%
Less than \$10,000	33	1.10%	8,186	4.60%
\$10,000 to \$14,999	45	1.50%	7,297	4.10%
\$15,000 to \$24,999	66	2.20%	11,034	6.20%
\$25,000 to \$34,999	33	1.10%	11,034	6.20%
\$35,000 to \$49,999	117	3.90%	17,440	9.80%
\$50,000 to \$74,999	330	11.00%	23,847	13.40%
\$75,000 to \$99,999	519	17.30%	20,822	11.70%
\$100,000 to \$149,999	420	14.00%	31,500	17.70%
\$150,000 to \$199,999	339	11.30%	19,042	10.70%
\$200,000 or more	1,097	36.60%	28,118	15.80%
Median income (dollars)	\$131,810		\$87,137	
Mean income (dollars)	\$173,197		\$116,257	

Source: US Census, 2023 American Community Survey 5-year Estimates, S1901

Chart 8: Household Income Distribution



Source: US Census, 2023 American Community Survey 5-year Estimates, S1901

2.4 Analysis of Employment Characteristics.

2.4.1 Employment Trend

According to projections from the NJTPA *Plan 2045* (Appendix A: Demographic Projections), employment in Maywood is expected to grow from 3,090 jobs in 2015 to 3,588 jobs by 2045. This represents a 16.1% increase over the 30-year period.

While this growth is modest, it suggests a stable employment outlook and reflects the borough's limited capacity for large-scale commercial expansion due to its fully developed nature. Future employment gains are likely to come from infill development, redevelopment, and the continued evolution of existing businesses.

Table 12: Employment Trend

	2015	2045	% Change
Employment	3,090	3,588	16.1%

Source: NJTPA *Plan 2045*, Appendix A Demographic Projections

2.4.2 Employment by Industry Sector

According to the most recent data, Maywood's civilian employed population aged 16 and over totals 5,194 individuals. The largest employment sector is Educational Services, Health Care,

and Social Assistance, which accounts for 1,439 jobs, representing a significant portion of the borough's workforce.

Other major employment sectors include Professional, Scientific, and Management Services (514 jobs), Manufacturing (513 jobs), and Retail Trade (374 jobs). The Finance, Insurance, Real Estate, and Rental and Leasing sector also plays a notable role, employing 371 residents.

Smaller employment sectors include Construction (254 jobs), Transportation and Warehousing, and Utilities (301 jobs), and Arts, Entertainment, Recreation, and Food Services (336 jobs). Notably, there are no reported jobs in Agriculture, Forestry, Fishing and Hunting, or Mining.

Public Administration accounts for 151 jobs, while Other Services (excluding public administration) make up 274 positions.

This distribution reflects a workforce concentrated in service-oriented and professional sectors, with limited representation in primary industries.

Table 12: Employment by Industry Sector – 2023

INDUSTRY	Number of Jobs
Civilian employed population 16 years and over	5,194
Agriculture, forestry, fishing and hunting, and mining	0
Construction	254
Manufacturing	513
Wholesale trade	363
Retail trade	374
Transportation and warehousing, and utilities	301
Information	304
Finance and insurance, and real estate and rental and leasing	371
Professional, scientific, and management, and administrative and waste management services	514
Educational services, and health care and social assistance	1439
Arts, entertainment, and recreation, and accommodation and food services	336
Other services, except public administration	274
Public administration	151

Source: US Census, 2023 American Community Survey 5-year Estimates, DP03

2.4.3 Employment by Occupation

As of 2023, Maywood's civilian employed population aged 16 and over totaled 5,194 individuals. The majority of residents (2,601, or approximately 50%) are employed in Management, Business, Science, and Arts occupations, reflecting a highly skilled and professional workforce.

The next largest category is Sales and Office occupations, with 1,096 workers, followed by Production, Transportation, and Material Moving occupations at 525. Service occupations

account for 488 jobs, while Natural Resources, Construction, and Maintenance occupations represent 484 jobs.

This occupational breakdown highlights the borough's strong professional and white-collar employment base, with a balanced presence across other sectors including trades, services, and manufacturing-related work.

Table 10: Employment by Occupation – 2023

Occupation	Number of Jobs
Civilian employed population 16 years and over	5,194
Management, business, science, and arts occupations	2,601
Service occupations	488
Sales and office occupations	1,096
Natural resources, construction, and maintenance occupations	484
Production, transportation, and material moving occupations	525

Source: US Census, 2023 American Community Survey 5-year Estimates, DP03

2.5 Determination of Fair Share and Housing Capacity

Pursuant to N.J.S.A. 52:27D-310(e), the Borough of Maywood has evaluated its present and prospective need for low- and moderate-income housing, as well as its capacity to accommodate such housing. In accordance with the fair share obligations established under section 3 of P.L.2024, c.2 (C.52:27D-304.1), the Borough acknowledges its constitutional obligation to provide a realistic opportunity for the development of its fair share of low- and moderate-income housing. Based on the most recent determinations of affordable housing need and demographic projections, the Borough has identified its present and prospective fair share obligations and analyzed its land use patterns, zoning capacity, and available resources to address those needs. While Maywood is a fully developed community with limited vacant land, the Borough remains committed to implementing appropriate strategies—including zoning mechanisms, redevelopment opportunities, and inclusionary development provisions—to accommodate its fair share obligation in a manner consistent with sound planning principles and the Fair Housing Act.

The borough's present and prospective fair share for low and moderate-income housing is presented below and consists of the Rehabilitation Share (Present Need), the Prior Round Obligation (1987-1999), Gap Present Need Obligation (1999-2015), the Third Round Prospective Need Obligation (2015-2025) and the Fourth Round Prospective Need Obligation (2025-2035).

2.5.1 Prior Round Obligation

The Prior Round Obligation, covering Rounds 1 and 2, was assigned by COAH or the courts for the period 1987 to 1999. Maywood's obligation for this period is 36 units.

2.5.2 Third Round Obligation

Pursuant to the Mercer County decision rendered by the Honorable Mary C. Jacobson, A.J.S.C., the Borough's Third Round Prospective Need obligation is 255 units, which includes the 1999–2015 Gap Period.

The Borough conducted a Vacant Land Analysis, resulting in a Realistic Development Potential (RDP) of 25 units and an Unmet Need of 230 units. The remaining unmet need will be carried over to the Fourth Round. The mechanisms previously adopted to address this unmet need remain valid and integral to the Borough's fair share plan.

2.5.3 Fourth Round Present Need (Rehabilitation Share)

This component reflects substandard housing units occupied by low- and moderate-income households that require rehabilitation.

The calculated Present Need for Maywood in the Fourth Round is 12 units.

2.5.4 Fourth Round Prospective Need Obligation

The calculated Prospective Need for the Borough in the Fourth Round is 131 units.

2.5.5 Total Fair Share Obligation

Maywood's total obligation, including the Prior Round (36 units), Third Round (255 units), Fourth Round Present Need (12 units), and Fourth Round Prospective Need (131 units), is summarized below:

Table 13
Fair Share Obligation: 1987-2035

Borough of Maywood Affordable Housing Obligations	
Prior Round (1987-1999)	36
Third Round (Prospective Need 1999-2025)	255
– Third Round RDP	25
– Third Round Unmet Need	230
Fourth Round Present Need (Rehabilitation)	12
Fourth Round Prospective Need	131
Total Need including remaining unmet need from Round 3 and Round 4 Prospective Need:	434

The following table provides a breakdown of Maywood's prospective need—that is, the number of new construction affordable housing units still required after applying all applicable credits and reductions. The Borough's affordable housing obligations are organized across multiple rounds, as detailed below:

- Prior Round (1987–1999): Maywood had an obligation of 36 affordable housing units. This obligation has been fully satisfied through credits and reductions, leaving no remaining need from this period.
- Third Round (1999–2025): The total prospective need for this period was 255 units, divided into two components:
 - Third Round Realistic Development Potential (RDP): 25 units, which have been fully addressed through appropriate credits.
 - Third Round Unmet Need: 230 units, of which only 1 unit has been credited, leaving a remaining obligation of 229 units.
- Fourth Round (Prospective Need): Looking ahead, Maywood has been assigned a prospective need of 131 affordable units for the upcoming Fourth Round.

When combining the remaining unmet need from the Third Round (229 units) with the prospective need from the Fourth Round (131 units), the total remaining obligation for the Borough amounts to 360 affordable housing units.

Table 14
Fair Share Obligation: 1987-2035

Obligation Period	Obligation	Credits/ Reductions	Remaining Obligation
Prior Round (1987-1999)	36	36	0
Third Round (Prospective Need 1999-2025)	255		
– Third Round RDP	25	25	
– Third Round Unmet Need	230	1 ¹	229
Fourth Round Prospective Need	131		131
Total Need including remaining unmet need from Round 3 and Round 4 Prospective Need:	422		360

The Borough of Maywood has sufficient infrastructure capacity to accommodate its present and future affordable housing obligations, especially when accounting for adjustments due to land constraints. As previously noted, Maywood is a nearly fully developed community.

There is no anticipated demand for land uses permitted under the zoning ordinance, given the current and projected demographic characteristics of the Borough and the limited availability of developable land. In general, permitted uses reflect the existing development patterns in the community. The predominant land use remains single-family residential, supplemented by some multi-family housing that supports a balanced residential mix. Compact clusters of commercial

¹ 1 unit surplus from the Hofmann property.

development are located along West Pleasant Avenue and Spring Valley Avenue, serving the Borough's local needs.

Given the Borough's well-established land use patterns and its status as a largely developed municipality, significant changes to existing land use are not expected.

Most of the remaining vacant parcels in Maywood are either restricted by environmental constraints that limit development potential or are too small to accommodate affordable housing.

2.6 Consideration of Appropriate Lands for Affordable Housing

In accordance with N.J.S.A. 52:27D-310(f), the Borough of Maywood has evaluated the lands and existing structures most appropriate for the construction, conversion, or rehabilitation of low- and moderate-income housing. Given the Borough's predominantly developed character and limited supply of vacant land, opportunities for new construction are limited, except through infill development and strategic redevelopment. However, the Borough has identified select parcels with development or redevelopment potential that can accommodate inclusionary housing development. These sites were chosen based on factors such as zoning suitability, access to infrastructure, environmental conditions, and proximity to transportation and community services.

In furtherance of this initiative, the Governing Body authorized the Planning Board to conduct a preliminary investigation, which is ongoing, to determine if an area along West Pleasant Avenue qualifies as an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.). The area under investigation consists of 6 tax lots, comprising approximately 2.919 acres. If designated, these parcels will be incorporated into the Borough's Realistic Development Potential (RDP) and will serve as a key component in meeting the Borough's affordable housing obligation through future inclusionary development opportunities.

The parcels that make up the potential Redevelopment Area are as follows:

Table 15: Proposed Redevelopment Parcels

Property			Owner	Lot Area	Zone
1	Block 69	Lot 3	Russell P. Trocano Enterprises LLC	0.138 ac.	TH
2	Block 69	Lot 4	Russell P. Trocano Enterprises LLC	0.144 ac.	THO-3
3	Block 69	Lot 5	Russell P. Trocano Enterprises LLC	0.898 ac.	LL/THO-3
4	Block 69	Lot 13	Russell P. Trocano Enterprises LLC	0.930 ac.	THO-3
5	Block 86	Lot 17	Russell P. Trocano Enterprises LLC	0.623 ac.	THO-3
6	Block 86	Lot 18	Russell P. Trocano Enterprises LLC	0.186 ac.	THO-3
			TOTAL	2.919 acres	

Despite these limitations, the Borough has taken affirmative steps in recent years to expand its affordable housing opportunities through redevelopment. A redevelopment plan was prepared that identified four specific sites suitable for such efforts. These sites will be described in greater

detail in the accompanying Fair Share Plan. These efforts resulted in the following redevelopment areas and developments.

East Hunter Avenue Redevelopment Plan

(Block 126, Lot 45; Block 127, Lots 1, 2 and 3)

These four properties, owned by the Hofmann's and located along East Hunter Avenue, were designated as an Area in Need of Redevelopment. A Redevelopment Plan was adopted to allow 66 housing units—53 market rate and 13 affordable units. According to a 2019 Addendum to the Settlement Agreement, the plan includes: 13 affordable rental units and 26–27 market rate rental units on Block 126, Lot 45, and a for-sale townhouse project with 26–27 market rate units on Block 127, Lots 1–3. These units are subject to the required bedroom distribution and income mix standards established under the Uniform Housing Affordability Controls (UHAC).

The project was incorporated into the Borough's certified Round 3 Housing Plan and contributed a total of twenty (20) affordable housing credits—comprising thirteen (13) built units and seven (7) bonus credits—toward the Borough's Round Three obligation.

2.6.1 Lack of Land

The Borough is a predominantly fully developed community with little opportunity for continued growth, except through limited infill development and strategic redevelopment. Most of the remaining vacant parcels are either constrained by environmental conditions—such as contamination—or are too small to accommodate meaningful development.

The Borough received a Vacant Land Adjustment during the Prior Round and third round which remain valid and presumptively continue into the Fourth Round based on COAH's Round 3 regulations that were not invalidated by the court.

However, the Borough has updated its RDP to include the 6 properties identified in Table 14. At this time the Borough has prepared a Vacant Land Analysis pursuant to N.J.A.C. 5:93-4.2 and is requesting an adjustment to their overall obligation due to a lack of land.

2.6.2 Vacant Land Analysis

As the Borough of Maywood is a fully developed community with very little vacant, suitable, and developable land, it received a Vacant Land Adjustment in the Prior Round and Round 3. The Vacant Land Analysis has been updated for the fourth round and is included in Appendix A. The VLA and mechanisms to address the RDP and Unmet Need remain valid and are incorporated into the Round 4 Plan. Additionally, the Borough has identified some additional lands that, while not vacant, were included in the Redevelopment Study and determined to be suitable for redevelopment. These sites have been designated for the subsequent development of affordable housing and are included as part of the RDP in the fourth round.

2.6.3 Calculation of Third Round Realistic Development Potential

As shown in Appendix A, vacant undevelopable lands are either constrained or too small for development. The Fourth Round RDP for the Borough of Maywood is 9 units, and the unmet need is 122 units. The following properties will serve as the basis for the 9-unit RDP.

Table 16
Realistic Development Potential (RDP)

Site	Block	Lot	Owner	Developable Acres	Density	Total Units	RDP
1	69	3	Trocano	0.138	8	1.10	0.2
2	69	4	Trocano	0.144	8	1.15	0.2
3	69	5	Trocano	0.89	8	7.12	1.4
4	69	13	Trocano	0.93	8	7.44	1.4
5	86	17	Trocano	0.623	8	4.98	1.0
6	86	18	Trocano	0.186	8	1.49	0.3
7	124	2	Ender	1.83	12	22	4.4
				4.74		45.28	8.9

2.6.4 Compliance Analysis for Adjusted Prospective Need Obligation

In accordance with the provision stating that any municipality receiving an adjustment to its prospective need obligation for the Fourth Round or subsequent rounds due to a lack of vacant land must identify sufficient redevelopment opportunities to accommodate at least 25% of the adjusted obligation—or demonstrate why it is unable to do so—the Borough of Maywood provides the following analysis.

Adjustment Based on Lack of Vacant Land

The Borough of Maywood has requested a vacant land adjustment (VLA) to its Fourth Round prospective need obligation, recognizing that the Borough lacks sufficient vacant, developable land to fully accommodate its assigned affordable housing obligation. As a result, the adjusted prospective need (unmet need) has been calculated at 122 units, with a redevelopment obligation threshold of 30.5 or 31 units.

Evaluation of Redevelopment Potential

In compliance with the regulatory requirement, the Borough conducted a comprehensive analysis of potential redevelopment opportunities, considering parcel size, current land use, market conditions, ownership patterns, zoning capacity, and likelihood of redevelopment during the current housing cycle. This analysis included:

- A review of historically underutilized or obsolete residential, commercial and industrial sites
- Consideration of properties previously studied for redevelopment
- Assessment of infrastructure capacity and constraints

Findings and Limitations

Despite this analysis, the Borough has been unable to identify sufficient parcels with a realistic likelihood of redevelopment that would support the creation of affordable housing during the current round. The following factors contribute to this limitation:

1. Highly Developed Character of the Municipality: The Borough is nearly fully built-out, with limited parcels exhibiting the size, access, and conditions necessary for feasible redevelopment.
2. Fragmented and Small Parcels: Many potentially eligible sites are comprised of small or irregularly shaped parcels under separate ownership, which complicates site assembly and development feasibility.

Partial Identification of Redevelopment Opportunities

While the Borough is unable to satisfy the full 25% redevelopment threshold, it has identified a limited number of parcels with some potential for redevelopment that may contribute toward meeting its affordable housing obligations. Although these sites are insufficient to fully address the adjusted prospective need, they represent realistic opportunities for future inclusionary development. A detailed summary of these parcels is provided in **Appendix B**.

Conclusion

Although the Borough of Maywood has made a good-faith effort to identify redevelopment sites in accordance with its Fourth Round Housing Element and Fair Share Plan, it is unable to identify a sufficient number of parcels likely to redevelop during the current round to accommodate 25% of its adjusted prospective need. The Borough has thoroughly documented the reasons that limit the feasibility of additional redevelopment opportunities.

Due to its largely built-out character and the limited availability of vacant or underutilized land, Maywood is unable to meet the 25% redevelopment threshold. Nonetheless, the Borough remains committed to addressing its affordable housing obligations through other mechanisms permitted under the Fair Housing Act. As detailed in this report, the Borough has adopted alternative strategies to address its Unmet Need, including the use of overlay zoning and targeted redevelopment plans. The Borough will continue to monitor and evaluate redevelopment opportunities as part of its long-term planning and housing policy framework.

2.7 Analysis of Multigenerational Family Housing Continuity

Pursuant to N.J.S.A. 52:27D-310(g), this Housing Element and Fair Share Plan includes an analysis of the extent to which the Borough's land use ordinances and local housing policies advance or detract from the goal of preserving multigenerational family continuity, consistent with the recommendations of the Multigenerational Family Housing Continuity Commission as established under P.L.2021, c.273 (C.52:27D-329.20).

The Borough's zoning and development regulations include provisions that support flexible housing arrangements, allowing for a range of housing types and densities—such as two-family homes, townhouses, garden apartments, and age-restricted residences like Lydecker Manor.

These options provide opportunities for elderly residents living in larger homes to downsize into smaller dwelling units permitted within the Borough. Additionally, these policies promote

multigenerational living by enabling aging parents, adult children, and extended family members to live nearby, while still maintaining privacy and independence.

2.8 Consistency with the State Development and Redevelopment Plan

Pursuant to N.J.S.A. 52:27D-310(i), the Borough of Maywood has evaluated the consistency of its Housing Element and Fair Share Plan with the goals, objectives, and policies of the State Development and Redevelopment Plan (SDRP). Maywood is located within the Metropolitan Planning Area (PA1), where the State Plan encourages investment in existing infrastructure, compact development, and the revitalization of developed communities. The Borough's affordable housing strategy aligns with these principles by focusing on infill development, adaptive reuse, and redevelopment of underutilized or previously developed sites, thereby minimizing sprawl and preserving open space.

The Borough has also considered infrastructure availability in its planning process. Maywood is served by existing public water and sanitary sewer systems, which have adequate capacity to support the planned development and redevelopment identified in the Fair Share Plan. Furthermore, the Borough addresses stormwater management through adherence to state and municipal regulations, including the implementation of green infrastructure techniques and compliance with NJDEP stormwater rule requirements.

In terms of transportation, Maywood benefits from a roadway network that connects residents to regional employment centers, educational institutions, and commercial areas. Although the Borough does not have direct access to passenger rail service, it is served by regional bus routes and is located within reasonable proximity to major highways, including the Garden State Parkway and Routes 4 and 17. The Borough is also committed to promoting multi-modal transportation options where feasible, including pedestrian and bicycle infrastructure improvements as part of redevelopment initiatives.

This analysis has been informed by guidance and technical resources provided by the New Jersey State Planning Commission, ensuring that the Borough's housing and infrastructure planning is consistent with statewide smart growth objectives.

3.0 PROPOSED FAIR SHARE PLAN

3.1 Prior Round Compliance (1987–1999)

Maywood's Round 2 Housing Element and Fair Share Plan received substantive certification from COAH on March 6, 2002. The Borough originally addressed its 28-unit obligation using credits from the Lydecker Manor Senior Housing Project. Later, the obligation was updated to 36 units, which will now be fully met using 36 age-restricted rental units from Lydecker Manor.

Lydecker Manor, located at 150 E. Passaic Street (Block 100, Lot 3), is a 135-unit, age-restricted rental development built in 1983 with HUD Section 202 funding and Section 8 project-based assistance. The building includes 127 one-bedroom and 8 two-bedroom units.

Previously submitted documentation confirmed the affordability and eligibility of units under COAH standards.

In total:

- 36 units from Lydecker Manor will fulfill the Prior Round obligation
- 99 additional units remain available from the same development to be applied toward Third Round and future obligations

3.2 Third Round Compliance (1999–2025)

The Borough of Maywood had a Third Round affordable housing obligation of 262² units. A Vacant Land Analysis determined a Realistic Development Potential (RDP) of 25 units, leaving an Unmet Need of 237 units to be addressed through various planning and zoning mechanisms.

3.2.1 *Satisfaction of RDP*

To address the 25-unit RDP, the Borough allocated credits from the following developments:

- **Lydecker Manor:**
 - 6 age-restricted rental units applied toward RDP
 - 32 additional units credited toward unmet need
 - 61 units reserved for future obligations
- **Hofmann Property Redevelopment (Hunter Avenue Area):**
 - 13 proposed affordable family rental units
 - Rental bonus of 7 units
 - **Total from Hofmann: 20 credits**

This results in a total of 26 credits toward the Third Round RDP of 25 units, creating a surplus of one unit. This surplus will be applied to the Unmet Need of 230 units, reducing it to 229 units, which will be carried forward to the Fourth Round.

3.2.2 *Addressing the Unmet Need (229 Units)*

The remaining 229-unit unmet need is addressed through a combination of overlay zones, redevelopment plans, and ordinance-based mechanisms that provide realistic opportunities for affordable housing without relying on further undevelopable land.

The Borough of Maywood has identified a total of 47 units to help address its Third Round Unmet Need of 229 affordable housing units. These units come from existing and proposed developments, supportive housing, and proactive zoning initiatives.

Existing and Supportive Housing Credits

- **Lydecker Manor:** 32³ age-restricted rental units applied to Unmet Need; 61 units reserved for future obligations.

² Based on a court decision and a Vacant Land Analysis, Maywood's Third Round affordable housing obligation is 255 units, consisting of a Realistic Development Potential (RDP) of 25 units and an Unmet Need of 230 units.

- **Special Needs Housing:**
 - **Devereux Foundation:** 4 supportive units.
 - **NIPD of New Jersey:** 4 supportive units.
 - **Spectrum for Living:** 6 supportive units.
- **Maywood Center for Health and Rehabilitation:** Although eligible for 12⁴ units based on Medicaid waiver requirements, these cannot be applied to the Third Round due to age-restricted caps and are reserved for a future round.

Proposed Zoning & Overlay Districts Addressing Unmet Need

To address the remaining Unmet Need of 182 units (229 total minus 47 credited), the Borough implemented a series of zoning changes designed to promote inclusionary development.

1. West Pleasant Avenue R-C District Amendment:

- Expansion of the RC zone to allow second-floor rental apartments above commercial uses.

2. Townhouse Overlay Districts (THO, THO-2, THO-3):

- **THO District:** Allows 20 units/acre with 15% rental or 20% for-sale affordable set-aside.
- **THO-2 District (West Hunter Ave):** Allows 12 units/acre with same affordability requirements.
- **THO-3 District (West Passaic Street area):** Allows 8 units/acre with affordability set-asides.

Affordable Housing Ordinance – Chapter 211

The Borough adopted this ordinance to regulate all existing and future affordable housing units:

- Applies to all multi-family developments with 5 or more units.
- Requires a 15% set-aside for rentals and 20% for for-sale units.
- Includes provisions for affordable housing administration and the Borough's development fee ordinance.

These strategies are supported by corresponding zoning amendments and planning board actions, ensuring compliance with the Borough's Third Round affordable housing obligations while promoting context-sensitive growth aligned with existing infrastructure, neighborhood character,

³ 32 age-restricted units applied to unmet need; when combined with 36 age-restricted units applied to Prior Round and 6 age-restricted units applied to the Third Round RDP, totals 74 age-restricted units. Maywood reserves the right to apply the remaining 61 age-restricted units from Lydecker to a future obligation pursuant to then-applicable rules.

⁴ Maywood reserves the right to apply 12 affordable age-restricted assisted living units from the Maywood Center for Health and Rehabilitation to a future obligation pursuant to then-applicable rules.

and the Borough's development capacity. All of these mechanisms continue to represent a reasonable opportunity for development, enabling the Borough to address its affordable housing obligation.

3.3 Fourth Round Plan of Compliance

As noted above, the Borough's Fourth Round Prospective Need obligation is 131 units. A Vacant Land Analysis determined a Realistic Development Potential (RDP) of 9 units and an Unmet Need of 122 units. When combined with the remaining 229-unit Unmet Need from the Third Round, the total Unmet Need for the Fourth Round amounts to 351 units.

3.3.1 Satisfaction of RDP

Table 17
Third Round Plan of Compliance

Name	Total Units	Affordable Units	Bonus Credits	Total Credits
Lydecker Manor	61	39 ⁵	3 ⁶	42
West Pleasant Avenue Redevelopment Plan (Maine Evergreen Property)	24	5	2.5 ⁷	7
Total:	85	44	5.5	49

Lydecker Manor

Lydecker Manor, located at 150 E. Passaic Street (Block 100, Lot 3), is a 135-unit, age-restricted rental development built in 1983 with HUD Section 202 funding and Section 8 project-based assistance. The building includes 127 one-bedroom and 8 two-bedroom units.

In the Third Round, 32 age-restricted units applied to unmet need; when combined with 36 age-restricted units applied to Prior Round and 6 age-restricted units applied to the Third Round RDP, totals 74 age-restricted units. There are 61 age-restricted units remaining from Lydecker that can be applied to future rounds. The Borough can utilize 39 units for the Fourth Round, which leaves another 22 units for any future round.

West Pleasant Avenue Redevelopment Plan

The Borough of Maywood proposes to adopt a redevelopment plan for several properties within the municipality that are currently under study to determine whether they qualify as areas in need of redevelopment, pursuant to Resolution #165-24, adopted on August 8, 2024, which authorized the Planning Board to conduct this study.

⁵ The Borough would be permitted to utilize the remaining 22 units form Lydecker Manor to address a future round.

⁶ Age-Restricted Housing: One unit of credit and one-half bonus credit for each unit, with a cap on bonus credits for age-restricted housing at 10% of the units constructed in compliance with the Uniform Housing Affordability Controls.

⁷ Low- or Moderate-Income Housing on Previously Developed Land: One unit of credit and one-half bonus credit for each unit constructed on land previously used for retail, office, or commercial space.

The proposed redevelopment area encompasses approximately 2.919 acres and will permit multi-family residential development. The targeted parcels are located along Spring Valley Road opposite West Pleasant Avenue. These properties span three zoning districts: the TH District, THO-3 District, and LL District.

The area consists of a mix of land uses, including residential, former public use, (West Pleasant Avenue Right of way) and former commercial use, the Maine Evergreen Garden Center. The redevelopment plan introduces new zoning regulations that allow residential densities of up to 8 units per acre, with a mandatory 20% affordable housing set-aside. Based on full build-out, the redevelopment area could yield up to 5 affordable housing units. Because the property was previously developed for commercial use it is eligible for a one-half bonus credit for each unit constructed.

This strategy presents a realistic opportunity to add much-needed affordable housing in a fully developed community, advancing the Borough's efforts to meet its affordable housing obligations.

This analysis demonstrates that the subject site satisfies the regulations under N.J.A.C. 5:93-5.3, which require affordable housing sites to be approvable, developable, and suitable as defined in N.J.A.C. 5:93-1.3.

Site Suitability Analysis

This analysis demonstrates that the subject site satisfies the regulations under N.J.A.C. 5:93-5.3, which require affordable housing sites to be approvable, developable, and suitable as defined in N.J.A.C. 5:93-1.3.

1. Available

- The Borough of Maywood has taken steps to condemn the property through the redevelopment process, which will give the Borough full control over the site.

2. Suitable

- The site is strategically located along Spring Valley road and West Pleasant Avenue, public streets improved to Borough standards, providing adequate vehicular and pedestrian access for the proposed residential uses.
- The surrounding land uses are compatible with a mixed-use development and include:
 - North: single-family dwellings along Desoto Avenue.
 - East: Spring Valley Road and single-family dwellings.
 - South: a three-unit multi-family dwelling and the Maywood Tennis Club.
 - West: the Maywood Tennis Club and single-family dwellings along Briarcliff Avenue.
- The site is located within Planning Area 1 (PA1), indicating that it lies in a region designated for urban growth under the State Development and Redevelopment Plan (SDRP).

4. Developable

- The site is located within a designated sewer service area and a public water service area.
- Will-serve letters from local utility providers will be provided during the site plan approval process.

5. Approvable

- The proposed development will comply with the Residential Site Improvement Standards (RSIS), N.J.A.C. 5:21-1 et seq., ensuring appropriate design standards for parking, circulation, and infrastructure.
- The site is not subject to regional planning agency jurisdictions, such as CAFRA or Highlands Preservation Areas, removing additional regulatory barriers.
- The site is not constrained by wetlands, steep slopes, or flood hazard areas, making it suitable for high-density residential development.

Table 18
Summary of Total New Construction Obligation: 1987-2035

Borough of Maywood Affordable Housing Obligations	
Prior Round (1987-1999)	36
Third Round (Prospective Need 1999-2025)	255
– Third Round RDP	25
– Third Round Unmet Need	230
Fourth Round Prospective Need	131
– Fourth Round RDP	9
– Fourth Round Unmet Need	122
Total Prospective Need:	422
Less Prior Round Credits	36
Less Third Round Credits	26
Less Fourth Round Credits	49
= Remaining Unmet Need	311

3.3.2 Satisfaction of Fourth Round Unmet Need

To address its 311-unit combined Third Round and Fourth Round remaining Unmet Need, the Borough has followed COAH's Second Round regulations. According to N.J.A.C. 5:93-4.2(h), in addressing Unmet Need, the Council may require one or more of the following strategies to help address the municipality's affordable housing obligation:

1. Overlay zoning that requires inclusionary development or the imposition of a development fee consistent with N.J.A.C. 5:93-8. In adopting an overlay zone, the Council may allow the existing use to continue and expand as a conforming use, but must provide that, if the existing use is changed, the site shall produce low- and moderate-income housing or be subject to a development fee; or
2. Zoning amendments that impose a development fee consistent with N.J.A.C. 5:93-8.

In the Third Round, the court approved the Borough of Maywood to address its entire 229-unit Unmet Need through a combination of mechanisms including surplus units from the Prior Round, the adoption of inclusionary zoning, and the adoption of an Affordable Housing Mandatory Set-Aside ordinance.

The following mechanisms to address Unmet Need that were included in the Third Round Plan will be carried forward to the Fourth Round.

1. R-C District Expansion – West Pleasant Avenue

To address its unmet affordable housing obligations, the Borough has pursued several zoning strategies, including amendments and the creation of overlay districts. One such strategy involves expanding the R-C (Restricted Commercial Business) District to include properties located south of the existing district. The primary goal of this amendment is to permit second-floor rental apartments above existing or proposed retail and service uses. The affected properties include existing R-C parcels in Block 80 (Lots 1, 2, 3), Block 81 (northerly portion of Lot 4.01), Block 82 (Lots 4–7), and Block 83 (Lots 1–10). The proposed expansion area includes Block 80 (Lots 4, 5, 10, 11), Block 81 (Lots 2, 6, and the southerly portion of Lot 4.01), Block 82 (Lots 2, 3, 8, 9), and Block 83 (Lots 12.01, 18, 19, and 20).

2. Townhouse Use Overlay (THO) District

The Borough also established the Townhouse Use Overlay (THO) District by modifying the boundaries of the existing THO and including 11 properties along Prospect Avenue that are currently zoned for townhouse use. The overlay permits a residential density of 20 units per acre with a 15% affordable housing set-aside for rental units and a 20% set-aside for for-sale units. The newly designated THO properties include Block 87 (Lots 8–12), Block 88 (Lot 28), and Block 106 (Lots 1–5), while several other lots were removed from the original THO boundaries.

3. Townhouse Use Overlay-2 (THO-2) District

In addition, the Borough created the Townhouse Use Overlay-2 (THO-2) District along West Hunter Avenue. This overlay applies to three properties—Block 124 (Lots 50, 51, and 52)—and permits a residential density of 12 units per acre. The same affordable housing set-aside requirements apply: 15% for rental developments and 20% for for-sale units.

4. Chapter 211 – Affordable Housing Ordinance

The Borough adopted an amendment to Chapter 211 of the Borough Code on June 28, 2022, to update its regulations governing affordable housing. The provisions apply to all existing and

proposed affordable housing units within the Borough of Maywood, in accordance with the most recently adopted Housing Element and Fair Share Plan.

This ordinance establishes the rules and requirements for the creation, construction, and administration of affordable housing units in the Borough, consistent with COAH (Council on Affordable Housing) regulations. To ensure the inclusion of affordable units in developments not currently anticipated, the ordinance includes a “catch-all” provision: all new multifamily residential developments consisting of five (5) or more units are required to provide affordable housing, with a 15% set-aside for rental units and a 20% set-aside for for-sale units.

These requirements do not apply to residential expansions, additions, renovations, replacements, or any development that does not result in a net increase of five or more dwelling units. The ordinance also incorporates the Borough’s Development Fee requirements, further supporting its affordable housing efforts.

3.4 Fourth Round Age-Restricted, Rental, Family Rental, Family, and Very Low-Income Requirements

3.4.1 Age-Restricted Housing

In accordance with the regulations governing affordable housing in New Jersey, a municipality may not satisfy more than 30% of its prospective need obligation (exclusive of any applicable bonus credits) through the provision of age-restricted affordable housing units.

$$\text{Age-restricted units} = .30 (131) = 39.3 \text{ or } 39 \text{ units}$$

The maximum number of units the Borough is permitted to age-restrict is 39 units. Currently there are no age-restricted projects. Pursuant to the new regulations the borough is entitled to a bonus credit for age-restricted units of one unit of credit and one-half bonus credit for a unit of age-restricted housing, provided that a bonus credit for age-restricted housing shall not be applied to more than 10 percent of the units of age-restricted housing. Therefore, the Borough would be eligible for bonus credits of up to 3.9 or 3 units.

3.4.2 Rental Housing

Every municipality in New Jersey has an obligation to create a realistic opportunity for rental housing. For a municipality that received or is requesting an adjustment pursuant to N.J.A.C. 5:93-4.2, the rental obligation shall equal 25 percent of the RDP.

$$\text{Rental obligation} = .25 (9 \text{ unit}) = 2.25 \text{ or } 3 \text{ units}$$

The minimum number of rental housing units the Borough is required to provide is 3 units. These units will be distributed among the proposed affordable developments.

3.4.3 Family Rental Requirement

At least half of the rental units addressing the Fourth Round Prospective Need in total must be available to families. Based upon the 3 unit rental obligation, 1.5 or 2 units would be required to

be made available for families. These units will be distributed among the proposed affordable developments.

3.4.4 Family Requirement

At least half of the units addressing the Fourth Round Prospective Need in total must be available to families. Based upon the 9-unit RDP units being credited toward Fourth Round RDP, 4.5 or 5 units would be required to be made available for families. These units will be distributed among the proposed affordable developments.

3.4.5 Very Low-Income Housing Requirement

An amendment to the Fair Housing Act in 2008 (A-500) requires that 13% of all affordable housing units be made available to very low-income individuals. Very low-income housing is housing made available for persons with a household income equal to 30% or less of the median gross income for households of the same size within the housing region in which the housing unit is located. This would result in a requirement of 1.17 or 2 very low-income units based upon the RDP of 9 units.

3.4.6 Bonus Credit Cap

The total number of bonus credits shall exceed 25% of the minimality's prospective obligation in any round.

Table 19: Bonus Caps

Round	Prospective Need	Bonus Cap
Prior Round	36	9
Third Round	255	63
Fourth Round	131	32

4.0 AFFIRMATIVE MARKETING PLAN

This Affirmative Marketing Plan applies to all developments that contain low- and moderate-income units.

The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer/sponsor, municipality and/or designated administrative agency of affordable housing. The plan addresses the requirements of N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26. In addition, the plan prohibits discrimination in the sale, rental, financing or other services related to housing on the basis of race, color, sex, affectional or sexual orientation, religion, handicap, age, familial status/size or national origin.

Maywood is in COAH Housing Region 1 consisting of Bergen, Hudson, Passaic and Sussex Counties.

Maywood is ultimately responsible for administering the affordability controls and the Affirmative Marketing Plan.

Maywood has established the position of a Municipal Liaison and has delegated this responsibility to a municipal employee, who shall administer the affordable housing program, including administering and enforcing the affordability controls and this Affirmative Marketing Plan, in accordance with the provisions of the ordinance creating the position of the Municipal Liaison, the regulations of the Council of Affordable Housing pursuant to N.J.A.C. 5:97 et. seq. and the New Jersey Uniform Housing Affordability Controls pursuant to N.J.A.C. 5:80-26 et. seq.

Subject to approval of COAH, Maywood may contract with one or more administrative agents to administer some or all of the affordability controls and/or the Affirmative Marketing Plan in accordance with the provisions of Maywood's Code, the regulations of the Council on Affordable Housing pursuant to N.J.A.C. 5:94 et. seq. and the New Jersey Uniform Housing Affordability Controls pursuant to N.J.A.C. 5:80-26 et. seq. If Maywood enters into such a contract, the Municipal Liaison shall supervise the contracting administrative agent(s) and shall serve as liaison to the contracting administrative agent(s). The Borough of Maywood has contracted with Triad Associates to be their Administrative Agent. Triad Associates has prepared an Affirmative Marketing Plan which is appended to this document.

Developers of low- and moderate-income units may assist in the marketing of the affordable units in their respective developments if so designated by the Governing Body of the Maywood in accordance with the provisions of Maywood's Code, the regulations of the Council on Affordable Housing pursuant to N.J.A.C. 5:94 et. seq. and the New Jersey Uniform Housing Affordability Controls pursuant to N.J.A.C. 5:80-26 et. seq. If Maywood enters into such a contract, the Municipal Liaison shall supervise the contracting administrative agent(s) and shall serve as liaison to the contracting administrative agent(s).

The Borough's Affirmative Marketing Plan, resolution appointing a Municipal Housing Liaison, and resolution and executed agreement with a qualified Administrative Agent may all be found in Appendix C.

Appendix A

VACANT LAND ANALYSIS

The Borough of Maywood is a fully developed community with very little vacant, suitable and developable land. To provide the Court with the required documentation in accordance with the Vacant Land Adjustment requirements contained in COAH's Round 2 Substantive Regulations, we have procured and evaluated an official list of vacant lands, dated 6/5/24 as contained in the Borough's official Tax Assessment records. A complete listing of these lands is provided in Table 1, Vacant Land Inventory. The purpose of this analysis is to document the fully developed nature of the Borough of Maywood and its limited ability to accommodate additional housing opportunities through redevelopment.

TABLE 1
VACANT LAND INVENTORY

Site #	Block	Lot	Acreage	Owner
1	1	5	0.16	South 21 Spring Valley Road, LLC
2	1	6	0.33	Stanford Atrium Corporation
3	6	17	Irr.	Unknown
4	9	4	0.11	Tupete, Diany
5	27	8	0.09	Taylor, Kevin & Debbie A
6	31	12	0.06	Perez, Juan M & Zitt, Melissa
7	32	7	0.15	LLJ Holdings, Inc.
8	41	19	0.11	Leichtnam, James & Jeanine
9	52	6	0.13	Jerlinski, Jeanne Marie Etal
10	55	3	0.15	Thomson, Dennis W.
11	56	9	0.10	Albrizio, Michelle & Sensale, Joseph
12	56	19.01	0.17	Paladino, Anthony
13	56	22	0.15	671 Maywood, LLC
14	58	15	0.10	Caraccio, Grace A.
15	62	4	0.17	Kristani, Filip
16	69	5	0.89	Russell P Trocano Enterprise LLC
17	69	13	0.93	Russell P Trocano Enterprise LLC
18	74	18	Irr.	Unknown
19	75	25	0.06	Haynes, Pia-Stevens
20	75	26	Irr.	Unknown
21	77	15	Irr.	Unknown
22	77	16	0.06	Herold & Company Inc.
23	86	1	Irr.	Unknown
24	86	3	Irr.	Unknown
25	86	4	0.02	Unknown
26	86	5	0.04	Unknown
27	86	7	0.04	Unknown
28	86	9	0.05	Unknown

29	86	11	0.05	Unknown
30	86	13	0.06	Unknown
31	87	11	0.11	216 Route 17 North, LLC
32	87	13	0.34	216 Route 17 North, LLC
33	101	15	0.01	Stech, Douglas J & Dalpin, A.A.
34	107	57	Irr.	Unknown
35	114	7	0.07	Galarza, Richy J & Jessica L
36	124	2	1.83	Modd Investment, LLC
37	124	30	26.9	Duke Rlty Maywood Ave Dvlpmnt, LLC
38	124	31	2.30	Stepan Company
39	124	32	3.80	Stepan Company
40	124	39	0.21	Stepan Company
41	124	80	0.22	PSE&G Co Corp NJ
42	124	81	0.22	Public Service Electric and Gas Co
43	124	82	0.23	Public Service Electric and Gas Co
44	124	83	0.23	Public Service Electric and Gas Co
45	124	85	0.22	PSEG Services Corp Prop Dept
46	124	86	0.23	PSEG Services Corp Prop Dept
47	124	87	0.23	PSEG Services Corp Prop Dept
48	124	89	0.24	PSEG Services Corp Prop Dept
49	124	90	0.25	PSEG Services Corp Prop Dept
50	124	91	0.57	PSEG Services Corp Prop Dept
51	124	92	0.10	200 W Central LLC
52	124	94		Unknown
53	125	3	0.69	200 Route 17 LLC
54	125	6		Unknown
55	126	41	0.25	Castano, Viviana
56	126	45	1.30	Hofmann, Herman & Elsie
57	131	1	0.26	Scanel, Peter & Elva
58	131	2	0.48	Scanel, Peter & Elva
59	131	3	0.41	Scanel, Peter & Elva
60	135	4	0.17	SF Essex Gardens Owner I, LLC
61	135	5	0.17	SF Essex Gardens Owner I, LLC
		Total:	46.22	

As shown in the table above, there are a total of 61 vacant parcels in this list totaling 46.22 acres. Of this total, 51 lots are not large enough to support inclusionary development sufficient to generate at least one low and moderate-income unit in accordance with COAH's Round 2 requirements for vacant land evaluation. Pursuant to §5:93-4.2(c)2, a municipality shall exclude from the vacant land inventory any vacant contiguous parcels of land in private ownership of a

size which would accommodate less than five dwelling units.¹ Three (3) of these sites are subject to an ongoing Federal Cleanup as a Superfund Site, pursuant to a recent Report entitled Second Five Year Report, Maywood Chemical Co. Superfund Site, Bergen County, New Jersey, Prepared by the U.S. Environmental Protection Agency, Region 2 New York, New York September 2014. These sites are currently located in the L-L Limited Light Industrial District. These sites will not be remediated to Residential Use Standards. One of these sites has received site plan approval to construct a warehouse development. There are two other properties that individually do not meet the size criteria but are located adjacent to one another and are under the same ownership. One and a portion of another of these properties are utilized as a parking area for the adjacent business. All two of these parcels are also landlocked. The vacant lands that are excluded and reasons for the exclusion are documented below in Table 2.

TABLE 2
VACANT LAND EXCLUSIONS

Site #	Block	Lot	Acreage	Flood	Wet	Steep	Exclusion Reason
1	1	5	0.16				Size
2	1	6	0.33				Size
3	6	17	Irr.				Size
4	9	4	0.11				Size
5	27	8	0.09				Size
6	31	12	0.06				Size
7	32	7	0.15				Size
8	41	19	0.11				Size
9	52	6	0.13				Size
10	55	3	0.15				Size
11	56	9	0.10				Size
12	56	19.01	0.17				Size
13	56	22	0.15				Size
14	58	15	0.10				Size
15	62	4	0.17				Size
16	69	5	0.89				
17	69	13	0.93				
18	74	18	Irr.				Size
19	75	25	0.06				Size
20	75	26	Irr.				Size
21	77	15	Irr.				Size
22	77	16	0.06				Size
23	86	1	Irr.				Size
24	86	3	Irr.				Size

¹ Minimum Area Calculation 5 units/acre

Minimum presumptive density of 8 units/acre

$(43,560 \div 8 = 5,445 \text{ square feet/unit}) \times 5 \text{ units (4 market, 1 low and mod.)} = 27,225 \text{ sq.ft.} \div 43,560 = 0.625 \text{ acres}$

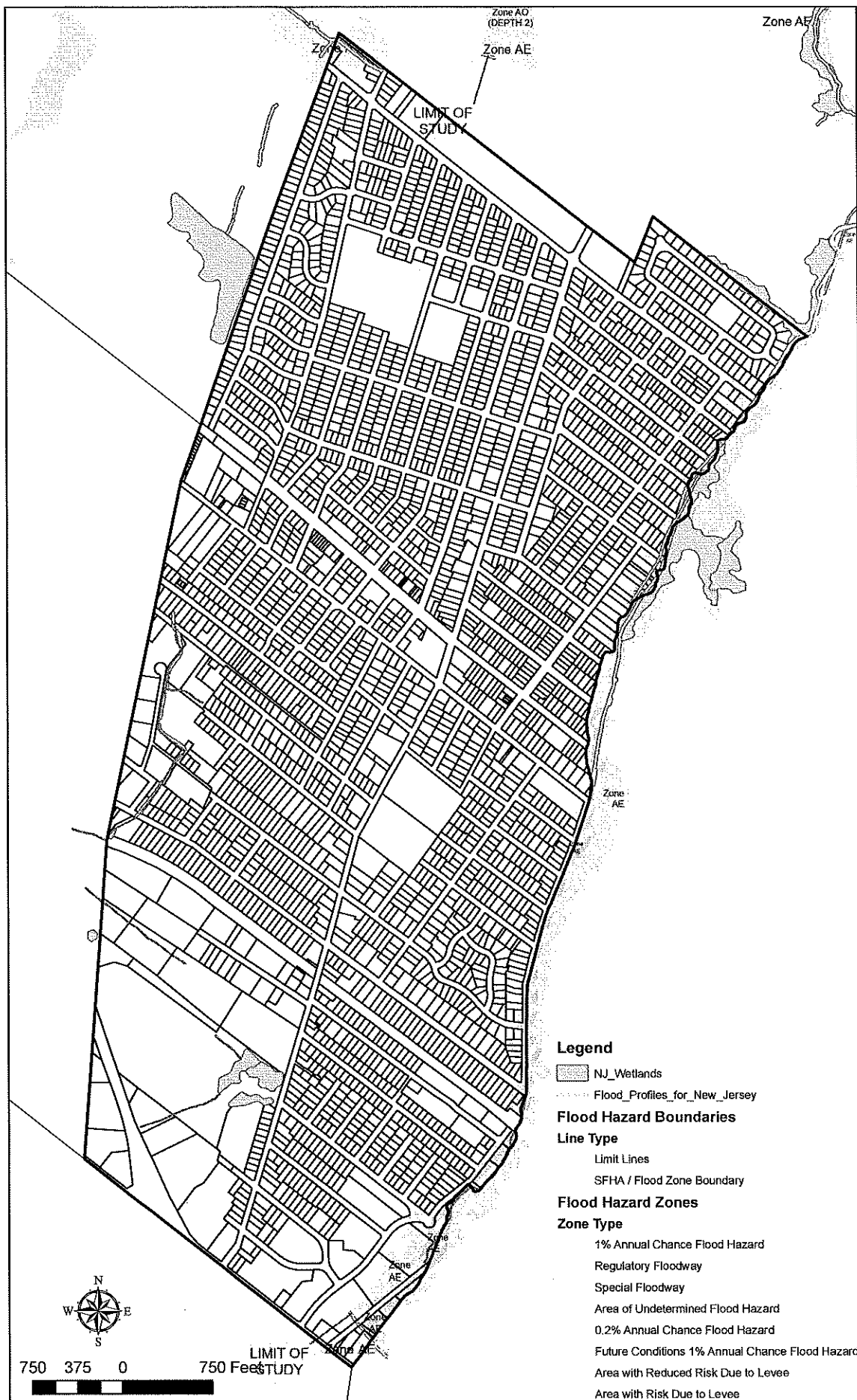
25	86	4	0.02				Size
26	86	5	0.04				Size
27	86	7	0.04				Size
28	86	9	0.05				Size
29	86	11	0.05				Size
30	86	13	0.06				Size
31	87	11	0.11				Size
32	87	13	0.34				Size
33	101	15	0.01				Size
34	107	57	Irr.				Size
35	114	7	0.07				Size
36	124	2	1.83				
37	124	30	26.9				Approved site plan, Superfund site under cleanup- restricted use
38	124	31	2.30				Superfund site under cleanup- restricted use
39	124	32	3.80				Superfund site under cleanup- restricted use
40	124	39	0.21				Size
41	124	80	0.22				Size
42	124	81	0.22				Size
43	124	82	0.23				Size
44	124	83	0.23				Size
45	124	85	0.22				Size
46	124	86	0.23				Size
47	124	87	0.23				Size
48	124	89	0.24				Size
49	124	90	0.25				Size
50	124	91	0.57				Size
51	124	92	0.10				Size
52	124	94					Size
53	125	3	0.69				Developed with access roads to Route 17
54	125	6					Size
55	126	41	0.25				Size
56	126	45	1.30				Part of Round 3 Plan
57	131	1	0.26				Size
58	131	2	0.48				Partially developed with parking area
59	131	3	0.41				Developed with parking area
60	135	4	0.17				Size
61	135	5	0.17				Size
		Total:	3.65				

There are three (3) parcels that are large enough to meet the minimum acreage requirement, which as set forth in the above footnote must be at least .625 acres in area and do not have any other constraints. These lands are evaluated in the following Table.

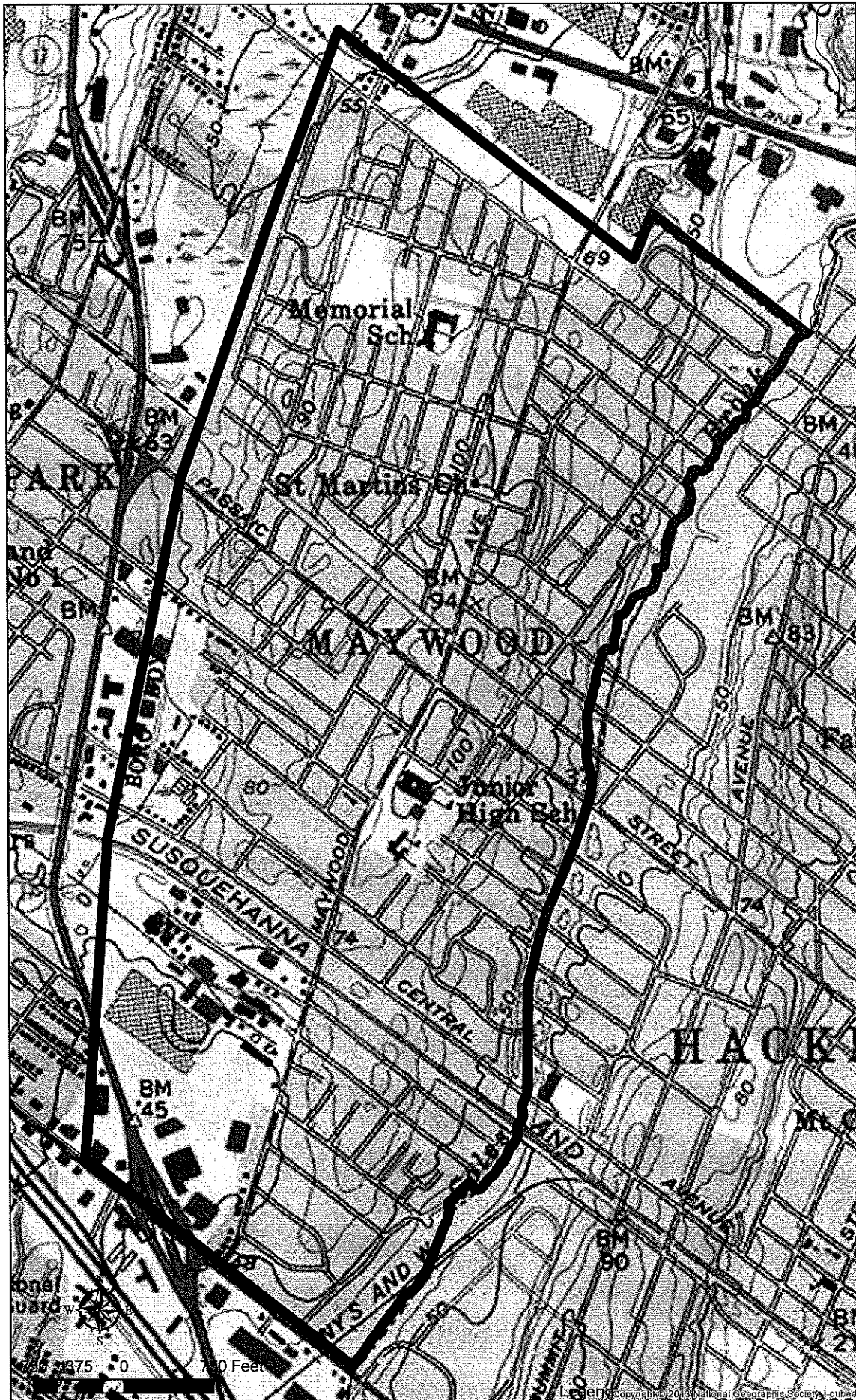
TABLE 3
2025 FOURTH ROUND RDP

Block	Lot(s)	Owner	Developable Acreage	Density (du/acre)	Total Units	Affordable Units (20% Set-Aside)
69	3	Trocano	0.138	8	1.10	0.2
69	4	Trocano	0.144	8	1.15	0.2
69	5	Trocano	0.89	8	7.12	1.4
69	13	Trocano	0.93	8	7.44	1.4
86	17	Trocano	0.623	8	4.98	1.0
86	18	Trocano	0.186	8	1.49	0.3
124	2	Ender	1.83	12	22	4.4
					45.28	8.9

Based upon the information presented above, the vacant developable lands can accommodate a total of 36.56 total dwelling units which would result in 8.9 or rounded up to 9 new build low and moderate-income housing units. Based on the analysis presented above, the Borough of Maywood requests an adjustment of it's affordable housing obligation to 9 low- and moderate-income units, resulting in an RDP (Realistic Development Potential) of 9 units.



Topography Map - Borough of Maywood



Appendix B

Inventory of Potential Redevelopment Parcels

Block	Lot	Address / Location	Size (Acres)	Current Use	Zoning	Proposed Use	Estimated Yield (Affordable Units)	Notes
69	3		0.138	One-family	TH		0.2	Included in RDP
69	4		0.144	One-family	THO-3		0.2	Included in RDP
69	5		0.89	Abandoned nursery	LL/THO-3		1.4	Included in RDP
69	13		0.93	Abandoned nursery	THO-3		1.4	Included in RDP
86	17		0.623	Abandoned nursery	THO-3		1	Included in RDP
86	18		0.186	One-family	THO-3		0.3	Included in RDP
124	2		1.83	Truck storage	LL		4.4	Included in RDP
124	30	Maywood Avenue	3.37	Former Sears site	LL			Approved for a 500,000 square foot warehouse use
124	31.01	W. Hunter Ave.		Contaminated				Under environmental cleanup by the Federal government.
124	32.01	W. Hunter Ave.		Contaminated				Under environmental cleanup by the Federal government.
124	45	W. Hunter Ave.		Contaminated				Under environmental cleanup by the Federal government.
124	46	W. Hunter Ave.		Contaminated				Under environmental cleanup by the Federal government.

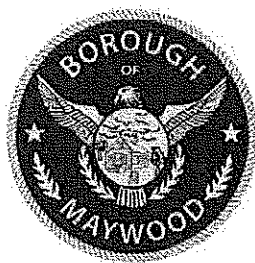
Appendix C

BOROUGH CLERK

Barbara L. Dispoto, RMC/CMC

ADMINISTRATOR

Adrian Febre



MAYOR

Richard Bolan

COUNCIL PRESIDENT

COUNCIL MEMBERS

Danyel Cicarelli
Samuel Conoscenti
Jacqueline DeMuro
Jacqueline Flynn
Louis D. Roer
Ryan P. Ullman

BOROUGH OF MAYWOOD

15 Park Avenue, Maywood, NJ 07607

RESOLUTION #83-23

RESOLUTION OF THE BOROUGH OF MAYWOOD

COUNTY OF BERGEN, STATE OF NEW JERSEY

APPOINTING ADRIAN FEBRE AS MUNICIPAL HOUSING LIAISON
FOR THE BOROUGH OF MAYWOOD

WHEREAS, pursuant to N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq., the Borough of Maywood ("Borough") is required to appoint a Municipal Housing Liaison for the administration of the City's affordable housing program to enforce the requirements of N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq.; and

WHEREAS, the Borough's Settlement with Fair Share Housing Center includes provisions for addressing the Borough's constitutional obligation to provide for its fair share of very low-, low- and moderate-income housing, and among other items, provides for the appointment of a Municipal Housing Liaison to administer the Borough affordable housing program.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Maywood, in the County of Bergen, and the State of New Jersey, that Adrian Febre is hereby appointed as the Municipal Housing Liaison for the administration of the affordable housing program, pursuant to and in accordance with the municipal code of the Borough of Maywood;

Date: March 27, 2023

APPROVED: Richard Bolan
Richard Bolan, Mayor

ATTEST:

Barbara Dispoto

Barbara L. Dispoto, RMC/CMC
Borough Clerk

	Moved	Seconded	Ayes	Nays	Abstain	Absent	Recuse
Mayor Bolan							
Councilmember Cicarelli			X				
Councilmember Conoscenti		X	X				
Councilmember Flynn	X		X				
Councilmember Roer			X				
Councilmember Ullman			X				
Council President DeMuro			X				

CERTIFICATION

I, Barbara L. Dispoto, Municipal Clerk of the Borough of Maywood in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of March 27, 2023.

Date: _____

Barbara L. Dispoto, RMC/CMC
Borough Clerk

The Hon. Lina P. Corrison, J.S.C.
 Superior Court of New Jersey
 Bergen County Justice Center
 10 Main Street
 Hackensack, New Jersey 07601

PREPARED BY THE COURT:

<p>IN THE MATTER OF THE DECLARATORY JUDGMENT ACTION OF THE BOROUGH OF MAYWOOD, BERGEN COUNTY PURSUANT TO P.L. 2024, CHAPTER 2</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION - CIVIL PART BERGEN COUNTY DOCKET NO. BER-L-699-25</p> <p><u>Civil Action</u></p> <p>ORDER FIXING MUNICIPAL OBLIGATIONS FOR "PRESENT NEED" AND "PROSPECTIVE NEED" FOR THE FOURTH ROUND HOUSING CYCLE</p>
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THIS MATTER, having come before the Court on its own motion, *sua sponte*, on the Complaint for Declaratory Judgment filed on January 29, 2025 ("DJ Complaint") by the Petitioner, Borough of Maywood ("Petitioner" or "Municipality"), pursuant to N.J.S.A. 52:27D-304.2, - 304.3, and -304.1(f)(1)(c) of the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301, *et seq.* (collectively, the "FHA"), and in accordance with Section II.A of Administrative Directive #14-24 ("Directive #14-24") of the Affordable Housing Dispute Resolution Program (the "Program"), seeking a certification of compliance with the FHA;

AND IT APPEARING, that on October 18, 2024, pursuant to the FHA (as amended), the New Jersey Department of Community Affairs ("DCA") issued its report entitled *Affordable Housing Obligations for 2025-2035 (Fourth Round)*,¹ therein setting forth the present need and prospective need obligations of all New Jersey municipalities for the Fourth Round housing

cycle (the "DCA's Fourth Round Report");

AND IT APPEARING that, pursuant to the DCA's Fourth Round Report, the **present need** obligation of the Petitioner has been calculated and reported 12 affordable units, and its **prospective need** obligation of the Petitioner has been calculated and reported as 131 affordable units, and which calculations have been deemed presumptively valid for purposes of the FHA;

AND THE COURT, having determined that no interested party has filed a challenge to the Petitioner's DJ Complaint by way of an Answer thereto as provided for and in accordance with Section II.B of Directive #14-24 of the Program;

AND THE COURT, having found and determined, therefore, that the present need and prospective need affordable housing obligations of the Petitioner for the Fourth Round housing cycle as calculated and reported in the DCA's Fourth Round Report have been committed to by the Petitioner and are uncontested, and for good cause having otherwise been shown:*

IT IS, THEREFORE, on this ___5th___ day of **MAY, 2025 ORDERED AND ADJUDGED**

as follows:

1. That the present need obligation of the Municipality, be, and hereby is fixed as twelve (12) affordable units for the Fourth Round housing cycle.
2. That the prospective need obligation of the Municipality, be, and hereby is fixed as one hundred thirty one (131) affordable units for the Fourth Round Housing cycle; and
3. That the Petitioner is hereby authorized to proceed with preparation and adoption of its proposed Housing Element and Fair Share Plan for the Fourth Round, incorporating therein the present need and prospective need allocations aforesaid (and which plan shall include the elements set forth in the "Addendum" attached to Directive #14-24), by or before June 30, 2025,

as provided for and in accordance with Section III.A of Directive #14-24, and without further delay.

IT IS FURTHER ORDERED, that a copy of this Order shall be deemed served on the Petitioner and Petitioner's counsel.

SO ORDERED:

A handwritten signature in black ink, appearing to read 'Lina P. Corriston', is written over a horizontal line.

Hon. Lina P. Corriston, J.S.C.

(X) Uncontested.

*Pursuant to N.J.S.A. 52:27D-304.1, "[i]f the municipality meets th[e] January 31 [, 2025] deadline [for adoption of a binding resolution setting forth a determination of present and prospective fair share obligation for the fourth round], then the municipality's determination of its obligation shall be established by default and shall bear a presumption of validity beginning on March 1, 2025, as the municipality's obligation for the fourth round, unless challenged by an interested party on or before February 28, 2025." The municipality's determination of its present and prospective fair share obligation for the fourth round was adopted prior to January 31, 2025 in accordance with N.J.S.A. 52:27D-304.1, and no challenge was filed in response thereto. A presumption of validity thus attaches to the determination made by the municipality that is set forth in the resolution adopted by the municipality and which is incorporated within this order.