



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 .

PRINCIPALS:

Joseph H. Burgis PP, AICP
Edward Snieckus, Jr. PP, LLA, ASLA
David Novak PP, AICP

MEMORANDUM

To: Borough of Park Ridge Planning Board
From: Joseph Burgis, PP, AICP and Robyn Welch PP, AICP
Subject: Amendment to the Borough of Park Ridge's Adopted 2025 Housing Element & Fair Share Plan (HE&FSP)
Date: June 19, 2025
BA#: 4157.04

On March 20, 2024, the State of New Jersey adopted a package of affordable housing bills which amended the Fair Housing Act for the Fourth Round and beyond. This legislation (FHA-2) requires municipalities to adopt a housing element and fair share plan (HE&FSP) on or before June 30, 2025, or risk losing immunity from exclusionary zoning litigation. Therefore, in order to meet the statutory deadlines set forth in FHA-2, the Borough of Park Ridge Planning Board adopted a 2025 HE&FSP, dated May 27, 2025, following a duly-noticed public hearing held on June 11, 2025 and filed same with the Affordable Housing Dispute Resolution Program (the Program) within 48 hours of said hearing.

The Adopted 2025 HE&FSP identifies the Borough as having a Fourth Round Prospective Need obligation of 124 units. This number was derived from the following sequence of events:

- On October 18, 2024, the New Jersey Department of Community Affairs (DCA) issued a report identifying Park Ridge as having a Fourth Round Prospective Need obligation of 138 units.
- Because DCA's report was non-binding and advisory only, Park Ridge opted to conduct its own analysis of Park Ridge's Land Capacity Factor, the results of which found that the Borough's Prospective Need number for Round Four should be 119 units. This number was memorialized in the Borough's binding resolution (Resolution No. 025-062) adopted on January 28, 2025.
- Ultimately, after a Court settlement conference was held on March 31, 2025, which resulted in no settlement between the Borough and the New Jersey Builders Association (NJBA), the Program issued a recommendation to the underlying trial court on April 17, 2025 that Park Ridge's Round Four Prospective Need obligation be established at 124 units.

The trial court, however, did not issue its order officially setting the Borough's Round Four Prospective Need until June 16, 2025 – five days after the Borough adopted its 2025 HE&FSP. And in that June 16th trial court order, Judge Gregg A. Padovano, J.S.C. ultimately sided with the Borough of Park Ridge, establishing the Borough's Prospective Need obligation for Round Four at 119 units, consistent with the Borough's own analysis. A copy of the trial court's June 16, 2025 order is included at the end of this memorandum.

As such, the Borough now needs to amend its Adopted 2025 HE&FSP to reflect the correct and final calculation of its Fourth Round Prospective Need obligation, changing it from 124 units to 119 units, consistent with Judge Padovano's order. Specifically, the Borough of Park Ridge 2025 HE&FSP, dated May 27, 2025 and adopted on June 11, 2025, shall be amended as follows (with ~~strikethroughs~~ identifying text to be deleted and underlines identifying text to be added):

1. **Page 1:** Table 1 shall be amended as follows:

Table 1: Affordable Housing Obligations Summary

Category	Obligation
Present Need (Rehabilitation) Obligation	45
First & Second Round Obligation (1987-1999)	112
Third Round Obligation (1999-2025)	225
Fourth Round Obligation (2025-2035)	124 <u>119</u>

2. **Page 5:** The second full paragraph shall be amended as follows: "Since the DCA report is non-binding, each municipality had the opportunity to study and define why its obligations should be different based on the standards in the Act. The Borough conducted such an analysis and determined that the DCA had made errors in the Land Capacity Factor calculation, which is part of the formula that determines fair share obligations. The Borough adopted a binding resolution on January 28, 2025, which committed to the 137-unit Present Need obligation identified by DCA but identified a reduced Prospective Need obligation of 119 units due to the Borough's assessment of errors in DCA's report pertaining to Park Ridge's Land Capacity Factor. ~~Ultimately, after a Court settlement conference was held on March 31, 2025, which resulted in no settlement between the Township and the New Jersey Builders Association (NJBA), the Program issued a recommendation to the underlying trial court on April 17, 2025 that Park Ridge's Round Four Prospective Need obligation be established at 124 units. The trial court order officially setting the Borough's Round Four Prospective Need at 124 has not yet been issued as of the date of this HE&FSP. Ultimately, a trial court order issued on June 16, 2025 officially set the Borough's Round Four Present Need at 137 and its Round Four Prospective Need at 119.~~"
3. **Page 6:** The two paragraphs under the subheading "Unmet Need" shall be amended as follows: "The difference between the Borough's Prospective Need obligations and its RDP obligations is what is known as Unmet Need. Whereas the RDP obligations must be affirmatively addressed by the Borough, addressing Unmet Need involves a lower, more aspirational standard. Based on the RDP obligations established herein, Park Ridge has an Unmet Need of 79 for Round 3 and an Unmet Need of ~~124~~ 116 for Round 4, for a total combined Unmet Need of ~~200~~ 195 units.

The Borough proposes to address its ~~200~~ 195-unit combined Third and Fourth Round Unmet Need as identified in Table 6 below."

4. **Page 32:** The last paragraph shall be amended as follows: “Furthermore, Resolution No. 025-062 did not accept DCA’s Prospective Need calculation of 138 units, opting instead to conduct its own analysis of Park Ridge’s Land Capacity Factor. The results of that analysis found that DCA arrived at the Borough’s Land Capacity Factor based, in part, on incorrect assumptions and erroneous data and that – based on an accurate calculation of the Borough’s vacant, developable land – the Borough’s Prospective Need number for Round Four should be 119 units. ~~Ultimately, after a Court settlement conference was held on March 31, 2025, which resulted in no settlement between the Township and the New Jersey Builders Association (NJBA), the Program issued a recommendation to the underlying trial court on April 17, 2025 that Park Ridge’s Round Four Prospective Need obligation be established at 124 units. A copy of the Program’s recommendation is included in Appendix B of this plan. The trial court order officially setting the Borough’s Round Four Prospective Need at 124 has not yet been issued as of the date of this HE&FSP. Ultimately, a trial court order issued on June 16, 2025 officially set the Borough’s Round Four Prospective Need at 119. A copy of the trial court order is included in Appendix B of this plan.~~”

5. **Page 33:** Table 27 shall be amended as follows:

Table 27: Summary of Fair Share Obligation

Affordable Obligation	Units
Present Need (Rehabilitation)	45
Prospective Need	124 <u>119</u>

6. **Page 40:** Table 29 shall be amended to identify the Fourth Round Obligation (2025-2035) as 119 (not 124) and the Fourth Round Unmet Need as 116 (not 121).

Table 29: Affordable Housing Obligations Summary

Category	Obligation	RDP	Unmet Need
Present Need (Rehabilitation) Obligation	45	--	--
First & Second Round Obligation (1987-1999)	112	--	--
Third Round Obligation (1999-2025)	225	146	79
Fourth Round Obligation (2025-2035)	124 <u>119</u>	3	121 <u>116</u>

7. **Pages 54-55:** The paragraph under the heading “D. Unmet Need” shall be amended as follows: “The difference between the Borough’s Prospective Need obligations and its RDP obligations is what is known as Unmet Need. Whereas the RDP obligations must be affirmatively addressed by the Borough (as outlined in Subsections B.3. and B.4. above), addressing Unmet Need involves a lower standard, as the entire Unmet Need obligation does not have to be fully satisfied by 2035. Based on the RDP obligations established in Section 3 of this plan, Park Ridge has an Unmet Need of 79 for Round 3 and an Unmet Need of ~~121~~ 116 for Round 4, for a total combined Unmet Need of ~~200~~ 195 units. The Borough will address its ~~200~~ 195-unit combined Third and Fourth Round Unmet Need as set forth below and as illustrated on the Plan Components Map included at the end of this plan.”
8. **Page 62:** The list of appendices shall be amended to identify Appendix B as “June 16, 2025 Trial Court Order” (not “April 17, 2025 Program Recommendation”).

9. **Appendix B:** The cover page to Appendix B shall be amended to identify Appendix B as “June 16, 2025 Trial Court Order” (not “April 17, 2025 Program Recommendation”) and a copy of the trial court’s June 16, 2025 order, which is included at the end of this memorandum, shall replace the copy of the Program’s recommendation in Appendix B of the HE&FSP.

JHB/RW

cc: Mayor Keith Misciagna (w/encl)
Magdalena Giandomenico (w/encl)
Michael J. Edwards, Esq. (w/encl)
William E. Olson, Esq. (w/encl)

Gregg A. Padovano, J.S.C.
Bergen County Justice Center
10 Main Street
Chambers/Courtroom 359
Hackensack, New Jersey 07601

Prepared by the court

IN THE MATTER OF THE APPLICATION
OF THE BOROUGH OF PARK RIDGE,
COUNTY OF BERGEN, STATE OF NEW
JERSEY,

Plaintiff/Petitioner.

FILED

JUN 16 2025

GREGG A. PADOVANO, J.S.C.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION – BERGEN COUNTY

DOCKET NO.: BER-L-723-25

Civil Action
Mt. Laurel Program

ORDER

FIXING MUNICIPAL OBLIGATIONS FOR
“PRESENT NEED” AND “PROSPECTIVE
NEED” FOR THE FOURTH ROUND
HOUSING CYCLE

THIS MATTER, having come before the Court on referral from and recommendation issued by the Affordable Housing Dispute Resolution Program (“Program”), pursuant to the Complaint for Declaratory Judgment filed on January 29, 2025 (“DJ Complaint”) by the Petitioner, Borough of Park Ridge, New Jersey (“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 “Program”, seeking a certification of compliance with the FHA;

AND IT APPEARING that, the Municipality timely adopted Resolution #25-062 on January 28, 2025, agreeing to DCA’s calculation of 137 affordable housing units of “present need” but seeking a downward deviation from “prospective need” calculations allocated to it by the New Jersey Department of Community Affairs (“DCA”) in its report dated October 18, 2024 entitled Affordable Housing Obligations for 2025-2035 (Fourth Round) (the “DCA Report”) –

specifically identifying a “prospective need” obligation of 138 affordable housing units, which calculations have been deemed “presumptively valid” - and are based on the Municipality planners’ recommendation for 119 units for a “prospective need” affordable housing obligation for the Fourth Round housing cycle based on their planner’s report asserting that DCA had included property in its land capacity analysis that should have been excluded from consideration;

AND IT APPEARING that a challenge to the Municipality’s calculations was timely and properly filed by the New Jersey Builders Association (“NJBA”), by and through its counsel, wherein NJBA disputed the Municipality’s proposed obligation for prospective need and supported DCA’s prospective need obligations, with the Municipality’s position and the NJBA Challenge supported by their own expert report of J. Creigh Rahenkamp, PP, AICP;

AND IT APPEARING that, pursuant to the Program, the Administrative Office of the Courts (“AOC”) appointed and assigned the case to Program Member, the Hon. Julio L. Mendez, A.J.C.S. (Ret.) (“Program Member”) to manage the proceedings, host settlement conferences, and make recommendations to the Court in accordance with the FHA and the AOC’s Directive #14-24, and that the Program Member appointed Francis J. Banisch, III, PP, AICP, an independent affordable housing expert, as special adjudicator (“Special Adjudicator”) in this case to work with closely with the Program Member, make recommendations to, and assist the Program;

AND IT APPEARING that this matter was reviewed by the Program Member, taking into consideration the position of the Municipality and the challenge filed by NJBA and a settlement conference was conducted, on notice to all parties with the participation of local officials, attorneys for the Municipality and NJBA with the session following the settlement conference when efforts at resolution through mediation failed;

AND IT APPEARING that, after reviewing the arguments and submissions of the parties, the Program Member issued a written Report and Program Recommendation on or about April 17, 2025, wherein the Program Member, relying in part upon the recommendation of the Special Adjudicator, found a downward deviation from the DCA's calculation and prospective need calculation to be the most reasonable result based on the Act, and finding further that 124 units is appropriate and in the interest of low and moderate income households and, consequently, recommended to the Court that this obligation be endorsed and effectuated, thereby establishing the prospective need for the Borough of Park Ridge at 124 units, and for the reasons set forth in the Program Member's Statement of Reasons and Opinion;

AND THE COURT having received the Program Member's Report and Recommendation, with exhibits, entered April 17, 2025 in the eCourts jacket for this matter at Trans. ID: LCV20251119837), the findings, terms, and recommendations of which are incorporated by reference as though more fully set forth herein (the "Report");

AND THE COURT having reviewed and considered the Program Member's Report and Recommendation which concludes with a recommendation to fix the municipal present need obligation of the Borough of Park Ridge of 137 affordable units for the Fourth Round housing cycle; and, based upon the record presented, including the recommendation of the Special Adjudicator, the court having determined that the prospective need obligation of the Borough of Park Ridge be fixed at 119 affordable units for the Fourth Round cycle in the place and instead of the DCA's calculated number of 138 units, without revoking immunity, and that an Order fixing those obligations at those numbers will be fair and equitable as well as in the best interests of the protected class of low- and moderate-income households in the Municipality, and for good and sufficient cause having otherwise been shown, and for the reasons set forth in the attached statement of reasons


IT IS ON THIS 16th DAY OF JUNE 2025

ORDERED and ADJUDGED that the calculations established and identified within the Borough of Park Ridge's Complaint be, and the same are hereby **ACCEPTED and ADOPTED** in their entirety; and to that end, more specifically, it is further

ORDERED as follows:

1. That the "present need" obligation of the Municipality, be, and hereby is fixed as **137 affordable units** for the Fourth Round housing cycle.
2. That the "prospective need" obligation of the Municipality, be, and hereby is fixed as **119 affordable units** for the Fourth Round housing cycle.
3. That the Petitioner Municipality is hereby authorized to proceed to the compliance phase 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), as provided for and in accordance with Section III.A of Directive #14-24, with immunity, and without further delay; and
4. The deadline for the Borough of Park Ridge to file an endorsed, unadopted Housing Element and Fair Share Plan pursuant to N.J.S.A. 52:27D-313 is extended up to and including, July 31, 2025, to the extent necessary, subject to further extension upon a finding of good cause by the Court; and it is further
5. That any and all "challenges" to the Petitioner's Housing Element and Fair Share Plan as adopted by Paragraph 3 above must be filed by August 31, 2025, by way of Answer/Objection filed in the eCourts case jacket for this matter, and as provided for and in accordance with Section III.B of AOC Directive #14-24; and it is further understood

ORDERED, that a copy of this Order shall be deemed served on the Petitioner, Petitioner's counsel, and Challenger NJBA's counsel upon its posting by the Court to the eCourts case jacket for this matter pursuant to R. 1:5-1(a) and R. 1:32-2A.



GREGG A. PADOVANO, J.S.C.
Designated Mt. Laurel Judge – Bergen Vicinage

STATEMENT OF REASONS PURSUANT TO R. 1:7-4(a)

The Court here having reviewed and considered the Program Recommendation prepared by the Affordable Housing Dispute Resolution Program in this matter - specifically, that filed on April 17, 2025 by Program Member, Hon. Julio L. Mendez, A.J.S.C. (ret.) - and for the reasons that follow, the Court hereby adopts the Program Member's decision and thus fixes the "present need" obligation of 137 units and accepts the range of the "prospective need" obligation provided by the Special Adjudicator and established a prospective need of 119 units for the Petitioner Municipality, Borough of Park Ridge, for the Fourth Round housing cycle.

The Fair Housing Act, N.J.S.A. 52:27D-302 to 313.3 (the "Act"), mandates municipalities to determine their fair share of affordable housing obligations. The Act's Fourth Round covers the period from 2025 to 2035, with specific calculations conducted and completed by the New Jersey Department of Community Affairs (DCA) in accordance with the Act. Specifically, in October 2024, DCA published its Affordable Housing Obligations for the 2025-2035 (Fourth Round) Methodology and Background Report (DCA Report), which assigned numerical obligations to all non-exempt municipalities. Municipalities were then required to file binding resolutions establishing their fair share obligations by January 31, 2025, and could challenge these calculations by providing alternative ones in compliance with the Act. The Affordable Housing Dispute Resolution Program, established by the Legislature, provides a mechanism for resolving such disputes.

The matter before this Court involves the determination of affordable housing obligations for the Borough of Park Ridge, New Jersey as part of the Fourth Round process established by the Legislature. More specifically at issue is Park Ridge's "prospective need" obligation for the Fourth Round. "Prospective Need" represents the projection of housing needs for low and moderate-income households based on expected development and growth over the next decade. The Borough

of Park Ridge contested DCA's calculation of 138 affordable units, proposing a reduced number of 119 units, citing alleged lack of land capacity and errors in DCA's calculation, as the principal bases for its downward deviation and calculation, and which had the effect of reducing Park Ridge's projected prospective need by 19 units.

The New Jersey Builders Association ("NJBA") filed a timely challenge to Park Ridge's calculations concerning the proposed obligation for prospective need and supported DCA's prospective need obligations supported by their own expert report of J. Creigh Rahenkamp, PP, AICP. Both Park Ridge and NJBA provided contrasting calculations for Prospective Need, with Park Ridge suggesting a modification and reduction to 119 units and NJBA advocating for 138 units based on DCA's determination. Park Ridge's calculations included land capacity factors which DCA had not used, leading to its requested reduction in the Prospective Need. NJBA argued that Park Ridge's reduction method was improper and inconsistent with the Act.¹

Program Member, Judge Julio L. Mendez, A.J.S.C. (ret.), noted in his Report that

the Program member concludes that while the Builders' expert report of Mr. Rahenkamp is not town specific in its approach, its reliance on DCA numbers is minimally sufficient to meet the particularity requirements of the statute.
[Program Member Report at 8-9.]

Judge Mendez also stated in the Report that

[i]n each case the AOC appointed an independent special adjudicator to assist the program. In this case, Frank Banisch was appointed to work closely with the Program. Adjudicator Banisch

¹ The Court notes that Fair Share Housing Center did not file a challenge in this matter. However, the Program Member noted in his determination that

Fair Share calculated a Prospective Need allocation assessment for all 157 towns seeking to deviate from the DCA calculations. Dr. Kinsey prepared on behalf of Fair Share a report dated February 27, 2025 (attached). As stated by Dr Kinsey, the analysis was prepared to avoid dilution of the constitutional housing obligation, and out of fairness to the municipalities that accepted the DCA calculation. Fair Share recalculated the developable land among these 157 municipalities based on valid exclusion criteria and fairly reallocated the remaining Prospective Need of these municipalities. The Kinsey report concludes that the proper Prospective Need allocation for Petitioner is 132. This calculation is 6 units lower than the initial DCA determination of 138.
[Program Member Recommendation Statement of Reasons at 3.]

brings superb knowledge and perspective to the process. This Program member finds him credible, objective, experienced and knowledgeable regarding all issues of affordable housing, and particularly as it relates to Petitioner. He prepared a report and recommendation to the Program in this case []. This Program member gives his opinion substantial weight in arriving at the allocation recommendation to the Mount Laurel Judge.

In this case, the DCA's determination of 137 of Present Need is accepted by both parties and is adopted, and the only issue is the dispute regarding Prospective Need. Regarding Prospective Need, the Special Adjudicator recommended that the Prospective Need for Petitioner be set at a range of between 119 to 125.

The recommendation contained in the report of Special Adjudicator Banisch is as follows:

The only element of the DCA Report that Park Ridge challenged is the land capacity factor (LCF), not the calculations related to the income capacity factor and the nonresidential valuation factor. Of the three factors, LCF was the locally variable factor that municipalities frequently challenged based on more accurate data. The FHA states the LCF shall be determined by estimating the area of developable land in the municipality's boundaries and regional boundaries that may accommodate development through the use of the "land use / land cover data" most recently published by the Department of Environmental Protection, data from the American Community Survey and Comprehensive Housing Affordability Strategy dataset thereof, MOD-IV Property Tax List data from the Division of Taxation in the Department of the Treasury, and construction permit data from the Department of Community Affairs, and weighing such land based on the planning area type in which such land is located.

The DCA Report identified 4.08 acres in the westernmost corner of the Borough as developable, resulting in a LCF of 0.21% of Housing Region 1. As noted in the Planning Report of Joseph Burgis AICP, PP and Robyn Welch AICP, PP, none of these 4 acres should have been included. These polygons are a series of remnant vegetated areas on a site where Landmark AR Park Ridge, LLC has received site plan approval for a Round 3 inclusionary development. FSHC agreed with these exclusions.

As a result, the Borough's regional LCF percentage is reduced from 0.21% to 0%. Correcting for this value in the DCA workbook results in the recalculation of the regional land capacity from 0.21% to 0.0%. When the corrected LCF acreage is input in the DCA workbook, the resulting calculation yields a total Round 4 obligation of 119 units for the Borough= as seen below.

Without identifying any errors in the Borough's exclusions from the DCA calculation of LCF, NJBA has opined that the Township's [sic] correction of the DCA data violates the requirements of the FHA as does the resulting reduction in the Borough's Prospective Need in the official DCA workbook. However, the FHA provides municipalities with a presumption of validity in their calculation of Prospective Need, if determined in accordance with the FHA (N.J.S.A. 52:27D-304.2.6, 304.2.7). Park Ridge determined its obligation by relying upon the official DCA workbook to make the calculation.

In summary, Park Ridge applied the proper exclusions to demonstrate a LCF of 0.0% of the region, yielding a municipal fourth round obligation of 119 pursuant to the official DCA workbook. FSHC concurred with the Borough's exclusions, which the NJBA did not prepare any similar analysis. Based on my review, I recommend that the Borough's Petitioner's Prospective Need obligation for the period 7-1-2025 to 7-1-2035 should be set between 119 and 125 affordable units.

Conclusion and Recommendations

This matter concerns the Fourth Round Affordable Housing obligations for Petitioner under the amended New Jersey FHA. The dispute arises due to Petitioner's challenge to the Prospective Need figure proposed by the DCA for the Fourth Round, which it asserts should be reduced based on land capacity factors.

The issues were presented in a complaint filed by the Petitioner contesting the DCA's allocation of a 138-unit Prospective Need and seeking to reduce the allocation to 119 units. The Present Need allocation is not an issue. As pointed out above, the Fair Share Kinsey report recalculated the Petitioner's Prospective Need at 132.

The dispute is based on an analysis of the land capacity factor used by DCA, which Petitioner claims overstates its development capacity. Builders opposes this challenge, asserting that any reduction in the Petitioner's Prospective Need must be matched by an increase in the allocation of Prospective Need to other municipalities within the same housing region, thereby maintaining regional fairness. For the reasons outlined above, this member is not persuaded by that position.

...

The Program member is not bound by the recommendation of special adjudicator. Here, however, the Program member is very impressed with Special Adjudicator Banisch and gives substantial weight to his recommendation. Special Adjudicator Banisch performed an excellent job, assessing each property the town presented as incorrectly included in the DCA calculation.

...

Here, the Petitioner presented compelling evidence that properties were incorrectly included in DCA calculations.

...

There is no question that Petitioner has pointed out proprieties incorrectly included by DCA calculations. The DCA's calculation of Prospective Need at 138 and Petitioner's calculation of Prospective Need at 119 are 19 units apart. The Special Adjudicator recommends a range of 119 to 125. Importantly, Petitioner will have an opportunity to seek additional adjustments at the next stage of the process.

[Id. at 17-22.]

The Court here finds that the methodology employed by the DCA in its October 18, 2024 Report, and as assessed by the Program Member, adheres to the criteria set forth in N.J.S.A. 52:27D-304.2 and 304.3. These statutes require a calculation of prospective need that accounts for regional growth trends and development potential. However, based upon the review of the entire record presented, the Court accepts the Municipality's request for reduction of the prospective need and accepts the range presented by the Special Adjudicator who was deemed to have provided a credible analysis of the Municipality's land capacity factor resulting in a reduction

of the prospective need obligation of between 119 and 125. The Court here accepts the calculation and prospective need of 119 units based upon review of all submissions in the record, including the Municipality's planner's report and calculations. This determination in no way is intended to restrict the Municipality's ability to propose adjustments during future phases of development. The statutory framework of the Fourth Round allows municipalities to develop Housing Elements and Fair Share Plans that incorporate specific local constraints including land capacity. Accordingly, any valid deficiencies and impacts identified by the Municipality can be addressed in subsequent phases.

Accordingly, while the Court adopts the decision of the Program Member as filed on, or about, April 17, 2025, subject to the reduction of the prospective need calculation to be in accordance with the lower portion of the range established and identified by the Special Adjudicator, and will enter an Order fixing a "present need" obligation of 137 affordable units, and a "prospective need" obligation of 119 affordable units for the Petitioner, Borough of Park Ridge, for the Fourth Round housing cycle, the calculation is subject to further potential amendment in accordance with the Municipality's land adjustment, if any. The Petitioner is authorized to proceed to the compliance phase 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), as provided for and in accordance with Section III.A of Directive #14-24, with immunity, subject to any reasonable extension of time which may be afforded by this Court.

The Petitioner is authorized to proceed to the compliance phase 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), as provided for and in accordance with Section III.A of Directive #14-24, with immunity, and without further delay, subject to any extension of time which may be afforded by this Court. The Court recognizes that Directive 14-24 provides, pursuant to N.J.S.A. 52:27D-313 and N.J.S.A. 52:27D-304.1(f)(3)(a) that municipalities may seek an extension of the June 30, 2025 deadline for filing a Housing Element and Fair Share Plan for the Fourth Round. The Court here finds that Park Ridge has proceeded in good faith to participate in the Program and to comply with the applicable statutory obligations and deadlines. The Court finds that there is good cause at this time, due to circumstances beyond the Municipality’s control, to grant a brief extension of time to permit the proper filing of its Housing Element and Fair Share Plan for the Fourth Round in accordance with this Order.

An appropriate form of Order implementing the Court’s decision above accompanies this Statement of Reasons.