

**Fair Share Housing Center**

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In the Matter of the  
Application of Borough of  
Ridgefield, County of Bergen.

SUPERIOR COURT OF NEW JERSEY  
Law Division, Bergen County  
Docket No. BER-L-667-25

**CIVIL ACTION**  
**(Mount Laurel)**

**Consent Order Final Compliance**  
**Certification (N.J.S.A.**  
**52:27D-304(q))**

**THIS MATTER** having come before the Court via the joint request of the Borough via Carlos A. Rendo, Esq., of Mulkey & Rendo, P.C., as well as Fair Share Housing Center, via counsel Laura S. Smith-Denker, Esq. (on behalf of Fair Share Housing Center), seeking a certification of compliance with the Fair Housing Act ("FHA"); and

**WHEREAS**, the Borough of Ridgefield (the "Borough" or "Ridgefield") having filed a resolution of participation in the Affordable Housing Dispute Resolution Program (the "Program") and a declaratory judgment action on January 28, 2025; and

**WHEREAS**, the above-named parties having previously presented a settlement agreement (a.k.a. mediation agreement) to

the Court which was filed on eCourts on February 4, 2026, and which settlement agreement is incorporated herein by reference; and

**WHEREAS**, the Court having entered an Order on March 12, 2026 accepting and adopting the Program Member's Report and Recommendations for approval of the Settlement and the Housing Element and Fair Share Plan ("HEFSP") of the Borough;

**WHEREAS**, the Borough having filed its HEFSP on June 25, 2025 and implementing ordinances and resolutions on March 12, 2026; and

**WHEREAS**, Fair Share Housing Center ("FSHC") having reviewed the Borough's filing in accordance with the parties' settlement agreement and confirmed that the Borough has partially complied with all terms outlined in the settlement agreement; and

**WHEREAS**, no other interested-party filed a challenge or any other communication; and

**WHEREAS**, the Court having reviewed the Borough's HEFSP, attachments, and implementing ordinances and resolutions, incorporating therein any changes from the Program and Court's prior order(s) and determined that they meet the "objective standard" and are in compliance with the Fair Housing Act and the Mount Laurel doctrine so long as the conditions set forth in this order are met; and

**WHEREAS**, the Court incorporates the Court's prior orders

and for good cause shown:

IT IS on this 12<sup>th</sup> day of May,

2026, ORDERED as follows:

1. The Borough's Fourth Round HEFSP, attachments, and applicable implementing ordinances and resolutions, collectively referenced at SCHEDULE-1 hereto as Exhibit P-1 through Exhibit P-10 (inclusive) and herein as the "Implementing Ordinances & Resolutions", are hereby admitted into evidence and entered into the record.
2. Subject to the satisfaction of the Conditions of this Order and the deadlines established therein, the Borough of Ridgely's Fourth Round Fair Share Plan (Exhibit P-1) is hereby approved and deemed to meet the "objective standard" pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) of complying with the Fair Housing Act and the Mount Laurel doctrine and the Borough is granted a Compliance Certification as to its Rehabilitation Obligation ("Present Need"), its Prior Round Obligation (1987-1999), its Third Round Obligation (consisting of both its Gap Obligation for 1999-2015 and its Prospective Need Obligation for 2015-2025), and its Fourth Round obligation pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301, et. seq.) ("FHA"), the Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1, et seq.) ("UHAC"), applicable Council on Affordable Housing

(hereinafter "COAH") substantive rules, and Mount Laurel case law, including the New Jersey Supreme Court's Mount Laurel IV decision.

3. The Borough's Compliance Certification shall remain in effect for ten (10) years beginning on July 1, 2025 and ending on June 30, 2035, and during this ten (10) year period the Borough shall have repose from exclusionary zoning litigation, including, but not limited to, Builder's Remedy lawsuits, as provided for in the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et. seq. The Borough's Compliance Certification shall remain subject, however, to revocation or other Order of the Court that does or may hereafter issue, on notice of motion to the Borough and all interested parties and good cause shown, at any time during the pendency of the Fourth Round Housing cycle.
4. As per the Borough's HEFSP and earlier court orders, the Borough's Present Need or Rehabilitation Obligation is 62, the Borough's Prior Round Obligation (1987-1999) is 47, the Borough's Third Round Obligation (1999-2025) is 348, and the Borough's Fourth Round Prospective Need (2025-2035) is 223 units.
5. The Borough will address its Present Need of 62 units via the Bergen County Home Improvement Program and a municipal

rehabilitation program administered by Community Grants Planning & Housing.

6. The Borough has an outstanding RCA and will complete a rehabilitation program as per the Project Plans.
7. The Borough Prior Round Obligation is 47, its Third Round Obligation is 348 and its Fourth Round obligation is 223. The Borough has a combined Realistic Development Potential ("RDP") of 0 for the Prior, Third and Fourth Round Obligations.
8. The Borough's combined Unmet Need of 618, including the requirement that at least 25% of the obligation be met with zoning for sites likely to redevelop, will be addressed with the following mechanisms:

MECHANISM	Description	Size
V&R Block 401, Lots 1 & 2	Group home 4 bedrooms + 2 supportive units This district is new for Round 4	.822 (to be subdivided)
V&R Block 401, Lots 1 & 2	1 family unit This district is new for Round 4	.822 (to be subdivided)
V&R Block 2801, Lot 1	3 family affordable units +2 supportive housing units This district is new for Round 4	.7ac
TOD-1	Overlay zoning permitting 35 du/ac; family housing; 40' building height and 75% lot coverage This district is amended and improved from Round 3. A portion of this district were part of the R-TH District in Round 3 which permitted 25 du/ac. A portion of this district was also in the R-SR	19.27ac

	district that permitted 35 du/ac but was restricted to seniors.	
TOD-2	<p>Overlay zoning permitting 30 du/ac; family housing; 40' building height</p> <p>This district is amended and improved from Round 3. A portion of this district were part of the R-TH District in Round 3 which permitted 25 du/ac. A portion of this district was also in the R-SR district that permitted 35 du/ac but was restricted to seniors.</p>	25.47ac
TOD-3	<p>Overlay zoning permitting 25 du/ac; family housing. This district is new for Round 4.</p>	5.0 ac
Bergen Boulevard (C District)	<p>30 du/ac; family housing; 40' building height and 75% lot coverage.</p> <p>This district is amended and improved from Round 3 in that the permitted height has increased and the area is increased.</p>	18.05ac
Block 1801, Lot 1 (MF Zone)	<p>35 du/ac; family housing; 40' building height</p> <p>This district is amended and improved from Round 3 in that the permitted density has increased from 30 to 35 du/ac.</p>	11.53ac
R-4-OV	<p>New zone created to address outstanding obligation for Round 4 with a 35 du/ac density</p>	14.846 ac
Total		

9. The Borough and FSHC agree that following conditions remain to be met as conditions of compliance certification:

- Short Term Conditions:
  - On or before August 3, 2026, the Borough shall provide the signed and adopted versions of the V&R

Broad Avenue Redevelopment Plan amendment and the V&R Maple/Grand Avenue Overlay Zone Amendment.

o On or before August 3, 2026 if available or at annual reporting, the Borough shall designate and appoint the new RCA administrator.

• Long Term Conditions:

o The Borough shall provide documentation for each group home bedroom claimed for credit when constructed, including:

- The facility license;
- Supportive housing/special needs survey;
- Certificate of occupancy; and
- Affordability controls.

10. The Borough and FSHC recognize that substantial changes in circumstances affecting the Borough's RDP are possible pursuant to the holding in Fair Share Housing Center v. Cherry Hill, 173 N.J. 393, (2002) and related law. In the event such a substantial changed circumstance occurs, the Borough shall have one hundred twenty (120) days to present to the trial court and FSHC a plan to address such change in circumstances on notice and opportunity to be heard from FSHC. The Borough agrees that any additional RDP generated due to changed circumstances

must be addressed in a manner that is consistent with controlling law.

11. The Borough's Compliance Certification shall be subject to required ongoing monitoring as follows:

- The Borough by February 15, 2026, and annually, agrees to electronically enter data into the AHMS system of the Department of Community Affairs of a detailed accounting of all development fees and any other payments into its trust fund that have been collected including residential and non-residential development fees, along with the current balance in the municipality's affordable housing trust fund as well as trust funds expended, including purposes and amounts of such expenditures, in the previous year from January 1st to December 31st.
- The Borough by February 15, 2026, and annually, agrees to electronically enter data into the AHMS system of the Department of Community Affairs of up-to-date municipal information concerning the number of affordable housing units actually constructed, construction starts, certificates of occupancy granted, and the start and expiration dates of deed restrictions. With respect to units actually constructed, the information shall specify the

characteristics of the housing, including housing type, tenure, affordability level, number of bedrooms, date and expiration of affordability controls, and whether occupancy is reserved for families, senior citizens, or other special populations.

- For the midpoint realistic opportunity review as of July 1, 2030, pursuant to N.J.S.A. 52:27D-313, the Borough or other interested party may file an action through the Program seeking a realistic opportunity review and shall provide for notice to the public, including a realistic opportunity review of any inclusionary development site as set forth in the adopted HEFSP that has not received preliminary site plan approval prior to the midpoint of the 10-year round. Any such filing shall be through eCourts or any similar system set forth by the Program with notice to any party that has appeared in this matter.

12. The Court shall retain jurisdiction for the purpose of enforcing the terms and conditions of this Certification of Compliance and Repose and the Borough's adopted Fourth Round HEFSP.

13. A copy of this Order shall be entered on eCourts and shall be effective as of the date of filing.

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

On behalf of the Borough of Ridgefield:

  
Carlos A. Rendo, Esq.

On behalf of Fair Share Housing Center:

Laura S. Smith-Denker, Esq.  
Laura S. Smith-Denker, Esq.

SCHEDULE 1

1. Exhibit P-1: Borough of Ridgefield HEFSP adopted by the Governing Body on June 25, 2025
2. Exhibit P-2: Broad Avenue Redevelopment Plan.
3. Exhibit P-3: Proposed Overlay Zoning Ordinance Maple Grand Avenue Redevelopment.
4. Exhibit P-4: Broad Avenue Amended Redevelopment Plan.
5. Exhibit P-5: Affordable Housing Ordinance.
6. Exhibit P-6: Spending Plan.
7. Exhibit P-7: Affirmative Marketing Plan.
8. Exhibit P-8: TOD-1 Overlay Ordinance adopted by the Governing Body on February 23, 2026
9. Exhibit P-9: TOD-2 Overlay Ordinance adopted by the Governing Body on February 23, 2026.
10. Exhibit P-10: TOD-3 Overlay Ordinance adopted by the Governing Body on February 23, 2026.