

Housing Element & Fair Share Plan

Borough of River Edge
Bergen County, New Jersey

June 12, 2025
Adopted June 25, 2025





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 .

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HOUSING ELEMENT & FAIR SHARE PLAN

BOROUGH OF RIVER EDGE

BERGEN COUNTY, NEW JERSEY

PREPARED FOR:

BOROUGH OF RIVER EDGE LAND USE BOARD

BA# 4163.10

The original document was appropriately signed and sealed on June 12, 2025 in accordance with Chapter 41 of Title 13 of the State Board of Professional Planners.

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Executive Summary

The Borough of River Edge’s 2025 Housing Element and Fair Share Plan (“HE&FSP”) of the Master Plan has been prepared to address the manner in which the Borough will fulfill its Fourth Round affordable housing obligations in accordance with P.L. 2024, c.2. commonly referred to as the “Fair Housing Act 2” or “2024 Fair Housing Act Amendments”. As detailed herein, the Borough’s Fourth Round and Prior Round affordable housing obligations are derived from several sources. These sources include the regulatory provisions of the Council on Affordable Housing (“COAH”), prior settlement agreement with Fair Share Housing Center (“FSHC”) for the Third Round, Prior Court-approved Judgments of Compliance and Repose, and the recent legislation establishing a new Fourth Round Process and associated housing need calculations prepared by the Department of Community Affairs (“DCA”).

The Borough’s affordable housing obligations are summarized as follows:

TABLE 1 – RIVER EDGE AFFORDABLE HOUSING OBLIGATIONS SUMMARY

Round	Obligation	RDP	Unmet Need
Present Need (Rehabilitation) Obligation	7 ⁽¹⁾	-	-
First & Second Round Obligation (1987-1999)	73	-	-
Third Round Obligation (1999 – 2025)	197	0 ⁽²⁾	197
Fourth Round Obligation (2025 – 2035)	159	0 ⁽³⁾	159

(1) Present Need as adjusted through completion of Structural Conditions/Windshield Survey.
(2) As established through Court-approved VLA.
(3) As established through Fourth Round VLA.

The Borough of River Edge has adopted several HE&FSPs to address its affordable housing obligations through the first three rounds of the published affordable housing obligations. These are described below.

Prior (First, Second & Third) Round Obligation

The Borough’s June 24, 2019 Settlement Agreement with Fair Share Housing Center (“FSHC”) established the municipality’s Prior Round Obligation of 73 units, Third Round Prospective Need Obligation of 197 units and Present Need (Rehabilitation) Obligation of 32 units. The Borough adopted its Third Round HE&FSP on February 6, 2020 that was later supplemented via an Amendment to the 2020 HE&FSP: Site Suitability Analysis dated September 24, 2020 that detailed the manner in which River Edge addressed its Prior and Third Round obligations. The Borough’s Court-approved 2020 HE&FSP included a Vacant Land Analysis (“VLA”) which calculated a realistic development potential (“RDP”) of 0 units resulting in an Unmet Need (difference between Prospective Need Obligation and RDP) of 197 units. In addition, the Borough conducted a structural conditions/windshield survey in accordance with N.J.A.C. 5:93-5.2 which adjusted its Present Need Obligation from 32 units to 6 units. The Borough received a Third Round Judgement of Compliance and Repose (Third Round “JOR”) from Judge Padovano on March 4, 2021 (see appendix) extending the Borough’s immunity from exclusionary zoning litigation through July 8, 2025.

The Borough satisfied its combined First and Second Round Obligation of 73 units in full with several plan mechanisms, including senior affordable housing at the Senior Residence at St. Peter the Apostle, group homes and two redevelopment plans as summarized in the table below. All Court-approved plan mechanisms satisfying the Borough's 73-unit combined Prior Round Obligation are developed or adopted, as applicable.

TABLE 2 – RIVER EDGE PLAN MECHANISMS TO ADDRESS PRIOR ROUND OBLIGATION

Plan Mechanisms	# Units	Bonus Credits	Total Credits	Status
<u>Prior Cycle Credits (Pre-1986)</u>				
Senior Residence at St. Peter the Apostle Church (23 total units)	18	-	-	Completed
<u>Group Homes</u>				
New Concepts for Living, 11 June Ct.	5	-	5	Completed
Community Options, 200 Zabriskie Pl.	3	-	3	Completed
ElHAB Human Services, 328 Valley Rd.	4	-	4	Completed
<u>Redevelopment Plans</u>				
New Bridge Landing Station Redevelopment Area	19	19	38	Adopted
Kinderkamack Road Redevelopment Area	5	-	5	Adopted
Total	54	19 ⁽¹⁾	73	-

(1) COAH regulations permit a maximum number of bonus credits not to exceed 25% of RDP.

Fourth Round Obligation

Governor Murphy signed the A-40/S-50 Bill into law on March 20, 2024 after the Senate and Assembly adopted it. This legislation (FHA-2) amended the Fair Housing Act (FHA or the Act) by abolishing COAH and created a new process that involved the creation of an entity known as the Affordable Housing Dispute Resolution Program ("The Program"), which is overseen by seven retired Mount Laurel judges. The Program has taken the place of the trial courts and COAH regarding the approval process involving municipal HE&FSPs. The DCA and the Administrative Office of the Courts (AOC) are both also involved in assisting the Program with this process.

The FHA-2 directed the DCA to calculate the Present Need (also referred to as the Rehabilitation obligation) and the Prospective Need (also known as the new construction obligation) for the Fourth Round based upon the standards set forth in the Act. The DCA in its October 18, 2024 publication "Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background" made public October 18, 2024 issued River Edge a Fourth Round Prospective Need Obligation of 159 units and Present Need (Rehabilitation) Obligation of 33 units. In accordance with the FHA-2, the DCA report made clear that the obligations generated by the report were advisory only and were non-binding. Since the DCA report calculations are non-binding, River Edge conducted an analysis to determine the extent to which the DCA calculations could be modified. The Borough ultimately accepted its DCA assigned Fourth Round Obligations by Resolution No. 25-73, adopted January 23, 2025, that was fixed by the Order of Judge Corrison, dated May 13, 2025.

The Borough's January 2025 Resolution also noted that the Borough reserved the right to seek an adjustment of its Fourth Round Prospective Need number based upon a lack of vacant, developable and suitable land. In addition, the Borough is eligible to conduct a structural conditions/windshield survey in accordance with N.J.A.C. 5:93-5.2 to assess the extent to which it may adjust its Fourth Round Present Need Obligation.

Accordingly, the Borough conducted a Fourth Round VLA which concluded that the Borough has a Fourth Round RDP of 0 units and therefore an Unmet Need (difference between Prospective Need and RDP) of 159 units. The Borough's structural conditions survey (see Appendix) modifies its DCA calculated Present Need of 33 units to 7 units.

The Borough's Unmet Need Obligation will be addressed by the several plan mechanisms listed below, including surplus units from the Senior Residence at St. Peter the Apostle Church, New Bridge Crossing inclusionary development senior units, Multifamily and Senior Conditional Use District, overlay zone and mandatory affordable set-aside ordinance as summarized in the table below. The Borough will also continue to consider emergent opportunities to create new affordable housing in appropriate locations consistent with the Borough's Master Plan and Zoning Ordinance.

TABLE 3 – RIVER EDGE PLAN MECHANISMS TO ADDRESS UNMET NEED

Plan Mechanisms	# Units	Status
Senior Residence at St. Peter the Apostle Church (23 total units)	5	Completed
New Bridge Crossing Inclusionary Development (69 total units)	7	Completed
Multifamily and Senior Conditional Use District	24	Adopted
AH-1 New Bridge Road Affordable Housing Overlay Zone	13	Adopted
Mandatory Affordable Set-Aside Ordinance	-	Adopted
Development Fee Ordinance		Adopted
Total	49	-

The Borough's 2025 HE&FSP addressing its Fourth Round affordable housing obligations is divided into the following sections:

- Section 1: Introduction

The first section of the 2025 HE&FSP provides an introduction to affordable housing. It summarizes what affordable housing is, offers an overview of the history of affordable housing in the state, and explains the role of a housing element and fair share plan.

- Section 2: Housing Element

Section 2 contains the Housing Element for the Borough of River Edge. It offers a community overview of the Borough, as well as background information regarding its population, housing, and employment characteristics. It also provides projections of the Borough's housing stock and employment.

- Section 3: Fair Share Obligation

Next, Section 3 provides an overview of the Borough's fair share obligation. It includes a brief history of the methodologies utilized to calculate affordable housing obligations throughout the state.

- Section 4: Fair Share Plan

Finally, Section 4 details the manner in which the Borough has addressed its prior First, Second and Third Round obligations, how it will address its Fourth Round Prospective Need Obligation, and how same is consistent with the FHA, applicable COAH and UHAC regulations, and state planning initiatives.

Section 1: Introduction

The following section provides an overview of affordable housing in New Jersey, the role of a housing element and fair share plan and the Borough's previous compliance efforts.

1.1 Defining Affordable Housing

Affordable housing is income-restricted housing that is available for sale or rent at varying income thresholds generally characterized as very-low (30%), low (50%) and moderate-income (80%) households in relation to the respective housing region's median income. New Jersey is divided into six housing regions. River Edge is located in Region 1 which includes Bergen, Hudson, Passaic and Sussex Counties

The State's regional income limits are updated annually with different categories based on income levels and household size. Table 4 provides a sample of the 2025 regional income limits for Region 1. For example, a four-person household with a maximum income of \$101,760 could qualify for affordable housing in River Edge. The complete 2025 NJHMFA income table is provided in the Appendix.

TABLE 4 – 2025 REGION 1 INCOME LIMITS

Income Level	2 Person	3 Person	4 Person	5 Person
Median (100%)	\$101,800	\$114,500	\$127,200	\$137,400
Moderate (80%)	\$81,440	\$91,600	\$101,760	\$109,920
Low (50%)	\$50,900	\$57,250	\$63,600	\$68,700
Very-Low (30%)	\$30,540	\$34,350	\$38,160	\$41,220

Source: NJHMFA UHAC 2025 Affordable Housing Regional Income Limits by Household Size effective May 16, 2025.

Affordable housing exists in several forms which may be available for sale or rent including 100% affordable developments, deed-restricted accessory apartments, special needs/supportive housing or group homes, assisted living facilities, age-restricted housing and inclusionary development in which a certain percentage of the housing units are reserved for affordable housing while the remaining units are market rate.

1.2 History of Affordable Housing in New Jersey

Municipal affordable housing requirements in New Jersey began in 1975 when the New Jersey Supreme Court rendered its 'Mount Laurel I' decision which established that every developing municipality in the State has a constitutional obligation to provide a realistic opportunity for the creation of affordable housing. The Mount Laurel I decision was followed by a series of New Jersey Supreme Court decisions known as the 'Mount Laurel Doctrine' and State legislation which provided further clarity regarding municipal housing need calculations, compliance requirements and administrative review. Most recently, in March 2024, the State Legislature adopted amendments to the Fair Housing Act originally enacted in 1985 to create a new Fourth Round municipal compliance program for the period 2025 to 2035.

- **Mount Laurel I** In 1975, the New Jersey Supreme Court in its So. Burlington Cty. NAACP v. Township of Mount Laurel decision, commonly referred to as 'Mount Laurel I', determined that every developing municipality in New Jersey has a constitutional obligation to provide a realistic opportunity for the construction its fair share of affordable housing. A 'realistic opportunity' means that municipalities cannot have exclusionary zoning that prohibits the development of affordable housing. Municipalities initially disregarded this obligation given the decision's general lack of guidance including regulatory standards, housing need numbers and an agency to administer such a program.
- **Mount Laurel II** The New Jersey Supreme Court's 1983 decision known as 'Mount Laurel II' clarified that all municipalities, whether developing or not, have a constitutional obligation to provide for their fair share of affordable housing. The Mount Laurel II decision called upon the State Legislature to enact legislation that would shift the responsibility of the courts from having to administer the affordable housing process and determine municipal housing need numbers. The decision also introduced the concept of the 'builder's remedy' suit whereby developers could challenge municipal zoning to develop affordable housing where municipalities did not otherwise meet their fair share obligation.
- **Fair Housing Act** The State Legislature responded to the Mount Laurel II decision by passing the Fair Housing Act in 1985 which established the framework for an administrative affordable housing process and creation of the Council on Affordable Housing (COAH), the agency intended to implement the process. COAH would be responsible for assigning municipal fair share housing obligations, reviewing municipal affordable housing plans and issuing substantive certification for compliant plans. A town in receipt of substantive certification would be immune from builder's remedy suits.
- **Mount Laurel III** The New Jersey Supreme Court affirmed the validity of the Fair Housing Act in its 1986 'Mount Laurel III' decision.
- **First Round** The First Round of affordable housing governed by COAH covered the period 1987 to 1993 utilizing a "fair shar" methodology.
- **Second Round** The Second Round of affordable housing spanned from 1993 to 1999 utilizing a "fair share" methodology.

- **Third Round** While the First and Second Rounds utilized a ‘fair share’ methodology, COAH utilized a new ‘growth share’ methodology in preparing the Third Round substantive and procedural rules and affordable housing need numbers first adopted in 2004, 5 years after the expiration of the Second Round, intending to cover the period from 1999 to 2014. However, these rules were challenged and ultimately invalidated by the Appellate Division in 2007 which directed to adopt revised rules. COAH adopted its second iteration of the Third Round rules in 2008 that were also challenged and again invalidated by the Appellate Division in 2010 which directed COAH to revert back to the original ‘fair share’ methodology. This decision was affirmed by the New Jersey Supreme Court in 2013. COAH published its third iteration of Third Round rules in 2014 but failed to adopt the regulations in a deadlocked 3-3 vote.
- **Mount Laurel IV** In the New Jersey Supreme Court’s 2015 ‘Mount Laurel IV’ decision, the Court decided that COAH had become dysfunctional and returned jurisdiction of municipal affordable housing administration to the trial courts as had been the arrangement prior to the creation of COAH in 1985. The decision included procedures for municipal participation but did not provide housing need numbers leaving municipalities to determine their affordable housing obligations. Several sets of housing need numbers were prepared by various entities which, in most cases, led to individual municipal settlement agreements with Fair Share Housing Center and intervening developers. Municipalities receiving a judgment of compliance and repose (“JOR”) for their Third Round plans from the courts received immunity until the end of the Third Round in July 2025.
- **Gap Period Decision** On January 18, 2017, the New Jersey Supreme Court ruled that municipalities are responsible for affordable housing obligations that accrued during the “gap-period” between 1999 and 2015 when prior iterations of the Third Round rules were being litigated.

Fair Housing Act Amendments (A-4/S-50) On March 20, 2024, Governor Murphy signed the A4/S50 Bill into law, which significantly amended the FHA for the 4th Round and beyond (FHA-2”). The amendments to the FHA eliminated COAH, kept superior oversight of the trial courts to ultimately approve municipal HE&FSPs, and created a new entity to act as an intermediary in resolving disputes and reviewing municipal plans known as the Affordable Housing Dispute Resolution Program, commonly referred to as “the Program,” which consists of seven retired Mount Laurel Judges who have the discretion to hire “Special Adjudicators,” which were formerly called Court Master in previous rounds. FHA-2 also involved the DCA and the AOC in the process.

The DCA was designated by the FHA-2 as the entity responsible for calculating the state’s regional needs as well as each municipality’s present and prospective fair share obligations pursuant to the methodology set forth in the Jacobson Decision. However, the FHA-2 makes it clear that these numbers are advisory and non-binding, and that each municipality must set its own obligation number utilizing the same methodology. The Program was tasked to handle any disputes regarding affordable housing obligations and plans, and issuing recommendations to the Superior Court judges, as the Courts were kept in the process to ultimately issue a Compliance Certification formally approving a municipality’s HE&FSP, which would continue immunity from all exclusionary zoning lawsuits until July 30, 2035.

1.3 Housing Element and Fair Share Plan Requirements

The Municipal Land Use Law ("MLUL") (N.J.S.A. 40:55D-1 et seq.) is the enabling legislation for municipal land use and development, planning and zoning for the State of New Jersey. The MLUL stipulates that municipalities must adopt a master plan containing at least a land use plan element and housing plan element in order to lawfully adopt and enforce a zoning ordinance. The HE&FSP serves as the blueprint for how a municipality will satisfy its fair share of affordable housing. Municipalities without an approved HE&FSP are susceptible to a builder's remedy (exclusionary zoning) lawsuit whereby a prospective developer can file suit to circumvent the municipality's zoning ordinance and rezone specific property to permit housing development at higher densities and intensities than a municipality would otherwise allow for the provision of a certain percentage of units reserved as affordable.

C.52:27D-310, Essential components of municipality's housing element, of the 2024 Fair Housing Act Amendments sets forth the required HE&FSP components as follows:

- 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 PL.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.

Section 2: Housing Element

This section provides the Housing Element portion of River Edge's Fourth Round HE&FSP including an overview of the Borough's existing land use pattern and information pertaining to population, housing and employment characteristics and projections.

2.1 Community Overview

The Borough of River Edge is approximately 1.9 square miles in area located in central Bergen County bordered by five other municipalities including Oradell to the north, New Milford and Teaneck to the east, Hackensack to the south and Paramus to the west. River Edge has historically benefitted from its convenient regional access including at first its two bridges spanning the Hackensack River at River Edge Road and New Bridge Road ("The Bridge that Saved a Nation" adjacent to the historic Von Steuben House), rail line before the ubiquitous use of the automobile and proximity to Hackensack, a major regional hub. Later came the expansion and reconfiguration of Route 4 in the 1950's providing better connectivity to the George Washington Bridge located just over 8 miles to the southeast and surrounding environs which helped facilitate the post-World War II development of a significant portion of the Borough's existing housing stock up until 1970.

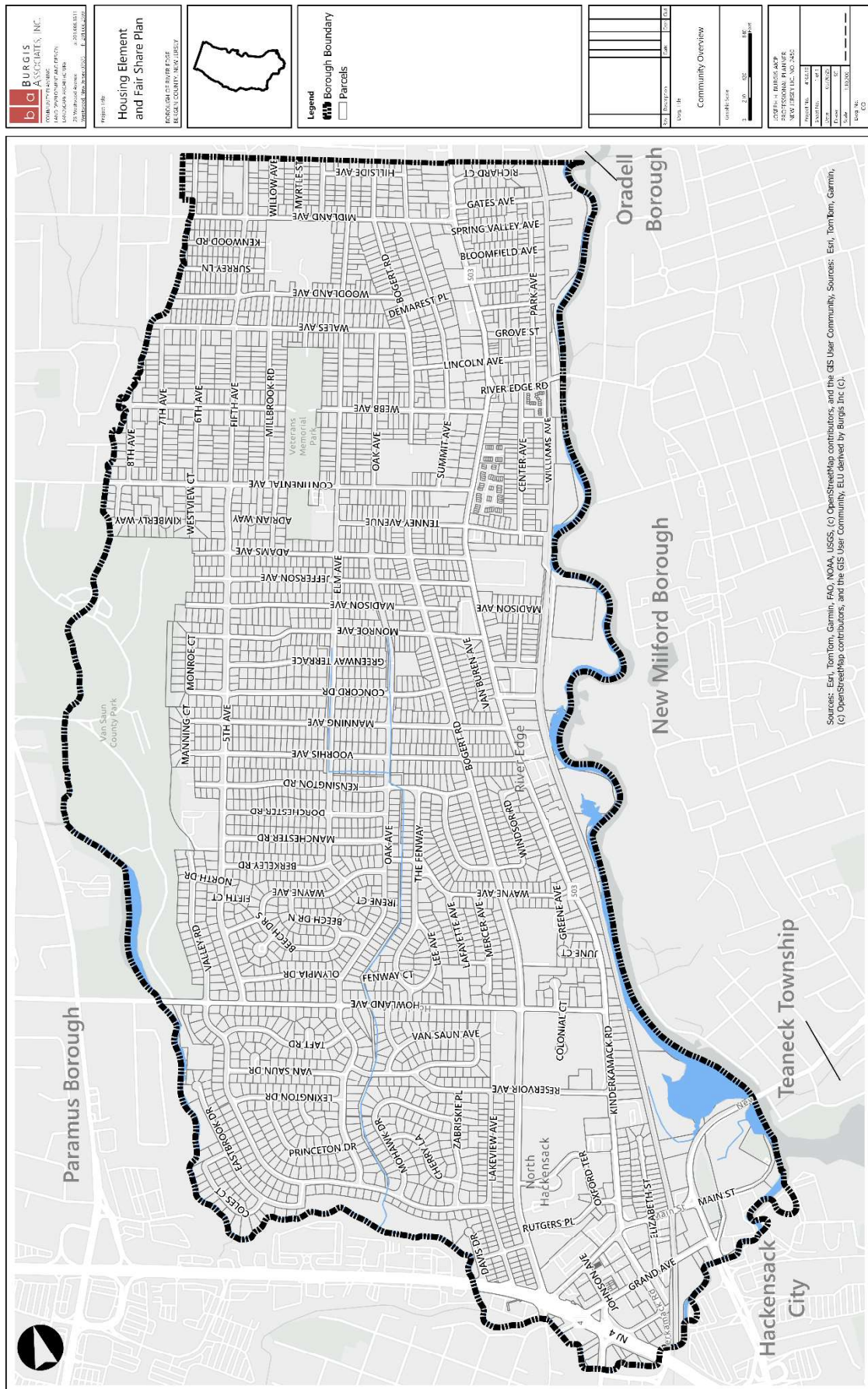
In addition, River Edge has frontage on Route 4, is within close proximity to Route 17 and Garden State Parkway and is at the crossroads of several major County roads. Public transportation options include NJ Transit train service via the Pascack Valley line accessible at both the River Edge and New Bridge Landing train stations and bus service along Kinderkamack Road and Route 4.

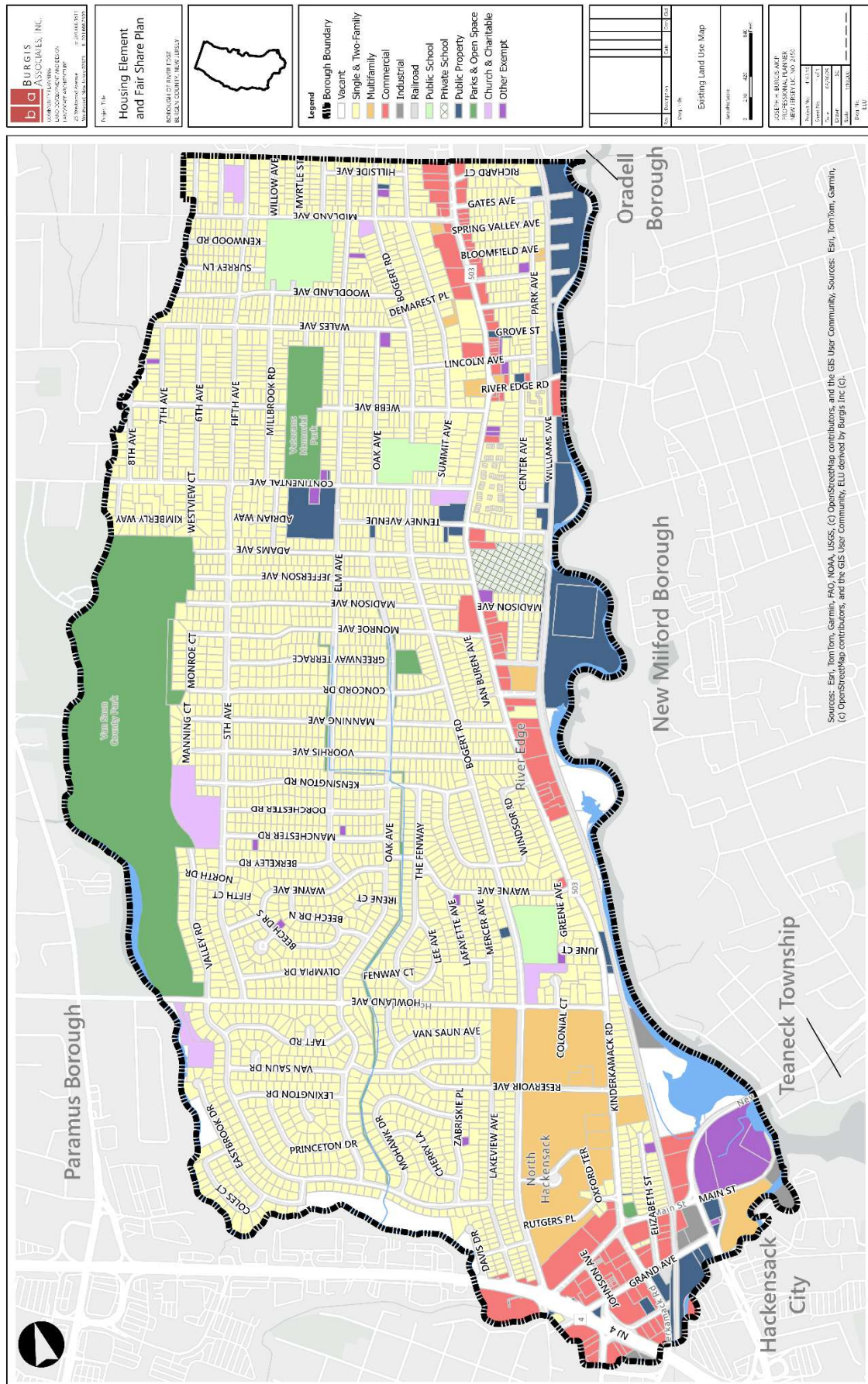
Other notable features include Bergen County's Van Saun Park and Van Saun Mill Brook located along the Borough's western boundary and the tidal Hackensack River along its eastern boundary. Both waterways contribute to flooding experienced in several areas of the Borough which remains a challenge to existing and future development.

The Borough's land use pattern has remained stable for decades where nonresidential uses are concentrated at the south end of town around the New Bridge Landing train station, along Kinderkamack Road and limited to a few lots on River Edge Road. The Borough's single-family neighborhoods are generally developed around its two public elementary schools, including Roosevelt School to the north and Cherry Hill School to the south, as well as River Dell Regional Middle School to the north near the border of Oradell. In addition, a significant portion of River Edge's housing stock is comprised of a diversity of housing types, including multifamily, townhouses, age-restricted and group homes. Over 650 existing garden apartments were constructed south of Howland Avenue in the 1950s and several newer townhouse developments were constructed in the north end of town within walking distance to the River Edge train station. These characteristics of the Borough existing land use pattern are indicative of the Borough's longstanding tradition of balanced land use planning. Table 5 below quantifies the existing distribution of land uses in River Edge by land area accompanied by a general community map and existing land use map.

TABLE 5 – RIVER EDGE DISTRIBUTION OF EXISTING LAND USES

Land Use	Sub-Category	Acres	% of Total Acres	Parcels	% of Total Parcels
Residential	Single & Two-Family	589.0	63.41%	3,206	91.81%
	Multifamily	51.9	5.59%	17	0.49%
Commercial	Commercial	52.2	5.62%	126	3.61%
Public/Semi-Public	Municipal Property	44.2	4.76%	42	1.20%
	Park & Open Space	102.1	10.99%	22	0.63%
	Public School	20.6	2.22%	3	0.09%
	Private School	7.3	0.79%	1	0.03%
	Church & Charitable	13.7	1.47%	7	0.20%
Other	Vacant	26.8	2.89%	34	0.97%
	Industrial	5.5	0.59%	7	0.20%
	Railroad	0.4	0.04%	2	0.06%
	Other Exempt	15.2	1.64%	25	0.72%
Totals		929	100.00%	3,492	100.00%





2.2 Data Sources

The information contained in the Housing Element section of this document was obtained from a variety of publicly available data sources including the U.S. Decennial Census, American Community Survey ("ACS"), New Jersey Department of Health, New Jersey Department of Community Affairs ("DCA") and New Jersey Department of Labor and Workforce Development.

1. United States Decennial Census. The US Census is described in Article I, Section 2 of the Constitution of the United States, which calls for an enumeration of the people every ten years for the apportionment of seats in the House of Representatives. Since the time of the first Census conducted in 1790, it has become the leading source of data about the nation's people and economy. Please note that all incomes reported in the Census are adjusted for inflation.
2. American Community Survey. The American Community Survey is a nationwide ongoing survey conducted by the US Census Bureau. The ACS gathers information previously contained only in the long form version of the decennial census, such as age, ancestry, educational attainment, income, language proficiency, migration, disability, employment, and housing characteristics. It relies upon random sampling to provide ongoing, monthly data collection. Please note that all incomes reported in the ACS are adjusted for inflation.
3. New Jersey Department of Health. The New Jersey Department of Health is a governmental agency of the State of New Jersey. The department contains the Office of Vital Statistics and Registry, which gathers data regarding births, deaths, marriages, domestic partnerships, and civil unions.
4. New Jersey Department of Health. The New Jersey Department of Community Affairs is a governmental agency of the State of New Jersey. Its function is to provide administrative guidance, financial support, and technical assistance to local governments, community development organizations, businesses, and individuals to improve the quality of life in New Jersey.
5. New Jersey Department of Labor and Workforce Development. The New Jersey Department of Labor and Workforce Development is a governmental agency of the State of New Jersey. One of its roles is to collect labor market information regarding employment and wages throughout the state.

2.3 Inventory of Municipal Housing Stock

This section of the Housing Element provides an inventory of the Borough's housing stock as required by the Fair Housing Act as amended in 2024. The inventory details such housing characteristics as age, condition, purchase/rental value, and occupancy of the Borough's existing housing stock. It also details the number of affordable housing units available to low-and-moderate income households and the number of substandard housing units capable of being rehabilitated.

It is noted that there may be inconsistencies in some of the data presented herein derived from the various data sources which include estimates that in some cases clearly exhibit margins of error. However, this information from the U.S. Decennial Census and American Community Survey Estimates prepared by the U.S. Census Bureau is considered among the most reliable and current data available and as such, is utilized in this document to illustrate trends and projections impacting the Borough.

1. Number of Dwelling Units. As shown in the table below, the Borough's housing stock experienced significant growth until 1970 after which it continued to grow at a much slower but steady pace. Since 2000, the Borough's housing stock increased an estimated 269 units or 6.3% to its peak in 2023 of 4,479 units. This figure is likely overestimated as the Borough's housing stock did not increase by 142 units from 2020 to 2023. It is noted that there has been no recent demolition of any significant housing developments other than the replacement of single-family dwellings.

TABLE 6 - DWELLING UNITS (1940-2023)
RIVER EDGE, NEW JERSEY

Year	Total Dwelling Units	Numerical Change	Percentage Change
1940	1,118*	-	-
1950	2,918*	1,800	161.0%
1960	3,892*	974	33.4%
1970	4,146*	254	6.5%
1980	4,158**	12	0.3%
1990	4,161	3	0.07%
2000	4,210	49	1.2%
2010	4,261	51	1.2%
2020	4,337	76	1.8%
2023	4,479	142	3.3%

Source: US Census Bureau Decennial Census; 2023 American Community Survey 5-Year Estimates.

*Figures from 1971 Borough Master Plan.

**Figure from 1984 Borough Master Plan.

2. Tenure and Occupancy. The following table provides details regarding the tenure and occupancy of the Borough's housing stock. The percentages of owner-occupied and renter-occupied units of the Borough's housing stock have remained relatively stable since 2000 at about 74.1% and 23.6%, respectively, in 2023. The residential vacancy rate in River Edge has increased from 1.1% in 2000 to 2.3% in 2023.

TABLE 7 - HOUSING UNITS BY TENURE AND OCCUPANCY STATUS (2000 - 2023)
RIVER EDGE, NEW JERSEY

Characteristics	2000		2010		2020		2023	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Owner-occupied	3,096	73.5%	3,074	72.1%	3,128	72.1%	3,320	74.1%
Renter-occupied	1,069	25.4%	1,060	24.9%	991	22.8%	1,057	23.6%
Vacant units	45	1.1%	127	3.0%	146	3.4%	102	2.3%
Total	4,210	100.0%	4,261	100.0%	4,337	100.0%	4,479	100.0%

Source: U.S. Decennial Census; 2023 American Community Survey 5-Year Estimates.

2. Housing Characteristics. The following data provides additional information on the characteristics of the Borough's housing stock. The Borough's housing stock is generally comprised of detached single-family dwellings at 73%, attached single-family (townhouses) at 3.0% and multifamily (3 units or more) at 23.9%. These figures have remained stable since at least 2000.

TABLE 8 - UNITS IN STRUCTURE (2000-2023)
RIVER EDGE, NEW JERSEY

Units in Structure	2000		2010		2020		2023	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Single-Family, Detached	3,098	73.6%	3,036	72.1%	3,129	73.4%	3,261	72.8%
Single-Family, Attached	86	2.0%	65	1.5%	101	2.4%	135	3.0%
2	77	1.8%	119	2.8%	87	2.0%	10	0.2%
3 or 4	695	16.5%	584	13.9%	646	15.2%	679	15.2%
5 to 9	67	1.6%	164	3.9%	111	2.6%	118	2.6%
10 to 19	53	1.3%	114	2.7%	43	1.0%	12	0.3%
20 or more	134	3.2%	41	1.0%	145	3.4%	249	5.6%
Other	0	0.0%	129	3.1%	0	0.0%	15	0.3%
Total	4,210	100.0%	4,211	100.0%	4,262	100.0%	4,479	100.0%

Source: U.S. Decennial Census; 2020 & 2023 American Community Survey 5-Year Estimates.

Based on the American Community Survey data provided below, 66.2% of the housing stock consists of 3 and 4 bedrooms, while 5.8% has 5 or more bedrooms and 28.3% have 1 or 2 bedrooms.

TABLE 9 - NUMBER OF BEDROOMS IN HOUSING UNITS (2010 AND 2023)
River Edge, New Jersey

Bedrooms	2010		2023	
	Number	Percent	Number	Percent
0	0	0.0%	0	0.0%
1	759	18.0%	797	17.8%
2	554	13.2%	471	10.5%
3	1,973	46.9%	1,581	35.3%
4	817	19.4%	1,370	30.6%
5 or more	108	2.6%	260	5.8%
Total	4,211	100.0%	4,479	100.0%

Source: 2010 & 2023 American Community Survey 5-Year Estimates.

3. Housing Age. Table 10 indicates that 77% of the Borough's housing stock was constructed prior to 1970, more than 55 years ago. While the ACS data indicates there have been 0 new units constructed since 2000, this figure appears to be inaccurate given the number of dwellings in that period that have been replaced entirely with new dwellings or had "alterations" that were effectively new construction.

TABLE 10 - YEAR STRUCTURE BUILT (2023)
RIVER EDGE, NJ

Year Units Built	Number	Percent
2020 or later	0	0.0%
2010 to 2019	199	4.4%
2000 to 2009	208	4.6%
1980 to 1999	155	3.5%
1980 to 1989	171	3.8%
1970 to 1979	299	6.7%
1960 to 1969	546	12.2%
1950 to 1959	1,029	23.0%
1940 to 1949	1,109	24.8%
1939 or earlier	763	17.0%
Total	4,479	100.0%

Source: 2023 American Community Survey 5-Year Estimates.

4. Housing Conditions. The table below provides the number of occupants per room within occupied housing units. Housing units containing more than one occupant per room are considered overcrowded. The data indicates that 1.2% of units were estimated as overcrowded in 2023 which represents a decrease from 2.8% in 2000.

TABLE 11 - OCCUPANTS PER ROOM (2000 - 2023)
RIVER EDGE, NJ

Occupants Per Room	2000		2010		2023	
	Number	Percent	Number	Percent	Number	Percent
1.00 or less	4,049	97.2%	4,050	99.5%	4,326	98.8%
1.01 to 1.50	70	1.7%	22	0.5%	0	0.0%
1.51 or more	46	1.1%	0	0.0%	51	1.2%
Total Occupied Units	4,165	100.0%	4,072	100.0%	4,377	100.0%

Source: U.S. Decennial Census; 2023 American Community Survey 5-Year Estimates.

Table 12 presents data regarding the presence of complete plumbing and kitchen facilities and the type of heating equipment used. The ACS data indicates that in 2023 less than 1% of housing units lacked complete kitchen facilities and none lacked complete plumbing facilities. 0.5% of units used solar heating while another 1.0% reportedly use other non-standard fuel sources.

TABLE 12 - EQUIPMENT AND PLUMBING FACILITIES FOR OCCUPIED DWELLING UNITS (2000 - 2023)
RIVER EDGE, NJ

Facilities	2000		2010		2023	
	Number	Percent	Number	Percent	Number	Percent
<u>Kitchen:</u>						
With Complete Facilities	4,203	99.8%	4,072	100.0%	4,340	99.2%
Lacking Complete Facilities	7	0.2%	0	0.0%	37	0.8%
<u>Plumbing:</u>						
With Complete Facilities	4,198	99.7%	4,065	99.8%	4,377	100.0%
Lacking Complete Facilities	12	0.3%	7	0.2%	0	0.0%
<u>Heating Equipment:</u>						
Standard Heating Facilities	4,125	98.0%	4,034	99.6%	4,315	98.5%
Solar	0	0.0%	0	0.0%	18	0.5%
Other Means, No Fuel Used	40	2.0%	15	0.4%	4	1.0%

Source: U.S. Decennial Census; 2010 & 2023 American Community Survey 5-Year Estimates.

3. Purchase and Rental Values. The Borough's median gross housing rent has increased about 86.9% since 2000. In 2023, 87.5% of renter-occupied housing units had monthly rents of \$1,500 or more, where 27.1% were \$2,000 or more per month. In 2010, only 28.6% had rents of \$1,500 or more.

TABLE 13 - GROSS RENT OF SPECIFIED RENTER-OCCUPIED UNITS (2000 - 2023)
RIVER EDGE, NJ

Rent	2000		2010		2023	
	Number	Percent	Number	Percent	Number	Percent
Less than \$500	14	1.3%	14	1.5%	53	5.0%
\$500 to \$999	600	56.1%	34	3.6%	7	0.7%
\$1,000 to \$1,499	338	31.6%	622	66.2%	72	6.8%
\$1,500 to \$1,999	79 ⁽¹⁾	7.4%	269 ⁽¹⁾	28.6%	638	60.4%
\$2,000 to \$2,499	-	-	-	-	236	22.3%
\$2,500 to \$2,999	-	-	-	-	28	2.6%
\$3,000 or more	-	-	-	-	23	2.2%
No cash rent	39	2.6%	25		0	0.0%
Total	1,070	100.0%	964	2.6%	1,057	100.0%
Median Gross Rent	\$969		\$1,378		\$1,811	

Source: U.S. Decennial Census; 2023 American Community Survey 5-Year Estimates.

(1) Represents \$1,500 or more per 2000 Decennial Census categorizations.

In 2023, 83% of the Borough's owner-occupied housing was valued at \$500,000 or more where 8.2% was estimated at \$1,000,000 or more. The Borough's median home value increased 153% from 2000 to 2023.

TABLE 14 - VALUE OF SPECIFIED OWNER-OCCUPIED HOUSING UNITS (2000 - 2023)
RIVER EDGE, NJ

Value	2000		2010		2023	
	Number	Percent	Number	Percent	Number	Percent
Less than \$50,000	6	0.2%	9	0.3%	0	0.0%
\$50,000 to \$99,999	6	0.2%	48	1.5%	8	0.2%
\$100,000 to \$149,999	40	1.3%	14	0.5%	0	0.0%
\$150,000 to \$199,999	429	14.4%	25	0.8%	0	0.0%
\$200,000 to \$299,999	1,917	64.2%	127	4.1%	17	0.5%
\$300,000 to \$499,999	566	18.9%	1,578	50.8%	538	16.2%
\$500,000 to \$999,999	24	0.8%	1,307	42.1%	2,484	74.8%
\$1,000,000 or more	0	0.0%	0	0.0%	273	8.2%
Total	2,988	100.0%	3,108	100.0%	3,320	100.0%
Median Value	\$251,600		\$478,100		\$637,500	

Source: U.S. Decennial Census; 2023 American Community Survey 5-Year Estimates.

6. Number of Units Affordable to Low- and Moderate-Income Households. River Edge is placed in housing Region 1 comprised of Bergen, Hudson, Passaic and Sussex Counties. Based on the New Jersey Housing and Mortgage and Finance Agency's May 16, 2025 update of its UHAC 2025 Affordable Housing Regional Income Limits by Household Size, the median income for a four-person household in Region 1 is \$127,200. A four-person moderate-income household earning 80% of the region's median income would have an income not to exceed \$101,760.

An affordable sales price for a four-bedroom moderate-income household earning 80% of the median income is estimated at \$335,000. In 2023, the percentage of housing units in River Edge valued at less than \$500,000 was estimated to be 16.9 and 0.7% for homes \$300,000 and less.

For renter-occupied housing, an affordable monthly rent for a four-person moderate-income household is estimated at approximately \$2,544. An affordable monthly rent for a four-person low-income household is estimated at approximately \$1,590. The 2023 American Community Survey data indicates River Edge's median gross housing rent was \$1,811.

7. Substandard Housing Capable of Being Rehabilitated. The DCA's October 18, 2024 of "Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background" calculated Present Need obligations representing the number of units in a municipality that are in need of rehabilitation and are not likely to experience 'spontaneous rehabilitation'. This DCA report assigned River Edge a Fourth Round Present Need or Rehabilitation Obligation of 32 units which has been adjusted to 7 units through the Borough's structural conditions/windshield survey. The Borough will address its Present Need Obligation by continuing to collaborate with the Bergen County Home Improvement Program or administer its own rehabilitation program to the extent that such is necessary to address its Fourth Round Present Need Obligation.

2.4 Projection of Municipal Housing Stock

The FHA-2 regulations require the HE&FSP to include a projection of the community's housing stock, including the probable future construction of low and moderate-income housing for the ten-year round, which for the Fourth Round is from 2025 to 2035. This projection shall be based upon an assessment of data which minimally must include the number of residential construction permits issued, approvals of applications for residential development, and probable residential development of lands. Each of these items are identified and outlined below.

1. Housing Units Constructed During the Last Ten Years. The table below provides data concerning residential building permits issued for new residential construction during the past 10 years. During this period, a total of 86 residential building permits were issued including 68 for multifamily development. River Edge has issued, on average, 8.6 building permits for new housing construction per year since 2014. A total of 34 residential demolition permits were issued since 2014 resulting in net housing growth of 52 units.

TABLE 15 - NUMBER OF RESIDENTIAL BUILDING PERMITS ISSUED FOR NEW CONSTRUCTION (2009-2023)
RIVER EDGE, NJ

Year Issued	One & Two Family	Multi-Family	Mixed-Use	Total	Demos	Net Growth
2014	5	0	0	5	3	2
2015	2	0	1	3	0	3
2016	0	0	0	0	11	(11)
2017	5	68	0	73	12	61
2018	2	0	0	2	1	1
2019	0	0	0	0	0	0
2020	0	0	0	0	1	(1)
2021	1	0	0	1	1	0
2022	1	0	0	1	3	(2)
2023	1	0	0	1	2	(1)
Total	17	68	1	86	34	52

Source: New Jersey Construction Reporter

2. Probable Residential Development of Lands. As indicated in the Borough's 1988 Housing Plan, River Edge is a fully developed community that lacks vacant developable land available for new housing construction. Opportunities for new housing growth are limited to the improvement or replacement of aging detached single-family dwelling or multifamily development in the Borough's Multifamily Conditional Use District, AH-1 District, Kinderkamack Road Redevelopment Area and New Bridge Landing Redevelopment Area as discussed in Section 4.

2.5 Population Analysis

The MLUL requires that the Housing Element of this plan provide data on the municipality's population, including population size, age and income characteristics.

1. Population Size. The Borough's population growth until it reached its peak of 13,264 residents in 1960 followed by three decades of decline until 2000 when it began to steadily increase again. In 2023, River Edge had an estimated population of 12,024 residents which is 9.0% less than its peak in 1960.

TABLE 16 - POPULATION GROWTH (1930-2023)
RIVER EDGE, NJ

Year	Population	Change (#)	Change (%)
1930	2,210	-	-
1940	3,287	1,077	48.7%
1950	9,204	5,917	180.0%
1960	13,264	4,060	44.1%
1970	12,850	(414)	(3.1%)
1980	11,111	(1,739)	(13.5%)
1990	10,603	(508)	(4.6%)
2000	10,946	343	3.2%
2010	11,340	394	3.6%
2020	12,049	709	6.3%
2023	12,024	(25)	(0.2%)

Source: U.S. Decennial Census; 2023 American Community Survey 5-Year Estimates.

2. Age Characteristics. The Borough's age characteristics are represented in the table below. In 2023, 19.3% of the Borough's population was comprised of school-aged (ages 5-19) children which represents an increase from 18.4% in 2000. The age cohorts 55 to 59 and 60 to 64 experienced the most significant growth in that period increasing from 8.9% of the population in 2000 to 16.5% in 2023. The percentage of the population under age 5 decreased from 7.1% to 4.4% in that period while the percentage of residents ages 65 and older also decreased from 16.9% of the population to 15.2%. The median age increased from 40 in 2000 to 42.2 in 2023.

TABLE 17 - AGE CHARACTERISTICS (2000-2023)
RIVER EDGE, NJ

Age Group	2000		2010		2020		2023	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Under 5	781	7.1%	672	5.9%	641	5.3%	525	4.4%
5-9	691	6.3%	862	7.6%	903	7.5%	740	6.2%
10-14	741	6.8%	897	7.9%	899	7.5%	855	7.1%
15-19	580	5.3%	702	6.2%	769	6.4%	716	6.0%
20-24	383	3.5%	476	4.2%	648	5.4%	840	7.0%
25-34	1,310	12.0%	948	8.3%	1,089	9.0%	1,068	8.9%
35-44	1,991	18.2%	1,853	16.3%	1,696	14.1%	1,718	14.3%
45-54	1,642	15.0%	1,958	17.3%	1,926	16.0%	1,743	14.5%
55-59	490	4.5%	722	6.4%	893	7.4%	974	8.1%
60-64	478	4.4%	685	6%	763	6.3%	1,011	8.4%
65-74	882	8.0%	707	6.2%	1,116	9.2%	1,171	9.7%
75-84	712	6.5%	585	5.1%	456	3.8%	395	3.3%
85 and older	265	2.4%	273	2.4%	250	2.1%	268	2.2%
Total	10,946	100.0%	11,340	100.0%	12,049	100.0%	12,024	100.0%
Median Age	40.0		41.4		41.3		42.2	

Source: U.S. Decennial Census; 2023 American Community Survey 5-Year Estimates.

3. Average Household Size. The average household size in River Edge has remained steady around 2.7 residents per household since at least 1980.

TABLE 18 - AVERAGE HOUSEHOLD SIZE (1980 - 2023)
RIVER EDGE, NJ

Year	Average Household Size
1980	2.7
1990	2.6
2000	2.6
2010	2.7
2020	2.8
2023	2.7

Source: U.S. Decennial Census; 2020 & 2023 American Community Survey 5-Year Estimates.

4. Household Income. The median income for River Edge households increased 117% between 2000 and 2023. The distribution of various household income levels are shown in the table below. It is noted that roughly 69% of Borough households had incomes greater than \$100,000 and 41.3% of \$200,000 or more in 2023.

TABLE 19 - HOUSEHOLD INCOME DISTRIBUTION (2000 - 2023)
RIVER EDGE, NJ

Income Category	2000		2010		2023	
	Number	Percent	Number	Percent	Number	Percent
Less than \$10,000	107	2.6%	130	3.2%	74	1.7%
\$10,000 to \$14,999	109	2.6%	126	3.1%	101	2.3%
\$15,000 to \$24,999	323	7.7%	110	2.7%	114	2.6%
\$25,000 to \$34,999	305	7.3%	204	5.0%	118	2.7%
\$35,000 to \$49,999	619	14.8%	228	5.6%	162	3.7%
\$50,000 to \$74,999	735	17.6%	745	18.3%	381	8.7%
\$75,000 to \$99,999	720	17.2%	574	14.1%	394	9.0%
\$100,000 to \$149,999	673	16.1%	965	23.7%	783	17.9%
\$150,000 to \$199,999	340	8.1%	599	14.7%	446	10.2%
\$200,000 or more	254	6.1%	391	9.6%	1,808	41.3%
Total	4,185	100.0%	4,072	100.0%	4,377	100.0%
Median	\$71,792		\$97,816		\$155,827	

Source: U.S. Decennial Census; 2010 & 2023 American Community Survey 5-Year Estimates.

5. Housing cost-burden. Households that pay more than 30 percent of their income for housing are considered cost burdened. The 2023 American Community Survey data indicates that 29.0% of Borough homeowners and 44.3% of renters allocate 30% or more of their income toward housing costs.

TABLE 20 - HOUSING COST AS PERCENTAGE OF INCOME (2023)
RIVER EDGE, NJ

Percentage of Income	Owner-occupied		Renter	
	Number	Percent	Number	Percent
Less than 20 percent	1,328	42.5%	309	32.0%
20 to 29.9 percent	886	28.3%	229	23.7%
30 percent or more	914	29.2%	427	44.3%
Occupied Units	3,128	100.0%	965	100.0%

Sources: 2023 American Community Survey 5-Year Estimates.

2.6 Employment Characteristics

The FHA-2 requires a Housing Element to include data on employment levels in the community. The following tables present information on the Borough's employment characteristics.

1. Employment Status. The table below provides information on River Edge's employment status for the segment of the population 16 and over. In 2023, approximately 70.2% of the population ages 16 and over were in the labor force as compared to 64.2% in 2000. From 2000 to 2023, the unemployment rate of residents in the labor force increased from 1.8% to 3.3%.

TABLE 21 - EMPLOYMENT STATUS - POPULATION 16 & OVER (2000 - 2023)
RIVER EDGE, NJ

Employment Status	2000		2010		2023	
	Number	Percent	Number	Percent	Number	Percent
In labor force	5,498	64.2%	5,873	66.9%	6,824	70.2%
Civilian labor force	5,498	64.2%	5,873	66.9%	6,824	70.2%
Employed	5,341	62.4%	5,465	62.3%	6,506	66.9%
Unemployed	157	1.8%	408	4.6%	318	3.3%
Armed Forces	0	0.0%	0	0.0%	0	0.0%
Not in labor force	3,067	35.8%	2,903	33.1%	2,901	29.8%
Total Population 16 & Over	8,565	100.0%	8,776	100.0%	9,725	100.0%

Source: U.S. Decennial Census; 2010 & 2023 American Community Survey.

2. Employment Characteristics of Employed Residents. The following two tables detail information on the employment characteristics of River Edge's working residents. In 2023, 63.1% of the Borough's employed residents 16 and over worked in management, professional and related occupations and another 22.4% worked in sales and office jobs representing a total of 85.5% of the River Edge workforce. The data indicates there was a significant increase in the percentage of those working in management, professional and related field from 51.0% of the employed population to 63.1% since 2000. Sales and office jobs saw a decline from 30.0% of the workforce to 22.4% in that period.

TABLE 22 - EMPLOYED RESIDENTS AGE 16 AND OVER, BY OCCUPATION (2000 – 2023)
RIVER EDGE, NJ

Occupation	2000		2010		2023	
	Number	Percent	Number	Percent	Number	Percent
Management, professional, and related	2,722	51.0%	2,961	54.2%	4,103	63.1%
Service	467	8.7%	670	12.3%	464	7.1%
Sales and office	1,600	30.0%	1,325	24.2%	1,458	22.4%
Natural resources, construction, and maintenance	271	5.1%	314	5.7%	292	4.5%
Production, transportation, and material moving	281	5.3%	195	3.6%	189	2.9%
Total	5,341	100.0%	5,465	100.0%	6,506	100.0%

Source: U.S. Decennial Census; 2010 & 2023 American Community Survey 5-Year Estimates.

In 2023, the industries representing the three largest categories of employed residents in River Edge were education, health and social services at 21.6%, professional and related services at 19.5% and finance, insurance and real estate at 13.3% totaling 54.4% of the population.

TABLE 23 - EMPLOYED RESIDENTS AGE 16 AND OVER, BY INDUSTRY (2000 - 2023)
RIVER EDGE, NJ

Industry	2000		2010		2023	
	Number	Percent	Number	Percent	Number	Percent
Agriculture, Forestry, Fisheries & Mining	0	0.0%	0	0.0%	19	0.3%
Construction	224	4.2%	230	4.2%	293	4.5%
Manufacturing	403	7.5%	459	8.4%	714	11.0%
Wholesale Trade	241	4.5%	149	2.7%	336	5.2%
Retail Trade	729	13.6%	533	9.8%	544	8.4%
Transportation, Warehousing, and Utilities	207	3.9%	194	3.5%	177	2.7%
Information	413	7.7%	255	4.7%	125	1.9%
Finance, Insurance & Real Estate	703	13.2%	756	13.8%	868	13.3%
Professional & Related Services	599	11.2%	631	11.5%	1,269	19.5%
Education, Health and Social Services	1,079	20.2%	1,257	23.0%	1,406	21.6%
Arts, Entertainment & Recreational Services	317	5.9%	338	6.2%	233	3.6%
Public Administration	233	4.4%	343	6.3%	268	4.1%
Other Services	193	3.6%	320	5.9%	254	3.9%
Total	5,341	100.0%	5,465	100.0%	6,506	100.0%

Source: U.S. Decennial Census; 2010 & 2023 American Community Survey 5-Year Estimates.

2.7 Employment Projections

A projection of the Borough's probable future employment characteristics is based on an assessment of historic employment trends, the number of non-residential construction permits issued, and probable non-residential development of lands. Each of these items are identified and outlined below.

1. Historic Employment Trends. The number of jobs in River Edge within the last 10 years peaked in 2018 at 3,395. The Borough's job market experienced declines in employment in 2019 and 2020 due in part to the COVID-19 pandemic.

TABLE 24 - AVERAGE COVERED EMPLOYMENT TRENDS (2014-2023)
RIVER EDGE, NJ

Year	Number of Jobs	Change in Number of Jobs	Percent Change
2014	2,960	-	-
2015	3,108	148	5.0%
2016	3,135	27	0.9%
2017	3,217	82	2.6%
2018	3,395	178	5.5%
2019	3,135	(260)	(7.7%)
2020	2,922	(213)	(6.8%)
2021	3,071	149	5.1%
2022	3,137	66	2.1%
2023	3,139	2	0.1%

Sources: Department of Labor and Workforce Development

2. Non-Residential Square Footage Constructed During the Last Ten Years. The table below indicates there was minimal nonresidential development in River Edge from 2014 to 2023. The permit data indicates there were several improvements to office space totaling 9,338 square feet, the construction of the New Bridge Land multifamily development and 8,026 square feet of educational space.

TABLE 25 - NON-RESIDENTIAL SPACE AUTHORIZED BY BUILDING PERMITS (2014 – 2023)
RIVER EDGE, NEW JERSEY

Year Issued	Office	Retail	A-1 thru A-5	Multifamily/ Dormitories	Hotel/ Motel	Education	Industrial	Institutional	Storage	Signs, Fences, Utility & Misc.
2014	0	0	0	0	0	8,026	0	0	0	0
2015	2,400	0	0	0	0	0	0	0	0	0
2016	650	0	0	0	0	0	0	0	0	0
2017	3,984	0	0	123,777	0	0	0	0	0	0
2018	0	0	0	0	0	0	0	0	0	0
2019	0	0	0	0	0	0	0	0	0	0
2020	0	0	0	0	0	0	0	0	0	0
2021	0	0	0	0	0	0	0	0	0	0
2022	0	0	0	0	0	0	0	0	0	0
2023	2,304	0	0	0	0	0	0	0	0	0
Total	9,338	0	0	123,777	0	0	0	0	0	0

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

3. Probable Non-Residential Development of Lands. Opportunities for non-residential development in River Edge are limited given the lack of vacant land. Any new nonresidential development or redevelopment is likely to occur as infill development along Kinderkamack Road or around the New Bridge Landing Train Station area south of Main Street.
4. Probable Future Employment Characteristics. The Borough's employment trend of the last 10 years, combined with few opportunities for new non-residential development, suggests that employment growth within the Borough in the next decade will be limited and has yet to reach the number of jobs that existed prior to the COVID-19 pandemic.

Section 3: Fair Share Obligation

The following section provides an overview of the Borough's Fourth Round fair share obligation. It includes a brief overview of the methodology utilized to calculate affordable housing obligations throughout the State.

3.1 Summary of Fair Share Obligation

On March 20, 2024, Governor Murphy signed Bill A4/S50 Bill into law, thereby significantly amending the Fair Housing Act ("FHA") originally adopted in 1985. The amended FHA commonly referred to as the Fair Housing Act-2 ("FHA-2") eliminated COAH and created the new Affordable Housing Dispute Resolution Program ("The Program") consisting of seven retired Mount Laurel judges to review municipal compliance plans and resolve disagreements between municipalities and objectors. The legislation also tasked the DCA with calculating municipal Present and Prospective Need obligations, and the Administrative Office of the Courts (AOC) with creating rules related to the required procedures for the Program and the Courts to function together in accordance with the FHA-2. The FHA-2 also established a new methodology for calculating municipal affordable housing-need numbers, municipal compliance requirements and administrative review process through the Program for the 4th and subsequent rounds. These rounds span a period of 10 years each whereas the 1st and 2nd Rounds administered by COAH covered 6-year periods. The 3rd Round extending from 1999 to 2025 (26 years) was an anomaly due to extensive litigation and COAH becoming dysfunctional to such a degree that the Court ruled it could no longer administer the State's affordable housing process and returned it to the trial courts.

The FHA-2 designates DCA as the entity responsible for calculating the State's regional affordable housing needs. Specifically, N.J.S.A. 52:27D-304.2 establishes the methodology to be utilized by DCA to determine the State's regional prospective needs of low- and moderate-income housing for the ten-year period spanning from July 1, 2025 to June 30, 2035. In summary, the projected household change for this period is estimated by establishing the household change experienced in each of the State's six regions between the most recent federal decennial census and the second-most recent decennial census. This household change, if positive, is then divided by 2.5 to estimate the number of low- and moderate-income homes needed to address low- and moderate-income household change in the region for the next ten years. According to the DCA, this methodology resulted in a statewide prospective need of 84,698 low- and moderate-income units.

In addition, the DCA was tasked with calculating individual municipal present need (rehabilitation) and prospective need obligations. However, the FHA-2 states that these DCA calculations are advisory and non-binding, and that each municipality is responsible for determining its own obligation utilizing the same methodology.

On January 23, 2025, River Edge adopted binding Resolution No. 25-73 (see Appendix) accepting the DCA's calculated Present Need of 33 units and Prospective Need of 159 units thereby establishing its Fourth Round affordable housing obligations. The Borough's Fourth Round obligations were subsequently confirmed by Judge Corriston's Order on May 13, 2025 (see Appendix).

Resolution No. 25-73 also noted that the Borough reserves the right to conduct a Vacant Land Adjustment (VLA) to determine its realistic development potential (RDP) and to adjust its Present Need through the completion of a structural conditions/windshield survey as discussed in greater detail herein. These analyses resulted in a Fourth Round RDP of 0 units, an Unmet Need of 159 units and Present Need of 7 units as summarized in the table below.

TABLE 26 – RIVER EDGE SUMMARY OF FOURTH ROUND OBLIGATION

Affordable Obligation	# Units
Present Need (Rehabilitation)	7
Prospective Need	159
Fourth Round RDP	0
Unmet Need	159

3.2 Realistic Development Potential (RDP)

River Edge is a fully developed community and is therefore entitled to conduct a vacant land analysis (“VLA”) to adjust its Prospective Need Obligation by calculating its RDP in accordance with the procedures set forth in the FHA-2 (N.J.S.A. 52:27D-310.1). The Borough received Court-approval of its Third Round HE&FSP, inclusive of a vacant land adjustment, resulting in a Final Judgment of Compliance and Repose and this is a continuation of that acknowledgement that the Borough is fully developed and entitled to a VLA and RDP adjustment.

A VLA is intended to identify sites in a municipality that are likely to develop with affordable housing. Municipalities are required to consider all privately and municipally owned vacant parcels and underutilized sites such as driving ranges, farms in the State’s Planning Areas 1 and 2, nurseries, golf courses not owned by their members and nonconforming uses. Upon identification of such potential sites, municipalities are permitted to eliminate a site entirely or a portion of a site based on a variety of factors, including: lands dedicated for public uses other than housing since 1997; park lands or open space; vacant contiguous parcels in private ownership of a size (0.83 acres or less) which would accommodate fewer than five housing units; historic and architecturally important sites listed on the State Register of Historic Places or the National Register of Historic Places; preserved architectural lands; sites designated for active recreation; and environmentally sensitive lands.

1. Prior Round Obligation & RDP

The Borough’s combined First and Second Round Obligation of 73 units, Third Round Prospective Need of 197 units and Third Round RDP of 0 units were established by the Borough’s 2019 Settlement Agreement with FSHC. The Borough’s Settlement Agreement and 2020 HE&FSP, inclusive of its VLA, were approved by the Court in the Borough’s Third Round JOR issued by Judge Padovano on March 4, 2021.

2. Fourth Round Obligation

As stated previously, River Edge is a fully developed community that continues to lack vacant, developable land that is entitled to rely on its previous court-approved VLA, which established its Prior Rounds' (First, Second and Third) RDP. This is informed by COAH's regulations regarding same at N.J.A.C. 5:97-5.1(c) and (d), as well as the Borough's 2019 Settlement Agreement with FSHC. Specifically, N.J.A.C. 5:97-5.1(c) and (d) state that:

A vacant land adjustment that was granted as part of a (previous) round certification or judgment of compliance shall continue to be valid provided the municipality has implemented all of the terms of the substantive certification or judgment of compliance. If the municipality failed to implement the terms of the substantive certification or judgment of compliance, the Council may reevaluate the vacant land adjustment.

Further, the Borough's Court-approved 2019 Settlement Agreement with FSHC states that "the Borough's RDP shall not be revisited by FSHC or any other interested party absent a substantial changed circumstance." FSHC vs Twp. of Cherry Hill, 173 NJ 303 (2002) is the leading case that required a possible recalibration of an RDP based upon "changed circumstances."

As such, the Borough's Fourth Round VLA included a review of development applications and activity since 2019, vacant private and publicly owned parcels (Property Classes 1 and 15C) and farm qualified (Class 3B) properties within Planning Areas 1 and 2 in the Borough. The VLA revealed there are no changed circumstances or newly vacant properties which meet the criteria to qualify as contributing to the Borough's RDP. Therefore, the Borough's Fourth Round RDP is zero (0) units. A summary of the Borough's Fourth Round VLA is provided in the Appendix.

Section 4: Fair Share Plan

This Fair Share Plan component of River Edge's 2025 HE&FSP outlines the manner in which the Borough will address its affordable housing obligations. These obligations are summarized as follows:

TABLE 27 – RIVER EDGE AFFORDABLE HOUSING OBLIGATIONS SUMMARY

Round	Obligation	RDP	Unmet Need
Present Need (Rehabilitation) Obligation	7 ⁽¹⁾	-	-
First & Second Round Obligation (1987-1999)	73	-	-
Third Round Obligation (1999 – 2025)	197	0 ⁽²⁾	197
Fourth Round Obligation (2025 – 2035)	159	0 ⁽³⁾	159

(1) Present Need as adjusted through completion of Structural Conditions/Windshield Survey.

(2) As established through Court-approved VLA.

(3) As established through Fourth Round VLA.

As detailed herein, the Housing Element and Fair Share Plan addresses the manner in which the Borough will address its affordable housing obligations through 2035 in a manner that affirmatively addresses affordable housing need, while at the same time addressing planning concerns and maintaining the overall character of the community.

4.1 General Provisions

The following additional compliance requirements are noted:

1. Fourth Round Bonuses. Fourth Round bonuses will be applied in accordance with N.J.A.C. 52:27d-311.k.
2. Very-Low Income and Low-Income Units. At least 50% of the units addressing the Fourth Round Prospective Need obligation shall be affordable to very low-income and low-income households with the remainder affordable to moderate-income households. A minimum of 13% of the affordable units will be made available to very low-income households, defined as households earning 30% or less of the regional median income by household size.
3. Rental Component. At least 25% of the Fourth Round Prospective Need obligation shall be met through rental units, including at least half in rental units available to families.
4. Family Units. At least half of the actual units created to address the Fourth Round Prospective Need obligation must be available to families.
5. Age-Restricted Cap. No more than 30% of all units developed or planned to meet the Fourth Round Prospective Need obligation may be satisfied with age-restricted units.

4.2 Plan Components

The Borough's various plan mechanisms to address its affordable housing obligations are summarized below.

1. Present Need (Rehabilitation) Obligation

The DCA assigned River Edge a Present Need obligation of 33 units which the Borough accepted on January 23, 2025 in its Resolution No. 25-73. The Borough modified its 4th Round Present Need Obligation to 7 units through a structural conditions/windshield survey in accordance with N.J.A.C. 5:93-5.2, which is attached hereto in the Appendix. The Borough will continue to collaborate with Bergen County's Home Improvement Program to provide assistance to qualifying households in River Edge or administer its own rehabilitation program to the extent necessary to satisfy its Fourth Round Present Need Obligation.

2. Prior Round (First, Second & Third Round) Obligation

In accordance with the Borough's 2019 Settlement Agreement with FSHC, River Edge has a combined First and Second Round obligation of 73 units and Third Round Prospective Need of 197 units. The Borough's Court-approved vacant land analysis resulted in the adjustment of its Third Round Prospective Need of 197 units to its Third Round RDP of 0 units. The Borough satisfied its combined First and Second Round Obligation of 73 units in full with several plan mechanisms, including senior affordable housing at the Senior Residence at St. Peter the Apostle, group homes and two redevelopment plans as summarized in the table below.

TABLE 28 – RIVER EDGE PLAN MECHANISMS TO ADDRESS PRIOR ROUND OBLIGATION

Plan Mechanisms	# Units	Bonus Credits	Total Credits	Status
<u>Prior Cycle Credits (Pre-1986)</u>				
Senior Residence at St. Peter the Apostle Church (23 total units)	18	-	-	Completed
<u>Group Homes</u>				
New Concepts for Living, 11 June Ct.	5	-	5	Completed
Community Options, 200 Zabriskie Pl.	3	-	3	Completed
EIHAB Human Services, 328 Valley Rd.	4	-	4	Completed
<u>Redevelopment Plans</u>				
New Bridge Landing Station Redevelopment Area	19	19	38	Adopted
Kinderkamack Road Redevelopment Area	5	-	5	Adopted
Total	54	19 ⁽¹⁾	73	-

(1) COAH regulations permit a maximum number of bonus credits not to exceed 25% of RDP.

3. Fourth Round Obligation

The DCA in its October 18, 2024 publication "Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background" made public October 18, 2024 issued River Edge a Fourth Round Prospective Need Obligation of 159 units and Present Need (Rehabilitation) Obligation of 33 units. The Borough ultimately accepted its DCA assigned Fourth Round Obligations by Resolution No. 25-73, dated January 23, 2025, that was fixed by Order of Judge Corriston, dated May 13, 2025.

River Edge as a fully developed community conducted a Fourth Round VLA which adjusts the Borough's Fourth Round Prospective Need from 159 units to a Fourth Round RDP of 0 units in accordance with the applicable FHA-2 and COAH regulations. Therefore, River Edge has an Unmet Need (difference between Prospective Need and RDP) of 159 units. The Borough's structural conditions survey (see Appendix) adjusts its DCA calculated Present Need of 33 units to 7 units.

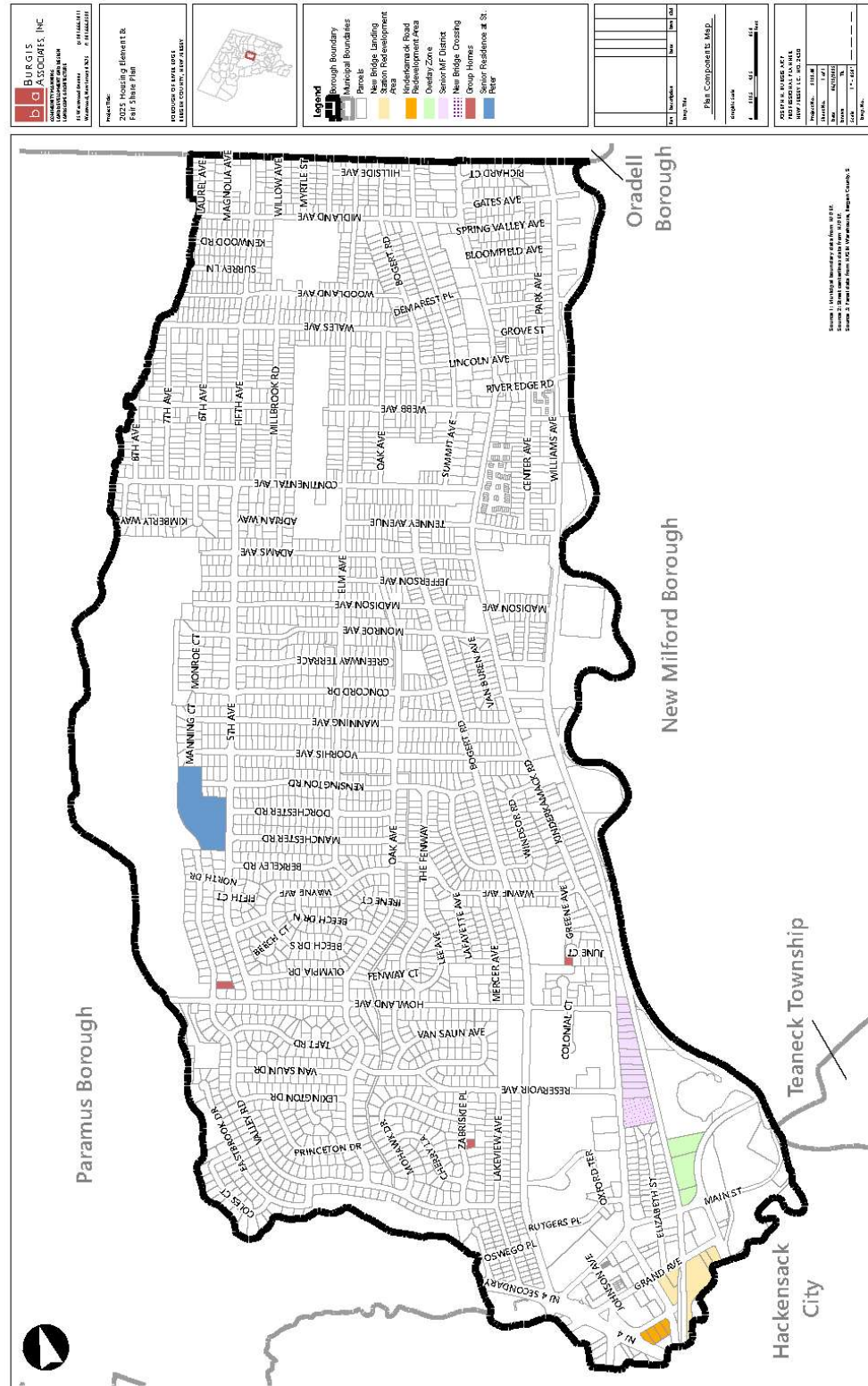
The Borough's Unmet Need Obligation will be addressed by the several plan mechanisms listed below, including surplus units from the Senior Residence at St. Peter the Apostle Church, New Bridge Crossing inclusionary development senior units, Multifamily and Senior Conditional Use District, overlay zone and mandatory affordable set-aside ordinance as summarized in the table below. The Borough will also continue to consider emergent opportunities to create new affordable housing in appropriate locations consistent with the Borough's Master Plan and Zoning Ordinance.

TABLE 29 – RIVER EDGE PLAN MECHANISMS TO ADDRESS UNMET NEED

Plan Mechanisms	# Units	Status
Senior Residence at St. Peter the Apostle Church (23 total units)	5	Completed
New Bridge Crossing Inclusionary Development (69 total units)	7	Completed
Multifamily and Senior Conditional Use District	24	Adopted
AH-1 New Bridge Road Affordable Housing Overlay Zone	13	Adopted
Mandatory Affordable Set-Aside Ordinance	-	Adopted
Total	49	-

4.3 Development Sites & Plan Mechanisms

The Borough's affordable housing sites and plan mechanisms identified in Section 4.2 are discussed in this section. The Plan Components Map below illustrates the locations of the sites identified herein.



1. Senior Residence at St. Peter the Apostle.

Located at 415 Fifth Avenue, Block 701 Lot 19.01, this senior housing facility accommodates 23 seniors offering a range of services in a quiet area of the Borough adjacent to St. Peter the Apostle Roman Catholic Church and Bergen County's Van Saun Park.



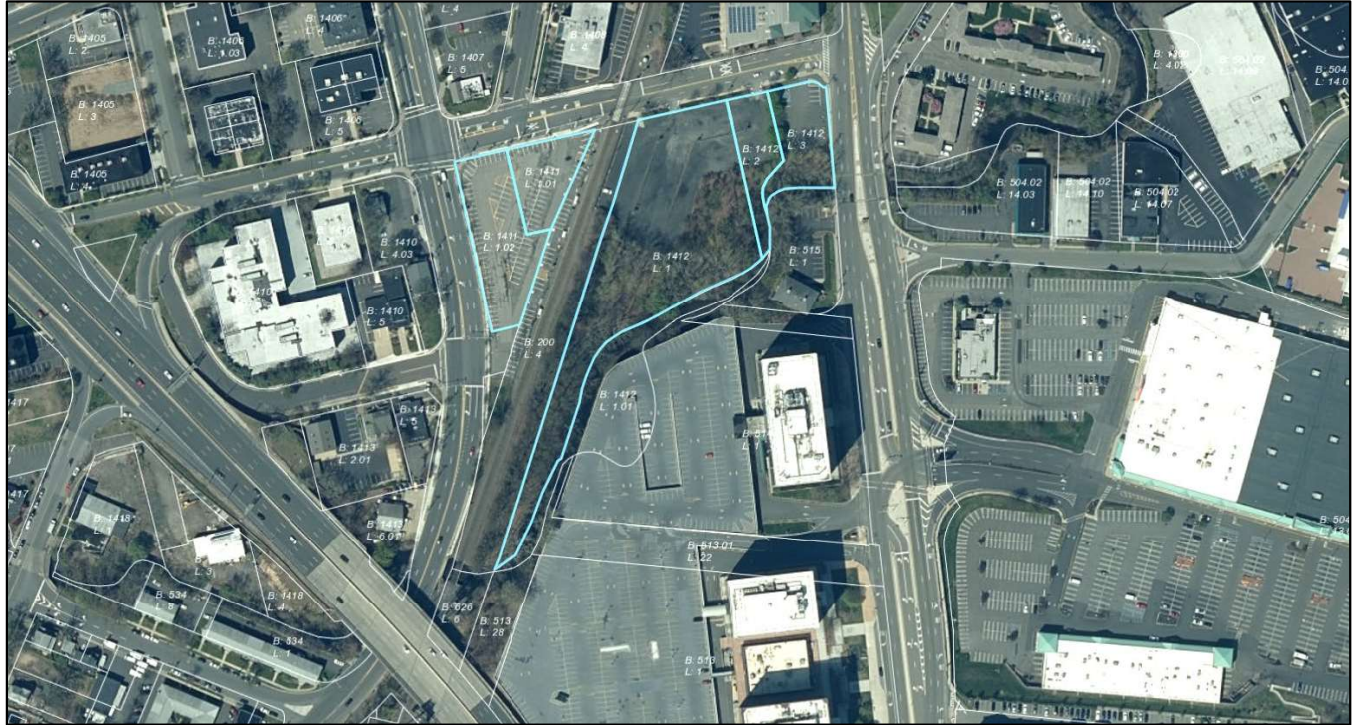
2. Group Homes

The Borough has three existing group homes that provide residential accommodations and services for the developmentally disabled totaling 12 beds. These group homes include:

- New Concepts for Living located at 11 June Court, Block 1004 Lot 18 with 5 beds;
- Community Options located at 200 Zabriskie Place, Block 1208 Lot 7 with 3 beds; and
- EI HAB Human Services, Inc. located at 328 Valley Road, Block 905 Lot 19 with 4 beds.

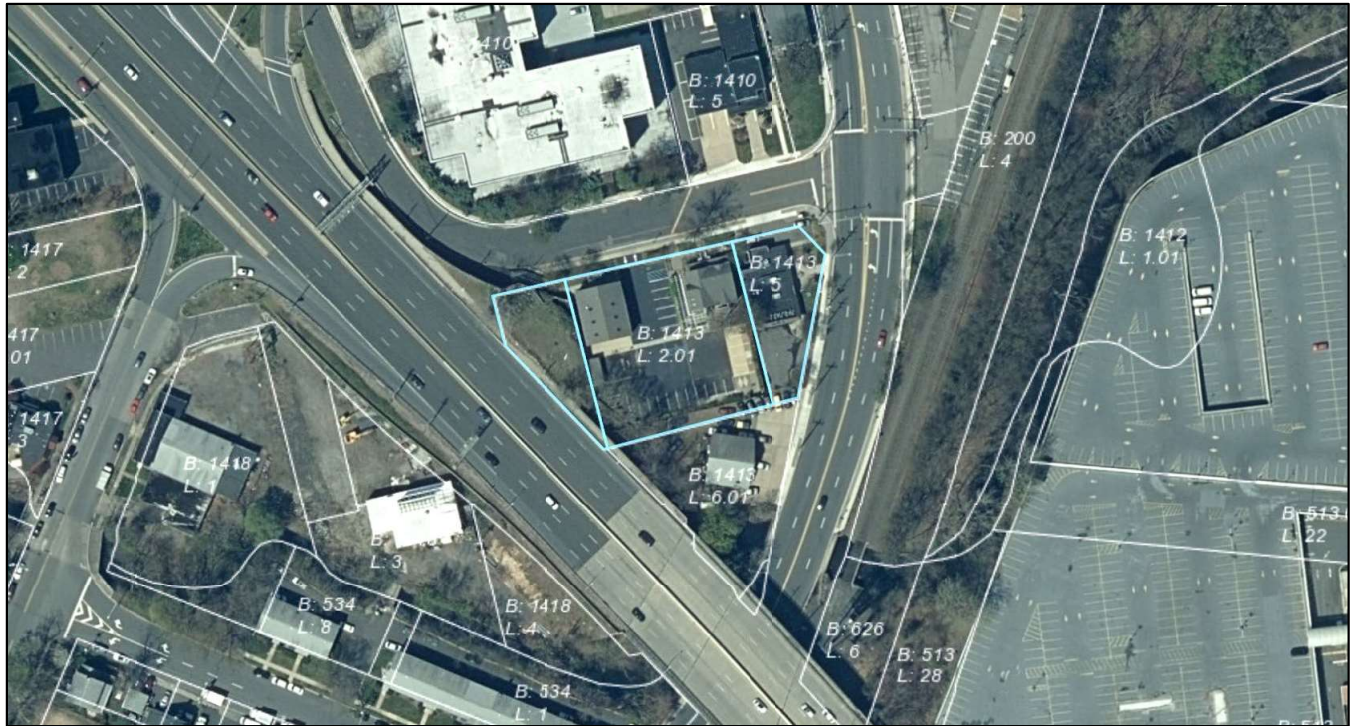
3. New Bridge Landing Station Redevelopment Area

The Borough originally adopted a redevelopment plan to accommodate mixed use development of Block 1411 Lots 1.01 and 1.02 and Block 1412 Lots 1, 2 and 3, dated June 8, 2007. The plan for the site currently developed as surface parking for the adjacent train station was never realized in the 10-year period prior to the adoption of the Borough's 2020 HE&FSP and was determined to be unrealistic. As a component of the Settlement Agreement, the Borough adopted a new redevelopment plan for the site in November 2020 which includes an inclusionary development component consisting of a maximum density of 25 dwellings units per acre and required affordable housing set-aside of 20%.



4. Kinderkamack Road Redevelopment Area

The Borough adopted a redevelopment plan for Block 1413 Lots 1, 2.01, 4 and 5, dated April 27, 2010 to accommodate multifamily residential development of the site. As the plan for the site was never realized in the nearly 10-year period preceding the preparation of the Borough's 2020 HE&FSP, among other reasons, the Borough adopted a new redevelopment plan for the site in November 2020, which includes a maximum residential density of 20 dwelling units per acre with a required minimum 20% affordable housing set-aside.



5. New Bridge Crossing Apartments

The New Bridge Crossing Apartments is a 69-unit multifamily development located on the east side of Kinderkamack Road between Howland Avenue and Reservoir Avenue at Block 1302 Lot 3. The development includes 7 age-restricted low and moderate-income housing units. This development was completed in 2019 and is now occupied.



6. AH-1 New Bridge Road Affordable Housing Overlay Zone

In accordance with the Borough's 2019 Settlement Agreement with FSHC, on July 13, 2020 the Borough adopted Resolution No. 20-10 creating a new overlay zone encompassing Block 1303 Lots 3, 4 and 5 totaling 3.3 acres to accommodate a residential density of at least 20 dwelling units per acre resulting in up to 13 affordable units. The overlay zone requires a 20% affordable housing set-aside for all residential development.



5. Multifamily and Senior Conditional Use District

Section 416-36.1 of the Borough Code sets forth the provisions of this district which requires a 15% affordable housing set-aside for rental development and 20% of for sale units. The prescribed maximum density of the district is 37.5 dwelling units per acre encompassing Block 1005 Lots 6.01 through 12 and Block 1302 Lots 1 and 2 applied to the remaining 4.4 acres results in up to 24 affordable units. The New Bridge Crossing development is located in and was developed in accordance with the District's requirements producing 7 senior affordable units.

6. Mandatory Affordable Housing Set-Aside Ordinance

The Borough adopted its Mandatory Affordable Housing Set-Side Ordinance on June 22, 2020 via Ordinance No. 20-09 that was subsequently amended on September 21, 2020 by Ordinance No. 20-12 which requires an affordable housing set-aside for multifamily residential development of five or more dwelling units at rates of 20% of for sale units and 15% of rental units. This requirement will ensure that new multifamily development in the Borough will provide its fair share of affordable units and continue to assist the Borough in its efforts to address its Unmet Need obligations. To be clear, this does not obligate the Borough to grant any subdivision or site plan approvals, rezonings, use variances or redevelopment/rehabilitation designations for any such development which are required to comply with the Borough's Zoning Ordinance and development application review procedures.

7. Development Fees.

River Edge will continue to impose residential and non-residential development fees in accordance with the Borough's Development Fee Ordinance to be collected in the Borough's existing affordable housing trust fund. The funds generated from these development fees will be applied directly towards any activity approved by State regulations for addressing the Borough's affordable housing obligations. The Borough's Spending Plan (see draft spending plan in the Appendix) projects estimated annual revenues and prescribes how the funds will be allocated over the course of the Fourth Round 10-year period.

4.4 Site Suitability

All sites included in the Borough's Fair Share Plan must meet the site suitability criteria set forth in N.J.A.C. 5:93-1.3 list below. While a site suitability analysis is not technically required for plan mechanisms addressing unmet need, this analysis includes a review of the Borough's several undeveloped plan mechanisms as it relates to the statutory site suitability criteria.

Approvable Site: a site that may be developed for low and moderate-income housing in a manner consistent with the rules or regulations of all agencies with jurisdiction over the site. A site may be approvable although not currently zoned for low and moderate-income housing.

Available Site: a site with clear title, free of encumbrances which preclude development for low and moderate-income housing.

Developable Site: a site that has access to appropriate water and sewer infrastructure, and is consistent with the applicable areawide water quality management plan (including the wastewater management plan) or is included in an amendment to the areawide water quality management plan submitted to and under review by DEP.

Suitable Site: a site that is adjacent to compatible land uses, has access to appropriate streets and is consistent with the environmental policies delineated in N.J.A.C. 5:93-4.

The Borough's various affordable housing sites were selected based a comprehensive range of factors including proximity to public and regional transportation, location within developed areas and surrounding development patterns. In addition, the sites are located within or adjacent to existing water and sewer utilities allowing for future connectivity as may be required to accommodate the developments. It is noted the availability of water and sewer capacity is adequate to provide for all of the residential development contemplated in the 2025 HE&FSP. Ultimately, the 2025 HE&FSP continues provides a realistic opportunity to satisfy the Borough's constitutional affordable housing obligation for the Third Round.

1. New Bridge Landing Station Redevelopment Plan.

The River Edge Council adopted the New Bridge Landing Station Redevelopment Plan in November 2020. The Plan establishes the development regulations for the New Bridge Landing Station Redevelopment Area intended to facilitate development of the site as a mixed-use transit-oriented development containing a residential component with a maximum density of 25 units per acre, allows for a mix of nonresidential uses and includes a public parking and train station facility. The New Bridge Landing Station Redevelopment Area encompasses the following parcels:

TABLE 30 - REDEVELOPMENT AREA PARCELS

Block	Lot	Owner	Land Area
1411	1.01	NJ Transit Corp.	0.15 ac
1411	1.02	Borough of River Edge	0.77 ac
1412	1	NJ Transit Corp.	1.53 ac
1412	2	NJ Transit Corp.	0.33 ac
1412	3	Borough of River Edge	0.39 ac
Total			3.17 ac

All five parcels in the redevelopment area available are publicly owned, including 3 owned by NJ Transit and 2 owned by the Borough. The Borough has previously been in touch with NJ Transit to discuss the future development of the site and anticipates full cooperation between both parties.

The site is developable as it is already cleared and developed as paved surface commuter parking lots associated with the New Bridge Landing Station. Though the site is partially impacted by a 100-year floodplain and wetlands area, the site has been deemed to be developable.

The New Bridge Landing Station Redevelopment Area represents a suitable site for the development of the contemplated mixed-use transit-oriented development with an affordable housing component as it immediately surrounds the New Bridge Landing Station facilities providing direct access to NJ Transit's Pascack Valley line with connections to Secaucus Junction and Hoboken. In addition, there are several public bus routes with stops within close walking distance to the redevelopment area and several regional roadways in near proximity. The site is also surrounded by a mix of uses within walking distance, including retail, restaurant, service and office uses that will complement the proposed redevelopment.

2. Kinderkamack Road Redevelopment Plan

The River Edge Council adopted the Kinderkamack Road Redevelopment Plan in November 2020. The Plan establishes the development regulations for the Kinderkamack Road Redevelopment Area intended to facilitate mixed-use or multifamily transit-oriented development of the site containing a residential component with a maximum density of 20 units per acre. The Kinderkamack Road Redevelopment Area encompasses the following parcels:

TABLE 31 - REDEVELOPMENT AREA PARCELS

Block	Lot	Owner	Land Area
1413	1	R.O.S. Realty Associates	0.15 ac
1413	2.01 (& 4)	Shake Down Street, LLC	0.28 ac
1413	5	55 Kinderkamack Road, LLC	0.16 ac
Total			0.59 ac

All of the redevelopment area parcels are privately owned with no known title issues. A private entity is able to submit a site plan application to the Borough Land Use Board for review based on the redevelopment plan requirements. The site is developable as it is already developed and occupied with a several nonresidential uses, including a landscape contractors office and garage with associated site improvements and a laundromat with related improvements. The site remains developable though a 100-year floodplain impacts a portion of the site.

The site is suitable for the contemplated mixed-use or multifamily development of the site with an affordable housing component given its context in the community, adjacency to the New Bridge Landing Train Station and walking distance to several public bus route stops and amenities.

3. AH-1 New Bridge Road Affordable Housing Overlay Zone

The Borough adopted Ordinance No. 20-10 in July 2020 creating the New Bridge Road Overlay Zone which is intended to facilitate mixed-use development of the site consisting of nonresidential uses on the first floor with residential units above the first floor. The Overlay Zone permits a maximum residential density of 20 units per acre and requires a 20% affordable housing set-aside. The AH-1 Zone encompasses Block 1303 Lots 3, 4 and 5 totaling approximately 2.5 acres.

Parcels in the AH-1 Overlay Zone are available as the parcels are privately owned with Lots 3 and 4 held in common ownership with no known title issues. A site plan application may be submitted by a developer as such opportunities present themselves.

The AH-1 Overlay Zone is developable as it is currently developed with a number of uses including a gas station, indoor sports facility and vacant retail building with associated site improvements. The Overlay Zone is generally characterized by nearly 100% impervious coverage. Portions of the site are impacted by a 100-year floodplain and area of wetlands associated with the Hackensack River but do not limit the site's development potential as prescribed by the Overlay Zone standards.

The site is suitable given its context in the community. It is within walking distance to the New Bridge Landing Train Station, public bus service and nearby commercial and service uses and is separated from adjacent single-family uses by the rail corridor. The site presents a unique development opportunity in the Borough with views of the Hackensack River and Historic New Bridge Landing Site located directly across New Bridge Road to the east.

4.5 Rejected Development Sites

There are no sites for which inclusionary development was considered that were rejected and not included in this Plan.

4.6 Crediting Documentation & Ongoing Compliance

River Edge intends to adhere to the applicable State requirements pertaining to affordable unit monitoring and reporting. This includes compliance with the statutorily required updates to the municipal housing project status report by the DCA deadline of February 15, 2025. These updates are included in the State's new Affordable Housing Monitoring System and fulfill the Borough's obligation to specify the creditworthiness of all existing affordable housing units in River Edge. In addition, all crediting documentation submitted to and approved by the Court as part of the Borough's Third Round Housing Element and Fair Share Plan remains on file with and accessible from the Court.

4.7 Consistency with State Planning Initiatives

As noted in Section 1 of this plan, a HE&FSP must also include:

- ❖ 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; and
- ❖ 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.

Accordingly, the following subsection analyzes the consistency of this HE&FSP to the above referenced state planning initiatives.

1. Multigenerational Family Housing Continuity Commission

The Multigenerational Family Housing Continuity Commission was established by the State of New Jersey in 2021. As noted in N.J.S.A. 52:27D-329.20, one of the primary duties of the Commission is to "prepare and adopt recommendations on how State government, local government, community organizations, private entities, and community members may most effectively advance the goal of enabling senior citizens to reside at the homes of their extended families, thereby preserving and enhancing multigenerational family continuity, through the modification of State and local laws and policies in the areas of housing, land use planning, parking and streetscape planning, and other relevant areas."

As of the date of this HE&FSP, the Multigenerational Family Housing Continuity Commission has not yet adopted any recommendations.

2. State Development and Redevelopment Plan

As established by N.J.S.A. 52:18A-200(f), the purpose of the State Development and Redevelopment Plan (SDRP) is to “coordinate planning activities and establish Statewide planning objectives in the following areas: land use, housing, economic development, transportation, natural resource conservation, agriculture and farmland retention, recreation, urban and suburban redevelopment, historic preservation, public facilities and services, and intergovernmental coordination.”

As such, the SDRP establishes a number of goals and strategies related to a number of different topics, including economic redevelopment. One such goal is to revitalize existing urban centers by directing growth and development to those areas. Specifically, the SDRP seeks to revitalize the State’s cities and towns by protecting, preserving, and developing the valuable human and economic assets in cities, town, and other urban areas.

As indicated by the SDRP’s Policy Map, the majority of River Edge is located in the PA-1 Metropolitan Planning Area, wherein development and redevelopment is intended to be directed. The intent of this Planning Area is to:

- ❖ Provide for much of the state’s future redevelopment;
- ❖ Revitalize cities and towns;
- ❖ Promote growth in compact forms;
- ❖ Stabilize older suburbs;
- ❖ Redesign areas of sprawl; and;
- ❖ Protect the character of existing stable communities.

Accordingly, this HE&FSP is consistent with the intents of the PA-1. Specifically, it is designed to encourage redevelopment and growth in a compact form within the portion of the municipality designated as PA-1, while also protecting the character of the existing community.

It is noted that the State is in the process of preparing a new State Development and Redevelopment Plan by the end of 2025.

Appendix

Fourth Round Complaint for Declaratory Relief Pursuant to AOC Directive #14-24

SURENIAN, EDWARDS, BUZAK & NOLAN LLC

311 Broadway, Suite A
Point Pleasant Beach, NJ 08742
(732) 612-3100

By: Edward J. Buzak, EJB@Surenian.com; Attorney ID: 002131973
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Attorneys for Declaratory Plaintiff, Borough of River Edge

**IN THE MATTER OF THE
APPLICATION OF THE BOROUGH OF
RIVER EDGE, COUNTY OF BERGEN,
STATE OF NEW JERSEY**

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: BERGEN COUNTY**

DOCKET NO.: BER-L-____

CIVIL ACTION
AFFORDABLE HOUSING
PER DIRECTIVE # 14-24

**COMPLAINT FOR DECLARATORY
RELIEF PURSUANT TO
DIRECTIVE# 14-24**

Declaratory Plaintiff, the Borough of River Edge, County of Bergen, State of New Jersey (hereinafter, “River Edge” or the “Borough”), a municipal corporation of the State of New Jersey, with principal offices located at 705 Kinderkamack Road, River Edge, NJ 07661, by way of this Declaratory Judgment Action (“DJ Action”) as authorized under Directive # 14-24 of the Administrative Office of the Courts, alleges and says:

Background

1. River Edge is a municipal corporation of the State of New Jersey.
2. The Planning Board of the Borough of River Edge (hereinafter, “Planning Board”) is a municipal agency created and organized under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et. seq., (“MLUL”), and, among other duties and obligations, is responsible for adopting the Housing Element and Fair Share Plan (“HEFSP”) of River Edge’s Master Plan.
3. Through this DJ Action, River Edge seeks the following relief in relation to its Fourth Round (2025-2035) affordable housing obligation: (a) to secure the jurisdiction of the

Affordable Housing Dispute Resolution Program (the “Program”) pursuant to P.L. 2024, c.2 (hereinafter, the “Act”) and the Court, pursuant to Directive # 14-24; (b) to have the Program and the Court approve the Borough of River Edge’s Present and Prospective affordable housing obligations as set forth in the binding resolution adopted by the Borough, attached hereto as **Exhibit 1**; (c) to have the Program and the Court approve a HEFSP to be adopted by the Planning Board and endorsed by the Council and issue a conditional or unconditional “Compliance Certification” pursuant to the Act or other similar declaration; (d) to the extent it is not automatically granted pursuant to the Act, through the filing of this DJ Action and binding resolution, to have the Program and the Court confirm River Edge’s immunity from all exclusionary zoning litigation, including builder’s remedy lawsuits, during the pendency of the process outlined in the Act and for the duration of Fourth Round, i.e., through June 30, 2035; and (e) to have the Program and the Court take such other actions and grant such other relief as may be appropriate to ensure that the Borough receive and obtain all protections as afforded to it in complying with the requirements of the Act, including, without limitation, all immunities and presumptions of validity necessary to satisfy its affordable housing obligations voluntarily without having to endure the expense and burdens of unnecessary third-party litigation.

COUNT I

ESTABLISHMENT OF JURISDICTION UNDER P.L.2024, C. 2

4. The Borough of River Edge repeats and realleges each and every allegation as set forth in the previous paragraphs of this DJ Action as if set forth herein in full.

5. The Act represents a major revision of the Fair Housing Act of 1985, N.J.S.A. 52:27D-301 *et seq.*

6. Among other things, the Act abolished the Council on Affordable Housing (hereinafter, “COAH”), and replaced it with seven retired, on recall judges designated as the

Program. Among other things, the Act authorized the Director of the Administrative Office of the Courts, (hereinafter, respectively, “Director” and “AOC”) to create a framework to process applications for a compliance certification.

7. On or about December 13, 2024, the Director issued Directive # 14-24, which among other things, required municipalities seeking compliance certification to file an action in the form of a declaratory judgment complaint and Civil Case Information Statement in the County in which the municipality is located within 48 hours after the municipality’s adoption of a binding resolution as authorized under the Act and attach a copy of said binding resolution to the DJ Action.

8. River Edge adopted a binding resolution establishing its present and prospective affordable housing obligations within the statutory window of time set forth in the Act and in accordance with the methodology and formula set forth in the Act, a certified copy of which resolution is attached to this DJ Action as **Exhibit 1**.

9. Based on the foregoing, River Edge has established the jurisdiction of the Program and the Court in regard to this DJ Action for a compliance certification as set forth hereinafter.

WHEREFORE, the Borough of River Edge seeks a declaratory judgment for the following relief:

- a. Declaring that the Borough has established jurisdiction for the Program and the Court to confirm its present and prospective affordable housing needs as set forth in the binding resolution attached as Exhibit 1 to this DJ Action or to adjust such determination consistent with the Act;
- b. Declaring the present and prospective affordable housing obligations of the Borough under the Act;
- c. Declaring the approval of the Borough’s HEFSP subsequent to its adoption by the Planning Board and its endorsement by the Borough Council, including, as

appropriate and applicable, (i) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; (ii) a Durational Adjustment (whether predicated upon lack of sanitary sewer or lack of water); (iii) an adjustment predicated upon regional planning entity formulas, inputs or considerations, as applicable; (iv) an adjustment based on any future legislation that may be adopted that allows an adjustment of the affordable housing obligations; (v) an adjustment based upon any ruling in litigation involving affordable housing obligations; (vi) an adjustment based upon the undertaking of a Structural Conditions Survey (“Windshield Survey”) and/or (vii) any other applicable adjustment permitted in accordance with the Act and/or applicable COAH regulations;

- d. Declaring that the Borough continues to have immunity from all exclusionary zoning litigation and all litigation related to its affordable housing obligations as established under the Program;
- e. Declaring and issuing compliance certification and immunity from exclusionary zoning litigation in accordance with the Act and Directive # 14-24 to the Borough of River Edge for the period beginning July 1, 2025 and ending June 30, 2035; and
- f. Declaring such other relief that the Program and Court deems just and proper within the parameters of the Act and applicable COAH regulations.

COUNT II

DETERMINATION OF THE PRESENT AND PROSPECTIVE NEED OF THE BOROUGH OF RIVER EDGE

10. River Edge repeats and realleges each and every allegation set forth in the previous paragraphs of this DJ Action as if set forth herein in full.

11. The Act adopted the methodology to calculate every municipality's present and prospective need affordable housing obligation for the Fourth Round (2025-2035) and beyond.

12. The Act directed the Department of Community Affairs ("DCA") to apply the methodology and to render a non-binding calculation of each municipality's present and prospective affordable housing obligations to be contained in a report to be issued not later than October 20, 2024.

13. The DCA issued its report on October 18, 2024.

14. Pursuant to the October 18, 2024 report, the DCA calculated River Edge's present and prospective affordable housing obligations as follows:

PRESENT NEED (REHABILITATION OBLIGATION)	FOURTH ROUND PROSPECTIVE NEED OBLIGATION (2025-2035)
33	159

15. Pursuant to the Act, a municipality desiring to participate in the Program is obligated to adopt a "binding resolution" determining its present and prospective affordable housing obligations to which it will commit based upon the methodology set forth in the Act.

16. River Edge adopted a binding resolution, a copy of which resolution is attached hereto and made a part hereof as Exhibit 1 to this DJ Action.

17. The binding resolution maintains that, subject to the right to undertake a Windshield Survey as part of the preparation and adoption of the HEFSP, the Present ("Rehabilitation") Need obligation of River Edge is 33 and its Prospection Need obligation is 159.

18. River Edge seeks the approval of and confirmation by the Program and the Court of the Present and Prospective affordable housing obligations as set forth in the binding resolution attached hereto and made a part hereof as **Exhibit 1**.

19. Pursuant to the binding resolution, the Borough of River Edge reserves all rights to amend its affordable housing obligations in the event of a successful legal challenge, or legislative change, to the Act.

20. Pursuant to the binding resolution, River Edge specifically reserves the right to seek and obtain 1) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; 2) a Durational Adjustment (whether predicated upon lack of sanitary sewer or lack of water); 3) an adjustment predicated upon regional planning entity formulas, inputs or considerations, as applicable; 4) an adjustment based on any future legislation that may be adopted that allows an adjustment of the affordable housing obligations; 5) an adjustment based upon any ruling in litigation involving affordable housing obligations; 6) an adjustment based upon the undertaking of a Windshield Survey and/or 7) any other applicable adjustment permitted in accordance with the Act and/or applicable COAH regulations.

WHEREFORE, the Borough of River Edge seeks a declaratory judgment for the following relief:

- a.** Declaring that the Borough has established jurisdiction for the Program and the Court to confirm its present and prospective affordable housing needs as set forth in the binding resolution attached as Exhibit 1 to this DJ Action or to adjust such determination consistent with the Act;
- b.** Declaring the present and prospective affordable housing obligations of River Edge under the Act;

- c. Declaring the approval of River Edge’s HEFSP subsequent to its adoption by the Planning Board and its endorsement by the Council, including, as appropriate and applicable, (i) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; (ii) a Durational Adjustment (whether predicated upon lack of sanitary sewer or lack of water); (iii) an adjustment predicated upon regional planning entity formulas, inputs or considerations, as applicable; (iv) an adjustment based on any future legislation that may be adopted that allows an adjustment of the affordable housing obligations; (v) an adjustment based upon any ruling in litigation involving affordable housing obligations; (vi) an adjustment based upon the undertaking of a Windshield Survey and/or (vii) any other applicable adjustment permitted in accordance with the Act and/or applicable COAH regulations;
- d. Declaring that the Borough continues to have immunity from all exclusionary zoning litigation and all litigation related to its affordable housing obligations as established under the Program;
- e. Declaring and issuing compliance certification and immunity from exclusionary zoning litigation in accordance with the Act and Directive # 14-24 to River Edge for the period beginning July 1, 2025 and ending June 30, 2035; and
- f. Declaring such other relief that the Program and Court deems just and proper within the parameters of the Act and applicable COAH regulations.

COUNT III

HOUSING ELEMENT AND FAIR SHARE PLAN

21. The Borough of River Edge repeats and realleges each and every allegation set forth in the previous paragraphs of this DJ Action as if set forth herein in full.

22. Pursuant to the Act, a Housing Element and Fair Share Plan (hereinafter, (“HEFSP”) must be prepared and adopted by the Planning Board, and endorsed by the Council, by June 30, 2025.

23. River Edge hereby commits for its professionals to prepare the appropriate HEFSP to address its affordable housing obligations, as determined by the Program and the Court which HEFSP shall apply as appropriate, any applicable adjustments, including, without limitation, 1) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; 2) a Durational Adjustment (whether predicated upon lack of sanitary sewer or lack of water); 3) an adjustment predicated upon regional planning entity formulas, inputs or considerations, as applicable; 4) an adjustment based on any future legislation that may be adopted that allows an adjustment of the affordable housing obligations; 5) an adjustment based upon any ruling in litigation involving affordable housing obligations; 6) an adjustment based upon the undertaking of a Windshield Survey and/or 7) any other applicable adjustment permitted in accordance with the Act and/or applicable COAH regulations.

WHEREFORE, the Borough of River Edge seeks a declaratory judgment for the following relief:

- a.** Declaring that River Edge has established jurisdiction for the Program and the Court to confirm its present and prospective affordable housing needs as set forth in the binding resolution attached as Exhibit 1 to this DJ Action or to adjust such determination consistent with the Act;
- b.** Declaring the present and prospective affordable housing obligations of River Edge under the Act;

- c. Declaring the approval of River Edge's HEFSP subsequent to its adoption by the Planning Board and its endorsement by the Council, including, as appropriate and applicable, (i) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; (ii) a Durational Adjustment (whether predicated upon lack of sanitary sewer or lack of water); (iii) an adjustment predicated upon regional planning entity formulas, inputs or considerations, as applicable; (iv) an adjustment based on any future legislation that may be adopted that allows an adjustment of the affordable housing obligations; (v) an adjustment based upon any ruling in litigation involving affordable housing obligations; (vi) an adjustment based upon the undertaking of a Windshield Survey and/or (vii) any other applicable adjustment permitted in accordance with the Act and/or applicable COAH regulations;
- d. Declaring that the Borough of River Edge continues to have immunity from all exclusionary zoning litigation and all litigation related to its affordable housing obligations as established under the Program;
- e. Declaring and issuing compliance certification and immunity from exclusionary zoning litigation in accordance with the Act and Directive # 14-24 to the Borough of River Edge for the period beginning July 1, 2025 and ending June 30, 2035; and
- f. Declaring such other relief that the program and Court deems just and proper within the parameters of the Act and applicable COAH regulations.

COUNT IV

CONFIRMATION OF IMMUNITY

24. The Borough of River Edge repeats and realleges each and every allegation set forth in the previous paragraphs of this declaratory judgment complaint as if set forth herein in full.

25. Pursuant to the Act, a municipality that complies with the deadlines in the Act for both determining present and prospective affordable housing obligations and for adopting an appropriate HEFSP shall have immunity from exclusionary zoning litigation.

26. The Borough of River Edge has met the deadline for the adoption and filing of its binding resolution (and the filing of this DJ Action in accordance with Directive # 14-24) not later than January 31, 2025 by adopting the binding resolution attached to this DJ Action as Exhibit 1, and has committed to the adoption of its HEFSP by June 30, 2025.

27. Without waiving any judicial immunity from exclusionary zoning litigation that River Edge possesses as a result of any applicable Judgment of Compliance and Repose entered in favor of the Borough in Round 3, River Edge has qualified for continued immunity under the Act while pursuing its certification of compliance in the instant matter.

WHEREFORE, the Borough of River Edge seeks a declaratory judgment for the following relief:

- a.** Declaring that the Borough has established jurisdiction for the Program and the Court to confirm its present and prospective affordable housing needs as set forth in the binding resolution attached as Exhibit 1 to this DJ Action or to adjust such determination consistent with the Act;
- b.** Declaring the present and prospective affordable housing obligations of River Edge under the Act;
- c.** Declaring the approval of River Edge's HEFSP subsequent to its adoption by the Planning Board and its endorsement by the Council, including, as appropriate and applicable, (i) a Vacant Land Adjustment predicated upon a

lack of vacant, developable and suitable land; (ii) a Durational Adjustment (whether predicated upon lack of sanitary sewer or lack of water); (iii) an adjustment predicated upon regional planning entity formulas, inputs or considerations, as applicable; (iv) an adjustment based on any future legislation that may be adopted that allows an adjustment of the affordable housing obligations; (v) an adjustment based upon any ruling in litigation involving affordable housing obligations; (vi) an adjustment based upon the undertaking of a Windshield Survey and/or (vii) any other applicable adjustment permitted in accordance with the Act and/or applicable COAH regulations;

- d. Declaring that River Edge continues to have immunity from all exclusionary zoning litigation and all litigation related to its affordable housing obligations as established under the Program;
- e. Declaring and issuing compliance certification and immunity from exclusionary zoning litigation in accordance with the Act and Directive # 14-24 to River Edge for the period beginning July 1, 2025 and ending June 30, 2035; and
- f. Declaring such other relief that the Program and Court deems just and proper within the parameters of the Act and applicable COAH regulations.

SURENIAN, EDWARDS, BUZAK & NOLAN LLC
Attorneys for the Declaratory Plaintiff
Borough of River Edge

Edward J. Buzak

By: _____
 Edward J. Buzak, Esq.

Dated: January 24, 2025

CERTIFICATION PURSUANT TO R. 4:5-1

Edward J. Buzak, Esq., of full age, hereby certifies as follows:

1. I am a member of the Firm of Surenian, Edwards, Buzak & Nolan LLC, attorneys for declaratory plaintiff, Borough of River Edge.

2. To the best of my knowledge, there is no other action pending in any court or any pending arbitration proceeding of which the matter in controversy herein is the subject and no such other action or arbitration proceeding is contemplated. To the best of my knowledge, there are no other parties who should be joined in this action.

3. The within Complaint was filed and served within the time prescribed by the Rules of Court.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

SURENIAN, EDWARDS, BUZAK & NOLAN LLC
Attorneys for the Declaratory Plaintiff
Borough of River Edge

Edward J. Buzak

By: _____
Edward J. Buzak, Esq.

Dated: January 24, 2025

CERTIFICATION PURSUANT TO R. 1:38-7(b)

Edward J. Buzak, Esq., of full age, hereby certifies as follows:

1. I am a member of the firm of Surenian, Edwards, Buzak & Nolan LLC, attorneys for Declaratory Plaintiff, Borough of River Edge.

2. I certify that confidential personal identifiers have been redacted from documents now submitted to the Court and will be redacted from all documents submitted in the future in accordance with R. 1:38-7(b).

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

SURENIAN, EDWARDS, BUZAK & NOLAN LLC
Attorneys for the Declaratory Plaintiff
Borough of River Edge

Edward J. Buzak

By: _____
Edward J. Buzak, Esq.

Dated: January 24, 2025

DESIGNATION OF TRIAL COUNSEL

Pursuant to R. 4:25-4, notice is hereby given that Edward J. Buzak, Esq., attorney for the Declaratory Plaintiff, Borough of River Edge is designated as trial counsel in the above captioned matter.

SURENIAN, EDWARDS, BUZAK & NOLAN LLC
Attorneys for the Declaratory Plaintiff
Borough of River Edge

Edward J. Buzak

By: _____
Edward J. Buzak, Esq.

Dated: January 24, 2025

**RESOLUTION OF THE TOWNSHIP OF HOPEWELL, COUNTY OF
CUMBERLAND, COMPLYING WITH AMENDED FAIR HOUSING ACT**

RESOLUTION #2025-35

WHEREAS, on March 20, 2024, Governor Murphy signed into law an Amendment to the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.) (hereinafter “Amended FHA”); and

WHEREAS, the Amended FHA requires the Department of Community Affairs (“DCA”) to produce a report of non-binding estimates of the present need obligations (also known as the rehabilitation obligation) and the Round 4 prospective need by October 20, 2024; and

WHEREAS, the DCA issued a report on October 18, 2024 (“DCA Report”) wherein it reported its estimate of the obligation for all municipalities based upon its interpretation of the standards in the Amended FHA; and

WHEREAS, the DCA Report calculates the Round 4 (2025-2035) obligations of the Township of Hopewell as follows: a Present Need or Rehabilitation Obligation of 31 and a Prospective Need or New Construction Obligation of 67; and

WHEREAS, the Amended FHA provides that the DCA Report is non-binding, thereby inviting municipalities to demonstrate that the Amended FHA would support lower calculations of Round 4 affordable housing obligations; and

WHEREAS, the Amended FHA further provides that “[a]ll parties shall be entitled to rely upon regulations on municipal credits, adjustments, and compliance mechanisms adopted by COAH unless those regulations are contradicted by statute, including P.L. 2024, c.2, or binding court decisions” (N.J.S.A. 52:27D-311 (m)); and

WHEREAS, COAH regulations authorize adjustments to the rehab obligation through a visual exterior survey and vacant land adjustments as well as durational adjustments to the new construction obligations; and

WHEREAS, based on the foregoing, the Township of Hopewell accepts the DCA calculations of its fair share obligations and commits to its fair share of 31 units present need and 67 unit Round 4 prospective need subject to any adjustments it may seek in accordance with COAH regulations as part of the Housing Element and Fair Share Plan it subsequently submits in accordance with the Amended FHA; and

WHEREAS, in addition to setting forth its fair share affordable housing obligations for the reasons summarized above, substantial activity has occurred and is ongoing that warrants the reservation of certain rights to avoid any claim that it has waived them; and

WHEREAS, for example, the New Jersey Institute of Local Government Attorneys (“NJILGA”) has expressed its support for proposed legislation (hereinafter “NJILGA Legislation”) that would reduce Hopewell’s Round 4 Prospective Need and would give the