

Fourth Round Housing Element & Fair Share Plan

River Vale Township

Bergen County, NJ

Prepared by:



architects - engineers

June 5th, 2025

Housing Element and Fair Share Housing Plan [Township of River Vale

ACKNOWLEDGEMENTS

Mayor & Town Council

Mark Bromberg, Mayor
Paul Criscuolo, Council President
Denise Sieg, Council Vice President
Ari Ben-Yishay, Council Member
John Donovan, Council Member
Jim Tolomeo, Council Member

Planning Board

Mark Bromberg, Mayor, Class I
Scott Lippert, Chairman, Class IV
Matthew Ross, Vice Chair, Class IV
Susan Vaccaro, Class IV
Robert Adamo, Class IV
Delix Alex, Class IV
Demetria Bogosian, Class IV
John Donovan, Class III Council Representative
John Greco, Alternate No. 2
Anthony LaSpada, Alternate No. 1
Peter Wayne, Class II
Maria Haag, Land Use Administrator / Recording Secretary

Planning Board Attorney:
Marc Liebman, Esq.

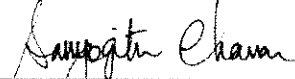
Consultant:
H2M Associates, Inc.
119 Cherry Hill Road, Ste. 110
Parsippany, NJ 07054



architects + engineers

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The original of this report was signed and sealed in accordance with N.J.S.A. 45:14A-12.



Sanyogita S. Chavan, PP, AICP #33LJ00593300

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INTRODUCTION

This Housing Plan addresses the Township's newly assigned fourth round affordable housing obligation and reflects the Township's previous approval of its first, second and third round affordable housing strategies. In accordance with the Fair Housing Act (FHA), New Jersey municipalities must adopt a Housing Element and Fair Share Plan (HEFSP) to plan for the provision of their "fair share" of affordable housing for low- and moderate-income persons and households.

Since the 1975 New Jersey Supreme Court decision known as "Mount Laurel I," New Jersey municipalities have had a constitutional obligation to provide opportunities for creation of low and moderate housing units. This 1975 decision led to a body of case law, legislative changes and rulemaking by a state agency that, collectively, is now referred to as the "Mount Laurel Doctrine." The Fair Housing Act of 1985 was the legislative response to the landmark *Mount Laurel* decisions and provided the basis for the establishment of the Council on Affordable Housing (COAH) to administer municipal compliance with the FHA. Through these actions, New Jersey municipalities have been assigned a specific number of affordable housing units that must be created or planned for creation to have "satisfied" their constitutional obligation, referred to as their affordable housing obligation. The purpose of this Housing Element and Fair Share Plan (hereinafter the "Plan") is to present how the Township of River Vale will satisfy its constitutional obligation in the fourth round.

Affordable housing in New Jersey is defined as housing units which are reserved for households with incomes not more than 80% of the regional median income. The state is divided into six housing regions with a median income established for each region along with the thresholds for moderate- and low-income households based upon the household size. Each affordable unit must be reserved for low- and moderate-income households for a period up to 40 years and this is enforced through a deed restriction. Apart from providing the minimum required affordable housing, the municipality must ensure diversity in the level of affordability and diversity in the size of affordable units.

Municipal participation in this process is voluntary. However, municipalities that do not participate may be vulnerable to exclusionary zoning litigation, and builder's remedy lawsuits. A builder's remedy is a litigation tool that grants a developer the right to construct what is typically a multi-family development on land that was not zoned to permit the use or the residential density desired by the developer, provided a "substantial" percentage of the units are reserved for low- and moderate-income households. River Vale has always complied with and will continue to fulfill its constitutional obligation to provide affordable housing.

New Jersey's Affordable Housing History

In its landmark 1975 decision, now referred to as "Mount Laurel I," the NJ Supreme Court ruled that developing municipalities have a constitutional obligation to provide variety and choice of housing types affordable to low- and moderate-income households. In its 1983 "Mount Laurel II" decision, the NJ Supreme Court extended the regional fair share obligation to all municipalities with any "growth area" as designated in the State Development Guide Plan (NJDC 1978) and determined that each municipality would have to establish its fair share obligation and provide zoning strategies to create a realistic opportunity for fulfillment of the fair share obligation.

In 1985, the Legislature enacted the Fair Housing Act in response to Mount Laurel II. The Fair Housing Act created the Council on Affordable Housing (COAH) as an administrative alternative to compliance in a court proceeding. The Legislature conferred "primary jurisdiction" on COAH and charged COAH with promulgating regulations to establish housing regions, to estimate the state's low- and moderate-income

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housing needs, set criteria and guidelines for municipalities to determine and satisfy their affordable housing obligation, and to create a process for the review and approval of appropriate housing elements and fair share plans. Approval of a municipal housing element and fair share plan by COAH was referred to as “substantive certification” and it provided protection from builder’s remedy litigation during the period which the housing element and fair share plan addresses (i.e. the round).

The table below summarizes the timeline of each affordable housing “round” in New Jersey.

Table 1: Affordable Housing Timeline		
Round (Release Date)	Period	Summary
Round 1 (1987)	1987 - 1993	COAH calculated affordable housing obligation for each NJ municipality
Round 2 (1994)	1993 - 1999	COAH calculated affordable housing obligation for each NJ municipality
Round 3 (2004)	Invalidated 2007	COAH introduced the “growth share” approach for calculating municipal obligations
Round 3 (2008)	Invalidated 2010, 2013	COAH revised the “growth share” methodology
Round 3 (2014)	Unadopted	COAH calculated affordable housing obligations for each NJ municipality based on Round 1 & Round 2 methodologies.
Round 3 (2015)	2015 - 2025	NJ Supreme Court declared COAH “moribund;” ordered Superior Courts to resume oversight of municipal compliance with FHA; and ordered municipalities to rely on Prior Round Rules to prepare their HEFSPs.
Round 4	2025-2035	A4/S50 was signed on March 20, 2024, amending the fair housing act. This amendment eliminated COAH and created new processes/calculations for Round 4.

COAH created the criteria and guidelines for municipalities to determine and address their respective affordable housing obligations. COAH originally established a formula for determining municipal affordable housing obligation for the six-year period between 1987 and 1993 (*N.J.A.C. 5:92-1 et seq.*), which became known as the “first round.” These rules established the first-round rehabilitation obligation (also referred to as the “present need”) and the first-round new construction obligation.

The first-round formula was superseded by COAH regulations in 1994 (*N.J.A.C. 5:93-1.1 et seq.*). The 1994 regulations recalculated a portion of the first round 1987-1993 affordable housing obligations for each municipality and computed the additional municipal affordable housing need from 1993 to 1999 using 1990 U.S. Census data. The regulations COAH adopted in 1994 to identify a municipality’s “cumulative” obligations for the first and second rounds are known as “the second round” regulations. The obligation of municipalities to create new affordable housing for the first and second rounds was referred to as the “prior round” obligation in the subsequent third round regulations.

On December 20, 2004, COAH’s first version of the third-round rules became effective some five years after the end of the second round in 1999. At that time, the third round was defined as the time from 1999 to 2014 but condensed into an affordable housing delivery period from January 1, 2004, through January 1, 2014. The third-round rules marked a significant departure from the methods utilized in COAH’s earlier rounds by creating a “growth share” approach that linked the production of affordable housing to residential and non-residential development within a municipality.

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The growth share approach and the rules in which it was created were subject to significant litigation and ultimately overturned by the New Jersey Appellate Court. On January 25, 2007, the New Jersey Appellate Court decision, *In re Adoption of N.J.A.C. 5:94 and 5:95*, 390 N.J. Super. 1, invalidated key elements of the first version of the third-round rules, including the growth share approach. COAH issued revised rules on June 2, 2008 (as well as a further rule revision effective on October 20, 2008). Included in the 2008 rules was a recalculation of the cumulative first and second rounds obligation to account for updated data addressing secondary sources (filtering, demolitions, and residential conversions). Just as various parties challenged COAH's initial third round regulations, parties challenged COAH's 2008 revised third round rules. On October 8, 2010, the Appellate Division issued its decision, *In re Adoption of N.J.A.C. 5:96 and 5:97*, 416 N.J. Super. 462, with respect to the challenge to the second iteration of COAH's third round regulations. The Appellate Division upheld the COAH regulations that assigned rehabilitation and first and second rounds obligations to each municipality but invalidated the regulations by which the agency assigned housing obligations in the third round, finding that the Agency continued to utilize growth share approach, albeit an amended approach.

COAH sought a stay from the NJ Supreme Court of the deadline to issue new third round housing rules set forth by the Appellate Division. Additionally, there were various challenges to the Appellate Division's 2010 decision. On September 26, 2013, the NJ Supreme Court upheld the Appellate Court decision in *In re Adoption of N.J.A.C. 5:96 and 5:97 by New Jersey Council On Affordable Housing*, 215 N.J. 578 (2013), and ordered COAH to prepare the necessary rules. Subsequent delays in COAH's rule preparation and ensuing litigation led to the NJ Supreme Court, on March 14, 2014, setting forth a schedule for adoption. Although ordered by the NJ Supreme Court to adopt revised new rules on or before October 22, 2014, COAH deadlocked 3-3 at its meeting on October 20, 2014, and failed to adopt the draft rules it had issued on April 30, 2014. In response, Fair Share Housing Center (hereinafter "FSHC") filed a motion in aid of litigant's rights with the NJ Supreme Court.

On March 10, 2015, ("the March 10 Decision") in the *Matter of Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing*, 221 N.J. 1 (2015), the Supreme Court declared COAH "moribund" and ordered the courts to provide a judicial remedy due to COAH's failure. The March 10th Decision stipulated that municipalities may initiate declaratory judgment actions and seek approval of their housing element and fair share plans through the courts.

The Supreme Court ordered that affordable housing obligations for municipalities be determined on a court-by-court basis using the methodologies from the First and Second Round rules pursuant to N.J.A.C. 5:91 and N.J.A.C. 5:93. The Court held that:

"In establishing a process by which towns can have their housing plans reviewed by the courts for constitutional compliance, the Court's goal is to provide a means by which towns can demonstrate compliance through submission of a housing plan and use of processes similar to those which would have been available through COAH for the achievement of substantive certification. The end result is to achieve adoption of a municipal housing element and implementing ordinances deemed to be presumptively valid if thereafter subjected to challenge."

In addition to the State agency activity and judicial decisions through 2015, the New Jersey Legislature amended the Fair Housing Act in 2008 (P.L. 2008, c. 46, often referred to as the "Roberts Bill", or "A500"). This amendment established a statewide 2.5% nonresidential development fee, prohibited new regional contribution agreements ("RCAs"), required that 13% of all new affordable housing units be restricted to very low-income households (30% of median income), and added a requirement that municipalities had to commit to spend development fees within four (4) years of the date of collection.

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Additionally, the Fair Housing Act was amended in 2013 (P.L. 2013, c. 6) to permit municipalities to enter into an agreement with a developer or development owner to provide a preference for veterans who served in time of war or other emergency to occupy up to 50% of the affordable units in a particular development. The preference is applicable to the first 90 of the 120 days of initial marketing and thereafter may on a special waiting list for future available affordable units in the development. These amendments to the Fair Housing Act are not promulgated in any valid COAH regulations.

On March 30, 2024, Governor Phil Murphy signed the bill known as A4/S50 into law (P.L. 2024, c.2) which amended the Fair Housing Act to eliminate COAH and to create new processes to determine and satisfy the housing obligations for the Fourth Round of Affordable Housing. The Fourth Round is set for the period beginning on July 1, 2025, and terminating on June 30, 2035.

As part of the new process, the New Jersey Department of Community Affairs (DCA) was tasked with determining the affordable housing obligation for each municipality by October 20, 2024. Municipalities were required to declare their affordable housing obligation by binding resolution by Jan 31, 2025, and to adopt their HEFSP by June 30, 2025, along with draft implementing ordinances, adopted resolutions, and other supporting documents. Final ordinances must be adopted by March 15, 2026.

The bill also created a new body called the Affordable Housing Dispute Resolution Program which is responsible for reviewing plans for consistency with the Fair Housing Act and handling challenges to municipalities' stated housing obligations or to their affordable housing plans.

Overall, this amendment created significant changes to the fourth round of affordable housing, and all the subsequent rounds. Such changes include the process in which municipalities obtain protection from builder's remedy litigation – including but not limited to the elimination of COAH and the creation of the Affordable Housing Dispute Resolution Program, the methodology to calculate municipal prospective need obligations, and the administration of affordable housing units. However, the Fair Housing Act does not create or direct the creation of new rules that would provide further guidance, instead it states municipalities shall rely on rules adopted by COAH, unless contradicted by statute or binding court decisions, for municipal crediting, adjustments and compliance strategies. One notable example of contradiction is the generation of and use of bonus credits.

Municipal History of Affordable Housing Compliance

The following section provides an overview of the Township's compliance with each iteration of the prior rounds. This is summarized in Table 2, below.

First Round (1987-1993)

The Township of River Vale petitioned for first round substantive certification on October 30, 1992, where the Township failed to perfect their Fair Share Plan for the "First Round," covering the years 1987-1993 and therefore, did not receive substantive certification.

Second Round (1993-1999)

On February 27, 1995, the Township adopted a "Second Round" HEFSP, covering the years 1993-1999 and on March 1, 1995, the Township filed a petition with COAH for Second Round Substantive Certification. The Township received Second Round Substantive Certification from COAH on January 10, 1996. COAH extended River Vale's Second Round Certification until July 27, 2005.

Third Round (1999-2025)

As mentioned in the prior section, on December 20, 2004, COAH's first version of the third-round rules became effective. The Township did not participate in the first iteration. In 2007, these rules were

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challenged and subsequently invalidated by the New Jersey Appellate Court. All such Third-Round petitions were considered void. COAH's new Third Round rules took effect on June 2, 2008, and were amended on September 22, 2008. The Township prepared and adopted a Third Round HEFSP on December 15, 2008, in compliance with the new rules, which were to cover the period between 1999-2018. The COAH Task Force proposed a waiver for the Township on December 15, 2008, with conditions, where on December 18, 2008, the Township completed those conditions and petitioned COAH for Third Round Substantive Certification. COAH issued a letter dated November 16, 2009, stating that the Township had met the conditions. There was one objection received by COAH during the 45-day objection period, which ended on April 17, 2009. No agreement had been reached at the end of the third mediation session on October 6, 2009. After an amended development fee ordinance and an approved spending plan, the Township of River Vale was certified on March 10, 2010, for COAH's Third Round Rules. Thus, the Township was among the few municipalities in the State that had a certified Third Round Plan during the second version of the third-round regulations.

As mentioned in the prior section, the Supreme Court held that due to COAH's failure to adopt appropriate regulations, the administrative process has been "dissolved", and designed a transitional process whereby the municipalities could seek judicial approval of their affordable housing plans. In accordance with this decision, the Township of River Vale submitted its plan to the Superior Court of New Jersey Law Division, Bergen County, Docket No. BER-L-6277-15 In the Matter of the Application of the Township of River Vale for a Determination of Mount Laurel Compliance. The Township executed a Settlement Agreement with the Court and Fair Share Housing Center on September 8, 2017, in declaratory judgement proceedings. River Vale attended the Compliance and Fairness Hearing held on May 9, 2019, in which the Township received a "Conditional Order of Compliance and Repose" of its Settlement Agreement and HEFSP on June 12, 2019. The Township adopted the Third Round Housing Element and Fair Share Plan on December 18, 2019, which was endorsed by the Council on January 13, 2020. The Plan received a Judgment of Compliance and Repose on September 25, 2020. The fourth-round regulations require examining the prior round compliance, which is described in detail in this document.

Table 2: Affordable Housing Compliance for Prior Rounds		
Round (Release Date)	Period	River Vale Participation
Round 1 (1987) "First Round"	1987-1993	Was not certified
Round 2 (1994) "Second Round"	1993-1999	Certified: 1/10/1996 & Extended: 1/7/2001 Expiration Date: 7/27/2005
Round 3 (2004) "Third Round"	Invalidated 2007	Did not participate
Round 3 (2008) "Third Round, Revised Rules"	Invalidated 2010, 2013	Petitioned: December 2008 Certified: 3/10/2010
Round 3 (2014)	Unadopted	--
Round 3 (2015)	1999-2025	Judgment of Compliance and Repose: 9/25/2020

Fourth Round Compliance Process

The first step in a municipality's compliance process is to establish the affordable housing obligation. The first, second and third round obligations are already established by COAH or Superior Court, as applicable. Only the rehabilitation obligation and current prospective need, the fourth-round obligation, are subject to determination.

The methodology and formulas each municipality must rely upon to determine its rehabilitation, and fourth round obligation (as well as subsequent round obligations) are set forth within *N.J.S.A. 52:27D-304.1* thru *-304.3* of the Fair Housing Act. The March 8, 2018, unpublished decision of the Superior Court, Law Division, Mercer County, in re Application of Municipality of Princeton ("Jacobson Decision") is also to be referenced as to datasets and methodologies that are not explicitly addressed in *N.J.S.A. 52:27D-304.3*. Notwithstanding the methodology set forth in the Fair Housing Act, the Act also required the DCA to release a non-binding report calculating obligations for each municipality in the State.

The following provides an overview of the process, and the deadlines established for the fourth-round compliance:

Establishing the Affordable Housing Obligation

- October 20, 2024: DCA Regional and Municipal Fair Share Obligation Report Issued.
- January 31, 2025: Deadline for municipalities to adopt a binding committing to the affordable housing obligation and seeking a Compliance Certification through participation in the Program.

The Township adopted Resolution 2025-68 on January 27, 2025, committing to the "present need" but seeking a deviation from the DCA's calculation of the prospective need of 195 units to 147 units as per the Township's planner's report.

- February 28, 2025: Deadline for an interested party to challenge the municipality's determination of its obligation to the Program. It shall apply "an objective assessment standard."

A challenge to the Township's calculations was filed by the New Jersey Builders Association and interested party Incandescent Development, LLC.

- March 1, 2025: The municipality's determination of its obligation will be established by default if no challenge.
- March 31, 2025: The Program must issue a decision on the obligation challenge.

*A settlement conference was conducted with the participation of the Township's local official, Township Administrator, Township's Affordable Housing Planner, and Township Attorney. Prior to this, extensive settlement negotiations were engaged in before, during and after the settlement conference. As per the Settlement Agreement the Township's prospective need was established at 179 units. The order is included herein in **Appendix A**.*

Affordable Housing Compliance Certification

- June 30, 2025: Municipality shall adopt a Housing Plan and propose drafts of ordinances and resolutions to implement the plan. If a municipality does not adopt a Housing Element and Fair Share Plan by June 30, 2025, the Rules of Court may permit the Program or County Level Judge to allow the municipality to secure a grace period. *If a municipality does not adopt a Housing Plan by June 30, 2025, and does not secure a grace period, the municipality will have its immunity immediately stripped.*

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- August 31, 2025: Deadline for an interested party to file a challenge of the Housing Plan with the Program. If no challenge by this date the Program will begin review of the Housing Plan for consistency with the FHA.
- December 31, 2025: Deadline for a municipality to settle any challenge or provide an explanation as to why it will not make all, or some of the changes brought by the challenge.
- March 15, 2026: Municipality to amend the Housing Plan and implement the agreed upon revisions resulting from a challenge and adopt all pertinent ordinances. The Housing Plan and adopted ordinances shall be immediately filed with the Program.

Ongoing Compliance

Midpoint (2030): Action by municipality or interested party filed to seek a realistic opportunity review of any developments that have not moved forward.

REQUIRED CONTENT OF A HOUSING ELEMENT & FAIR SHARE PLAN

In accordance with the Fair Housing Act, N.J.S.A. 52:27D-310 et seq, a municipality's housing element shall be designed to achieve the goal of access to affordable housing to meet present and prospective housing needs, with particular attention to low- and moderate-income housing. The housing element shall include the municipality's strategy for addressing its present and prospective housing needs and shall contain the following:

1. 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;
2. 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;
3. An analysis of the municipality's demographic characteristics, including but not necessarily limited to household size, income level, and age;
4. An analysis of the existing and probable future employment characteristics of the municipality;
5. 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;
6. A consideration of the lands that are most appropriate for construction of low- and moderate-income housing and 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.
7. An analysis of the extent to which municipal ordinances and other local factor advance or detract from the goal of preserving multigenerational family continuity as expressed in the recommendations of the Multigenerational Family Housing Continuity Commission;
8. For a municipality located within the jurisdiction of the Highlands Water Protection and Planning Council, established pursuant to section 4 of P.L.2004, c.120 (C.13:20-4), an analysis of compliance of the housing element with the Highlands Regional Master Plan of lands in the Highlands Preservation Area, and lands in the Highlands Planning Area for Highlands conforming municipalities. This analysis shall include consideration of the municipality's most recent Highlands Municipal Build Out Report, consideration of opportunities for redevelopment of existing developed lands into inclusionary or 100 percent affordable housing, or both, and opportunities for 100 percent affordable housing in both the Highlands Planning Area and Highlands Preservation Area that are consistent with the Highlands regional master plan; and
9. 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.

DEMOGRAPHIC, ECONOMIC & HOUSING CONDITIONS

This document includes the essential components of a housing element as specified in N.J.S.A. 52:27D-310 of the New Jersey Fair Housing Act.

Municipal Demographic Conditions

The following discussion of municipal demographic conditions relies on the latest available Census data at the time of this report, and other sources of data, where available. The analysis uses the 2020 Decennial Census data in some cases; where possible, however, newer data from the 5-Year 2023 American Community Survey (ACS) was used.

Historic & Projected Population

Between 1950 and 1970, the population of River Vale grew rapidly, followed by a period of slow growth and then a period of slight decline. In more recent decades, the population has grown at a slow but steady rate. The greatest growth occurred between 1950 and 1980, when the Township's population more than quadrupled from 1,699 residents in 1950 to 9,489 residents in 1980. More specifically, the population grew by 230.6% between 1950 and 1960. Furthermore, between 1960 and 1970, the population grew by 58.2% and grew by another 6.8% between 1970 and 1980. After 1980, growth in the Township slowed significantly. Between 1980 and 1990, the Township lost about 0.8% of its population, or 79 residents. The Township's population began to rise again in the following decade, with a small increase of 0.4% by 1990. The population continued to grow, albeit very slowly, with increases of 2.2% and 3.6% by 2010 and 2020, respectively. While the 2020 Decennial Census reported the Township's population at 9,909 residents, the 2023 5-year ACS dataset estimates the Township's population to be about 10,002 residents.

Table 3: Population Growth			
Year	Population	Change	Percent Change
1950	1,699	--	--
1960	5,616	3,917	230.6%
1970	8,883	3,267	58.2%
1980	9,489	606	6.8%
1990	9,410	-79	-0.8%
2000	9,449	39	0.4%
2010	9,659	210	2.2%
2020	9,909	250	2.6%

Source: New Jersey State Data Center, US Decennial Census

Table 4: Population Forecasts			
Year	Population	Change	Percent Change
2000	9,449	--	--
2015	9,742	293	3.1%
2050	10,728	986	10.1%

Source: NJTPA Population Forecast by County and Municipality 2050

The North Jersey Transportation Authority (NJTPA) forecasts in its “2050 Regional Transportation Plan” that River Vale Township will continue to grow, gaining approximately 28.2 residents per year, between 2015 and 2050.

Age Distribution of Population

The median age of the River Vale residents is 44.6 years old (2023 5-Year ACS), which is 2.5 years older than the median age of residents in Bergen County at 42.1 years-old and is 4.5 years older than the State median age at 40.1 years old. River Vale's median age has increased by 1.9 years since 2010 when the median age was 42.7 years old. Since 2010, the median ages of the County and the State have increased as well. The median age of the County increased by 1.3 years from 40.8 years old in 2010 and the median age of the State increased by 1.6 years from 38.5 years old in 2010. The aging population trend in River Vale is similar to aging demographics at the County and State level.

As per the 2010 and 2020 American Community Survey data, presented in Table 5 below, the increase in the median age of the Township may be attributed to a decline in the children under nine years-old and adults within the 35-44 age cohort. Children under nine-years old comprised 15% of the population in 2010 and 10.6% of the population in 2020, which is a 15% decline. Adults in the 35-44 age cohort were 16.3% of the population in 2010 but declined to 9.4% of the population in 2020—a decline of 39.5%. Notably, the highest growth rates between 2010 and 2020 were seen in age cohorts 10-14, 15-19, and 20-24, which each grew 56.9%, 24.8%, and 28.3% respectively. However, these populations comprised a combined total of 23.8% of River Vale's population in 2020. In 2010, these age-cohorts combined comprised 18% of River Vale's population. Compare this to the 45-54 age-cohort, 55-64 age cohort, and the over 65 age cohort which grew more slowly and increased by 13.8%, 21.5%, and 15.7%, respectively. These cohorts over the age of 45 comprise 50% of the population in 2020 whereas they comprised 45.1% of the population in 2010.

It can be inferred from the data that in 2020, older adults and seniors have become a larger share of the population since 2010. The Township appears to retain older residents who are “aging in place” or are moving to the Township. Additionally, there appears to be an outmigration of young children under nine years old and family-age adults between 35 years-old and 44 years-old, even though all other age-cohorts have grown in the last decade. These factors align with a prevailing national trend of aging populations where older adults and seniors are increasingly representing larger shares of the total population.

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Table 5: Population by Age Cohort					
Age	2010		2020		Change (%)
	Total	Percent	Total	Percent	
Under 5	594	6.2%	386	3.9%	-35%
5-9	840	8.8%	672	6.7%	-20%
10-14	698	7.3%	1,095	10.9%	56.9%
15-19	544	5.7%	679	6.8%	24.8%
20-24	474	5.0%	608	6.1%	28.3%
25-34	547	5.7%	576	5.8%	5.3%
35-44	1,561	16.3%	945	9.4%	-39.5%
45-54	1,501	15.7%	1,708	17.1%	13.8%
55-64	1,299	13.6%	1,578	15.7%	21.5%
65 & over	1,517	15.8%	1,755	17.5%	15.7%
Source: US Census Bureau, DP05 Profile of General Demographic Characteristics 2010 and 2020					

Educational Attainment

River Vale is a highly educated township in a well-educated County. Of all residents that are 25 years of age or older, 35.8% have earned at least a bachelor's degree and 33.5% have earned a graduate or professional degree. This is higher than the County with 31.3% of Bergen residents of at least 25 years of age earning their bachelor's degree and 21.3% possessing a graduate degree or professional degree. In the Township, less than 2% have not earned their high school diploma as compared to 7.1% in the County.

Table 6: Educational Attainment		
Highest Level of Education	River Vale	Bergen County
Less than 9 th Grade	1.3%	4.0%
9 th to 12 th Grade, no diploma	0.3%	3.1%
High school graduate (includes equivalency)	12.0%	20.1%
Some college, no degree	12.7%	13.5%
Associate's degree	4.4%	6.7%
Bachelor's degree	35.8%	31.3%
Graduate or professional degree	33.5%	21.3%
High school or higher	98.4%	92.9%
Bachelor's degree or higher	69.3%	52.6%
Source: US Census Bureau, ACS, 2023 5-Year Estimates, S1501 Educational Attainment		

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Race and Hispanic Origin

Table 7: Persons by Race and Hispanic Origin						
	River Vale		Percent Change (2010-2020)	Bergen County		Percent Change (2010-2020)
	2020	Percent		2020	Percent	
White	8,802	88%	6%	642,742	69%	-4%
Black or African American	51	0.5%	6%	54,347	5.8%	10%
American Indian and Alaska Native	20	0.2%	-	1,904	0.2%	78%
Asian	827	8.3%	6%	153,970	16.5%	21%
Native Hawaiian and Other Pacific Islander	0	0%	-	314	0%	583%
Other	62	0.6%	-82%	29,561	3.2%	-17%
Two or More Races	240	2.4%	-35%	48,437	5.2%	212%
Total	10,002	100%	-	931,275	100%	-
Hispanic or Latino (any race)	446	4.5%	-4%	189,827	20.4%	41%

Source: DP05, ACS Demographic and Housing Estimates, 2010 and 2020

In 2020, the Township is slightly less diverse than it was in 2010 as illustrated in Table 7. In 2020, 88% of the population was White, which is about 6% greater than 2010, when 86.6% of the population identified as White. The Township is less diverse when compared to the County, where 69% of residents identified as White in 2020. Persons who identified as Black or African American descent, Asian, other races, and two or more races make up a greater share of Bergen County's population at 30.9% than the Township at 12%. Furthermore, the county-wide Hispanic/Latino population (20.4%) is more than quadruple that of the Township's population (4.5%).

Income and Poverty Status

Median household income, median family income, and median non-family income are measures of the "middle income value" in an ordered list of each group's income values. Non-Family Incomes are those values that represent a householder either living alone or with non-relatives only, whereas a Family Income are those values that represent householders living with one or more individuals related to him by either birth, marriage, or adoption. The Median Household Income is a value represented by the household, regardless of whether it is a family or non-family household. Per Capita Income is determined by dividing the aggregate income of the Township's residents by its total population.

According to the 2023 5-Year ACS, the median household income for River Vale residents is \$199,021. This is approximately \$82,312 higher than the median household income of the County at \$116,709, and \$99,240 higher than that of the State at \$99,781. Table 8 below presents income statistics for River Vale as per the 2023 5-Year ACS.

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The Office of Management and Budget (OMB) sets poverty thresholds at a dollar value, which represents the poverty line and varies by family size and composition.¹ If a family's total income is less than the appropriate threshold, then that family and every individual in it is considered to be "in poverty." According to the OMB, approximately 2.7% of residents and 1.6% of families in River Vale are below the poverty line.

Table 8: Median Income Characteristics

Income Type	River Vale	Bergen County	New Jersey
Median Household Income	\$199,021	\$116,709	\$99,781
Median Non-Family Income	\$66,250	\$63,194	\$58,033
Median Family Income	\$221,250	\$143,812	\$121,944
Per Capita Income	\$82,773	\$62,627	\$52,583
Poverty Status (% of people)	2.7%	6.6%	9.7%
Poverty Status (% of families)	1.6%	5.1%	7.1%
Poverty Status (% of children under 18)	1.2%	6.9%	12.9%

Source: US Census Bureau, ACS, 2023 5-Year Estimates, DP03 Selected Economic Characteristics

Table 9: Household Income

	River Vale		Bergen County		New Jersey	
	Total	Percent	Total	Percent	Total	Percent
Less than \$10,000	29	0.8%	12,797	3.6%	152,706	4.3%
\$10,000 to \$14,999	80	2.3%	8070	2.3%	97,568	2.8%
\$15,000 to \$24,999	72	2.0%	14,535	4.1%	179,019	5.1%
\$25,000 to \$34,999	60	1.7%	14,130	4.0%	183,144	5.2%
\$35,000 to \$49,999	140	4.0%	23,269	6.5%	281,135	7.9%
\$50,000 to \$74,999	281	8.0%	40,490	11.4%	466,624	13.2%
\$75,000 to \$99,999	124	3.5%	39,024	10.9%	412,151	11.4%
\$100,000 to \$149,999	517	14.7%	64,723	18.2%	639,081	18.1%
\$150,000 to \$199,999	481	13.7%	43,192	12.1%	403,415	11.4%
\$200,000 or more	1,737	49.3%	96,208	27.0%	723,614	20.4%

Source: US Census Bureau, ACS, 2023 5-Year Estimates, DP03 Selected Economic Characteristics

¹ Office of Management and Budget determines poverty thresholds specified by the Statistical Policy Directive 14. Poverty thresholds are determined by multiplying the base-year poverty thresholds (1982) by the monthly inflation factor based on the 12 monthly Consumer Price Index (CPI)s and base year CPI. Poverty Thresholds do not vary geographically.

Municipal Employment Characteristics

The following discussion of the municipal employment characteristics relies on Census 2020 data and more current 5-Year 2023 American Community Survey data where possible, as well as NJ Department of Labor and Workforce Development data and other sources.

Historic and Projected Employment

The unemployment rate in River Vale Township in the last 20 years has fluctuated but has responded to events that impacted the broader economy such as the 2008 Great Recession and the Covid-19 Pandemic. In the years leading up to the 2008 Great Recession, River Vale Township experienced an unemployment rate between 2.4% and 2.6%. Once the recession began, unemployment rose rapidly and peaked at 8.4% in 2010. This is a similar unemployment rate to Bergen County at 8.1% but lower than the State at 9.7%. In the decade afterward, unemployment steadily declined and reached 2.4% in 2019, which was the lowest unemployment rate since 2008. In 2020, the Covid-19 Pandemic led to the implementation of “lockdowns” and stringent safety protocols which resulted in a sudden increase of unemployment across the nation. The unemployment rate in River Vale tripled to 7.8% within the span of a year. Although the unemployment rate in 2020 was very high, it was lower when compared to the County and State which had unemployment rates of 9.2% and 9.4%, respectively. By 2021, corresponding with the end of Covid-19 lockdowns and the relaxation of safety protocols, unemployment fell to 5.8%. In recent years, unemployment rates have decreased and was reported as 3.5% in 2023 — nearing pre-pandemic rates.

Table 10: Annual Average Unemployment Rate			
Year	River Vale	Bergen County	New Jersey
2004	2.4	4.1	4.9
2005	2.2	3.7	4.4
2006	2.3	3.9	4.6
2007	2.0	3.4	4.2
2008	2.6	4.4	5.4
2009	4.7	7.8	9.0
2010	8.4	8.1	9.7
2011	8.1	7.7	9.4
2012	6.8	7.7	9.4
2013	6.1	6.8	8.4
2014	4.3	5.4	6.7
2015	4.1	4.6	5.7
2016	3.8	4.1	4.9
2017	3.4	3.8	4.5
2018	2.9	3.3	4.0
2019	2.4	2.8	3.5
2020	7.8	9.2	9.4
2021	5.8	6.3	6.7
2022	3.2	3.5	3.9
2023	3.5	3.9	4.4

Source: New Jersey Department of Labor and Workforce Development, Labor Force Estimates

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The North Jersey Transportation Authority (NJTPA) forecasts in its “2050 Regional Transportation Plan” that employment will increase by approximately 542 employees or 19.2% over the 35-year period between 2015 and 2050. Without redevelopment or business expansion taking place in the Township, it is not clear how the Township would meet this forecast of adding 15.5 new employees per year.

Table 11: Employment Forecast			
Year	Employment	Change	Percent Change
2015	2,828	--	--
2050	3,370	542	19.2%

Source: NJTPA Population Forecast by County and Municipality 2015-2050

Occupational Characteristics

According to the 5-Year 2023 American Community Survey, 66.4% of workforce-eligible residents (16 years and over) are in the labor force, with most being private wage/salary workers. Around 6% of residents identify as “self-employed.”

Township residents work in the industries listed in the tables below. Almost a quarter of residents (21.7%) are employed in the educational services/health care/social assistance industries, the largest industry employment sector for Township residents. The next largest sectors that employ Township residents include professional, scientific, management, administrative and waste management services (19.7%) and finance, insurance, real estate, rental, and leasing (12.6%). Overall, 67.1% of the population are engaged in management, business, science, and arts occupations.

Table 12: Labor Force		
	Number	Percent
In the Labor Force	5,249	66.4%
Not in the Labor Force	2,654	33.6%
Total Population (age 16+)	7,903	100%

Source: US Census Bureau, American Community Survey, 2023 5-Year Estimates, Selected Economic Characteristics

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Table 13: Class of Worker

	Number	Percent
Private wage and salary workers	3,964	79.8%
Government workers	709	14.3%
Self-employed	297	6%
Unpaid family workers	0	0%
Armed Forces	61	0.8%
Unemployed	218	2.8%
Total Labor Force	4,970	100%

Source: US Census Bureau, American Community Survey, 2023 5-Year Estimates, Selected Economic Characteristics

Table 14: Employment by Industry Sector (Age 16+)

Industry	Number	Percent
Agriculture, forestry, fishing and hunting, and mining	0	0%
Construction	278	5.6%
Manufacturing	409	8.2%
Wholesale trade	201	4.0%
Retail trade	395	7.9%
Transportation and warehousing, and utilities	118	2.4%
Information	182	3.7%
Finance and insurance, and real estate and rental and leasing	626	12.6%
Professional, scientific, and management, and administrative and waste management services	980	19.7%
Educational services, and health care and social assistance	1,078	21.7%
Arts, entertainment, and recreation, and accommodation and food services	267	5.4%
Other services, except public administration	153	3.1%
Public administration	283	5.7%
Total Civilian Employed Population	4,970	100%

Source: US Census Bureau, American Community Survey, 2023 5-Year Estimates, Selected Economic Characteristics

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Table 15: Employment by Occupation (Age 16+)

	Number	Percent
Management, business, science, and arts occupations	3,334	67.1%
Service occupations	450	9.1%
Sales and office occupations	764	15.4%
Natural resources, construction, and maintenance occupations	134	2.7%
Production, transportation, and material moving occupations	288	5.8%
<i>Source: US Census Bureau, American Community Survey, 2023 5-Year Estimates, Selected Economic Characteristics</i>		

In-Place Employment by Industry

According to NJDLWFD data for 2023, there are approximately 211 businesses in River Vale Township that employ nearly 1,200 employees. Health care/social services and accommodations/food provide the most private sector jobs. Industries without data in the below table do not meet publication standards and were therefore suppressed by NJDLWFD, including employment data for agriculture, manufacturing, management, education, and arts/entertainment.

Table 16: Employment by Industry Sector and Number of Employees (2023)

Industry	Establishment		Employment		Annual Wages
	Total	Percent	Total	Percent	
Agriculture	-	-	-	-	-
Construction	16	7.6%	44	3.7%	\$66,829
Manufacturing	-	-	-	-	-
Wholesale Trade	10	4.7%	40	3.4%	\$52,653
Retail Trade	19	9.0%	89	7.5%	\$32,403
Transportation/Warehousing	4	1.9%	19	1.6%	\$75,286
Information	4	1.9%	6	0.5%	\$84,507
Finance/Insurance	7	3.3%	29	2.4%	\$32,282
Real Estate	11	5.2%	20	1.7%	\$58,502
Professional/Technical	27	12.8%	45	3.8%	\$94,926
Management	-	-	-	-	-
Admin/Waste Remediation	20	9.5%	137	11.5%	\$53,326
Education	-	-	-	-	-
Health/Social	34	16.1%	273	23.0%	\$43,877
Arts/Entertainment	-	-	-	-	-
Accommodations/Food	18	8.5%	150	12.6%	\$36,283
Other Services	26	12.3%	94	7.9%	\$29,929
Unclassified	9	4.3%	8	0.7%	\$35,137
Private Sector Total	211	-	1,186	-	\$45,887
Local Gov't Education	1	-	181	-	\$83,724
Local Gov't Total	5	-	299	-	\$79,062

Source: NJ Department of Labor and Workforce Development, Employment and Wages, 2023 Annual Report

Travel Time to Work

Commuting times for the Township's workforce residents are shown in the below table. Approximately 47% of residents commute between 15 and 44 minutes, while 30.9% travel more than 45 minutes to get to their

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place of work. Generally, commuting times for River Vale residents are comparable to those of Bergen County and all of New Jersey, except for the share of residents reporting a 90+ minute commute. About 11.2% of River Vale residents commute 90+ minutes which is about 6% higher than the share of residents with the same commute at County-level (4.9%) and State-level (4.7%). Additionally, 0% of the workers in the Township report that their place of work is in the Township.

Table 17: Commute Time				
Commute Time (in minutes)	River Vale Number of Workers	River Vale Percent	Bergen County Percent	New Jersey Percent
Less than 5	120	3.3%	2.1%	2.1%
5 to 14	669	18.5%	19.9%	19.3%
15 to 29	1,110	30.6%	30.5%	32.6%
30 to 44	604	16.7%	19.7%	21.9%
45 to 59	276	7.6%	9.8%	9.9%
60 to 89	437	12.1%	13.2%	9.5%
90+	407	11.2%	4.9%	4.7%
Total	3,623	100.0%	100.00%	100.00%
Source: US Census Bureau, American Community Survey, 2023 5-Year Estimates, Travel Time to Work (B08303)				

Table 18: Place of Work	
	Percent
Work in River Vale	31.2%
Work outside River Vale	68.8%
Total	100.0%
Source: US Census Bureau, American Community Survey, 2023 5-Year Estimates, Commuting Characteristics by Sex, S0801	

Municipal Housing Stock

There are approximately 3,521 households and 3,644 total housing units in River Vale Township, according to the 2023 5-Year ACS data. The following section describes the characteristics of the Township's housing stock and household characteristics.

Household Size & Type

According to 2020 Decennial Census data, the average household size in River Vale Township is 2.81 persons, larger than the 2.66 household size for Bergen County. As seen in Table 19 below, almost half (49.1%) of Township households are one- and two-person households.

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Table 19: Household Size				
Size	River Vale		Bergen County	
	Total	Percent	Total	Percent
1-person	659	18.6%	84,254	24.0%
2-person	1,078	30.5%	102,218	29.1%
3-person	602	17.0%	63,130	18.0%
4-person	790	22.3%	61,107	17.4%
5-person	324	9.2%	26,098	7.4%
6-person	53	1.5%	9,260	2.6%
7+ person	30	0.8%	4,597	1.3%

Source: US Census Bureau, Decennial Census 2020, H9, Household Size

The Census Bureau defines family households as householders living with one or more individuals related by either birth, marriage, or adoption, and non-family households as a householder either living alone or with non-relatives only. As per the 2023 5-Year ACS, family households make up approximately 79.2% of households in River Vale, while non-family households make up 20.8%. Of the Township's family households, 74.3% are married couple households. Approximately 37.7% of households have children under the age of 18 present. Out of all Township households, however, 62.3% of households do not have children present. Most non-family households are householders living alone.

Table 20: Household Size & Type		
	Total	Percent
Family Households		
Married-couple family	2,615	74.3%
With own children under 18 years	1,189	33.8%
Cohabiting Couple Household	66	1.9%
With children of the householder under 18 years	36	1.0%
Male householder, no spouse present	288	8.2%
With own children under 18 years	0	0%
Female householder, no spouse present	552	15.7%
With own children under 18 years	92	2.6%
Total Family Households	3,521	100%
Nonfamily Households		
Householder living alone	620	-
Male householder, no spouse present	230	-
Female householder, no spouse present	390	-

Source: DP02, Selected Social Characteristics, 2023 ACS 5-Year Estimates Data Profiles

As indicated in the table below, single-family, or single unit detached housing is the predominant housing type in River Vale and comprises 76.7% of the total housing stock. This is a greater share of the housing stock when compared to Bergen County, where 51.6% of housing are single unit detached homes. The second largest share of structures in River Vale at 9% are single unit-attached structures, like townhomes. Comparatively, a lower percentage of housing stock, 6.5%, are attached single-unit structures. Other types of multifamily housing (ranging from two-unit structures and 19-unit structures) make up about 6% of the housing stock in River Vale, where there are about 25.1% of units in the county. However, 8.2% of the

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Township's housing structures are buildings of 20 or more units which is lower than the County where 16.6% of housing structures contain 20 or more units.

Approximately 81.4% of the Township's housing stock contains three or more bedrooms, where one- and two-bedroom units make up approximately 17.5% of the Township's housing stock. There are relatively few units in the Township (493) with five or more bedrooms, accounting for only 13.8% of the housing stock.

Table 21: Housing Type by Number of Units in Structure				
Type	River Vale		Bergen County	
	Total	Percent	Total	Percent
1-unit, detached	2,744	76.7%	190,976	51.6%
1-unit, attached	323	9.0%	24,092	6.5%
2 units	59	1.6%	47,014	12.7%
3 or 4 units	75	2.1%	20,082	5.4%
5 to 9 units	13	0.4%	12,938	3.5%
10 to 19 units	69	1.9%	13,131	3.5%
20 or more units	295	8.2%	61,571	16.6%
Mobile home	0	0%	484	0.1%
Boat, RV, van, etc.	0	0%	176	0%

Source: US Census Bureau, ACS, 2023 5-Year Estimates, Selected Housing Characteristics

Table 22: Number of Bedrooms				
Bedrooms	River Vale		Bergen County	
	Total	Percent	Total	Percent
No bedroom	38	1.1%	11,729	3.2%
1 bedroom	328	9.2%	58,264	15.7%
2 bedrooms	297	8.3%	86,749	23.4%
3 bedrooms	1,050	29.3%	113,886	30.7%
4 bedrooms	1,372	38.3%	74,143	20%
5+ bedrooms	493	13.8%	25,693	6.9%

Source: US Census Bureau, ACS, 2023 5-Year Estimates, Selected Housing Characteristics

Occupancy Status

According to the 2010 5-Year American Community Survey, the Township reported the vacancy rate of renter and owner-occupied housing units in the Township to be 1.4%. In 2020, as per the ACS data, the vacancy rate increased to 5.9% of housing units which was higher than that of the County at 4.7% of housing units.

The percentage of owner-occupied units in River Vale was reported to be 92.9% in 2010 and decreased slightly to 89% in 2020. However, the actual quantity of owner-occupied units in River Vale did not decrease. Instead, owner-occupied units increased from 2,917 units to 3,052 between 2010 and 2020. The quantity of renter-occupied units increased by 155 units from 222 units in 2010 to 377 units in 2020. As such, renter occupied units comprised a larger share of all occupied units in the Township from 7.1% in 2010 to 11% in 2020.

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In the same decade, the average household size by tenure in River Vale decreased from 2.96 in 2010 to 2.9 in 2020, consistent with the national trend of decreasing household sizes. Household sizes for renter-occupied units are much smaller (1.86 persons) than those of owner-occupied units (3.03 persons). Typically, renter-occupied units tend to be smaller and with fewer bedrooms.

Table 23: Household Occupancy and Tenure

	2010		2020	
Occupied Units	3,139	98.6%	3,429	94.1%
Owner-Occupied	2,917	92.9%	3,052	89.0%
Renter-Occupied	222	7.1%	377	11.0%
Vacant Units	44	1.4%	215	5.9%

Source: US Census Bureau ACS 2010 and 2020, DP04 Selected Housing Characteristics

Table 24: Household Size by Tenure

	2010	2020
Avg. Household Size	2.96	2.9
Owner Occupied	3.04	3.03
Renter Occupied	1.98	1.86

Source: U S Census Bureau ACS 2010 and 2020, DP04 Selected Housing Characteristics, DP02 Selected Social Characteristics

Purchase and Rental Value of Housing Stock

Using the 2023 5-Year ACS data, approximately 34.4% of the 337 renters in the Township spend between \$1,000 and \$1,499 on gross rent. Approximately 10.4% of renters spend less than \$1,000 monthly. The median gross rent in River Vale (\$1,898) is higher than the median gross rent of the County (\$1,870). Compared to the median contract rent of all surrounding communities, renters in River Vale tend to pay for lower gross rent (Ridgewood Village \$2,340; Hillsdale Borough \$1,720; Westwood Borough \$2,351; Old Tappan Borough \$3,241; Norwood Borough \$2,446.)

Federal and State standards state that households paying more than 30% of their income for housing are considered to be rent-burdened. According to these standards, rent-burdened households make up 38.2% of the Township's renter households, far less than the percentage of rent-burdened located in the County as a whole (52.7%).

According to the 2023 5-Year ACS estimates, the median value of owner-occupied housing in River Vale is \$98,400 more than the median home value for all of Bergen County. Homes valued between \$300,000 and \$999,999 account for 82.2% of River Vales' owner-occupied housing stock. Homes valued over \$1,000,000 account for 15% of the Township's stock, compared to approximately 13.7% of housing stock in Bergen County.

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Table 25: Gross Rent of Renter-Occupied Housing Units

Gross Rent	River Vale Township		Bergen County	
	Units	Percent	Units	Percent
Less than \$500	35	10.4%	3,595	3%
\$500-\$999	0	0%	6,103	5%
\$1,000-\$1,499	116	34.4%	21,914	18%
\$1,500 or more	186	55.2%	89,848	74%
Total	337	100%	212,460	100%
Median Gross Rent		\$1,898		\$1,870

Source: US Census Bureau, American Community Survey, 2023 5-Year Estimates, Selected Housing Characteristics

Table 26: Renter-Occupied Housing as % of Income

Gross Rent as Percent of Income	River Vale Township		Bergen County	
	Units	Percent	Units	Percent
Less than 15%	82	24.3%	15,399	12.8%
15% to 19.9%	26	7.7%	15,614	13.0%
20% to 24.9%	52	15.4%	12,723	10.6%
25% to 29.9%	48	14.2%	12,928	10.8%
30% to 34.9%	18	5.3%	8,886	7.4%
35% or more	111	32.9%	54,237	45.3%

Source: US Census Bureau, American Community Survey, 2023 5-Year Estimates, Selected Housing Characteristics

Table 27: Value of Owner-Occupied Housing

	River Vale Township		Bergen County	
	Units	Percent	Units	Percent
Less than \$50,000	0	0%	4,098	1.8%
\$50,000 to \$99,999	16	0.5%	2,827	1.2%
\$100,000 to \$149,999	6	0.2%	2,032	0.9%
\$150,000 to \$199,999	10	0.3%	2,309	1%
\$200,000 to \$299,999	56	1.8%	10,304	4.5%
\$300,000 to \$499,999	515	16.3%	54,311	23.5%
\$500,000 to \$999,999	2,080	65.9%	123,522	53.5%
\$1,000,000 or more	474	15%	31,660	13.7%
Median Value		\$713,700		\$615,300

Source: US Census Bureau, American Community Survey, 2023 5-Year Estimates, Selected Housing Characteristics

Condition of Housing Stock

The Census does not compile data on substandard housing. However, COAH's use of three (3) variables collected by the Census Bureau— old and over-crowded units, homes with incomplete plumbing, and homes with incomplete kitchens— have been upheld by the Appellate Division as satisfactory indicators or “proxies” of the amount of substandard housing within a municipality.

Homes considered 'old' are those homes that are at least 50 years old (built prior to 1970 for Census purposes). According to the 2023 5-Year ACS, 1,872 homes, or 52.3% of the Township's housing stock, were built prior to 1970.

COAH's rules state that “overcrowded units” are those with more than one person (1.01 persons) living in a room. Approximately 0.1% of households in River Vale may be considered overcrowded.

The second and third indicators for substandard housing are those units that lack plumbing and kitchen facilities. The 2023 5-Year ACS data indicates that there are 71 units in the Township that lack complete kitchen and plumbing facilities.

Table 28: Year Structure Built		
Built	Structures	Percent
2014 or later	75	2.1%
2010 to 2013	173	4.8%
2000 to 2009	173	4.8%
1990 to 1999	141	3.9%
1980 to 1989	484	13.5%
1970 to 1979	660	18.4%
1960 to 1969	591	16.5%
1950 to 1959	1,045	29.2%
1940 to 1949	77	2.2%
1939 or earlier	159	4.4%
Source: US Census Bureau, American Community Survey 2023 5-Year Estimates, Selected Housing Characteristics		

Table 29: Occupants per Room		
Size	Units	Percent
1.00 or less	3,516	99.9%
1.01 to 1.50	0	0%
1.51 or more	5	0.1%
Total	3,521	100%
Source: US Census Bureau, American Community Survey, 2023 5-Year Estimates, Selected Housing Characteristics		

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Table 30. Condition of Housing Stock		
	Units	Percent
Lack of complete plumbing	22	0.6%
Lack of complete kitchen	49	1.4%
Lack of telephone services	0	0.00%
Total	11	0.60%

Source: US Census Bureau, American Community Survey, 2023 5-Year Estimates, Selected Housing Characteristics

Projection of Housing Stock

The tables below represent River Vales' projection of housing stock, including the probable future construction of low- and moderate-income housing for the next ten years. N.J.S.A. 52:27D-310 requires that a housing element contain such a projection, including the probable future construction of low- and moderate-income housing for the next ten years. This projection considers, but is not limited, to construction permits issued, approvals of applications for development and probable residential development of lands.

Table 31 shows the Township's historic development trends which contains building permit, certificate of occupancy (CO), and demolition data, sourced from the Jersey Construction Reporter made available by New Jersey's Department of Community Affairs' Division of Codes and Standards. According to NJDCA, between 2003 and 2023, 284 residential COs were issued, and 81 demolitions were recorded. Accounting for the 81 demolitions, net development in the Township was 203 units, meaning there was a total gain of 203 housing units or an average gain of 10.2 units per year. Net residential development greatly fluctuated during the two-decade period, peaking in the later aughts, with more demolitions than development in the earlier years. Between 2003 and 2007, there were 20 units of net loss in the Township but between 2008 and 2015 there was a net gain of 43 units. Net development substantially increased in 2016 with a net growth of 54 housing units. Between 2017 and 2021, net development slowed again averaging 2.5 units per year. In 2021, net development began to increase with a total gain of 23 units in 2021, 37 units in 2022, and a peak of 56 units in 2023. This could be attributed to the construction activity associated with the Township implementing its affordable housing plan.

Table 31. Historic Trend of Residential Certificates of Occupancy & Demolition Permits			
	COs Issued	Demolitions	Net Development
2003	0	4	-4
2004	5	11	-6
2005	8	14	-6
2006	10	11	-1
2007	11	14	-3
2008	11	8	3
2009	10	1	9
2010	6	3	3
2011	5	0	5
2012	5	0	5
2013	4	0	4
2014	11	0	11
2015	3	0	3
2016	54	0	54
2017	3	2	1

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2018	4	0	4
2019	4	2	2
2020	7	4	3
2021	28	5	23
2022	37	0	37
2023	58	2	56
Total	284	81	203

Source: "New Jersey Construction Reporter" - New Jersey Department of Community Affairs's Division of Codes and Standards

Due to the built-out nature of the community and the limited available vacant land, it is unlikely that new construction will generate a significant number of new units in the future.

The North Jersey Transportation Authority (NJTPA) forecasts in its "2050 Regional Transportation Plan" that the Township of River Vale will continue to grow, and over the next 27 years, will have an annual gain of about 10.2 households, 29.4 residents, and 20.1 employees. Considering the lack of currently available, unconstrained, vacant land, it is difficult to see how this projected development could take place in the Township.

Table 32: NJTPA 2050 Forecasts			
Year	Number	Change	Percent Change
Population Forecast			
2015	9,742	--	--
2023	9,933	191	2.0%
2050	10,728	795	8.0%
Household Forecast			
2015	3,428	--	--
2023	3,521	93	2.7%
2050	3,797	276	7.8%
Employment Forecast			
2015	2,828	--	--
2050	3,370	542	19.2%
Source: NJTPA Population Forecast by County and Municipality 2015-2050; 2023 ACS 5-year			

HOUSING REGION, REGIONAL INCOME LIMITS AND LMI THRESHOLDS

Housing Regions

The Fourth Round DCA methodology calculated affordable housing obligations for each "housing region," and then assigned fair share obligations to each of New Jersey's 565 municipalities. The Fair Housing Act defines a "Housing Region" as a geographical area established pursuant to subsection b. of section 6 of P.L.2024, c.2 (C.52:27D-304.2). The State of New Jersey is divided into six such geographical areas which are listed below:

1. Region 1 consists of Bergen, Hudson, Passaic, and Sussex counties.
2. Region 2 consists of Essex, Morris, Union, and Warren counties.
3. Region 3 consists of Hunterdon, Middlesex, and Somerset counties.
4. Region 4 consists of Mercer, Monmouth, and Ocean counties.
5. Region 5 consists of Burlington, Camden, and Gloucester counties.
6. Region 6 consists of Atlantic, Cape May, Cumberland, and Salem counties.

The Township of River Vale is located within **Housing Region 1**.

Income Limits

Affordable housing in New Jersey is housing that is rented or sold and occupied by, or reserved for occupancy by, "low and moderate income" (LMI) households. In accordance with the Fair Housing Act and affordable regulations, LMI households are those that have a median gross household income limited to the following:

Table 33: Income Limits	
LMI Type	Household Income Limit:
Moderate Income:	More than 50% but less than 80% of the Region's Median Income
Low Income:	Less than 50% of the Region's Median Income
Very low income:	Less than 30% of the Region's Median Income

The Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.3(d) and (e) require that the maximum rent for a qualified unit be affordable to households with incomes no more than 70% of the median income for the region, provided the development includes 13% or more very low-income units. The average rent must be affordable for households with incomes no greater than 52% of the median income. The maximum sale prices for affordable units must be affordable to households with incomes less than 70% of the median income. The average sale price must be affordable for a household with an income of 55% or less than the median income.

The income limits for River Vale are based on the median income established for Region 1. Historically, COAH has relied on US Department of Housing and Urban Development (HUD) estimates of median income for New Jersey's housing regions. The recent amendment P.L 2024, Chapter 2, has continued to use the HUD estimates to determine income limits for those of moderate incomes, low incomes, and very low incomes. Therefore, the median household income for household sizes 1 through 7+ in Region 1 will

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be determined using the most recent HUD estimates. The following table reflects the 2025 affordable housing regional income limits for Region 1, prepared by the Affordable Housing Professionals of New Jersey (AHPNJ).

Table 34: 2025 Region 1 Income Limits by Household Size					
Household Income	Household Size				
	1-Person	2-Person	3-Person	4-Person	5-Person
Median	\$89,100	\$101,800	\$114,500	\$127,200	\$137,400
Moderate	\$71,280	\$81,440	\$91,600	\$101,760	\$109,920
Low	\$44,550	\$50,900	\$57,250	\$63,600	\$68,700
Very Low	\$26,730	\$30,540	\$34,350	\$38,160	\$41,220

Source: Affordable Housing Professionals of NJ

LMI Monthly Home Costs

Housing costs for LMI households are restricted to a percent of their household's eligible monthly income.

- For home ownership units, the maximum initial purchase price shall be calculated so that the monthly carrying costs (including principal and interest- based on a mortgage equal to 95% of the purchase price and the Federal Reserve H15 rate of interest, taxes, homeowner and private mortgage insurance, and condominium/homeowner association fees) do not exceed 28 percent of an eligible household's income.
- For rental units, the initial rent for a restricted rental unit, including all utilities, shall be calculated so as not to exceed 30 percent of the eligible monthly income of the appropriate household size.

Table 35: 2024 Region 1 Gross Rent Limits			
	1-Bedroom (1.5-bedroom Household)	2-Bedroom (3-Person Household)	3-Bedroom (4.5-Person Household)
Moderate	\$1,355	\$1,626	\$1,878
Low	\$1,129	\$1,355	\$1,565
Very Low	\$677	\$813	\$939

Source: Affordable Housing Professionals of NJ/FSHC 2024 Rent Calculator

AFFORDABLE HOUSING OBLIGATION

As mentioned earlier in this document, on March 20, 2024, Governor Murphy signed P.L.2024, c.2. into law, establishing a new framework for determining and enforcing municipalities' fourth round affordable housing obligations under the New Jersey Supreme Court's Mount Laurel doctrine and the State's Fair Housing Act. In that the legislation requires a housing plan to examine the prior round compliance (first, second, and third rounds), along with the present need or "rehabilitation obligation" and the "prospective need obligation" for the fourth round. The purpose of this section of the Plan is to set forth the Township's approach to satisfying the fourth-round obligation along with noting the prior round compliance.

Prior Round Compliance

The Township of River Vale has a history of fulfilling its affordable housing. More recently, the Township received a "Final Judgement of Compliance and Repose" (JCR) on September 25, 2020. This was issued after a period of negotiation and settlement primarily between the Township and Fair Share Housing Center (FSHC). The HEFSP and settlement agreement set forth the Township's Third Round obligation and identified actions required by the Township to fulfill these obligations.

Table 36. 2020 River Vale HESFP Obligation	
Component	Settled Obligation
Prior Round Obligation (1987-1999)	121
Prospective Obligation (2015-2025)	235
Total Obligation	356

As noted in the above table, the Township's first and second round obligation was 121 units and a third-round obligation of 235 units. The Township did not conduct a vacant land analysis for the first and second round but recognized that the lack of available land continues to be a significant limitation to development opportunity in River Vale and thus conducted a vacant land analysis to address the third-round obligation. The vacant land analysis estimated that the Township had a third-round realistic development potential of (RDP) of 77 units and an unmet need of 158 units. As described in detail in the Fourth Round Fair Share Plan section of this document, the Township has complied with the terms of the JCR and has in fact also produced additional units as described in the fair share plan. The Township reserves the right to apply the additional credits and any eligible bonus credits to the future rounds.

Present Need

A municipality's present need obligation, pursuant to the Fair Housing Act (N.J.S.A. 52:27D-304.3.b.), is determined by estimating the number of existing deficient housing units currently occupied by low- and moderate-income households within the municipality. The DCA calculated this number by using the methodology comparable to that used to determine the third-round present need, using datasets made available through the federal decennial census and the American Community Survey, including the Comprehensive Housing Affordability Strategy dataset.

The DCA calculated municipal present need obligations in *Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background*, released on or about October 18, 2024. This DCA Report calculated a rehabilitation obligation of 49 units for the Township. This obligation was accepted by the

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Township and was assigned to the Township in the May 19, 2025, Order issued by the Honorable Gregg A. Padovano, JSC.

The Township intends to satisfy the present need obligation through measures explained in detail in the Fair Share Plan.

Prospective Need

The DCA assigned River Vale a 195-unit Prospective Need, which is also known as the new construction obligation, reflecting the number of units that must be created or zoned for by 2035. The amended statutes required a municipality to either accept DCA's number or present an analysis of its present and prospective fair share obligation in accordance with the formulas established pursuant to N.J.A.C.52:27D-304.2 and N.J.A.C.52:27D-304.3. H2M, on behalf of the municipality, calculated an adjusted Prospective Need of 147 units. In the analysis conducted, H2M removed land that was inappropriately included in the DCA's calculations for the Land Capacity Factor. This reduced the affordable housing obligations from 195 to 147 units.

In accordance with the requirements of N.J.S.A 52:27D-301, on January 29, 2025, the Township filed a resolution of participation before the Affordable Housing Dispute Resolution Program, to propose that River Vale's Prospective Need obligation be set at 147 units. The Township's resolution was challenged by two interveners, the New Jersey Builders Association (NJBA) and Incandescent Development, LLC, (Incandescent), who filed an objection on February 28, 2025. The intervenors' objection contended that River Vale's Prospective Need should remain at 195 units. To resolve this dispute, all parties engaged in the mediation process provided by the Affordable Housing Dispute Resolution Program and thereafter proceeded to the court hearing process. During the court hearing process, commencing on March 26, 2025, and concluding on March 31, 2025, the Township reached a settlement with the NJBA and Incandescent. The settlement agreement sets River Vale's Fourth Round Prospective Need at 179 units.

The present and prospective need are noted in the table below.

Table 37: Present and Prospective Need	
Component	Obligation
Present Need/ "Rehabilitation Share" Obligation	49
Prospective Obligation (2025-2035)	179
Total Obligation	228

The lack of available vacant land continues to be a significant limitation to development opportunity in River Vale Township. As part of this effort, the Township prepared an updated Vacant Land Analysis to assess current development potential as per the amended legislation as described in the following section.

Vacant Land Adjustment

The legislation, pursuant to N.J.A.C.52:27D-310.1.1, allows the municipality to request an adjustment due to the available land capacity. Furthermore, the statutes require a municipality to identify sufficient parcels likely to redevelop during the current round of obligation to address at least 25 percent of the prospective need obligation that has been adjusted and adopt realistic zoning that allows for such adjusted obligation or demonstrate why the municipality is unable to do so. The statutes are not clear as to what constitutes the "25% adjusted prospective obligation;" however, the Township is committed to providing mechanisms which are realistic and practicable as demonstrated in this document.

Process

A study of vacant and public lands provides a closer look at existing development and the potential for future development of vacant land, public land, and farmland (if available) based on such factors as lot size, environmental constraints, and accessibility. This inventory of vacant and public lands in the Township examines what changes, if any, have occurred in the years since the preparation of the Township's previous analysis, prepared and certified in the Third Round.

This data set was reviewed for completeness and accuracy with respect to property class codes and, where necessary, updated based on local information and/or current aerial images. Data was then compared with local information to eliminate recently developed parcels, parcels in active use for municipal government or utilities purposes, parcels used for open space and recreation (ROSI and non ROSI properties) and parcels owned by other municipalities, the County or the State.

Section 1 of P.L. 1995, c.231, (C.52:27D-310.1) amends the vacant land adjustment procedures to allow excluding the following as vacant land:

1. Land owned by a government entity that is utilized for a public purpose other than housing.
2. Land listed on a masterplan as being dedicated for the purposes of conservation, park lands or open space that is owned, leased, or operated by a county, municipality, or tax-exempt non-profit organization.
3. Any vacant contiguous parcels of privately-owned land which are too small, when aggregated, to support five (5) or more units based on appropriate standards pertaining to housing density.
4. Historic and architecturally important sites listed on the State Register of Historic Places or National Register of Historic Places.
5. Agricultural lands when the development rights to these lands have been purchased or restricted by covenant.
6. Sites designated for active recreation that are designated for recreational purposes in the municipal master plan.
7. Environmentally sensitive lands where development is prohibited by any State or federal agency, including, but not limited to, the Highlands Water Protection and Planning Council, established pursuant to section 4 of P.L.2004, c.120 (C.13:20-4), for lands Highlands Preservation Area, and lands in the Highlands Planning Area for Highlands-conforming municipalities.

Fourth Round Vacant Land Adjustment

If a municipality seeks vacant land adjustment, they are required calculate the Realistic Development Potential (RDP), or the portion of the fair share obligation that can realistically be addressed with inclusionary development. In the Vacant Land Analysis prepared for the Fourth Round, environmentally

sensitive land included land in 100-year floodplains, wetlands, Category One (C-1) waterways, etc. Data for these environmental constraints were overlaid on existing parcel maps to identify constrained portions of the vacant properties in question. Parcels partially encumbered and still considered developable or partially developable were left in the inventory of vacant land and the environmentally constrained portions of those lots were removed from the total site acreage calculations. Parcels that were entirely constrained were not considered for the inventory of vacant land with realistic development potential (RDP) but are included in the vacant land inventory. Additionally, any parcels on the State Register of Historic Places or National Register of Historic Places were excluded from the RDP. The statutes require the Township to evaluate vacant (Tax Class 1) and publicly owned (Tax Class 15C) properties that are not environmentally constrained and consider those sites for inclusionary housing development. All remaining parcels were included in the Township's land capacity calculation with a 20% low and moderate-income housing requirement applied to the Township's estimated build-out.

Maps were created to graphically show how the final list of developable properties were determined. A complete description of the Vacant Land Analysis (VLA) process, as well as maps and data tables are included in **Appendix B**.

The lack of available vacant land continues to be a significant limitation to development opportunities in River Vale Township. The updated vacant land analysis reveals that there is minimal vacant land available that is unconstrained; there is one (1) parcel available that is public property (Class 15C) and one (1) parcel that is a non-conforming commercial use. The inclusion of the nonconforming former nursery, Forcellati Brothers Inc., in the vacant land analysis is a result of the owner/developer of the property (Incandescent) intervening in the declaratory judgment action filed by the Township and demanding inclusion of their site. Therefore, the vacant land analysis for the Fourth-Round estimates that the Township has a **realistic development potential (RDP) of 10 units** and an **Unmet Need of 169 units**.

Consideration of Lands Most Appropriate for Affordable Housing.

As part of this plan, the Township considered land that is appropriate for the construction of low- and moderate-income housing. Additionally, the sites are in areas serviced by public water and sewer. The Township Engineer for River Vale responded to H2M inquiries regarding capacity noting that their office is not aware of any deficiencies in water supply or sewer capacity at this time. The Township expects that infrastructure and maintenance costs in new developments are to be borne by developers and owners of the property, not the municipality. This includes the cost for developing and maintaining all access drives and private roadways, and connections to water and sewer systems.

Multigeneration Family Housing Requirements

The Multigenerational Family Housing Continuity Commission was established by the State of New Jersey in 2021. Pursuant to N.J.S.A. 52:27D-310(g), the Fourth Round HEFSP is required to provide 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." Furthermore, 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 HEFSP, the Multigenerational Family Housing Continuity Commission has not yet adopted any recommendations.

Affordable Housing Administration & Affirmative Marketing

Chapter 43 of River Vale's General Legislation sets forth the Affordable Housing requirements including administration of the units. This addresses the Township's constitutional obligation to provide for its fair share of low- and moderate-income housing, as directed by the Superior Court and consistent with N.J.A.C. 5:93-1 et. seq., as amended and supplemented, and the New Jersey Fair Housing Act of 1985. This addresses the low/moderate income split, bedroom distribution, occupancy standards, affordability controls, establishing rents and prices, affirmative marketing, income qualification, etc. All newly created affordable units, with limited exceptions, will comply with the affordability control period of 30 years for sale units or 40 years for rental units, as required by the Fair Housing Act and the Uniform Housing Affordability Control Rules.

The Township created the position of the Municipal Housing Liaison and appointed a staff member to the position. The Municipal Housing Liaison is responsible for administering the affordable housing program, including affordability controls, the Affirmative Marketing Plan, monitoring and reporting, and, where applicable, supervising any contracted administrative agent. The ordinance sets forth standards for the affirmative marketing plan in accordance with N.J.A.C. 5:80-26.15, as may be amended and supplemented.

Article II of Chapter 43 sets forth the standards for Development Fees and establishes an affordable housing trust fund. A development fee ordinance creating a dedicated revenue source for affordable housing was approved by COAH and adopted by the Township on February 12, 2007, and later amended on June 16, 2009. This was amended by Ord. No. 361-2019 on December 9, 2019. The Township prepared a spending plan allocating monies to the different mechanisms sets forth within the third-round plan, which was approved by the Court.

Consistency with the State Development and Redevelopment Plan

Pursuant to the 2001 adopted State Development and Redevelopment Plan (hereinafter the “State Plan”), the entirety of the Township, barring a small to the east near Lake Tappan, is within Metropolitan Planning Area 1 (PA-1). The SDRP envisions the Metropolitan Planning Area as accommodating much of the State's growth, through compact development and redevelopment, particularly near transit and amenities, while urging sensitivity to natural habitats and historically overburdened communities. The proposed affordable housing sites are in approved sewer service areas and have or will have adequate sewer and water service to provide the number of affordable units necessary for the Township to meet its RDP and any Unmet Need.

FOURTH ROUND FAIR SHARE PLAN

Municipalities must demonstrate how they will address their Present Need and Prospective Need obligations in the form of a Fourth Round Fair Share Plan. Additionally, the plan must assess the degree to which the municipality has met its fair share obligation from the prior rounds of affordable housing obligations as established by the prior court approval, and determined to what extent the obligation is unfulfilled or whether the municipality has credits more than its prior round obligation.

Affordable Housing Compliance

As demonstrated in this section and the settlement agreement and the JCR, the Township has fully satisfied its obligation under the third round. The Township reserves the right to apply any eligible extra credits or bonuses to their future obligations.

Table 38: Existing and Proposed Affordable Housing Credits					
Projects		Units	Bonus	Total	Comments
Prior Round (121 units)					
1	Pine Lake (Block 1001.01, Lot 9; Poplar Road / Pine Lake Terrace)	7	0	7	This is an existing development.
2	Spectrum for Living (Block 2301, Lot 10&11; 210 River Vale Road)	30	30	60	This is an existing development.
3	New Concepts for Living, Inc. (Block 813, Lot 11; 687 River Vale Road)	5	0	5	This project has been constructed.
4	Jewish Home for the Aged	6	0	6	A total of 11 units, six (6) units applied due to senior cap. The remaining five (5) units can be applied to future rounds.
5	River Vale Developers (Cherry Wood)	8	0	8	This project has been constructed.
6	Mesker Inclusionary	11	0	11	This project is under construction.
7	Municipally Sponsored "Kirk Senior Site" (Block 1301, Lots 38.01 & 39.01; 430 Cedar Lane)	24	0	24	This project has been constructed.
Subtotal					
Credits to Address RDP for Third Round (77 units)					
1	Woodmont Properties (100% affordable)	24	0	24	This has been completed.
2	Mesker 100% Affordable	24	0	24	Under construction.
3	Mesker Inclusionary	1	0	1	This project is under construction.
4	Municipally Sponsored "Kirk Senior Site"	9	0	9	This project has been constructed.
5	Rental Bonuses (25% RDP)	0	19	19	

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Subtotal				77	
Credits to Address Unmet Need for the Third Round (158 units)					
1	Downtown Affordable Overlay Zone	59	0	59	The Township adopted the Downtown Inclusionary "Four Corners" Overlay Zone (OL), Ordinance 362-2019, codified as Section 142-236.
2	Group Home (426 Cedar Lane)	5	0	5	This project has been completed.
3	Municipally Sponsored "Kirk Senior Site"	17	0	17	This project has been completed.
Subtotal				81	
Total Units Proposed				279	

Additionally, the Township of River Vale adopted a mandatory set aside ordinance, Ordinance No. 357-2019, codified as Section 142-236.4 in Chapter 142, Land Use. As seen in the above table, the Township has fully complied with the third-round plan and obligation as per the JCR. As such, no obligation is carried to the fourth round. In fact, the Township created additional opportunities after the third-round plan JCR as noted below:

- 1) An inclusionary development at Collignon Estates (Block 1801, Lot 8.01)
 - 2) Special needs housing on the following three sites:
 - a. 100 Scully Way (Block 701, Lot 8.04)
 - b. 49 Greenhalgh Lane (Block 701, Lot 8.03)
 - c. 860 Westwood Avenue (Block 1901, Lot 10)
- The projects identified above in a. and b. were carved out of the Mesker property. The Township intends to apply these credits to the fourth round.

Present Need Compliance

According to the DCA, the Township of River Vale has a present need of 49 units.

Rehab Program Moving Forward

The Township of River Vale intends to contract directly with Housing Authority of Bergen County (HABC) and with Triad Associates, to satisfy the 49-unit Present Need obligations for owners and renters. The Township will continue to utilize funds from its affordable housing trust fund and such other funding sources as they exist or may become available.

Owner Rehab - Contact information:
 Housing Authority of Bergen County (HABC)
 One Bergen County Plaza, 2nd Fl
 Hackensack, NJ 07601
 Phone: 201-336-7600
 Fax: 201-336-7600
 Company Website: www.habcnj.org

Rental Rehab - Contact information:
 Triad Associates
 Lyanessa Rodriguez
lrodriguez@triadincorporated.com
 1301 West Forest Grove Road, Building #3
 Vineland, NJ 08360
 Phone: 856-690-5749
 Company Website: <http://triadincorporated.com/>

The Township has a Municipal Housing Liaison on staff and has hired Triad Associates as the Administrative Agent.

Credit / Bonus Requirements for the Fourth Round Prospective Need

There are extensive requirements that municipalities must ensure their affordable housing strategies satisfy to be eligible for a Compliance Certification. Furthermore, those requirements vary by round. The following section provides a summary of the requirements as per the amended legislation.

Crediting Requirements

The following crediting requirements apply:

- Not less than 25% of the obligation must be through rental housing.
 - Half of that number must be available to families with children
- Not less than 50% of the obligation must be family housing
- A minimum of 50% of the obligation must be low-income housing
- A maximum of 30% of the obligation can be age-restricted housing
- A minimum of 13% of the obligation must be met with very low-income housing (part of low-income housing component).

Credit Bonuses

The regulations have changed the bonus structure since the First Round, Second Round, and Third Round regulations. The following are the bonuses that are permitted pursuant to C.52:27D-311.11.k:

- One bonus credit for each unit of low- or moderate-income housing for individuals with special needs or permanent supportive housing.
- One-half bonus credit as follows:
 - For each low- or moderate-income ownership unit created in partnership sponsorship with a non-profit housing developer.
 - For each unit of low- or moderate-income housing located within a one-half mile radius, or one-mile radius for projects located in a Garden State Growth Zone, as defined in section 2 of P.L.2011, c.149 (C.34:1B-243).
 - For a unit of age-restricted housing, provided that a bonus credit for age-restricted housing shall not be applied to more than 10 percent of the units
 - For each unit of low- or moderate-income family housing with at least three bedrooms above the minimum number required by the bedroom distribution.
 - For a unit of low- or moderate-income housing constructed on land that is or was previously developed and utilized for retail, office, or commercial space.
 - For each existing low- or moderate-income rental housing unit for which affordability controls are extended for a new term of affordability, in compliance with the Uniform Housing Affordability Controls promulgated by the New Jersey Housing and Mortgage Finance Agency, and the municipality contributes funding towards the costs necessary for this preservation.
 - For each unit of very low-income housing for families above 13 percent of units required to be reserved for very low-income housing

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- One bonus credit for each unit of low- or moderate-income housing in a 100 percent affordable housing project for which the municipality contributes toward the costs of the project.
- One bonus credit for each unit of low- or moderate-income housing created by transforming an existing rental or ownership unit from a market rate unit to an affordable housing unit.

Bonus limitations are as follows:

- Bonuses may not exceed 25% of the obligation.

As noted in the prior section, the Township of River Vale has an RDP of 10 units and an unmet need of 169. The table below summarizes River Vale's Fourth Round Obligations, resulting in the following minimum and maximum requirements. The Township will comply with the Affordable Housing Ordinance (**Appendix B**) that requires new affordable units to meet bedroom distribution, income eligibility, and age-restriction, family and rental requirements to comply with the table below.

Fourth Round Obligation	Required %	Required Units Prospective Need (10 Units-RDP)
Min. Family Housing	50%	5
Min. Rental Housing	25%	3
Max. Age Restricted	25%	2
Max. Bonus	25%	2
Min. Low Income	50%	5
Min. Very Low Income	13%	2

Fourth Round Compliance Approach and Strategy

As explained in previous sections of this Plan, the 2025 Settlement Agreement set the Township's prospective need obligation at 179 units. Pursuant to C:52:2D-310.1, municipalities that receive an adjustment of its prospective need obligations for the Fourth Round based on a lack of vacant land must identify parcels likely to redevelop to address at least 25% of its adjusted prospective need. The statutes are not clear as to what constitutes the "25% adjusted prospective obligation;" however, the Township is committed to providing mechanisms which are realistic and practicable and have a plan to address 42 units of the unmet need.

Vacant Land Adjustment

The Township has prepared a Vacant Land Analysis (VLA) for the Fourth Round of Affordable Housing (2025-2035) attached in **Appendix B**. The Fourth Round VLA returned realistic development potential of 10 units as there is very little unconstrained, vacant land in the Township. This plan is proposing to provide realistic zoning mechanisms to address a total obligation of at least 52 units, which includes the RDP of 10 units and 42 units from the 169-unit unmet need.

Credits Towards the Fourth Round RDP

The Township is required to satisfy the RDP and will do so by providing 10 credits of affordable housing. Table 40 below illustrates the breakdown of the Township's compliance towards its RDP. This is explained further in the section below entitled "Zoning for Affordable Housing."

Housing Element and Fair Share Housing Plan | Township of River Vale

Table 40: Credits Towards Prospective Need					
Site	Location	Credit Type	Credit	Bonus	Total
Forcellati Site, Block 813 Lot 18	691 River Vale Road	Family Rental	5	--	5
100 Scully Way, Block 701 Lot 8.04*	100 Scully Way	Special Needs	3	2	5
Total			8	2	10
*This is a 4-bedroom group home. The Township shall apply three credits towards the RDP and remaining one credit towards the unmet need.					

As seen in the above table, the Township can apply the five (5) credits from the Forcellati Site (Incandescent) to address the RDP. Additionally, the 4-bedroom special needs housing will provide three (3) credits towards the RDP and is eligible for two (2) additional bonus credits (one bonus credit for each unit of low- or moderate-income housing for individuals with special needs). The bonus credits are capped at 25% hence the Township can avail of only two bonus credits.

Credits Towards the Unmet Need

The amended legislation does not provide guidance towards the fulfillment of unmet need. However, N.J.A.C. 5:93-4.2(h) and N.J.A.C. 5:93-5.1, the following are a few mechanisms:

1. Zoning amendments that permit apartments or accessory apartments.
2. Overlay zoning requiring inclusionary development or the imposition of a development fee consistent with N.J.A.C.5:93-8. In approving an overlay zone, the existing use may be allowed to continue and expand as a conforming use, but where the existing use on the site is proposed to be changed, the site shall produce low- and moderate-income housing or a development fee; or
3. Zoning amendments that impose a development fee consistent with N.J.A.C. 5:93-8.
4. Rehabilitation of substandard units.
5. Municipally sponsored and 100% affordable construction.
6. Zoning for Inclusionary Development.
7. Alternative living arrangements (i.e., group homes).
8. Purchase of existing homes.
9. Write-down/buy-down (Market to Affordable) programs.
10. Assisted living residences.

The Township is proposing to satisfy the unmet need through the following mechanisms for a total of 42 units. The Township's compliance towards its unmet need is broken down in Table 41. This is explained further in the section below entitled "Zoning for Affordable Housing."

Housing Element and Fair Share Housing Plan | Township of River Vale

Table 41: Credits Towards Unmet Need					
Site	Location	Credit Type	Credit	Bonus	Total
Forcellati Site (Incandescent), (Block 813 Lot 18)	691 River Vale Road	Family Rental	10	--	10
100 Scully Way, (Block 701 Lot 8.04)	100 Scully Way	Special Needs	1	--	1
49 Greenhalgh Lane, (Block 701 Lot 8.03)	49 Greenhalgh Lane	Special Needs	4	--	4
"Four Corners" OL Zone Overlay (Block 1801, Lots 20, 21, & 22) (Block 1716, Lots 1 & 1.01, Block 1719, Lot 6)	River Vale Road and Westwood Avenue	Family Housing	16	--	16
	215 Rivervale Road, 233 and 237 Rivervale Road	Family Rental			
Jewish Home for the Aged, Block 2101, Lot 2.01	685 Westwood Avenue	Age Restricted	5	--	5
New Concept for Living, Block 1901, Lot 10	860 Westwood Avenue	Special Needs	4	--	4
Collignon Estates, Block 1801, Lot 8.01 (formerly Lots 7 & 8)	122 and 124 Collignon Way	Family Rental	2	--	2
Total			42	--	42

The unmet need, as shown in the above table, will be addressed through the following mechanisms:

- 1) The Township will apply the remaining ten (10) credits from the Forcellati Site (a total of 15 affordable units). The Township intends to apply two (2) units of deed restricted affordable housing generated from the Collignon Estates Townhome Complex.
- 2) The Jewish Home for the Aged is a municipally backed affordable age-restricted assisted living facility. This project generated a total of 11 age-restricted units, but only six (6) credits were applied in the Third Round due to the cap on senior housing. As such, the remaining five (5) credits of age-restricted housing in the Jewish Home for the Aged can be applied to address the unmet need for the Fourth Round.
- 3) The Township will address nine (9) credits through three special needs housing as noted below:
 - a. The group home at 860 Westwood Avenue (Block 1901, Lot 1) for a total of four credits.
 - b. The group home at 100 Scully Way (Block 701, Lot 8.03) for a total of one credit. As mentioned earlier, the three credits will be applied towards the RDP.
 - c. The group home at 49 Greenhalgh Lane (Block 701, Lot 8.03) for a total of four credits.

Housing Element and Fair Share Housing Plan | Township of River Vale

- 4) The Township is considering rezoning properties within the Downtown Inclusionary “Four Corners” Overlay (OL) Zone and extend the zone to the north to include three more properties that abut the northern end of the zone and are proximate to River Vale Road for a total of 16 units.

Zoning for Affordable Housing

1. Forcellati / Incandescent Site

As mentioned earlier in the plan, Incandescent, a potential developer for the former nonconforming nursery use, Forcellati Brothers Garden Center, was an intervenor. After much negotiation, the Township settled with Incandescent for a total of 75 units with a 20% affordable set-side, which results in 15 affordable units. These units will be used to address River Vale’s unmet need and RDP for the Fourth Round. The lot is identified as Block 813, Lot 18 in the municipal tax maps and an area of 5.54 acres—all of which is unconstrained. The surrounding uses proximate to the site are single-family dwellings and to the East, across River Vale Road, is the River Vale Country Club. The site is illustrated in the figure below and described in Table 42 below.



Table 42: Forcellati Site Description	
Block and Lot:	Block 813 Lot 18
Location:	691 RIVERVALE RD
Owner:	V.E.R. Corp
Size:	5.54 acres
Zone District:	A-1 Residence District
Tax Class:	4A

2. Collignon Estates

Collignon Estates, a townhome complex, located at the intersection of River Vale Road and Collignon Way. The property is identified as Block 1801, Lot 8.01 (formerly Block 1801, Lots 7 and 8) on River Vale's municipal tax maps. There will be one (1) two-bedroom affordable unit affordable to moderate income households at 124 Collignon Way and one (1) three-bedroom unit affordable to low-income households at 122 Collignon Way. Construction for this complex was completed in 2024 and as mentioned earlier, this project was not part of the third-round plan. As such, these two (2) affordable units will be used to address the unmet need for the Fourth Round.

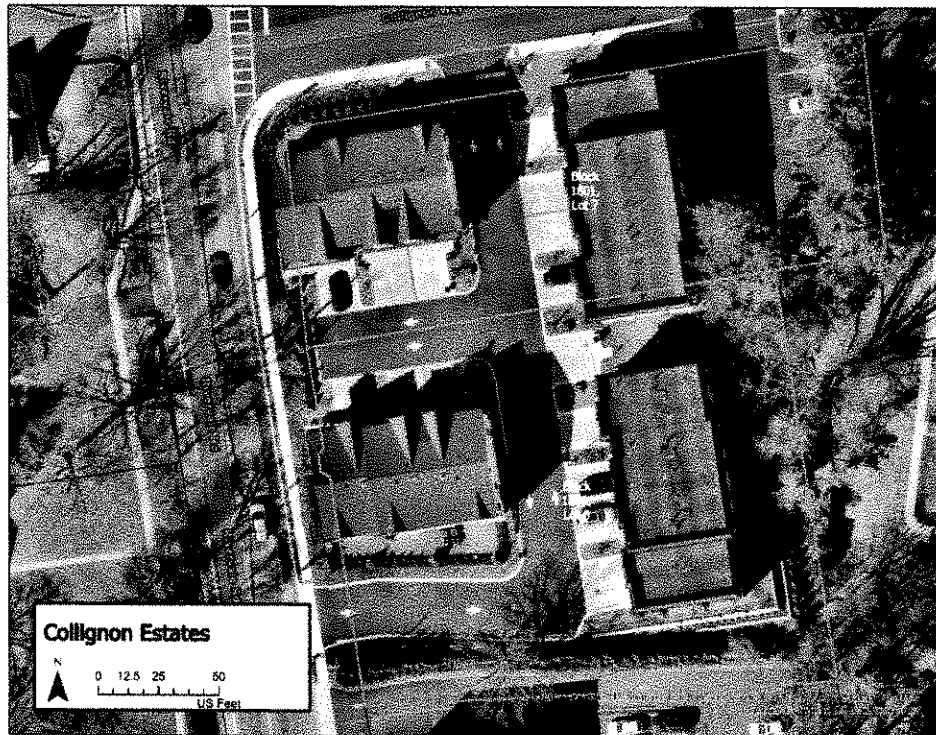


Table 43: Collignon Estates

Block and Lot:	Block 1801, Lot 8.01 (formerly Lots 7 & 8)
Location:	122 & 124 Collignon Way
Owner:	Collignon Estates, LLC
Size:	1.25 acre
Zone District:	C Commercial District (C)
Tax Class:	4C Apartments

3. Special Needs Housing

This 5.3-acre property was identified as Block 701 Lots 5, 5.01, 5.02, 7, 8, 8.03, 8.04, and portions of lots 6 and 9 were part of the third round with an inclusionary component for a total of 12 low and moderate-income units along with a portion of site to contain 24-unit 100% affordable housing. The projects are under construction. Portion of the property, as seen in the image below, was further subdivided into Lot 8.03 and Lot 8.04 to contain two 4-bedroom special needs housing. These are identified as follows:

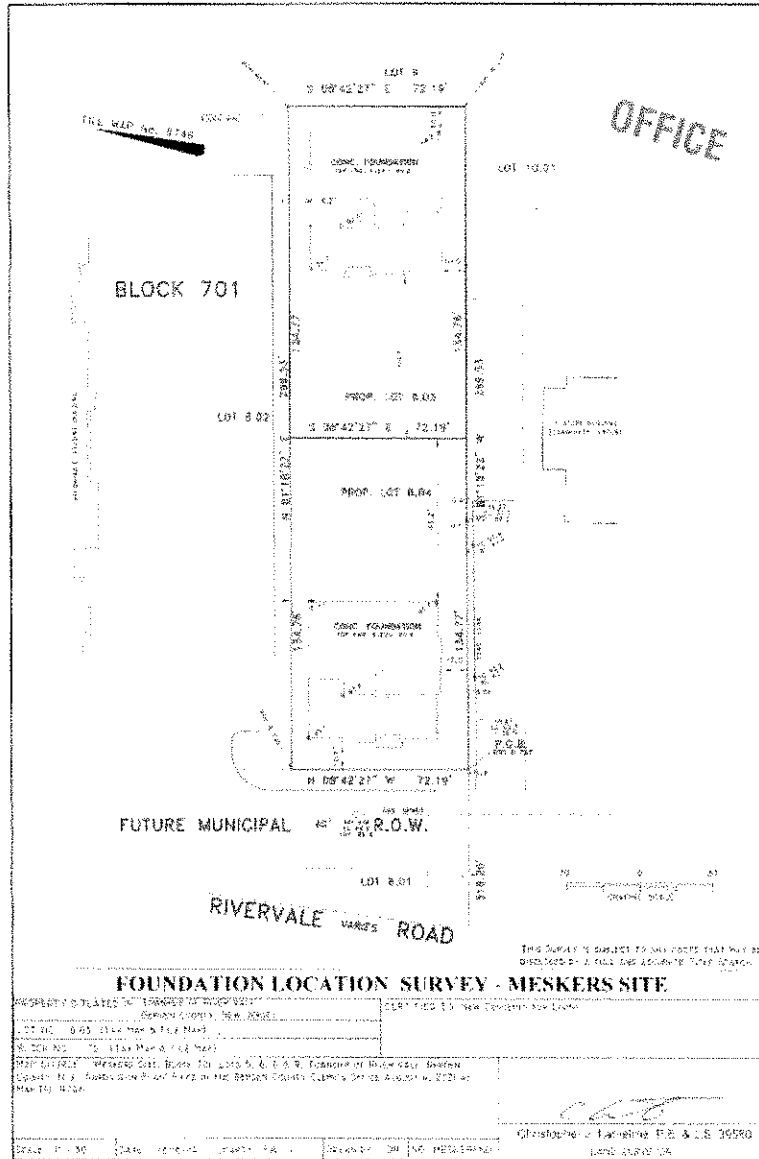
Housing Element and Fair Share Housing Plan | Township of River Vale

- 1) 100 Scully Way (Block 701, Lot 8.04)
- 2) 49 Greenhalgh Lane (Block 701, Lot 8.03)

This is a new additional project and not part of the prior compliance plan. These will yield a total of eight credits. These special needs affordable units can be applied to address three (3) of the RDP and five (5) credits of the unmet need. The Township of River Vale is eligible to receive two (2) bonus credits for providing special needs housing for the RDP.

Lantelme, Kurens & Associates, PC

Engineers & Surveyors Ltd. 100 West Street, Suite 200, River Vale, NJ 07675-1000 Phone: (201) 261-1000 Fax: (201) 261-1001



4. New Concepts for Living - 860 Westwood Avenue (Special Needs Housing)

New Concept for Living operates a group home located at 860 Westwood Avenue. This group home is 100% affordable non-age-restricted special needs housing that consists of four (4) affordable units which can be applied to the unmet need for the Fourth Round. New Concepts for Living, Inc. provides personal care and supportive counseling to residents in well-maintained, attractive homes and supervised apartments in well-established communities in northern New Jersey and has another existing group home in River Vale.



Table 44: New Concept for Living - 860 Westwood Avenue	
Block and Lot:	Block 1901, Lot 10
Location:	860 Westwood Avenue
Owner:	New Concepts for Living, Inc.
Size:	2.1 acres
Zone District:	A Residence District (A)
Tax Class:	Class 15F: Other Tax Exempt

5. Downtown Inclusionary "Four Corners" Overlay Zone District

The remaining 16 units of family housing can be addressed by the Downtown Inclusionary "Four Corners" Overlay Zone (OL). The Four Corners commercial area is within the OL Zone, which is further divided into the OL-1 and OL-2 subzones. This zone permits mixed-use buildings with ground-floor commercial/retail and residential above. The maximum building heights permitted in the OL-1 and OL-2 subzones are three-

Housing Element and Fair Share Housing Plan |Township of River Vale

stories and two-stories, respectively. The OL Overlay Zone was created to address the unmet need of the Third Round.

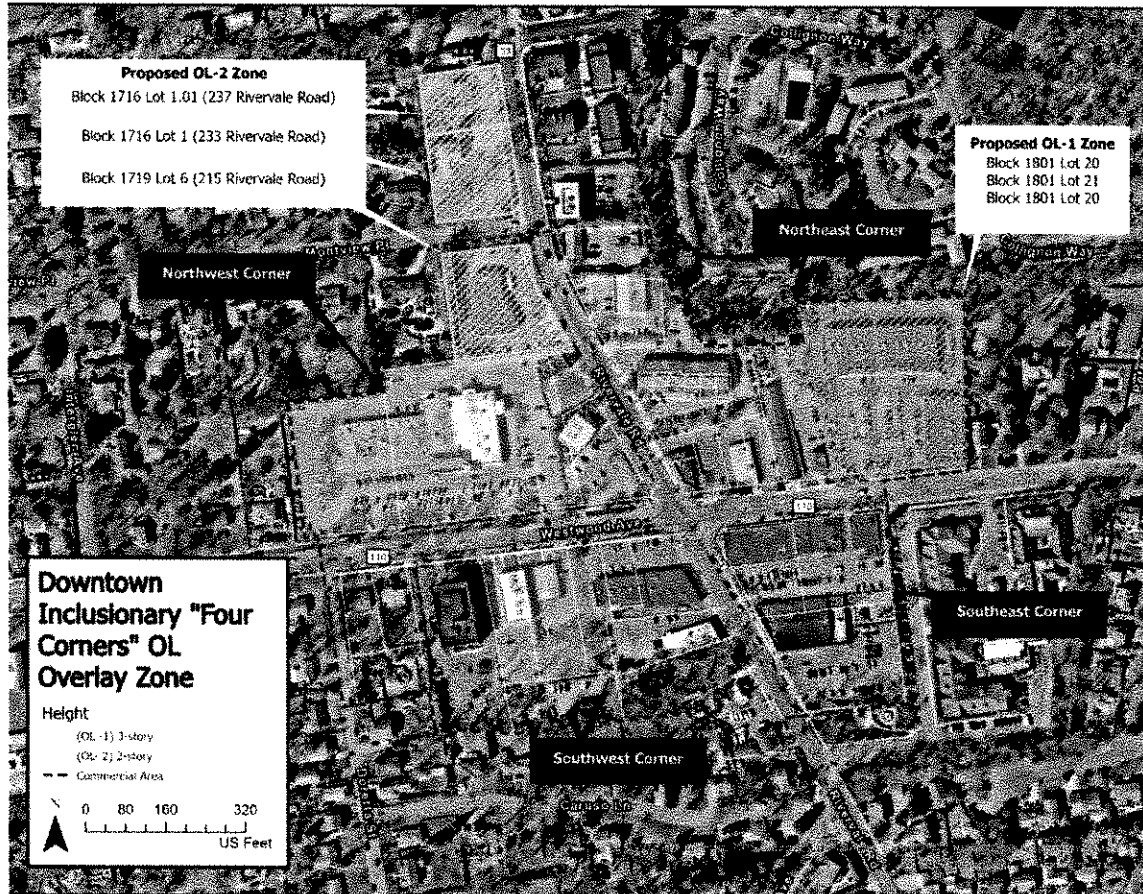


Table 45: Four Corners OL Overlay Zone	
Block and Lot:	Block 1716, Lots 1.01, 1 & 6; Block 1801, Lots 20,21,22
Location:	River Vale Road and Westwood Avenue
Owner:	Multiple
Size:	4.61 acres
Zone District:	Downtown Inclusionary "Four Corners" Overlay Zone (OL)
Tax Class:	4A

Proposed OL-1 Zone

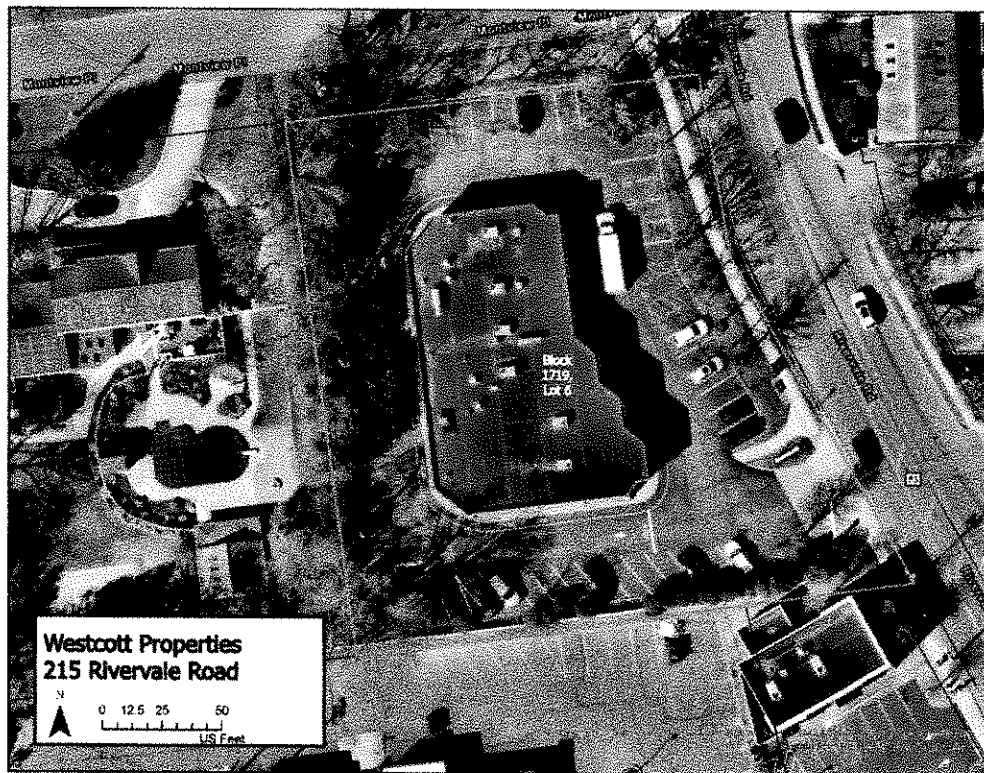
This zone contains properties along Westwood Avenue identified as Block 1801, Lots 20,21,22 as per the River Vale Township Tax Maps. This is currently zoned OL-2, which permits 2-story structures. The Township is proposing to rezone to OL-1, which will generate a total of nine (9) affordable units.

Proposed OL-2 Zone

As seen in the above figure, this contains two properties as described below. The Township is proposing to rezone to OL-2, which will generate a total of seven (7) affordable units as described below.

Westcott Properties – 215 River Vale Road

Westcott Properties, LLC currently owns a one-story commercial property at 215 River Vale Road, at the intersection of Montview Place and Rivervale Road. This property is within the Township's Commercial District (C) and the Four Corners commercial area, but it is outside of the current boundaries of the Downtown Inclusionary "Four Corners" Overlay Zone. Westcott Properties proposed a plan to construct one additional floor above the commercial building and a maximum of eight (8) dwelling units. As part of the proposal, this property shall be included in the OL Overlay Zone where it will be required to set aside 20% of units for affordable housing. This proposal for development will result in two (2) affordable units which can address the unmet need for the Fourth Round.

***Westcott Properties - 233 & 237 Rivervale Road***

Westcott Properties, LLC submitted a proposed multi-family concept plan to the Planning Board on May 21, 2025. The proposal includes a total of sixteen (16) three-bedroom units and eight (8) one-bedroom units. This proposal would result in a total of five (5) affordable housing units.

Housing Element and Fair Share Housing Plan | Township of River Vale



6. Jewish Home for the Aged

The Jewish Home for the Aged, an inclusionary development, identified as Block 2101, Lot 2.01 (which consists of the former Block 2101, Lots 2 & 3, and a portion of Lot 28), located at 685 Westwood Avenue is an age restricted assisted living residence (a.k.a. nursing home) consisting of 107 rental units, of which there are a total of 11 affordable units. According to the State of New Jersey Department of Health, the long-term care facility is licensed for 124 bed slots. Due to the 25% cap on senior unit limitation, only six (6) units/credits were eligible for credits in the Prior Round. As such, the Township can apply the remaining five (5) units of affordable units to satisfy the unmet need for the Fourth Round.

Housing Element and Fair Share Housing Plan | Township of River Vale

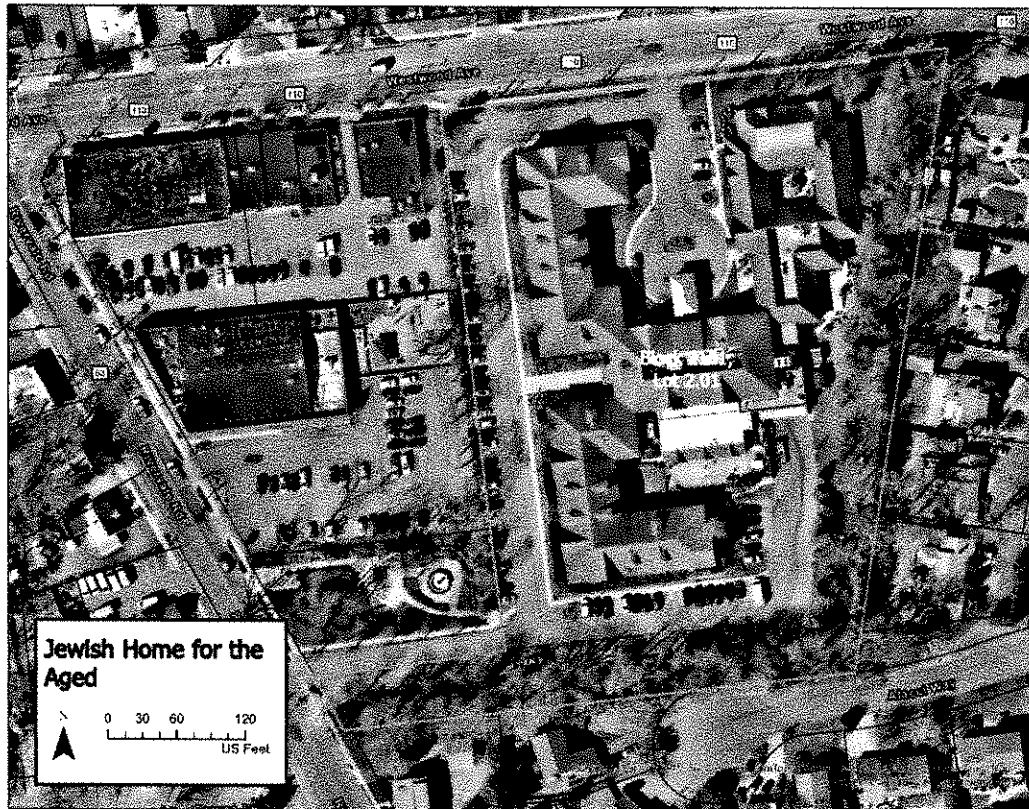


Table 46: Jewish Home for the Aged	
Block and Lot:	Block 2101, Lot 2.01
Location:	685 Westwood Avenue
Owner:	Jewish Home Assisted Living
Size:	4.81 acres
Zone	Senior Housing District (SHD)
District:	
Tax Class:	Class 15F: Other Tax Exempt
Affordability Controls:	Perpetual

Housing Element and Fair Share Housing Plan | Township of River Vale

Summary of Affordable Housing Credits

As explained above, River Vale Township has provided a realistic opportunity for a total of 52 credits of affordable housing to satisfy the Fourth Round. These sites include, the Forcellati Site, two groups on 100 Scully Way and 49 Greenhalgh Lane, the Jewish Home for the Aged, and the group home owned by New Concept for Living on Westwood Avenue. Finally, by permitting an additional floor into area zoned for two-stories in the Downtown Inclusionary "Four Corners" Overlay (OL) Zone and extending the zone district to include three properties, River Vale can generate more units of affordable housing units. Any affordable units that are not created through these mechanisms will be provided by requiring a 20% affordable housing set-aside in future developments in River Vale. The credits provided by for the Fourth Round are summarized in Table 47 below.

Table 47: Credits Towards Total Obligation (RDP & Unmet Need)			
Credits to address the RDP of 10 units	Credit	Bonus	Total
Forcellati Site	5	0	5
Group home (100 Scully Way)	3	2	5
		Subtotal	10
Credits to address the unmet need	Credit	Bonus	Total
Forcellati Site	10	0	10
Group home (100 Scully Way)	1	0	1
Group home (49 Greenhalgh Lane)	4	0	4
Collignon Estates	2	0	2
Group home (860 Westwood Avenue)	4	0	4
Jewish Home for the Aged	5	0	5
"Four Corners" OL Zone Overlay	16	0	16
		Subtotal	42
			52

APPENDICES

APPENDIX A:

Court Decision and Order Fixing Municipal Obligations

Contents:

Attachment I: Order Decision and Order Fixing Municipal Obligations for "Present Need" and "Prospective Need" for the Fourth Round Housing Cycle

APPENDIX A:

ATTACHMENT #I

Date:	Prepared June 5, 2025
Author:	H2M architects + engineers
Title:	Order Decision and Order Fixing Municipal Obligations for "Present Need" and "Prospective Need" for the Fourth Round Housing Cycle
Type of Document:	Explanatory Document
Substance:	The 2025 court settlement which finalized River Vale's Present Need and Prospective Need obligation for the Fourth Round Affordable Housing Cycle.
Persons Receiving Document(s):	N/A
Present Location:	On file with Township of River Vale

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

Prepared by the court

IN THE MATTER OF THE APPLICATION
OF THE TOWNSHIP OF RIVER VALE,
COUNTY OF BERGEN, A Municipal
Corporation of the State of New Jersey

FILED

MAY 19 2025

GREGG A. PADOVANO, J.S.C.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: BERGEN COUNTY

Docket No. BER-L-719-25

Civil Action
Mt. Laurel Program

**ORDER
DECISION AND ORDER FIXING
MUNICIPAL OBLIGATIONS FOR
"PRESENT NEED" AND
"PROSPECTIVE NEED" FOR THE
FOURTH ROUND HOUSING CYCLE**

THIS MATTER, having come before the Court on referral from and recommendation issued by the Affordable Housing Dispute Resolution Program ("Program"), pursuant to the Complaint for Declaratory Judgment filed on January 29, 2025 ("DJ Complaint") by the Petitioner, Township of River Vale, New Jersey ("Petitioner" or "Municipality"), pursuant to N.J.S.A. 52:27D-304.2, -304.3, and -304.1(f)(1)(c) of the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301, et seq. (collectively, the "FHA"), and in accordance with Section II.A of Administrative Directive #14-24 ("Directive #14-24") of the "Program," seeking a certification of compliance with the FHA; and

IT APPEARING that, the Municipality timely adopted Resolution 2025-68 on January 27, 2025, committing to a "present need" obligation of affordable units but seeking a deviation from the "prospective need" calculation of affordable units allocated to it by the New Jersey Department of Community Affairs ("DCA") in its report dated October 18, 2024 entitled

Affordable Housing Obligations for 2025-2035 (Fourth Round) (the “DCA’s Fourth Round Report”), and based on the Municipality planners’ recommendation for 147 units for a “prospective need” affordable housing obligation for the Fourth Round housing cycle; and

IT APPEARING that, a challenge to the Municipality’s calculations was timely filed by the New Jersey Builders Association (“NJBA” or “Challenger”) by and through its counsel, and a challenge to the Municipality’s calculations was also timely filed by interested party Incandescent Development, LLC (“Incandescent” or “Challenger”) by and through its counsel (NJBA and Incandescent are collectively referred to as “Challengers”); the Challengers disputed the Municipality’s proposed obligations for present and prospective need, and supported DCA’s present and prospective need obligations; NJSB relied upon an expert report of J. Creight Rahenkamp, PP of Creight Rahenkamp & Associates, LLC; Incandescent relied upon an expert report of Art Bernard, PP of Art Bernard and Associates, L.L.C.; and

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

IT APPEARING that, on March 31, 2025, a settlement conference was conducted on notice to all parties with the participation of local officials, town planner, and attorneys for the Municipality, as well as representatives of the NJBA, and with the goal of reaching a resolution; and that extensive settlement negotiations were engaged in before, during and after the settlement

conference, with the guidance and assistance of the Program Member and the Special Adjudicator;
and

IT APPEARING, that as a result of the settlement conference the Municipality, NJBA and Incandescent reached a resolution ("Settlement"); and

THE COURT, having received the Program Member's report dated March 31, 2025, since posted to the eCourts jacket for this matter at Trans. ID: LCV20251086281, the findings, terms, and recommendations of which are incorporated by reference as though more fully set forth herein (the "Report"); and

THE COURT, having been advised that (i) the Special Adjudicator has recommended acceptance of the Settlement and provided a memo supporting the Settlement to the Program, (ii) the Program Member has recommended acceptance of the Settlement as reasonable and in furtherance of the interests of low- and moderate-income households in the Municipality (collectively, the "Recommendations"), and that (iii) the Program Member further recommends that the Court adopt the findings and recommendations set forth in the Report and enter an Order implementing the terms of Settlement and thereby fix the "present need" and "prospective need" obligations of the Municipality for the Fourth Round housing cycle; and

THE COURT, having reviewed and considered the Program Member's Report and Recommendations, having been satisfied that an arm's length Settlement was reached and entered into by and between the parties that is fair and equitable as well as in the best interests of the protected class of low- and moderate-income households in the Municipality, and for good and sufficient cause having otherwise been shown:

IT IS ON THIS 19th DAY OF MAY 2025

ORDERED that the Program Member's Report and Recommendations for approval of the Settlement, be, and the same hereby **ACCEPTED** and **ADOPTED** in their entirety; and to that end, more specifically, it is further

ORDERED, as follows:


1. That the "present need" obligation of the Municipality appears not to be in dispute, challenged or addressed by any party or as part of the Settlement and shall remain as may be identified by the Municipality.

2. That the "prospective need" obligation of the Municipality, be, and hereby is fixed as 179 affordable units for the Fourth Round Housing cycle; and

3. That the Petitioner is hereby authorized to proceed to the compliance phase with preparation and adoption of its proposed Housing Element and Fair Share Plan for the Fourth Round, incorporating therein the "present need" and "prospective need" allocations aforesaid (and which plan shall include the elements set forth in the "Addendum" attached to Directive #14-24), by or before June 30, 2025, as provided for and in accordance with Section III.A of Directive #14-24, and without further delay; and

4. That any and all "challenges" to the Petitioner's Housing Element and Fair Share Plan as adopted by Paragraph 3 above must be filed by August 31, 2025, by way of Answer/Objection filed in the eCourts case jacket for this matter, and as provided for and in accordance with Section III.B of AOC Directive #14-24; and it is further

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



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

(X) Challenged.

R. 1:7-4(a): Having reviewed and considered the Program Member's Report and Recommendations as well as the terms of Settlement placed on the record by the parties before the Program Member, the Court is satisfied that an arm's length Settlement was reached and entered into by and between the parties, and that the terms of the Settlement attained are fair and equitable as well as in the best interests of the protected class of low- and moderate-income households in the Municipality. This Settlement disposes of all challenges filed.

Accordingly, the Court hereby adopts in full the Report and Recommendations of the Program Member and accepts the same for the detailed findings and reasons set forth therein. As a result, the Municipality retains all the protections of the above-referenced amendments to the FHA, continues to retain immunity from exclusionary zoning litigation, and that the Program retains jurisdiction for the compliance phase in accordance with the statutory framework and AOC Directive #14-24.

APPENDIX B:

Vacant Land Adjustment & Supporting Documents

Contents:

Attachment 1: Vacant Land Adjustment Process

Attachment 2: Vacant Land Adjustment Table and Maps

APPENDIX B:

ATTACHMENT #I

Date: Prepared June 5, 2025

Author: H2M architects + engineers

Title: Vacant Land Adjustment Process

Type of Document: Explanatory Document

Substance: A document explaining how staff at H2M conducted the Vacant Land Adjustment in accordance with the rules for the Fourth Round of Affordable Housing.

Persons Receiving Document(s): N/A

Present Location: On file with Township of River Vale

VACANT LAND ANALYSIS

Vacant Land Analysis - Procedure

A complete description of the 2025 Vacant Land Analysis (VLA) process, as well as maps and data tables are included herein.

The lack of available vacant land continues to be a significant limitation to development opportunities in River Vale Township. The updated vacant land analysis reveals that there is minimal vacant land available that is unconstrained; there is one (1) parcel available that is public property (Class 15C) and one (1) parcel that is a non-conforming commercial use. As seen in Table 1, below, these properties can yield affordable housing units resulting in a Realistic Development Potential (RDP) of 10 units. The inclusion of the nonconforming former nursery, Forcellati Brothers Inc., in the vacant land analysis is a result of the owner/developer of the property (Incandescent) intervening in the declaratory judgment action filed by the Township and demanding inclusion of their site.

Table 1: Summary of VLA Sites with RDP								
	Block	Lot	Property Class	Location	Buildable Acres	Units/ Acres	Total Capacity	Capacity RDP/20 % Set
1	1509	3	Class: 15C - Public Property	Perry Pl & Buckley Ct	0.91	8	7	2
2	813	18	Class: 4A - Commercial	691 Rivervale Rd	5.54	7	39	8
10 Unit RDP								

The following document explains the process used by H2M, on behalf of River Vale Township, to conduct its Vacant Land Analysis, in accordance with P.L. 2024, Chapter 2 (A4).

Step 1: Identifying Vacant Land – P.L 2024, Chapter 2 (A4), C.52:27D-310.1 (a-c)

When computing a municipality's adjustment regarding available land resources as part of the determination of a municipality's fair share of affordable housing, the municipality may exclude the following:

1. Any land that is owned by a local government entity that as of January 1, 1997, has adopted, prior to the institution of a lawsuit seeking a builder's remedy or prior to the filing of a petition for substantive certification of a housing element and fair share plan, a resolution authorizing an execution of agreement that the land be utilized for a public purpose other than housing.
2. Any land listed on a master plan of a municipality as being dedicated, by easement or otherwise, for purposes of conservation, park lands or open space and which is owned, leased, licensed, or in any manner operated by a county, municipality or tax-exempt, nonprofit organization including a local board of education, or by more than one municipality by joint agreement pursuant to P.L. 1964, c.185 (C.40:61-35.1 et seq.), for so long as the entity maintains such ownership, lease, license, or operational control of such land.

3. Any vacant contiguous parcels of land in private ownership of a size which would accommodate fewer than five housing units based on appropriate standards pertaining to housing density.
4. Historic and architecturally important sites listed on the State Register of Historic Places or National Register of Historic Places prior to the date of filing a housing element and fair share plan pursuant to section 3 of P.L.2024, c.2 (C.52:27D-304.1) or initiation of an action pursuant to section 13 of P.L.1985, c.222 (C.52:27D-313).
5. Agricultural lands when the development rights to these lands have been purchased or restricted by covenant.
6. Sites designated for active recreation that are designated for recreational purposes in the municipal master plan.
7. Environmentally sensitive lands where development is prohibited by any State or federal agency, including, but not limited to, the Highlands Water Protection and Planning Council, established pursuant to section 4 of P.L.2004, c.120 (C.13:20-4), for lands in the Highlands Preservation Area, and lands in the Highlands Planning Area for Highlands-conforming municipalities.

No municipality shall be required to utilize for affordable housing purposes land that is excluded from being designated as vacant land.

H2M Methodology

H2M downloaded the most recent 2024 MOD-IV parcel dataset from the New Jersey Geographic Information Network (NJGIN) and the most recent 2024 property tax data from NJ Property Fax. H2M then identified parcels that may be excluded as identified above by identifying all parcels that were classified as "Class 1 - Vacant Land" or "Class 15C - Public Property" in the 2024 property tax data from NJ Property Fax. Each parcel was further categorized by land use and ownership in a Land Use Map attached herewith. Parcels were verified using Google Aerial Imagery, and aerial imagery provided by Nearmap, and the Property Explorer interactive map published by NJ Office of GIS (NJOGIS).

Parcels with a Public Purpose were excluded from the inventory. An example of Public Purpose includes:

- Open Space as identified through the NJDEP's Recreation and Open Space Inventory (ROSI);
- Parks
- Conservation Easements
- Sewer/Drainage easements
- Future Roadways
- Public Service Buildings (Municipal Buildings, Department of Public Works Buildings, Libraries, etc.)
- Public Parking Areas
- Utilities and Utility Easements

Parcels that could not alone accommodate five dwelling units but in combination with a contiguous parcel could meet this requirement were kept in the inventory.

Step 2: Additional Lands Excluded from Inventory - P.L. 2024, Chapter 2 (A4), C.52:27D-310.1 (d-g)

A municipality may partially exclude the following areas from the inventory

1. Agricultural Lands
2. Environmentally Sensitive Lands including
 - a. Wetlands
 - b. Flood Hazard Areas
 - c. 300-foot buffer around Category 1 waterways, as adopted by the State legislature
3. Historic and architecturally important sites listed on the State Register of Historic Places
4. Sites for active recreation that are designated for recreational purposes in the municipal master plan

H2M Methodology

H2M downloaded various datasets to identify the aforementioned areas within the Township. This is illustrated in **Map 6: Vacant Land Analysis and Environmental Constraints**.

- **Agricultural Lands:** H2M verified that there are no agricultural lands within the Township by searching for Class 3A: (Farm Regular) and Class 3B Farm (Qualified) in the 2024 property tax list provided by the NJ Property Tax database.
- **50-Foot Buffer for Wetlands:** H2M identified wetlands using data downloaded the most recent "Land Use/Land Cover of New Jersey 2020" dataset published by the NJDEP Bureau of GIS. In accordance with NJDEP regulations, a buffer of 50 feet is required to create a transition area adjacent to freshwater wetlands of intermediate resource value. As such, wetlands and lands within the appurtenant 50-foot buffer area were excluded from the inventory.
- **Flood Hazard Areas.** H2M accessed the "USA Flood Hazard Reduced Set" feature layer which displays the Flood Hazard Areas from the Flood Insurance Rate Map provided by the Federal Emergency Management Agency (*Service Item ID # 2b245b7f816044d7a779a61a5844be23*). The areas in the Township in 1% annual chance flood or also known as the 100-year Flood Zone were identified as being within the Special Flood Hazard Area (SFHA). Areas of the Township within the regulatory flood way of waterbodies were also identified using this dataset.
- **300 - Foot Buffer for Category 1 Waters.** A 300-foot or Category One (C1) is required by the Stormwater Management Act (N.J.A.C 7L8 and the Flood Hazard Area Control Act rules (FHACA; N.J.A.C. 7:13) for certain activities proposed adjacent to waters designated as C1 in the Surface designated as C1 in the Surface Water Quality Standards (N.J.A.C 7:9B). The listing of C1 water is located at N.J.A.C 7:9B (1.1599(c) - (i)). H2M downloaded the most recent, Category One (C1) Waters of New Jersey dataset published by the NJDEP. This dataset is derived from the Surface Water Quality Standards (SWQS) which reflects stream classifications adopted as of December 21, 2009.
- **Historic Sites.** H2M verified historic sites listed on the NJ Register of Historic Places by reviewing the list provided by the NJDEP Historic Preservation Office. Only one parcel on the inventory (Block 1106, Lot 29) is a part of a historic site, the Baylor Massacre Burial Site.
- **Sites for Active Recreation.** River Vale contains a number of parks and recreational open space that are classified as Class 15C – Public Properties. These lands were included in the inventory but are not included in the inventory of lands with Realistic Developable Potential (RDP).

Step 3 – P.L. 2024, Chapter 2 (A4), C.52:27D-310.1 (1)(c) – Density Analysis

Sites or parts of sites not eliminated from the above procedures shall be considered for inclusionary development. The character of the area surrounding each site shall be considered in establishing densities and set asides for each site. The minimum presumptive density according to C.52:27D-310.1(1)(c) is "any vacant contiguous parcels of land in private ownership of a size which would accommodate fewer than five housing units based on appropriate standards pertaining to housing density." This analysis interprets this as a minimum of 0.83 acres of buildable land per site, or which is a minimum of approximately five units per acre. The maximum presumptive affordable housing set-aside shall be 20%. The sum of these resulting outputs results in the Municipality's RDP.

H2M Methodology

H2M conducted a density analysis for the sites listed in the RDP inventory to determine the character of the area and average surrounding density. A 0.25-mile buffer around each site was used to determine the area's "neighborhood". Within the 0.25-mile neighborhood, the most recent, 2024 MOD-IV parcel data from NJGIN was used to calculate a parcel's acreage and municipal zoning regulations were used to determine the true density for each parcel. An average density for the 0.25-mile neighborhood was used to determine an appropriate density for the RDP site.

Only residential properties were included in this density analysis. Properties with commercial, school, church and charitable, or other exempt property classes were excluded from the neighborhood analysis. Furthermore, properties in non-residential zone districts were also excluded. Undersized parcels, under 10,000 square feet in residential zones, were also excluded from the neighborhood density analysis to avoid calculating an average density that was skewed unrealistically high.

Supplemental data from 2024 NJ Property Fax, Nearmap aerial Imagery, and Google Aerial Imagery were used as additional verification for the average number of units on each of the surrounding properties. Additionally, the zoning regulation for existing affordable housing districts or inclusionary developments were used to determine the appropriate density for applied to each potential RDP site.

The average density for the neighborhood surrounding Block 1509, Lot 3 is 8 dwelling units per acre (DUA) and the average density for the neighborhood surrounding Block 813, Lot 18 is 1.55 DUA. Further details are included in Table 2 below and in the attached table entitled **River Vale: 2025 Density Analysis Summary**.

Table 2: Density Analysis Summary			
Density Analysis Summary: Average Density of Residential Parcels in 0.25-mile buffer surrounding RDP Parcels			
0.25-mile Neighborhood around RDP Parcel	Residential Zone District	Average of Density (DUA)	Number of Residential Parcels
Block 1509, Lot 3			
	A	1.23	150
	A-1	2.58	6
	B	1.71	12
	MF-20	20.00	109
Block 1509, Lot 3 Neighborhood Avg. Density		8	277
Block 813, Lot 18			
	A	1.18	257
	Mesker Site*	15.00	7
Block 813, Lot 18 Neighborhood Avg. Density		1.55	264
*The Mesker 100% Affordable Housing Site is within the 0.25-mile neighborhood			

The Density Analysis conducted for the RDP sites are illustrated in the attached map entitled “Density Analysis: Block 1509, Lot 3” and “Density Analysis: Block 813, Lot 18.”

Site 1 – Block 1509, Lot 3

Site Location Map and Density Analyses Map are on the following pages.

Table 3: Block 1509, Lot 3	
Block and Lot:	Block 1509, Lot 3
Location:	Perry Place & Buckley Court
Owner:	Township of River Vale
Size:	1.11 total acres / 1.09 contiguous developable acres
Zone district:	A Residence Zone
Tax class:	Class 15C: Public Property
Constraints:	Wetlands
Affordable Housing Estimate	
¼-mile average neighborhood density:	8 dwelling units per acre
Presumptive Density	8 units / acre, yielding 7 total units, 1 affordable unit

Block 1509 Lot 3 is owned by the Township of River Vale and much of the property is developable.

Note that N.J.A.C. 5:93-4.2(g) states that “The municipality need not incorporate into its housing element and fair share plan all sites used to calculate the RDP if the municipality can devise an acceptable means of addressing the RDP.” Having devised ‘acceptable means’ of addressing the RDP, this property was not included as a compliance mechanism, although it is part of the Township’s VLA.

Map 1: Density Analysis Block 1509, Lot 3



Map 2: Density Analysis Block 1509, Lot 3



Site 2 – Block 813, Lot 18

Site Location Map and Density Analysis Map are on the following pages.

Table 4: Block 813, Lot 18	
Block and Lot:	Block 813, Lot 18
Location:	691 River Vale Road
Owner:	V.E.R. Corporation
Size:	5.54 acres
Zone district:	A Residence Zone
Tax class:	Class 4A: Commercial
Constraints:	None
Affordable Housing Estimate	
¼-mile average neighborhood density:	1.55 dwelling units per acre
Presumptive Density	8 units / acre, yielding 44 total units, 9 affordable units

While Block 813, Lot 18 is neither vacant or publicly owned, it is included within the VLA due to the owner/developer of the property (Incandescent) intervening in the declaratory judgment action filed by the Township and demanding inclusion of their site. This site will be used to address portion of the RDP and the unmet need.

Map 3: Density Analysis Block 813, Lot 18



Map 4: Density Analysis Block 813, Lot 18



ATTACHMENT #2

Date: Prepared June 5, 2025

Author: H2M architects + engineers

Title: Vacant Land Adjustment Tables and Maps

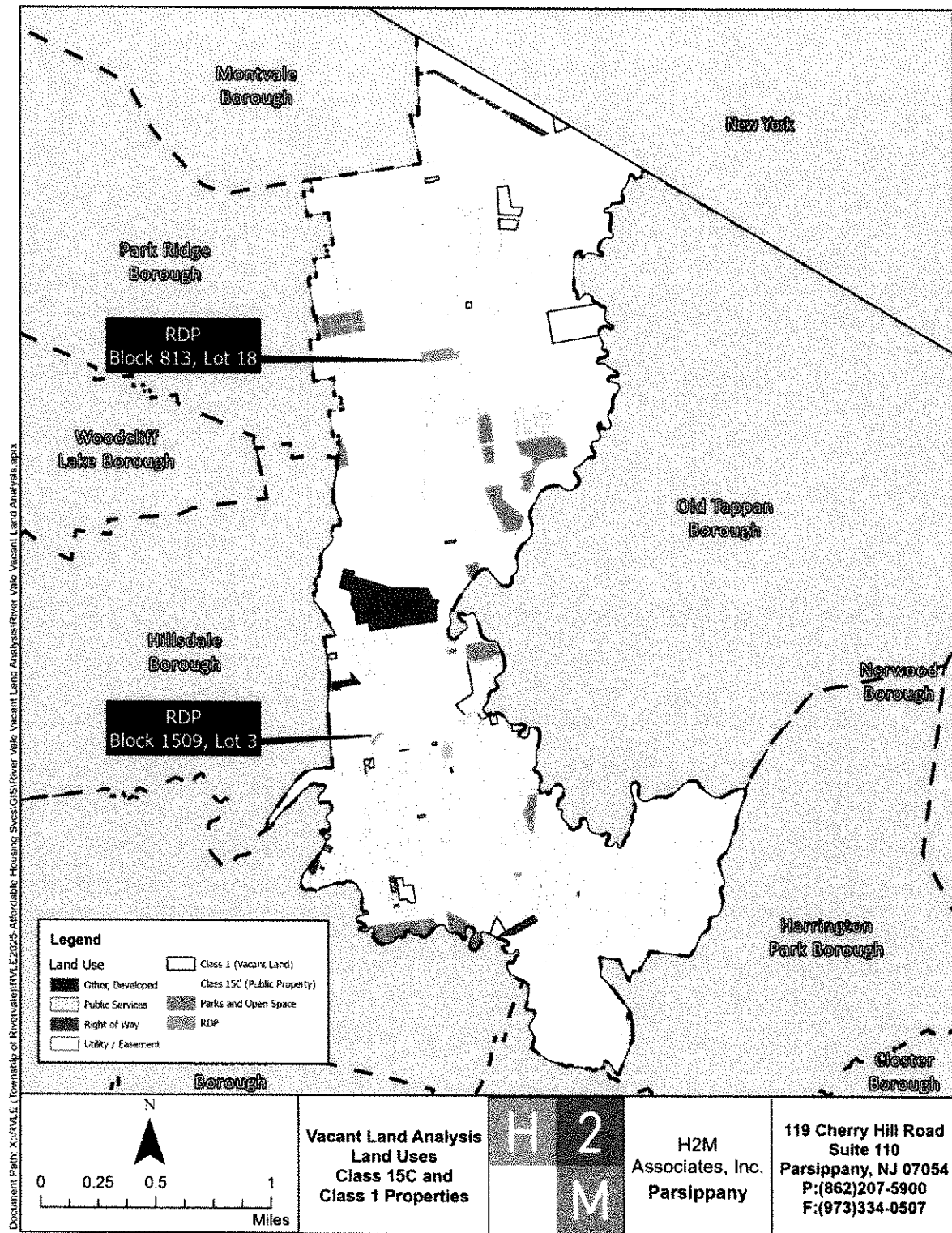
Type of Document: Vacant Land Adjustment

Substance: An updated Vacant Land Adjustment showing a Realistic Development Potential (RDP) of 10 units.

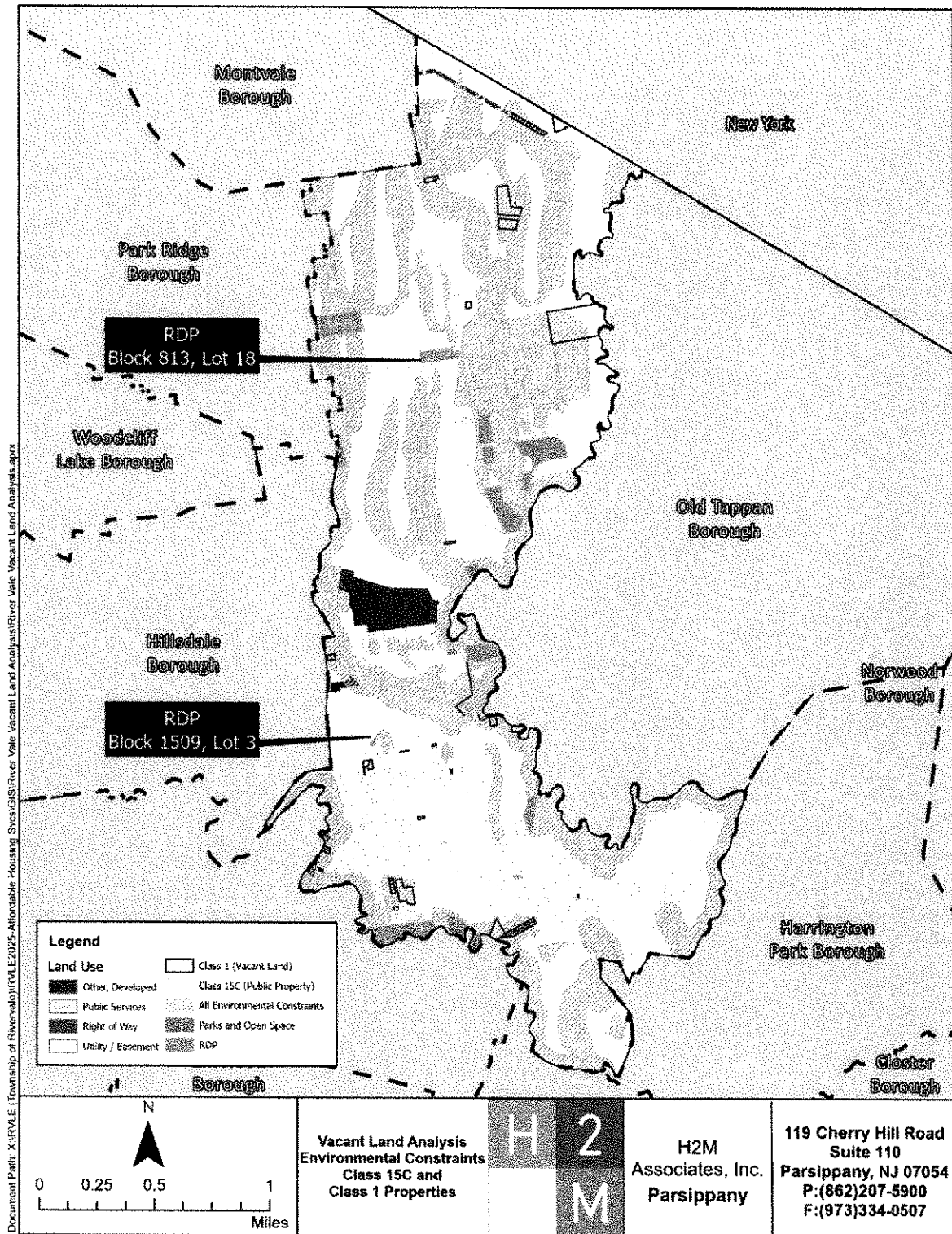
Persons Receiving Document(s): N/A

Present Location: On file with Township of River Vale

Map 5: Vacant Land Analysis



Map 6: Vacant Land Analysis and Environmental Constraints



2025 - River Vale Vacant Land Analysis

Block	Lot	Location	Current Owner	GIS Area	Constrained Acres	Buildable Acres	Units/Acre	Total Capacity	RDP/ 20% Set-aside	Constraint Description
101	17	ORANGEBURGH RD	ROCKLAND ELECTRIC CO C/O P CASELLA	2.18	2.11	0.07	6	0.00	0.00	High-Voltage Transmission ROW, Slopes Over 15%
101	32	MONTGOMERY LANE	TOWNSHIP OF RIVER VALE	0.54	0.44	0.10	6	0.00	0.00	Undersized, Slopes Over 15%
102	7	BLUE HILL RD	TOWNSHIP OF RIVER VALE	1.29	1.29	0.00	6	0.00	0.00	Undersized, Wetlands, C1 Waterway, SFHA, Regulatory Floodway
102	16	TELLER LANE	TOWNSHIP OF RIVER VALE	0.18	0.18	0.00	6	0.00	0.00	Undersized, C1 Waterway, SFHA, Regulatory Floodway, Slopes Over 15%
104	7	DORISKILL CT	TOWNSHIP OF RIVER VALE	0.18	0.18	0.00	6	0.00	0.00	Undersized, Slopes Over 15%
107	10	805 ANTRIM RD	JOJOC.NEMAMJA & ZINK, MICHELLE ANNA	0.06	0.01	0.05	6	0.00	0.00	Undersized, Wetlands, C1 Waterway
108	1.01	DORISKILL CT	TOWNSHIP OF RIVER VALE	0.34	0.10	0.24	6	0.00	0.00	Undersized, Slopes Over 15%
108	4	MONTGOMERY LANE	TOWNSHIP OF RIVER VALE	1.11	0.00	1.11	6	0.00	0.00	High-Voltage Transmission ROW
108	14	ANTRIM RD	TOWNSHIP OF RIVER VALE	1.33	0.43	0.90	6	0.00	0.00	High-Voltage Transmission ROW, Slopes Over 15%
111	9	ANTRIM RD	TOWNSHIP OF RIVER VALE	2.13	0.18	1.96	6	0.00	0.00	High-Voltage Transmission ROW, Slopes Over 15%
112	1	WYOMING AVE	CUSATI THOMAS G	0.05	0.00	0.05	6	0.00	0.00	Undersized
112	8	670 WICKLOW WAY	TOWNSHIP OF RIVER VALE	0.40	0.00	0.40	6	0.00	0.00	Undersized
201	1	VARIOUS LOCATIONS	UNITED WATER CO OF NJ/SUEZ	1.67	0.00	1.67	6	0.00	0.00	Utility, United Water
301	12	ORANGEBURGH RD	PATTON DEVELOPMENT PARTNERS LLC	5.19	5.19	0.00	6	0.00	0.00	Undersized, Wetlands, Slopes Over 15%
301	14	692 ORANGEBURGH ROAD	BEAR BAN BUILDERS LLC	2.17	2.17	0.00	6	0.00	0.00	Undersized, Wetlands, Slopes Over 15%
301	27	WOODSIDE AVE	TOWNSHIP OF RIVER VALE	0.39	0.21	0.18	6	0.00	0.00	Undersized, Wetlands
301.01	2.01	860 RIVERVALE RD	REMICK, STEVEN C	0.67	0.67	0.00	6	0.00	0.00	Undersized, Wetlands, C1 Waterway, SFHA, Regulatory Floodway, Slopes Over 15%
302	7	WOODSIDE AVE	TOWNSHIP OF RIVER VALE	0.56	0.56	0.00	6	0.00	0.00	Undersized, C1 Waterway, Regulatory Floodway
302	10	WOODSIDE AVE	TOWNSHIP OF RIVER VALE	0.15	0.10	0.05	6	0.00	0.00	Undersized, C1 Waterway
304	2	WOODSIDE AVE	TOWNSHIP OF RIVER VALE	0.30	0.30	0.00	6	0.00	0.00	Undersized, C1 Waterway, SFHA, Regulatory Floodway
304	11	LORETTA DR	TOWNSHIP OF RIVER VALE	0.08	0.08	0.00	6	0.00	0.00	Undersized, C1 Waterway
304	30	SARGENT RD	TOWNSHIP OF RIVER VALE	1.45	1.45	0.00	6	0.00	0.00	Undersized, Wetlands, C1 Waterway, SFHA, Regulatory Floodway
304	30.01	SARGENT RD	TOWNSHIP OF RIVER VALE	0.09	0.09	0.00	6	0.00	0.00	Undersized, C1 Waterway
404	1	BAILEY ROAD	TOWNSHIP OF RIVER VALE	0.32	0.32	0.00	6	0.00	0.00	Undersized, Wetlands, C1 Waterway, Slopes Over 15%
501.01	4	NO FRONT	TOWNSHIP OF RIVER VALE	1.07	1.06	0.00	6	0.00	0.00	Undersized, ROSI, Beach Crest Park, C1 Waterway
501.01	5	NO FRONT	TOWNSHIP OF RIVER VALE	2.82	2.82	0.00	6	0.00	0.00	Undersized, ROSI, Beach Crest Park, C1 Waterway, SFHA, Regulatory Floodway
501.01	6	NO FRONT	TOWNSHIP OF RIVER VALE	2.95	2.95	0.00	6	0.00	0.00	Undersized, ROSI, Beach Crest Park, Wetlands, C1 Waterway, SFHA, Regulatory Floodway, Slopes Over 15%
501.01	7	NO FRONT	TOWNSHIP OF RIVER VALE	3.04	3.03	0.01	6	0.00	0.00	Undersized, ROSI, Beach Crest Park, Wetlands, C1 Waterway, Regulatory Floodway, Slopes Over 15%
501.01	8	BEECH ST	TOWNSHIP OF RIVER VALE	2.10	2.10	0.00	6	0.00	0.00	Undersized, ROSI, Beach Crest Park, Wetlands, Slopes Over 15%
501.01	9	NO FRONT	TOWNSHIP OF RIVER VALE	1.08	1.08	0.00	6	0.00	0.00	Undersized, ROSI, Beach Crest Park, Wetlands, Slopes Over 15%
501.02	10.01	RIVER VALE ROAD	TOWNSHIP OF RIVER VALE	0.89	0.82	0.27	6	0.00	0.00	Excessive Narrowness, Slopes Over 15%
507	1.01	BAILEY RD	TOWNSHIP OF RIVER VALE	0.05	0.05	0.00	6	0.00	0.00	Undersized, Wetlands, C1 Waterway, SFHA
507	4	ROLLING HILL DR	TOWNSHIP OF RIVER VALE	0.53	0.53	0.00	6	0.00	0.00	Undersized, Wetlands, C1 Waterway, SFHA, Regulatory Floodway
509	3	DORCHESTER DR	TOWNSHIP OF RIVER VALE	0.23	0.23	0.00	6	0.00	0.00	Undersized, C1 Waterway, Regulatory Floodway
510	3	ROLLING HILL DR	TOWNSHIP OF RIVER VALE	0.16	0.16	0.00	6	0.00	0.00	Undersized, Wetlands, C1 Waterway, SFHA, Regulatory Floodway
510	11	DORCHESTER DR	TOWNSHIP OF RIVER VALE	0.79	0.79	0.00	6	0.00	0.00	Undersized, Wetlands, C1 Waterway, Regulatory Floodway
601	7.01	728 RIVERVALE RD	CRESCENT WAYNE LLC	0.38	0.00	0.38	6	0.00	0.00	Undersized

2025 - River Vale Vacant Land Analysis

Block	Lot	Location	Current Owner	GIS Area	Constrained Acres	Buildable Acres	Units/Acre	Total Capacity	RDP/ 20% Set-aside	Constraint Description
801	24	JAMES LANE	TOWNSHIP OF RIVER VALE	0.39	0.39	0.00	6	0.00	0.00	Undersized, C1 Waterway, Regulatory Floodway
802	5.01	JAMES LANE	TOWNSHIP OF RIVER VALE	0.21	0.21	0.00	6	0.00	0.00	Undersized, C1 Waterway, Regulatory Floodway
701	1	RIVERVALE RD - REAR	UNITED WATER CO OF NJ/SUEZ	21.15	11.77	9.37	6	56.23	11.25	ROSI, River Vale Country Club, Wetlands, Regulatory Floodway, Slopes Over 15%
701	2	660 RIVERVALE RD	TOWNSHIP OF RIVER VALE	3.27	3.27	0.01	6	0.00	0.00	Undersized, ROSI, River Vale Country Club, C1 Waterway, Slopes Over 15%
701	5	650 RIVERVALE RD	TOWNSHIP OF RIVER VALE	0.48	0.48	0.00	6	0.00	0.00	Undersized, Slopes Over 15%
801	9	WITTICH TERR	TOWNSHIP OF RIVER VALE	0.96	0.96	0.00	6	0.00	0.00	Undersized, Wetlands, C1 Waterway, SFHA, Regulatory Floodway
801	30	THURNAU DR	TOWNSHIP OF RIVER VALE	1.08	1.08	0.00	6	0.00	0.00	Undersized, Wetlands, C1 Waterway, SFHA, Regulatory Floodway
813	6	THURNAU DR	TOWNSHIP OF RIVER VALE	0.20	0.00	0.20	6	0.00	0.00	Undersized
813	18	691 RIVERVALE RD	V.E.R. CORP	5.54	0.00	5.54	6	33.24	6.65	Forcellati Brothers Garden Center, Nursery, Non-conforming in Residential Zone
814	5	THURNAU DR	TOWNSHIP OF RIVER VALE	1.81	1.81	0.00	6	0.00	0.00	Undersized, Wetlands, C1 Waterway
814	11	JONES RD	TOWNSHIP OF RIVER VALE	0.03	0.02	0.03	6	0.00	0.00	Undersized, Wetlands, Slopes Over 15%
814	15	JONES RD	TOWNSHIP OF RIVER VALE	0.06	0.06	0.00	6	0.00	0.00	Undersized, C1 Waterway, Slopes Over 15%
903	7	PROSPECT ST	TOWNSHIP OF RIVER VALE	2.97	2.97	0.00	6	0.00	0.00	Undersized, ROSI, Prospect Avenue Open Space, C1 Waterway, Regulatory Floodway
903	13.01	BAYLOR AVE	TOWNSHIP OF RIVER VALE	0.52	0.52	0.00	6	0.00	0.00	Undersized, C1 Waterway, Regulatory Floodway
905	8	BAYLOR AVE	TOWNSHIP OF RIVER VALE	0.20	0.20	0.00	6	0.00	0.00	Undersized, Wetlands, C1 Waterway, SFHA, Regulatory Floodway
906	8	BAYLOR AVE	TOWNSHIP OF RIVER VALE	0.20	0.20	0.00	6	0.00	0.00	Undersized, Wetlands, C1 Waterway, SFHA, Regulatory Floodway
906	20	FOREST DR	TOWNSHIP OF RIVER VALE	0.12	0.12	0.00	6	0.00	0.00	Undersized, Wetlands, C1 Waterway, SFHA, Regulatory Floodway
908	13	BAYLOR AVE	TOWNSHIP OF RIVER VALE	0.17	0.17	0.00	6	0.00	0.00	Undersized, C1 Waterway, Regulatory Floodway
909	5	FOREST DR	TOWNSHIP OF RIVER VALE	0.12	0.12	0.00	6	0.00	0.00	Undersized, Wetlands, C1 Waterway, Regulatory Floodway
913	6	BERNIRA DR	TOWNSHIP OF RIVER VALE	1.21	1.21	0.00	6	0.00	0.00	Undersized, Wetlands, C1 Waterway, SFHA, Regulatory Floodway, Slopes Over 15%
1001	1	620 RIVERVALE RD	TOWNSHIP OF RIVER VALE	0.70	0.00	0.70	6	0.00	0.00	Undersized, Firehouse
1001	10.01	POPLAR RD	TOWNSHIP OF RIVER VALE	5.04	5.04	0.00	6	0.00	0.00	Undersized, ROSI, River Vale Open Space, C1 Waterway, Slopes Over 15%
1001	11	628 RIVERVALE RD	TOWNSHIP OF RIVER VALE	0.44	0.00	0.44	6	0.00	0.00	Undersized
1002	1.01	POPLAR RD	TOWNSHIP OF RIVER VALE	2.69	2.69	0.00	6	0.00	0.00	Undersized, ROSI, Poplar Road Park, C1 Waterway, Slopes Over 15%
1002	1.02	POPLAR RD	TOWNSHIP OF RIVER VALE	16.15	15.08	1.10	6	0.00	0.00	ROSI, Poplar Road Wildlife Sanctuary, Wetlands, C1 Waterway, SFHA, Regulatory Floodway
1002	3	RIVER VALE ROAD	HARRING, ROBERT L.	0.02	0.01	0.01	6	0.00	0.00	Undersized, Developed, Cemetery, Slopes Over 15%
1002	5.01	HARING FARM CT	TOWNSHIP OF RIVER VALE	0.04	0.01	0.03	6	0.00	0.00	Undersized, ROW, Slopes Over 15%
1101	2.01	POPLAR RD	COUNTY OF BERGEN	34.79	29.30	5.49	6	0.00	0.00	ROSI, Cherry Brook Woods, Wetlands, C1 Waterway, SFHA, Regulatory Floodway, Slopes Over 15%
1102	9	ASTOR LA	TOWNSHIP OF RIVER VALE	0.15	0.00	0.15	6	0.00	0.00	Undersized
1106	29	605 RED OAK DR	BERGEN COUNTY	2.20	2.20	0.00	6	0.00	0.00	Undersized, ROSI, Baylor Massacre Burial Site, Wetlands, C1 Waterway, SFHA, Regulatory Floodway
1201	6.03	PIERMONT AVE	TOLL NJ LLC	42.57	0.42	42.15	6	0.00	0.00	Developed, Fairways at Edgewood, Wetlands
1201	7	509 RIVERVALE RD	BURNS, STEPHEN & NICOLE	0.27	0.10	0.17	6	0.00	0.00	Undersized, C1 Waterway
1301	1.01	458 CEDAR LANE	RAY SAOUD FARMS INC	0.50	0.50	0.00	6	0.00	0.00	Undersized, Wetlands, C1 Waterway
1301	39.01	430 CEDAR LANE	TOWNSHIP OF RIVER VALE	3.67	1.70	1.97	6	0.00	0.00	Developed, Senior Housing, Wetlands, C1 Waterway, Regulatory Floodway
1301	56	BROOK AVE	BERGEN CO SEWER AUTHORITY	0.25	0.25	0.00	6	0.00	0.00	Utility, Undersized, Wetlands, C1 Waterway

2025 - River Vale Vacant Land Analysis

Block	Lot	Location	Current Owner	GIS Area	Constrained Acres	Buildable Acres	Units/Acre	Total Capacity	RDP/ 20% Set-aside	Constraint Description
1401	3	406 RIVERVALE RD	TOWNSHIP OF RIVER VALE	9.19	9.13	0.06	6	0.00	0.00	Undersized ROSI, Grove Field, Wetlands, C1 Waterway, SFHA, Regulatory Floodway, Slopes Over 15%
1401	9	RIVERVALE RD	UNITED WATER CO OF NJ/SUEZ	19.34	17.59	1.75	6	0.00	0.00	Utility, United Water of NJ, Wetlands, C1 Waterway, SFHA, Regulatory Floodway
1401	10	330 & 334 RIVERVALE RD	TOWNSHIP OF RIVER VALE	0.48	0.48	0.00	6	0.00	0.00	Undersized, DPW Garage, C1 Waterway
1401	12	320 RIVERVALE RD	TOWNSHIP OF RIVER VALE	0.44	0.26	0.18	6	0.00	0.00	Undersized, C1 Waterway, SFHA
1401	23	NEW ST	SAVOY, RONALD S & CAROL J	0.92	0.92	0.00	6	0.00	0.00	Undersized, Wetlands, C1 Waterway, SFHA, Regulatory Floodway
1401	25	400 RIVERVALE RD	TOWNSHIP OF RIVER VALE	1.40	1.26	0.14	6	0.00	0.00	Undersized ROSI, Grove Field, Wetlands, C1 Waterway
1501	35.01	329 RIVERVALE RD	RIVER VALE AMBULANCE CORP.	0.54	0.35	0.18	6	0.00	0.00	Undersized, River Vale Ambulance Corp., C1 Waterway
1503	1	313 MARTIN ST	BRODERICK, THOMAS F	0.12	0.00	0.12	6	0.00	0.00	Undersized
1504	2	MAY ST	TOWNSHIP OF RIVER VALE	1.96	0.00	1.96	6	0.00	0.00	Wetlands, Park
1506	10	802 CLEVELAND AVE	MILETIC, JURE & NINO	0.06	0.00	0.06	6	0.00	0.00	Undersized
1508	11	VICTORY PL	SEITZ, PETER E	0.02	0.00	0.02	6	0.00	0.00	Undersized
1509	3	PERRY PL&BUCKLEY CT	TOWNSHIP OF RIVER VALE	1.10	0.18	0.91	6	5.48	1.10	Wetlands
1510	22.01	104 CHOI CT	KENYON, JOHN HOGAN & KATHRYN JO	0.42	0.00	0.42	6	0.00	0.00	Undersized
1510	22.02	108 CHOI CT	RAY REDUCE DEVELOPMENT INC	0.46	0.00	0.46	6	0.00	0.00	Undersized
1601	3	REAR	BERGEN COUNTY SEWER AUTHORITY	1.84	1.84	0.00	6	0.00	0.00	Undersized, Utility - Bergen County Sewer Authority, Wetlands, C1 Waterway, SFHA, Regulatory Floodway
1602	18.01	231 CEDAR LANE REAR	PUISIANO, PHILIP & FRANCINE	0.24	0.24	0.00	6	0.00	0.00	Undersized, C1 Waterway, SFHA, Regulatory Floodway, Slopes Over 15%
1602	19.01	CEDAR LANE REAR	PULSIANO, P & F	0.25	0.25	0.00	6	0.00	0.00	Undersized, C1 Waterway, SFHA, Regulatory Floodway, Slopes Over 15%
1602	25	CEDAR LANE - REAR	D'ANDREA, RICHARD & CATHERINE	0.42	0.42	0.00	6	0.00	0.00	Undersized, Wetlands, C1 Waterway, SFHA, Regulatory Floodway, Slopes Over 15%
1603	1	501 WESTWOOD AVE	TOWNSHIP OF RIVER VALE	0.35	0.35	0.00	6	0.00	0.00	Undersized, C1 Waterway, SFHA, Regulatory Floodway
1603	2	503 WESTWOOD AVE	TOWNSHIP OF RIVER VALE	0.53	0.53	0.00	6	0.00	0.00	Undersized, C1 Waterway, Regulatory Floodway
1607	1	RIGHT OF WAY	TOWNSHIP OF RIVER VALE	1.60	1.60	0.00	6	0.00	0.00	Undersized, ROW, Wetlands, C1 Waterway, SFHA, Regulatory Floodway, Slopes Over 15%
1608	9	RIGHT OF WAY	BUTCH LLC	0.09	0.09	0.00	6	0.00	0.00	Undersized, ROW, C1 Waterway
1708	13	CENTRAL AVE	TOWNSHIP OF RIVER VALE	0.28	0.00	0.28	6	0.00	0.00	Undersized
1711	20.01	238 WILLIAM STREET	TOWNSHIP OF RIVER VALE	0.57	0.00	0.57	6	0.00	0.00	Undersized
1715	26	242 ROCKLAND AVE	BOGART, ROBERT W & BARBARA A.	0.18	0.00	0.18	6	0.00	0.00	Undersized
1801	4	RANGES FIELD OFF RIVER DR	TOWNSHIP OF RIVER VALE	4.42	4.41	0.00	6	0.00	0.00	Undersized, ROSI, Ranges Field Park, Wetlands, C1 Waterway, SFHA, Regulatory Floodway
1805	2	RIVER DR	TOWNSHIP OF RIVER VALE	0.23	0.23	0.00	6	0.00	0.00	Undersized, Wetlands, C1 Waterway, SFHA, Regulatory Floodway
1805	6	RIVER DR	TOWNSHIP OF RIVER VALE	0.11	0.11	0.00	6	0.00	0.00	Undersized, Wetlands, C1 Waterway, SFHA, Regulatory Floodway
1806	2	CHARLES CT	TOWNSHIP OF RIVER VALE	0.05	0.00	0.05	6	0.00	0.00	Undersized, SFHA
2101	28.01	180 RIVERVALE RD	TOWNSHIP OF RIVER VALE	0.48	0.33	0.14	6	0.00	0.00	Undersized, ROSI, River Vale Memorial Park
2103	1	BROOKSIDE AVE	BEAR BROOK BUILDERS LLC	2.08	2.08	0.00	6	0.00	0.00	Undersized, Wetlands, C1 Waterway, SFHA, Regulatory Floodway
2103	10.04	129 RIVERVALE RD	LEE, REUBEN & A RA	1.47	1.35	0.11	6	0.00	0.00	Undersized, Wetlands, C1 Waterway, SFHA, Regulatory Floodway
2103	10.05	125 RIVERVALE RD	KANDAMANGALAM, S N & SUBRAMANIAN, R	1.22	1.09	0.14	6	0.00	0.00	Undersized, Wetlands, C1 Waterway, SFHA, Regulatory Floodway
2110	18	738 TIFFANY AVE	VEDRAL JOHN & KATHLEEN M	0.06	0.00	0.06	6	0.00	0.00	Undersized
2110	55	TIFFANY AVE	TOWNSHIP OF RIVER VALE	0.06	0.00	0.06	6	0.00	0.00	Undersized
2201	20	WESTWOOD AVE	BERGEN COUNTY PK COMMISSION	3.44	3.44	0.00	6	0.00	0.00	Undersized, ROSI, Pascack Brook County Park, Wetlands, C1 Waterway, SFHA, Regulatory Floodway
2202	11	174 OAK AVENUE SOUTH	TOWNSHIP OF RIVER VALE	0.22	0.22	0.00	6	0.00	0.00	Undersized, Wetlands

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Block	Lot	Location	Current Owner	GIS Area	Constrained Acres	Buildable Acres	Units/Acre	Total Capacity	RDP/ 20% Set-aside	Constraint Description
2202	12	170 OAK AVENUE SOUTH	RIVER VALE HL PARTNERS	0.11	0.11	0.00	6	0.00	0.00	Undersized, Wetlands
2202	13	168 OAK AVENUE SOUTH	TOWNSHIP OF RIVER VALE	0.16	0.16	0.00	6	0.00	0.00	Undersized, Wetlands
2202	20	HIGHLAND AVE	TOWNSHIP OF RIVER VALE	0.22	0.05	0.17	6	0.00	0.00	Undersized, Wetlands
2202	21	175 HIGHLAND AVE	JAE REALTY LLC	0.17	0.16	0.01	6	0.00	0.00	Undersized, Wetlands
2202	26	183 HIGHLAND AVE	RIVER VALE HL PART & B&P LAND CO	0.22	0.22	0.00	6	0.00	0.00	Undersized, Wetlands
2202	27	187 HIGHLAND AVE	RIVER VALE HL PART & B&P LAND CO	0.28	0.28	0.00	6	0.00	0.00	Undersized, Wetlands
2202	28	193 HIGHLAND AVE	RIVER VALE HL PART & B&P LAND CO	0.17	0.17	0.00	6	0.00	0.00	Undersized, Wetlands
2202	29	195 WESTWOOD AVE	RIVER VALE H&L PART & B&P LAND CO	0.11	0.11	0.00	6	0.00	0.00	Undersized, Wetlands
2203	2	HIGHLAND AVE	JAE REALTY, LLC	3.48	3.18	0.30	6	0.00	0.00	Undersized, RDP 2019, Developed, Wetlands
2203	8	WESTWOOD AVE	BERGEN COUNTY PK COMMISSION	7.30	7.30	0.00	6	0.00	0.00	Undersized, Wetlands, C1 Waterway, SFHA, Regulatory Floodway
2208	1	WESTWOOD AVE	BERGEN COUNTY PARK COMM	4.76	4.76	0.00	6	0.00	0.00	Undersized, ROSI, Pascack Brook County Park, Wetlands, C1 Waterway, SFHA, Regulatory Floodway
2208	7.01	REAR BROOKSIDE AVE	BERGEN COUNTY PARK COMM.	2.26	2.26	0.00	6	0.00	0.00	Undersized, ROSI, Pascack Brook County Park, Wetlands, C1 Waterway, SFHA, Regulatory Floodway
2208	17	GEIGER DR. REAR	BERGEN COUNTY PARK COMM	2.33	2.31	0.01	6	0.00	0.00	Undersized, ROSI, Pascack Brook County Park, Wetlands, C1 Waterway, SFHA, Regulatory Floodway
2301	13	15 RIVERVALE ROAD	COUNTY OF BERGEN	60.54	48.43	32.11	6	0.00	0.00	Valley Brook Golf Course, Wetlands, C1 Waterway, SFHA, Regulatory Floodway
2301	14	REAR	SAEED SHIRAZ & SHEHRAZAD	0.67	0.00	0.67	6	0.00	0.00	Undersized, Developed, Home in Harrington Park
2402	5	PASCACK AVE	RASHKAN, BEHROUZ	0.10	0.00	0.10	6	0.00	0.00	Undersized, Developed, Home in Harrington Park

APPENDIX C:

Affordable Housing Ordinance

Contents:

Attachment I: Affordable Housing Ordinance - §142-236.2 Affordable Housing Zone (AH-1)

APPENDIX C:

ATTACHMENT #I

Date:	Prepared June 5, 2025
Author:	H2M architects + engineers
Title:	Affordable Housing Ordinance
Type of Document:	Explanatory Document
Substance:	The Township of River Vale's municipal ordinance establishing the Affordable Housing Zone.
Persons Receiving Document(s):	N/A
Present Location:	On file with Township of River Vale

§ 142-236.2. Affordable Housing Zone (AH-1). [Added 5-23-2011 by Ord. No. 249-2011]

- A. Purpose. The purpose of this district is to provide for the production of rental age-restricted low- and moderate-income housing in conformance with the latest procedural and substantive rules of the New Jersey Council on Affordable Housing (COAH) and as part of a comprehensive plan. The comprehensive plan will permit the affordable housing development in conjunction with the subdivision of an additional residential lot, which will facilitate the development of the affordable housing. The rental age-restricted affordable housing development will be located on the northern area of the property. The residential lot to be subdivided will be located on the southern section of the total tract. **[Amended 9-24-2012 by Ord. No. 263-2012]**
- B. Permitted principal uses. Within the AH-1 Zone, the following uses are permitted:
- (1) Age-restricted multifamily affordable housing development: one/more building(s) containing rental residential apartment units that are affordable pursuant to the rules and regulations of the New Jersey Council on Affordable Housing (COAH). The building(s) shall contain a one-bedroom apartment and office space for a Building Supervisor. The Building Supervisor's apartment shall neither be affordable nor age-restricted. Except for the Building Supervisor's apartment, all units shall be affordable and age-restricted dwelling units for households aged 62 and under as defined herein. Also known as an "affordable housing development."
 - (2) Single-family detached dwellings: for future lot(s) to be subdivided. **[Amended 9-24-2012 by Ord. No. 263-2012]**
- C. Permitted accessory uses for age-restricted multifamily affordable housing development in the AH-1 Affordable Housing Zone:
- (1) Attached common garage structures and indoor and/or outdoor areas devoted to off-street parking.
 - (2) One double-faced ground-type sign identifying the development may be located at each entrance to said development, provided such sign meets all the requirements of Article LIII of this Code, with the following exception:
 - (a) Any such sign located within the AH-1 is limited to 18 square feet in area on each side and is mounted no greater than four feet above finished grade on a freestanding wall or a structure not exceeding six feet in height above the ground level. The design, location and landscaping of such sign shall be as approved by the Joint Planning Board.
 - (b) The sign shall only be externally illuminated, but illumination shall not spill onto, or the light source be visible from, adjacent dwellings.
- D. Requirements for age-restricted multifamily affordable housing development in the AH-1 Affordable Housing Zone.
- (1) Use and occupancy restrictions:
 - (a) All units within the age-restricted multifamily affordable housing development

located in the AH-1 shall be age-restricted units as defined in § 142-3 and affordable pursuant to New Jersey Council on Affordable Housing (COAH) rules.

- (b) Federal Fair Housing Act. The age-restricted multifamily affordable housing development in the AH-1 Zone shall comply with all applicable requirements of the Federal Fair Housing Act and all amendments thereto, except as noted above, and all applicable rules and regulations of the United States Department of Housing and Urban Development (HUD) regarding such use, ownership and occupancy and shall further comply with all applicable HUD rules and regulations for self-certification of compliance with the Act and with HUD's rules and regulations.
- (c) Affordable Housing Official. The Township may appoint an Affordable Housing Official who will be responsible for monitoring and implementing the provisions of this section and assuring that the affordable units remain affordable to affordable households. No certificate of occupancy shall be issued for an affordable unit without the written approval of the Township or the Affordable Housing Official. Such approval shall be denied unless the unit is subject to an individual or master deed containing a covenant running with the land which assures that the unit will remain affordable to affordable households for a period of at least the minimum required by COAH.
- (d) Rentals and sales.
 - [1] No affordable unit shall be rented or rerented without the written approval of the Township or the Affordable Housing Official. In order to obtain such approval, the seller or lessor shall be required to demonstrate that the proposed sale or lease complies in all respects with the provisions of this article and COAH obligations.
 - [2] Rents or sale prices of affordable units shall be established in accordance with the Uniform Affordability Controls set forth in N.J.A.C. 5:80-26.
 - [3] In establishing prices and rents, the Uniform Housing Affordability Controls rely on the regional income limits determined as follows:
 - [a] Median income by household size shall be established by a regional weighted average of the uncapped Section 8 income limits published by HUD. To compute this regional income limit, the HUD determination of median county income for a family of four is multiplied by the estimated households within the county. The resulting product for each county within the housing region is summed. The sum is divided by the estimated total households in each housing region. This quotient represents the regional weighted average of median income for a household of four. This regional weighted average is adjusted by household size based on multipliers used by HUD to adjust median income by household size.
 - [b] The price and rent of low- and moderate-income units may be increased annually based on the percentage increase in the Housing Consumer

Price Index for the United States. This increase shall not exceed 9% in any one year. Rents for units constructed pursuant to low-income tax credit regulations shall be indexed pursuant to the regulations governing low-income tax credits.

- (e) Affirmative marketing program. Every approved age-restricted multifamily affordable housing development subject to the requirements of this article shall be affirmatively marketed in conformance with the Township of River Vale's Affirmative Marketing Plan approved by COAH. Every approved age-restricted multifamily affordable housing development subject to the requirements of this article shall submit an affirmative marketing program designed to disseminate information regarding the availability of affordable income units. The affirmative marketing process for available affordable units shall begin at least four months prior to expected occupancy. Advertising and outreach shall take place during the first week of the marketing program and each month thereafter until all available units have been leased or sold. The program shall include at least the following:
 - [1] One advertisement will be published in at least the following newspapers, and any other newspapers, deemed necessary by the Township, of general circulation at or within the housing region:
 - [a] The Record.
 - [b] Community Life.
 - [2] The advertisement will include the following:
 - [a] The location of the units;
 - [b] Directions to the housing units;
 - [c] A range of prices for the housing units;
 - [d] The size, as measured in bedrooms, of the housing units;
 - [e] The maximum income permitted to qualify for the housing units;
 - [f] The business hours when interested households may obtain an application for a housing unit; and
 - [g] Application fees, if any.
 - [3] One advertisement will be broadcasted on the following regional radio and/or cable television station and any other such station deemed necessary by the Township:
 - [a] Cablevision of New Jersey.
 - [4] Additionally, all newspaper articles, announcements and requests for applications for low- and moderate-income housing will appear in at least the following and any other such newspapers deemed necessary by the Township:

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- [a] The Record.
 - [b] Community Life.
- [5] Applications will be mailed to prospective applicants upon request.
- [6] The following is the location of applications, brochure(s), sign(s), and/or poster(s) currently used as part of the affirmative marketing program:
- [a] The county administrative building and/or the county library for each county within the housing region;
 - [b] The municipal administrative building(s) and the municipal library;
 - [c] The developer's sales/rental office.
- [7] The following is a current list of community and regional organizations that will aid in soliciting low- and moderate-income applicants:
- [a] Religious groups.
 - [b] Tenant organizations.
 - [c] Civic organizations.
- [8] The following is a description of the random selection method that will be used to select occupants of low- and moderate-income housing:
- [a] Each applicant upon submission of an application will be designated a number. Two categories will be created: one for low-income households and one for moderate-income households. A blind drawing will be undertaken: one each for low- and moderate-income households who are eligible for the specific affordable units.
 - [b] A waiting list of all eligible candidates will be maintained in accordance with the provisions contained in N.J.A.C. 5:80-26 et seq.
 - [c] Households who live or work in Housing Region 1 shall be given preference for sales and rental units constructed within this housing region. Applicants living outside this housing region will have an equal opportunity for units after regional applicants have been initially serviced.
- (2) Age-restricted multifamily affordable housing development use and occupancy restrictions.
- (a) All age-restricted multifamily affordable residential units within the AH-1 Zone shall be specifically designed and intended for and limited to occupancy by households composed of at least one permanent resident 62 years of age or older and with children under the age of 19 being expressly prohibited.
 - (b) Through its corporation, association or owners, the land and buildings for the

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affordable housing development shall be restricted, by bylaws, rules, regulations and restrictions of record, to permanent use and occupancy by persons of 62 years of age or older, subject to the following exceptions, consistent with the requirements of the Federal Fair Housing Act, as amended; all units shall meet the age requirements herein.

- (c) A spouse or other person under the age of 62 years who is residing with a person who is 62 years of age or over and qualified to reside in the unit may reside in the age-restricted housing unit.
 - (d) An adult under 62 years of age may reside in a unit in the age-restricted housing if it is established that the presence of such person is essential to the physical care of one or more of the occupants of the same unit who are qualified to reside in the unit. A certified letter from a licensed medical doctor must be provided indicating the necessity of such care.
 - (e) Children over the age of 19 shall be permitted to reside in the same unit with a parent if the parent is 62 years of age or over and qualified to reside in the age-restricted housing unit.
 - (f) The age-restricted housing shall comply with all applicable requirements of the Federal Fair Housing Act and all amendments thereto, except as noted above, and all applicable rules and regulations of the United States Department of Housing and Urban Development (HUD) regarding such use, ownership and occupancy and shall further comply with all applicable HUD rules and regulations for self-certification of compliance with the Act and with HUD's rules and regulations. The residency restriction applicable to the development may be reviewed by the Township Attorney for compliance with the Federal Fair Housing Act.
- E. Age-restricted multifamily affordable housing development area and density requirements. The following requirements shall apply to any affordable housing development proposed for the AH-1 Zone:
- (1) Minimum tract area. There shall be a minimum tract area of three acres.
 - (2) Maximum density and number of units. There shall be no more than 15 dwelling units per gross lot acre within the AH-1 Zone. **[Amended 9-24-2012 by Ord. No. 263-2012]**
 - (3) Maximum building coverage: 10% of gross lot area, including any road widening or utility easements.
 - (4) Maximum impervious coverage: 30% of gross lot area, including any road widening or utility easements.
- F. Age-restricted multifamily affordable housing development setback and height requirements. The following setback and height requirements shall apply to any affordable housing development proposed for the AH-1 Zone:
- (1) Limiting schedule.
 - (a) Minimum front setback: 60 feet.

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- (b) Minimum side yard setback: 25 feet.
 - (c) Minimum rear yard setback: 40 feet.
 - (d) Maximum building height: 2 1/2 stories or 35 feet within 150 feet of front lot line; 3 1/2 stories or 45 feet for balance of lot. **[Amended 9-24-2012 by Ord. No. 263-2012]**
- (2) Lot depth. The minimum lot depth shall be 200 feet taken parallel to the side lot lines.
- (3) Lot width and frontage: 100 feet.
- G. Single-family dwelling. Area, bulk, setback and yard requirements: same as the A Residential Zone, except that a minimum lot width and frontage of 100 feet shall be permitted.
- H. Age-restricted multifamily affordable housing development amenities.
 - (1) Age-restricted multifamily affordable housing development in the AH-1 Zone may include indoor and outdoor common areas, recreational areas and community facilities provided for the exclusive use of its residents.
 - (2) Areas intended for recreational purposes shall include facilities for active and passive recreation particularly suitable for residents.
 - (3) Any multipurpose facility shall be designed and equipped to meet the social and recreational needs of the anticipated residents of the AH-1 Zone. This may include exercise rooms, hobby and craft rooms, lounge areas, meeting rooms, card rooms, rooms providing support facilities for outdoor recreational facilities or other similar facilities, all as required meeting the needs of the residents.
 - (4) Elevators shall be provided as required by the Uniform Construction Code.
- I. Age-restricted multifamily affordable housing development roadways and parking standards.
 - (1) All requirements of the River Vale Land Development Ordinance relating to parking lot design shall be applicable to an age-restricted multifamily affordable housing development in the AH-1 Zone.
 - (2) No parking of recreational or commercially registered or used vehicles, mobile homes, trailers or boats shall be permitted on the site.
 - (3) There shall be a minimum of one parking space for every two residential units for the entire affordable housing development. **[Amended 9-24-2012 by Ord. No. 263-2012]**
 - (4) Landscaping in parking areas shall be provided as follows:
 - (a) Landscaped strips of a minimum four feet in width shall be provided between all parking lots and property lines, and a minimum ten-foot landscaped strip shall be provided between all buildings and property lines.
 - (b) Landscaped areas should be located in protected areas, such as along walkways, in

center islands, or at the end of parking bays, and shall be distributed throughout the parking area to mitigate the view of the parked vehicles without interfering with adequate sight distance for vehicles or pedestrians. The landscaping shall consist of hardy, low maintenance varieties of trees, and shrub plantings, as well as trees of a minimum eight feet in height.

- (c) One shade tree with a minimum diameter of three inches measured three feet above the ground shall be provided for every five parking spaces. Trees shall be staggered and/or spaced so as not to interfere with driver vision and shall have branches no lower than six feet.
 - (d) All landscaping and plantings shall be maintained continually in accordance with provisions of the site plan approval for the development. Plantings which do not live shall be replaced within six months, but no longer than the next growing season. Notwithstanding this provision, all applicants must continually meet the provisions of site plan approval with respect to the maintenance of landscape plans.
- J. Age-restricted multifamily affordable housing development utilities. All utilities within the affordable housing development shall be placed underground from the service point locations surrounding the site.
- K. Age-restricted multifamily affordable housing development other improvements and design standards.
- (1) The development plan for the site, its developed facilities and the interior of residential units in the AH-1 Zone must be specifically designed in accordance with all applicable building codes of the State of New Jersey.
 - (2) Lighting plans for the entire development shall be submitted with the site application. Artificial lighting shall be provided along all walks and interior roads and driveways and in all off-street parking areas, depending upon anticipated nighttime use, with sufficient illumination for the safety and convenience of the residents. The source of lighting shall be directed downward, away from buildings and adjoining streets and property lines. Lighting fixtures shall be so arranged that the direct source of light is not visible from any adjacent residential area.
 - (3) Light fixtures shall not be greater in height than 15 feet and shall be aimed and shielded in a manner that shall not direct illumination on adjacent lands. Fixtures should be of the cut-off type to prevent glare from normal viewing angles and represent an architectural "period" or theme consistent with building exteriors. Maintained illumination levels shall average not more than one footcandle over the site, and at no point shall they exceed 3 1/2 footcandles. Lighting shall provide a minimum uniformity ratio of 20:1 (maximum:minimum) on all paved surfaces used for motor vehicles.
 - (4) Lighting plans shall include photometric data, color rendering index (CRI) of all lamps, and other descriptive information on the fixtures, and, if applicable or required, designation as Illuminating Engineering Society of North America (IESNA) "cut-off" fixtures.
 - (5) Computer-generated photometric grid showing footcandle readings every 10 feet within

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the property or site, and 10 feet beyond the property lines at a scale consistent with site plans. Iso-footcandle contour line style plans are also acceptable.

- (6) Fixtures used to accent architectural features, materials, colors, style of buildings, or art shall be located, aimed and shielded so that light is directed only on those features. Such fixtures shall be aimed or shielded so as to minimize light spill into the dark night sky. The maximum illumination of any vertical surface or angular roof surface in dark surroundings shall not exceed three footcandles.
- (7) Flags of the United States or New Jersey State may be illuminated from below, provided such lighting is focused primarily on the individual flag or flags so as to limit light trespass and spill into the dark night sky.
- L. Age-restricted multifamily affordable housing development ownership and management of common areas, elements and open space. If any open space, easements or common areas on the tract are dedicated to and accepted by the Township, the area of such portions of the tract shall nonetheless be included in calculating the permitted density of the development.
- M. Age-restricted multifamily affordable housing development conditions of preliminary approval. As a condition of preliminary approval of the plan, the Board may provide for final approval of the plan and construction of the project in whole or in one or more sections or stages.

APPENDIX D:

Draft Spending Plan

Draft Affordable Housing Trust Fund Spending Plan

INTRODUCTION

A development fee ordinance creating a dedicated revenue source for affordable housing was approved by COAH and adopted by the Township on February 12, 2007, and later amended on June 16, 2009. This was last amended on December 9, 2019 (Ordinance No. 361-2019). All development fees, other income, and interest generated by the fund are kept in an interest-bearing affordable housing trust fund account at TD Bank for these purposes, with separate journal entries for the differing revenue and expenditure items. As of May 31, 2025, the affordable housing trust fund balance was \$835,104.91.

The Township seeks approval that the expenditures of funds contemplated under the Township's Spending Plan constitute "commitment" for expenditure pursuant to N.J.S.A. 52:27D-329.2 and -329.3, with the four-year time period for expenditure designated pursuant to those provisions beginning to run with final approval of the Township's Housing Plan Element and Fair Share Plan and Spending Plan.

As of the writing of this Spending Plan, the New Jersey Department of Community Affairs and the New Jersey Housing and Mortgage Finance Agency are in the process of adopting new rules that may impact the use of affordable housing trust funds; specifically, the amended Uniform Housing Affordability Controls rules at N.J.A.C. 5:80-26.1 et seq. and affordable housing rules at N.J.A.C. 5:99-1 et seq. The Township reserves the right to amend this Spending Plan as needed to comply with or properly reference the new rules at such a time that they are adopted.

1. REVENUES FOR COMPLIANCE PERIOD

To calculate a projection of revenue anticipated during the period for judgement of compliance, the Township of River Vale considered the following:

(a) Development fees:

- a. Residential and non-residential projects which have had development fees imposed upon them at the time of preliminary or final development approvals.
- b. All projects currently before the planning and zoning boards for development approvals that may apply for building permits and certificates of occupancy; and
- c. Future development that is likely to occur based on historical rates of development.

(b) Payment in lieu (PIL):

Actual and committed payments in lieu (PIL) of construction from developers that were part of the third-round plan.

(c) Other funding sources:

Funds from other sources, including, but not limited to, the sale of units with extinguished controls, repayment of affordable housing program loans, rental income, proceeds from the sale of affordable units and other funds.

(d) Projected interest:

Interest expected on the projected revenue in the municipal affordable housing trust fund for the next ten years based on what has been accrued for the past 10 years (January 31, 2015, through May 31, 2025).

SOURCE OF FUNDS	Projected Revenues-Housing Trust Fund - 2025 THROUGH 2035												
	Through 5/31/2025	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	(2025-2035)
(a) Development fees:	\$1,677,928.74	\$23,175	\$46,350	\$46,350	\$46,350	\$46,350	\$46,350	\$46,350	\$46,350	\$46,350	\$46,350	\$23,175	\$463,500
1. Approved Development	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0
2. Development Pending Approval	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0
3. Projected Development	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0
(b) Payments in Lieu of Construction**	\$780,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0
(c) Other Funds (Specify source(s)):	\$33,123.35	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0
(d) Interest (0.01)	\$351,455.66	\$5,850	\$11,700	\$11,700	\$11,700	\$11,700	\$11,700	\$11,700	\$11,700	\$11,700	\$11,700	\$5,850	\$117,000
Total	\$2,842,507.75	\$29,025	\$58,050	\$58,050	\$58,050	\$58,050	\$58,050	\$58,050	\$58,050	\$58,050	\$58,050	\$29,025	\$580,500
Based upon the total development fees collected for the past ten years, it is estimated that an average of \$46,349.03 per year has been collected in development fees from January 1, 2015, up to May 31, 2025. The hypothetical average development fees estimated from June 1, 2025, through June 30, 2035, are extrapolated to an average of \$46,350 per year. Based upon the interest accrued over the past ten years, an assumption is made that the Township collected an average of \$11,686.49 from January 1, 2015, up to May 31, 2025. The hypothetical average interest estimated from June 1, 2025, through June 30, 2035, is extrapolated to an average of \$11,700 per year.													

**In the Fourth Round, P.L. 2024, c2 eliminated the use of payments in Lieu of Construction. This number is from the third-round plan.

Township of River Vale projects a total of \$580,500 in revenue to be collected between June 1, 2025, and June 30, 2035. All interest earned in the account shall accrue to the account to be used only for the purposes of affordable housing.

2. ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS

The following procedural sequence for the collection and distribution of development fee revenues shall be followed by Township of River Vale:

(a) Collection of development fee revenues:

Collection of development fees shall be consistent with Township of River Vale's development fee ordinance for both residential and non-residential developments in accordance with P.L. 2024, c.2 and P.L.2008, c.46, sections 8 (C. 52:27D-329.2) and 32-38 (C. 40:55D-8.1 through 8.7).

(b) Distribution of development fee revenues:

A maximum of twenty (20) percent of the affordable housing trust fund revenues will be utilized to address administrative costs. The remaining eighty (80) percent of affordable housing trust fund revenues will be utilized to fund various affordable housing projects and affordability assistance.

The Housing Trust Fund is to be maintained by the Township of River Vale's Chief Financial Officer (CFO) and all expenditure of such funds shall conform to this spending plan, once approved by the Court.

3. DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS

(a) **Present Need (Rehabilitation)**

The township of River Vale will dedicate \$590,064.42 to address the present need. Any other funds collected in development fees not used towards affordability assistance or administration may be allocated for the hard costs of the rehabilitation program.

New construction project(s): \$0.00

The Township of River Vale does not anticipate utilizing a portion of the funds available from the Affordable Housing Trust Fund to defray the costs incurred for new construction projects.

(b) Affordability Assistance (N.J.A.C. 5:97-8.8)

Projected minimum affordability assistance requirement:

Affordability Assistance		
Actual development fees through 5/31/2025		\$1,677,928.74
Actual interest earned through 5/31/2025	+	\$351,455.66
(b) Payment in lieu of construction through 5/31/2025	+	\$780,000.00
(c) Other Funds (through 5/31/2025	+	\$33,123.35
Development fees projected June 1, 2025, through June 30, 2035	+	\$463,500.00
Interest projected June 1, 2025, through June 30, 2035	+	\$117,000.00
Less housing activity expenditures through 5/31/2025	-	\$1,602,056.36
Total	=	\$1,820,951.39
	x	
	0.30	
30% Requirement	=	\$546,285.42
Less Affordability assistance expenditures through 5/31/2025	-	\$5,300.00
PROJECTED MINIMUM Affordability Assistance Requirement 1/1/2025 through 12/31/2035	=	\$540,985.42
PROJECTED MINIMUM Very Low-Income Affordability Assistance Requirement 1/1/2025 through 12/31/2035	÷ 3 =	\$180,328.47

River Vale is committed to dedicating at least 30% of any funds collected in development fees to affordability assistance, of which one-third shall be reserved for very low-income affordability assistance. With \$1,820,951.39, which includes the balance as of May 31, 2025, and the projected amounts, the Township anticipates dedicating \$540,985.42 to render units more affordable, including \$180,328.47 to render units more affordable to households earning 30 percent or less of the region's median income.

(c) Administrative Expenses

Actual dev fees and interest through 5/31/2025		\$2,029,384.40
Projected dev fees and interest through 12/31/2035	+	\$580,500.00
Payments-in-lieu of construction and other deposits through 5/31/2025	+	\$813,123.35
Total	=	\$3,423,007.75
Calculate 20 percent	x .20 =	\$684,601.55
Less admin expenditures through 2/12/2025	-	\$400,046.48
PROJECTED MAXIMUM available for administrative expenses through 12/31/2035	=	\$284,555.07

Township of River Vale projects that \$284,555.07 will be available from the affordable housing trust fund to be used for administrative purposes.

Projected administrative expenditures, subject to the 20 percent cap, are as follows:

Administrative expenses shall include any legal expenses that do not oppose affordable housing or planning costs, as well as the cost to hire an administrative agent, government agency, or private consultant for administering the rehabilitation program.

4. EXPENDITURE SCHEDULE

Township of River Vale intends to use affordable housing trust fund revenues for the creation and/or rehabilitation of housing units. Where applicable, the creation/rehabilitation funding schedule below parallels the implementation schedule set forth in the Housing Element and Fair Share Plan and is summarized as follows.

Program	Number of Units Projected	Funds Expended and/or Dedicated until 5/31/2025	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	Total
Rehabilitation	49	\$0.00	\$29,503.23	\$59,006.44	\$59,006.44	\$59,006.44	\$59,006.44	\$59,006.44	\$59,006.44	\$59,006.44	\$59,006.44	\$59,006.44	\$29,503.23	\$590,064.42
New Construction		\$1,602,056.36												\$1,602,056.36
Total Programs	49	\$1,602,056.36	\$29,503.23	\$59,006.44	\$59,006.44	\$59,006.44	\$59,006.44	\$59,006.44	\$59,006.44	\$59,006.44	\$59,006.44	\$59,006.44	\$29,503.23	\$2,192,120.78
Affordability Assistance		\$5,300.00	\$27,049.27	\$54,098.54	\$54,098.54	\$54,098.54	\$54,098.54	\$54,098.54	\$54,098.54	\$54,098.54	\$54,098.54	\$54,098.54	\$27,049.27	\$546,285.42
Administration		\$400,046.48	\$14,227.75	\$28,455.51	\$28,455.51	\$28,455.51	\$28,455.51	\$28,455.51	\$28,455.51	\$28,455.51	\$28,455.51	\$28,455.51	\$14,227.75	\$684,601.55
Total		\$2,007,402.84	\$70,780.25	\$141,560.49	\$141,560.49	\$141,560.49	\$141,560.49	\$141,560.49	\$141,560.49	\$141,560.49	\$141,560.49	\$141,560.49	\$70,780.25	\$3,423,007.75

5. SUMMARY

The Township of River Vale anticipates receiving a total of \$580,500 into its trust fund between June 1, 2025, and June 30, 2035. This Spending Plan commits to spending or reserving all projected revenues during that time for permitted and required affordable housing purposes for a balance of zero.

SPENDING PLAN SUMMARY	
Balance as of May 31, 2025	\$835,104.91
Projected REVENUE 2025-2035	
Development fees	+ \$463,500.00
Payments in lieu of construction	+ \$0.00
Other funds	+ \$0.00
Interest	+ \$117,000.00
TOTAL REVENUE	= \$1,415,604.91
EXPENDITURES	
Funds used for Rehabilitation	- \$590,064.42
Funds for New Construction	
1	- \$0.00
2	- \$0.00
3	- \$0.00
4	- \$0.00
5	- \$0.00
6	- \$0.00
7	- \$0.00
8	- \$0.00
9	- \$0.00
10	- \$0.00
Affordability Assistance	- \$540,985.42
Administration	- \$284,555.07
Excess Funds for Additional Housing Activity	= \$0.00
	- \$0.00
	- \$0.00
	- \$0.00
TOTAL PROJECTED EXPENDITURES	= \$1,415,604.91
REMAINING BALANCE	= \$0.00