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Housing Element and Fair Share Plan


Borough of Teterboro
Bergen County, New Jersey

Prepared for the Borough of Teterboro
Planning Board

BA# 4169.01

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Executive Summary

The following 2025 Housing Element and Fair Share Plan ("HE&FSP") of the Master Plan has been prepared for the Borough of Teterboro. This plan is designed to outline the manner in which the Borough will address its affordable housing obligations for the Fourth Round affordable housing cycle. Ultimately, these obligations were derived from a variety of sources, including the Council on Affordable Housing ("COAH"), a prior settlement agreement with Fair Share Housing Center ("FSHC"), and most recently from calculations provided by the Department of Community Affairs ("DCA"). These numbers have also been informed by local knowledge.

These obligations are summarized as follows:

Table 1: Affordable housing Obligation Summary

Housing Cycles	Obligation
Prior Round Obligation (1987-1999)	106
Third Round Obligation (1999-2025)	232
Fourth Round Obligation (2025-2035)	92
Present Need (Rehabilitation (2025-2035)	4

Earlier Round Affordable Housing Obligations

Teterboro is a unique community. This uniqueness is reflected in the Borough's historical development pattern. Teterboro is an overwhelmingly industrial/warehouse suburb located in a highly advantageous location in the heart of the northern New Jersey ecosystem. A portion of the Borough is included as part of a larger region where planning and zoning authority has been vested with the New Jersey Sports and Exposition ("NJSEA").

This unique development pattern has had significant ramifications how Teterboro has responded to the constitutional obligation each New Jersey municipality has to create reasonable opportunities for the construction of affordable housing.

Historically, affordable housing regulations have imposed an upper limit on the percentage of deed-restricted affordable housing that can be imposed upon any particular community. The percentage of deed-restricted affordable housing in a community has been limited to no more than twenty (20) percent of a community's entire housing stock.

Fourth Round Obligation

Governor Phil Murphy signed amendments to the New Jersey Fair Housing Act ("FHA") into law in March 2024. New Jersey's FHA was initially adopted in the mid-1980's and regulated how and under what conditions communities addressed their affordable housing obligations. These 2024 amendments greatly altered the manner in which municipalities, going forward, would address their constitutional obligation to create realistic opportunities for the construction of affordable housing.

Among many other changes, the 2024 amendments abolished the Council on Affordable Housing ("COAH"). Since 1985, COAH has been the state administrative agency with the primary responsibility for insuring municipalities satisfied their constitutional obligation to produce and regulate affordable housing. Before the establishment of COAH, the Court system was the primary mechanism for ensuring local municipalities complied with their affordable housing responsibility. The 2024 amendments to the Fair Housing Act returned jurisdiction to the Court system, but with a newly established dispute resolution program and County level housing judges.

Pursuant to the 2024 amendments, the Department of Community Affairs ("DCA") was charged with determining each municipality's Fourth Round affordable housing obligation. These obligations included both a Present Need obligation and a Prospective Need obligation. The Fourth Round housing cycle is a ten (10) year period beginning in 2025 and continuing through until the end of June 2035.

Teterboro's Fourth Round affordable housing obligation, as established by DCA, included a Present Need (sometimes referred to as Rehabilitation Obligation) obligation of 4 affordable housing units. Teterboro's Prospective Need obligation was established by DCA at 92 dwelling units of affordable housing.

Accordingly, the remainder of this 2025 HE&FSP is divided into the following sections:

❖ Section 1: Introduction

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

❖ Section 2: Housing Element

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

❖ Section 3: Fair Share Obligation

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

❖ Section 4: Fair Share Plan

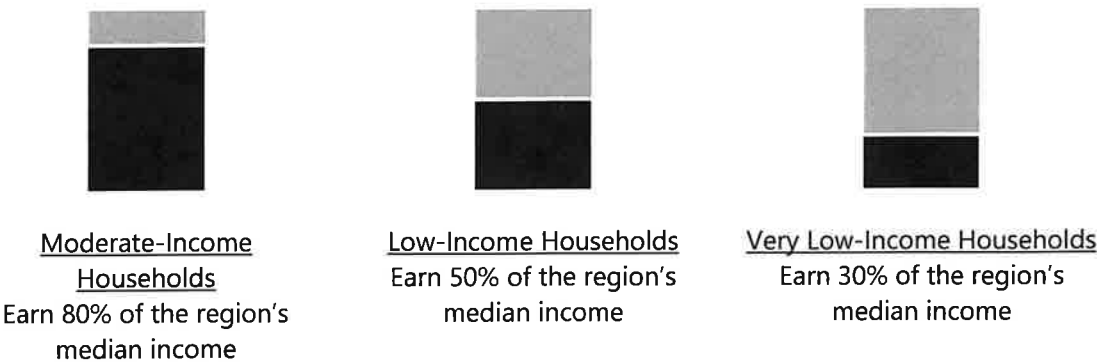
Finally, Section 4 details the manner in which the Borough has addressed its prior obligations and how it will address its Fourth Round prospective need obligations.

Section 1: Introduction

The following section provides an introduction to affordable housing. It summarizes what affordable housing is, offers a brief overview of the history of affordable housing in the state, and explains the role of a municipal housing element and fair share plan.

What is Affordable Housing?

Affordable housing is income-restricted housing that is available for sale or for rent. Most often, affordable housing is restricted to very-low, low-, and moderate-income households. These categories are derived from the state's median regional income limits. New Jersey is divided into six different affordable housing regions. Teterboro is located in Region 1 which includes Bergen, Hudson, Passaic, and Sussex Counties.



Regional income limitations are typically updated every year, with different categories established for varying household sizes. The table below identifies the 2024 regional income limits by household size for Region 1. As shown, a moderate-income three-person family with a total household income of not greater than \$86,697 could qualify for affordable housing in the Borough's region.

Table 3: 2024 Affordable Housing Region 1 Income Limits by Household Size

Income Level	2 Person	3 Person	4 Person	5 Person
Median	\$96,329	\$108,371	\$120,412	\$130,045
Moderate	\$77,064	\$86,697	\$96,329	\$104,036
Low	\$48,165	\$54,185	\$60,206	\$65,022
Very-Low	\$28,899	\$32,511	\$37,568	\$39,013

One of the most common forms of affordable housing is inclusionary development, in which a certain percentage of units within a multifamily development are reserved for affordable housing. Nevertheless, affordable housing can be found in a variety of other forms, including but not limited to: one hundred percent affordable housing developments, deed-restricted accessory apartments, assisted living facilities, alternating arrangements such as supportive housing or group homes, and age restricted housing.

What is the History of Affordable Housing in New Jersey?



The history of affordable housing in New Jersey can be traced back to 1975, when the Supreme Court first decided in *So. Burlington Cty. NAACP v. Township of Mount Laurel* (known as Mount Laurel I) that every developing municipality throughout New Jersey had an affirmative obligation to provide for its fair share of affordable housing. In a subsequent decision in 1983 (known as Mount Laurel II), the Court acknowledged that the vast majority of municipalities had ignored their constitutional obligation to provide affordable housing.

As such, the Court refined this obligation to establish that every municipality had an obligation, although those within the growth area of the State Development and Redevelopment Plan (SDRP) had a greater obligation. The Court also called for the state legislature to enact legislation that would save municipalities from the burden of having the courts determine their affordable housing needs. The result of this decision was the adoption of the Fair Housing Act in 1985 as well as the creation of the New Jersey Council on Affordable Housing (COAH), which became the state agency responsible for overseeing the manner in which New Jersey's municipalities address their low- and moderate- income housing needs.

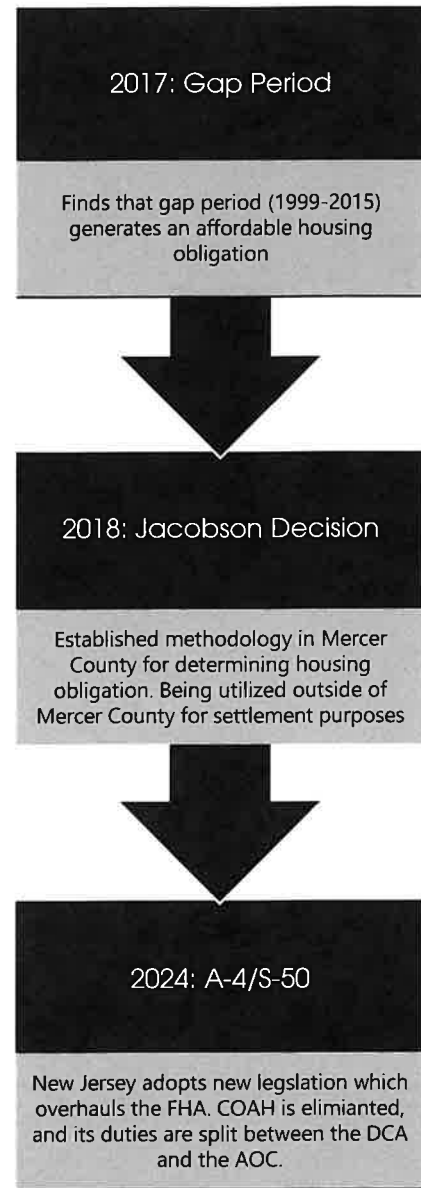
COAH proceeded to adopt regulations for the First Round obligation, which covered the years 1987 to 1993. It also established the Second Round housing-need numbers that cumulatively covered the years 1987 through 1999. Under both the First and Second Rounds, COAH utilized what is commonly referred to as the "fair share" methodology. COAH utilized a different methodology, known as "growth share," beginning with its efforts to prepare Third Round housing-need numbers. The Third Round

substantive and procedural rules were first adopted in 2004. These regulations were challenged and in January 2007, the Appellate Division invalidated various aspects of these rules and remanded considerable portions of the rules to COAH with the directive to adopt revised regulations.

In May 2008, COAH adopted revised Third Round regulations which were published and became effective on June 2, 2008. Coincident to this adoption, COAH proposed amendments to the rules they had just adopted, which subsequently went into effect in October 2008. These 2008 rules and regulations were subsequently challenged, and in an October 2010 decision the Appellate Division invalidated the Growth Share methodology and also indicated that COAH should adopt regulations pursuant to the Fair Share methodology utilized in Housing Rounds One and Two. The Supreme Court affirmed this decision in September 2013, which invalidated much of the third iteration of the Third Round regulations and sustained the invalidation of growth share. As a result, the Court directed COAH to adopt new regulations pursuant to the methodology utilized in Rounds One and Two.

Deadlocked with a 3-3 vote, COAH failed to adopt newly revised Third Round regulations in October 2014. The Fair Share Housing Center, who was a party in both the 2010 and 2013 cases, responded by filing a motion in aid of litigants' rights with the New Jersey Supreme Court. The Court heard the motion in January 2015, and issued its ruling on March 20, 2015. The Court ruled that COAH was effectively dysfunctional and consequently returned jurisdiction of affordable housing issues back to the trial courts where it had originally been prior to the creation of COAH in 1985.

This 2015 Court decision created a process in which municipalities may file a declaratory judgment action seeking a declaration from the judiciary that their HE&FSP is constitutionally compliant while receiving temporary immunity from affordable housing builders' remedy lawsuits while preparing a new or revised HE&FSP to ensure their plan continues to affirmatively address their local housing need as may be adjusted by new housing-need numbers promulgated by the court or COAH.



Subsequently, the Supreme Court ruled on January 18, 2017 that municipalities are also responsible for obligations accruing during the so-called "gap period," the period of years between 1999 and 2015. However, the Court stated that the gap obligation should be calculated as a never-before calculated component of Present Need, which would serve to capture Gap Period households that were presently in need of affordable housing as of the date of the Present Need calculation (i.e. that were still income eligible, were not captured as part of traditional present need, were still living in New Jersey and otherwise represented a Present affordable housing need).

On March 20, 2024, the State of New Jersey adopted a package of affordable housing bills which overhauled the Fair Housing Act. This legislation ultimately eliminated COAH and split its duties and functions between the Department of Community Affairs (DCA) and the Administrative Office of the Courts (AOC).

The DCA was designated by the legislation as the entity responsible for calculating the state's regional needs as well as each municipality's present and prospective fair share obligations pursuant to the Jacobson Decision. However, the legislation makes clear that these numbers are advisory and that each municipality must set its own obligation number utilizing the same methodology. Meanwhile, the Affordable Housing Dispute Resolution Program (the "Program") within the AOC is tasked to handle any disputes regarding affordable housing obligations and plans.

What is a Housing Element and Fair Share Plan?

A Housing Element and Fair Share Plan (HE&FSP) serves as the blueprint for how a municipality will address its fair share of affordable housing. It is designed to help a community broaden the accessibility of affordable housing.

While technically a discretionary component of a municipal master plan, a HE&FSP is nevertheless an obligatory plan element. As established by NJSA 40:55D-62.a of the Municipal Land Use Law (MLUL), a municipality must have an adopted HE&FSP in order to enact its zoning ordinance. Thus, from a public policy perspective, a HE&FSP is an essential community document. Moreover, without a HE&FSP, a municipality may be susceptible to a builder's remedy lawsuit in which a developer could file suit to have a specific piece of property rezoned to permit housing at higher densities than a municipality would otherwise allow, provided a certain percentage of units are reserved as deed restricted affordable housing.

The **Municipal Land Use Law (MLUL)** is the enabling legislation for municipal land use and development, planning, and zoning for the State of New Jersey.

The Fair Housing Act (FHA), which was adopted in 1985 and has been amended several times since then, establishes the required components of a HE&FSP. These are summarized as follows:

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 factors 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, 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;

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.

Section 2: Housing Element

The following section provides the housing element for the Borough of Teterboro. It offers an overview of the community, as well as background information regarding its population, housing, and employment characteristics. It also provides projections of future growth of the Borough's housing stock and its employment prospects based on current trends as captured and reported by state and federal governments.

Information Regarding Data Sources

The information contained in Section 2.2 entitled "Population Demographics," Section 2.3 entitled "Inventory of Housing Stock," Section 2.4 entitled "Employment Demographics," and Section 2.5 entitled "Housing & Employment Projections" was obtained from a variety of publicly available data sources. These are summarized below:

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

A. COMMUNITY OVERVIEW

The Borough of Teterboro, located in southwest Bergen County, occupies an area of approximately 1.1 square miles. It is bordered by five municipalities, including Hasbrouck Heights to the west, Moonachie to the south, Little Ferry to the east, South Hackensack to the east and north, and Hackensack to the northwest. Regional access to the Borough is provided by Route 46, which traverses through Teterboro in an east-west direction roughly through the center of the community and just north of Teterboro Airport. Teterboro Airport is an important regional airport owned and managed by the NY/NJ Port Authority. Interstate Route 80 passes through the far northern reaches of the Borough. State Highway 17, a major regional highway, is located just to the west of Teterboro in the Borough of Hasbrouck Heights. Similar to Route 17, the New Jersey Turnpike runs close to but not within Teterboro. Like Route 80 and Route 17, the New Jersey Turnpike provides regional mobility to Teterboro residents and businesses.

The Borough is overwhelmingly an industrial/warehouse community, dominated by the existence of Teterboro Airport, which accounts for 55 percent of the community's land area. The surrounding warehouse, industrial, commercial, and other non-residential land uses encompass another 44 percent of the Borough's land mass. Residential development, comprising less than one percent of the Borough's land area, is limited to the Huyler Street corridor in the northeast corner of the Borough where seven lots are developed with nine dwellings, and Vincent Place, where there is an 18-unit multi-family development inclusive of five affordable deed-restricted housing units. All the housing units in Teterboro are rental units. Teterboro is a nearly fully developed community, with just a handful of vacant parcels.

Table 1 below provides a snapshot of the community's land use pattern using tax data information from the New Jersey Department of Community Affairs.

**Table 1: 2024 Land Use
Teterboro, New Jersey**

Land Classification	# of Parcels	Value
Residential	7	\$1,288,900
Commercial	7	\$6,202,400
Industrial	54	\$526,405,600
Apartment	3	\$2,869,200
Vacant	17	\$46,463,200
Total	88	\$583,229,300

Source: NJDCA Div. of Local Govt Services, 2024 figures and values.

A notable feature of Teterboro is that it is one of 14 municipalities within the planning and zoning jurisdiction of the New Jersey Sports and Exposition Authority ("NJSEA"). A significant percentage of the community's southern land area is within the planning and zoning jurisdiction of the NJSEA. All 27 dwellings in the Borough are within that portion of the community where planning and zoning authority is vested in Teterboro's municipal government.

B. INVENTORY OF MUNICIPAL HOUSING STOCK

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

1. Number of Dwelling Units. Although the Borough's 27 dwelling units reported in the 2010 Census is a relatively small number, it is a significant increase from the nine units that were present in Teterboro prior to 2006. All 27 dwelling units in Teterboro are rental units, five of which are deed restricted as affordable housing units. According to records filed with COAH, each of the five deed restricted units are restricted to low-income households, there are no moderate-income units at Vincent Place.

Bedroom distribution among the deed restricted affordable units as reported to COAH includes one (1) three-bedroom unit and four (4) one-bedroom units. This bedroom distribution is not consistent with standards imposed by the Uniform Housing Affordability Controls (NJAC 5:80-26.1 et seq.). Upon discovery of this bedroom distribution discrepancy, it was brought forward to the Special Adjudicator and the Superior Court Judge assigned Teterboro's declaratory judgement action. Teterboro also promptly adopted Ordinance No. 579, as was suggested. With this step completed, a second Compliance Hearing was held. Judge Farrington, after hearing all the testimony including from the Special Adjudicator, issued an amended Judgement of Compliance notwithstanding the variance from typical bedroom standards.

The following table provides details regarding the tenure and occupancy of the Borough's housing stock. All of Teterboro's occupied housing units are rental units. When the 2010 Census was conducted, two of 27 rental units were vacant. The 2020 Census reported that 26 dwelling units in Teterboro were occupied, leaving just one vacant.

As discussed on page 10 of this HE&FSP, there are significant differences in how the US Census collects data and how the American Community Survey ("ACS") operates. In brief, the once-every-ten-year Census is a count. ACS is not a count, but a survey of numerous informational sources which are then analyzed to generate the figures populating the ACS tables. The level of accuracy achieved by the ACS is not as great as the 10-year census. This is understood to be true by users of ACS surveys.

This is brought to the attention of readers as the ACS information provided for Teterboro seems plainly and obviously incorrect. Two (2) examples will be highlighted to illustrate this point. The ACS2023 Table DP05 estimates there were 120 Teterboro residents in 2023. This estimate is repeated in the ACS 2023 Table S010. Meanwhile ACS 2023 Table DP04 estimates there were 35 dwelling units in Teterboro in 2023. We know this estimate is factually incorrect.

The 2024 Fair Housing Act amendments (C.52:27D-301 et seq.) directs municipalities to use the most recent datasets made available through the federal decennial census and the American Community Survey. Since we are instructed to use these datasets, they will be used, even though they are demonstrably incorrect.

We have reviewed the Teterboro zoning ordinance to determine if the ordinance advances or detracts from the goals of preserving multigenerational family continuity as expressed in the recommendations of the Multigenerational Family Housing Continuity Commission. We find that Teterboro's zoning ordinance neither detracts from nor supports multigenerational family housing continuity. This conclusion was reached despite not being able to locate the recommendations of the Multigenerational Family Housing Continuity Commission. Teterboro does commit to examining its zoning ordinance once recommendations from the Commission are adopted to determine if any improvements in our ordinance can be taken to further the Commission's work.

Table 2: Housing Units by Tenure and Occupancy Status (2000 - 2023)
Borough of Teterboro, New Jersey

Category	2000		2023	
	No. Units	Percent	No. Units	Percent
Owner-Occupied Units	0	0.0	0	0.0
Renter-Occupied Units	8	88.9	25	96.06
Vacant Units	1	11.1	1	4.0
Total Units	9	100.0	26	100.0

Sources: U.S. Census 2000 & 2023

2. Housing Characteristics. The following table provides additional information on the characteristics of the Borough's housing stock, including data on the number of units in structures.

Table 3: Units in Structure (2000 - 2023)
Borough of Teterboro, New Jersey

Units in Structure	2000		2023	
	Number	Percent	Number	Percent
1-unit, detached	5	55.6	12	34.2
1-unit, attached	0	0	4	11.4
2 units	4	44.4	0	0.0
3 or more units	0	0.0	19	54.2
Total	9	100.0	35	100.0

Sources: U.S. Census 2000 & 2023 ACS

3. Housing Age. The following table outlines the age of the Borough's housing stock. The 18-unit Vincent Place development was issued Certificates of Occupancy in January 2000.

Table 4: Year Structure Built
Borough of Teterboro, New Jersey

Year Built	Number of Units	Percent
2010 or later	0	0.0
2000 to 2009	6	17.1
1980 to 1999	13	37.1
1970 to 1989	4	11.4
1950 to 1969	12	34.2
1949 or earlier	0	0.0
Total	35	100.0

Sources: U.S. Census

4. Housing Conditions. An inventory of the Borough's housing conditions is presented in the following tables. The first table identifies the extent of overcrowding in the Borough, defined as housing units with more than one occupant per room. The data indicates that there are 6 overcrowded units located in the Borough, and 29 that are not overcrowded.

Table 5: Occupants per Room (2000 to 2023)
Borough of Teterboro, New Jersey

Occupants Per Room	2000		2023	
	Number	Percent	Number	Percent
1.00 or less	6	100.0	29	82.8
1.01 to 1.50	2	0.0	0	0.0
1.51 or more	0	0.0	6	17.1
Total	8	100.0	35	100.0

Sources: U.S. Census 2000, American Community Survey 5-Year Estimates. 2023

The table below presents other key characteristics of housing conditions, including the presence of complete plumbing and kitchen facilities and the type of heating equipment used. As shown, 100 percent of the units have complete kitchen, plumbing, and heating facilities.

Table 6: Equipment and Plumbing Facilities (2000 to 2023)
Borough of Teterboro, New Jersey

Facilities	2000		2023	
	Number	Percent	Number	Percent
<u>Kitchen:</u> With Complete Facilities	8	100.0	35	100.0
Lacking Complete Facilities	0	0.0	0	0.0
<u>Plumbing:</u> With Complete Facilities	8	100.0	35	100.0
Lacking Complete Facilities	0	0.0	0	0.0
<u>Heating Equipment:</u> Standard Heating Facilities	8	100.0	35	100.0
Other Means, No Fuel Used	0	0.0	0	0.0

Sources: U.S. Census 2000, 2023 American Community Survey 5-Year Estimates.

5. **Rental Values.** We only show information regarding rental values as no owner-occupied units are located in Teterboro. As shown in the following table, Teterboro's rental housing stock had monthly rents under \$1,000 in 2000. By 2013, 70 percent of rents are greater than \$1,500, with the median rent reported at \$1,667. This number increased even with the five affordable rental units located in the Borough.

Table 7: Gross Rent of Renter-Occupied Housing Units (2000 to 2023)
Borough of Teterboro, New Jersey

Gross Rent	2000		2023		
	Number	Percent	Number		Percent
Less than \$200	0	0.0	Less than \$500	0	0.0
\$200 to \$299	0	0.0	\$500-\$999	4	11.4
\$300 to \$499	0	0.0	\$1,000 to \$1,499	2	5.7
\$500 to \$749	4	50.0	\$1,500 to \$1,999	14	40.0
\$750 to \$999	2	25.0	\$2,000 to \$2,499	15	42.8
\$1,000 to \$1,499	0	0.0	\$3,000 or more	0	0
\$1,500 or More	0	0.0			
No Cash Rent	2	0.0		0	0
Total	8	100.0		35	100.0
Median Gross Rent	\$571		\$1,911		
Bergen County Median Gross Rent	\$872		\$2,455		

Sources: U.S. Census 2000, 2023 American Community Survey 5-Year Estimates.

6. **Number of Units Affordable to Low- and Moderate-Income Households.** Teterboro is placed in COAH Housing Region No.1, which is comprised of Bergen, Passaic, Hudson and Sussex Counties. Based on the most current adopted regional income limits, the median household income for a three-person household is \$108,371. A three-person moderate-income household, defined as 80 percent of the median income, would have an income not exceeding \$86,697.

For renter-occupied housing, an affordable monthly rent for a three-person household is estimated at approximately \$2,167. According to the ACS 2023 survey 20 apartments in Teterboro are currently renting for less than \$2,000, making them affordable to a three-person moderate-income household.

7. Substandard Housing Capable of Being Rehabilitated. The number of units in a community that are in need of rehabilitation and are not likely to experience “spontaneous rehabilitation” has been provided, as detailed in other sections of this report. For Teterboro this figure is zero units, as supported by the data indicating that 100 percent of the Borough’s housing stock contains complete facilities and standard heating.

C. POPULATION ANALYSIS

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

1. Population Size. As seen in the table below, the Borough experienced its greatest population growth in the last 90 years. The 2010 Census data indicates the Borough has 67 residents, an almost 300 percent increase from the 2000 Census. The ACS data indicates Teterboro's population grew to 120 residents by 2023, a number which is not a credible number.

Table 8: Population Growth (1920 to 2023)
Borough of Teterboro, New Jersey

Year	Population	Change (#)	Change (%)
1920	24	--	--
1930	26	2	8.3
1940	40	14	53.8
1950	28	(-12)	(-30.0)
1960	22	(-6)	(-21.4)
1970	19	(-2)	(-13.6)
1980	19	--	--
1990	22	3	15.8
2000	18	(-4)	(-18.1)
2010	67	49	+ 272.0
2023	120	53	79.1

Source: U.S. Census data, 2023 ACS

2. Age Characteristics. The Borough's age characteristics are outlined in the table below. As shown, the Borough's population as suggested by the 2023 ACS is growing younger. The median age in Teterboro in 2023 was reported to be 39.4 years, significantly younger than the 43.5 years, reported in 2010.

Table 9: Age Characteristics (2023)
Borough of Teterboro, New Jersey

Age Group	Total	% Total
Under 5	0	0.0
5-9	6	5.0
10-14	21	17.5
15-19	13	10.8
20-24	1	0.8
25-34	14	11.6
35-44	12	10.0
45-54	16	13.3
55-59	13	10.8
60-64	11	9.1
65-74	7	5.8
75-84	1	0.8
85 and over	5	4.1
Total	120	100.0
Median Age	39.4	

Source: 2023 ACS

3. Average Household Size. The average household size for the Borough has increased since 1990 over the past three decades, rising slightly from 2.57 persons in 2000 to 2.68 persons per household in the 2010 Census. ACS in 2023 is reporting there are 35 households in Teterboro and the average household size is 3.23 people.

Table 10: Average Household Size (1990 to 2023)
Borough of Teterboro, New Jersey

Year	Borough Population	Household Population	Total Households	Average Household Size
1990	22	22	9	2.44
2000	18	18	8	2.57
2010	67	67	25	2.68
2023	120	120	35	3.23

Sources: U.S. Census 1990, 2000, 2010; 5-Year ACS 2023.

4. **Household Income.** Detailed household income figures are shown in the table below. As shown, 80% of the Borough's households had an income of \$100,000 or more in 2012 which is an increase of 17% over 1999 incomes. The Borough's median household income in 2012 was slightly more than double the median household income of Bergen County as a whole.

Table 11: Household Income (1999 to 2023)
Borough of Teterboro, New Jersey

Income Category	1999		2013		2023	
	Number	Percent	Number	Percent	Number	Percent
Less than \$10,000	0	0.0	2	0.6%	4	11.4
\$10,000 to \$14,999	0	0.0	2	1.4%	0	0.0
\$15,000 to \$24,999	0	0.0	5	1.6%	10	28.6
\$25,000 to \$34,999	0	0.0	0	1.5%	2	5.7
\$35,000 to \$49,999	5	62.5	0	5.1%	6	17.1
\$50,000 to \$74,999	0	0.0	1	2.0%	2	5.7
\$75,000 to \$99,999	0	0.0	10	6.9%	0	0.0
\$100,000 to \$149,999	3	37.5	2	23.4%	2	5.7
\$150,000 to \$199,999	0	0.0	5	12.7%	7	20.0
\$200,000 or more	0	0.0	0	44.9%	2	5.7
Total	8	100.0	27	100.0%	35	100.0%
Median Household Income	\$44,167		\$82,321		No figure given	
Bergen County Median	\$78,079		\$84,255		\$123,715	

Sources: U.S. Census 2000, American Community Survey 5-Year Estimates, 2023.

3. EMPLOYMENT ANALYSIS

The MLUL requires that the Housing Element include data on employment levels in the community. The following tables present information on the Borough's employment characteristics.

1. Employment Status. Table 11 provides information on the employment status of Borough residents age 16 and over. The small sample size shows that vast majority of residents 16 years of age and over are participating in the labor force.

Table 12: Employment Status, Population 16 and Over (2023)
Borough of Teterboro, New Jersey

Employment Status	2023	
	Number	Percent
In labor force	43	46.2
Civilian labor force	43	46.2
Employed	41	95.3
Unemployed	2	5.4
% of civilian labor force	6.0	
Armed Forces	0	0.0
Not in labor force	50	53.8
Total Population 16 and Over	93	

Source: American Community Survey 5-Year Estimates.

2. Employment Characteristics of Employed Residents. The following two tables detail information on the employment characteristics of employed Teterboro residents.

Table 13: Employed Residents Age 16 and Over, By Occupation (2023)
Borough of Teterboro, New Jersey

Occupation	2023	
	Number	Percent
Management, business, science, and arts occupations	3	7.3
Service occupations	0	00.0
Sales and office occupations	23	56.1
Natural resources, construction, and maintenance occupations	0	00.0
Production, transportation, and material moving occupations	15	36.6
Total	41	100.0

Source: American Community Survey 5-Year Estimates.

Table 14: Employed Residents Age 16 and Over, By Industry (2000 to 2023)
Borough of Teterboro, New Jersey

Industry	2000		2013		2023	
	Number	Percent	Number	Percent	Number	Percent
Agriculture, forestry, fishing, hunting, and mining	0	0.0	0	0.0	0	0.0
Construction	4	30.8	0	0.0	0	0.0
Manufacturing	0	0.0	1	2.1	6	14.6
Wholesale trade	0	0.0	0	0.0	0	00.0
Retail trade	0	0.0	15	31.9	20	48.7
Transportation and warehousing, and utilities	0	0.0	2	4.3	4	9.7
Information	0	0.0	0	0.0	2	4.8
Finance, insurance, real estate and rental and leasing	0	0.0	1	2.1	0	00.0
Professional, scientific, management, administrative and waste management services	0	0.0	0	0.0	0	00.0
Educational, health and social services	6	46.1	14	29.8	3	7.3
Arts, entertainment, recreation, accommodation, and food services	0	0.0	2	4.3	0	00.0
Other services, except public administration	0	0.0	4	8.5	0	00.0
Public administration	3	23.1	8	17.0	6	14.6
Total	13	100.0	47	100.0	41	100.0

Sources: U.S. Census 2000, American Community Survey 5-Year Estimates.

4. HOUSING AND EMPLOYMENT PROJECTIONS

The following section identifies the extent to which recent development has occurred in the community, to assist in the determination of future residential and employment projections.

Probable Future Employment and Regional or Community Factors Impacting Upon Future Municipal Employment. Since 201005, Teterboro has experienced an increase in covered employment from 7,656 to 10,842 jobs. With the covered employment total 936 jobs higher than it was in 2020.

Table 15: Covered Employment Trends (2010-2023)
Borough of Teterboro, New Jersey

Year	Number of Jobs	Change in Number of Jobs	Percent Change
2010	7,656	- 290	- 3.6
2011	7,641	- 15	- 0.2
2012	7,531	- 110	- 1.4
2013	7,275	- 256	- 3.4
2014	7,250	- 25	- 0.3
2015	7,989	739	10.1
2016	8,449	460	5.75
2017	9,684	1,235	12.75
2018	11,000	1,316	13.5
2019	11,039	39	0.3
2020	9,906	-1,133	-10.2
2021	10,398	492	4.9
2022	11,296	898	8.6
2023	10,842	-454	-4.0

Source: New Jersey Department of Labor and Workforce Development

2. Projection of the Municipality's Housing Stock. With limited acreage remaining in the municipality and the existing environmental constraints present throughout Teterboro, it is anticipated that the Borough will not experience additional residential growth during the Fourth Round housing cycle. This projection is consistent with the lack of any increase in housing units since 2010.

Table 16 reveals the number of residential building permits that have been issued in Teterboro in various categories since 2013. A cursory review will indicate the Borough has issued zero residential building permits during the period under investigation.

Table 16: Residential Building Permits Issued by the
Borough of Teterboro since 2013, Various Categories

Year	Total Permits Issued	1 & 2 Family Dwellings	Mutli-family dwellings	Dwellings in Mixed-use Developments
2013	0	0	0	0
2014	0	0	0	0
2015	0	0	0	0
2016	0	0	0	0
2017	0	0	0	0
2018	0	0	0	0
2019	0	0	0	0
2020	0	0	0	0
2021	0	0	0	0
2022	0	0	0	0
2023	0	0	0	0
TOTAL	0	0	0	0

Source: NJ DCA

Table 17 reveals the number of residential certificates of occupancy that have been issued in Teterboro in various categories since 2013. A cursory review will indicate the Borough has issued zero residential certificates of occupancy during the period under investigation.

Table 17: Residential Certificates of Occupancy Issued by the
Borough of Teterboro since 2013, Various Categories

Year	Total Issued	Permits 1 & 2 Family Dwellings	Mutli-family dwellings	Dwellings in Mixed- use Developments
2013	0	0	0	0
2014	0	0	0	0
2015	0	0	0	0
2016	0	0	0	0
2017	0	0	0	0
2018	0	0	0	0
2019	0	0	0	0
2020	0	0	0	0
2021	0	0	0	0
2022	0	0	0	0
2023	0	0	0	0
TOTAL	0	0	0	0

Section II: Fair Share Obligation

A. SUMMARY OF FAIR SHARE OBLIGATION FOR THE 4TH ROUND AFFORDABLE HOUSING CYCLE

As a result of the 2024 amendments to the Fair Housing Act, the Department of Community Affairs was empowered and directed to prepare a report to the Governor, Legislature and municipalities detailing the projected 10-year affordable housing obligation of each individual municipality comprising the various housing regions in the State. This ten-year timeframe begins on July 1, 2025 and continues until June 30, 2035.

This DCA authored report was released in October 2024. With regard to the Borough of Teterboro, the report established the Borough's 10-year affordable housing obligation as:

Present Need	4 Units.
Prospective Need	92 Units.

In addition to the two categories listed above, the 2024 Fair Housing Act amendments also directed municipalities to review the status of their Third Round housing plan. More specifically, municipalities when preparing Fourth Round housing plans are directed to:

As part of its housing element and fair share plan, the municipality shall include an assessment of the degree to which the municipality has met its fair share obligation from the prior rounds of affordable housing established by prior court approvals, approval by the council, and determine to what extent this obligation is unfulfilled or whether the municipality has credits in excess of its prior round obligations.

With regard to Teterboro's Present Need obligation, sometimes called the Rehabilitation Obligation, the Department of Community Affairs has determined the Borough's obligation for the current ten-year period beginning July 1, 2025 is 4 units.

With regard to Teterboro's Prospective Need obligation, the Department of Community Affairs has determined the Borough's obligation for the current ten-year period beginning July 1, 2025 is 92 affordable housing dwellings. However, the Department also recognized that the FHA amendments continue the 20% cap on affordable housing units. In brief, this upper cap states no municipality shall be required to produce more than 20% of its entire housing stock as deed-restricted affordable housing. Further the Department recognized that with five (5) units of deed-restricted affordable housing, Teterboro is at the 20% cap limit, as such, Teterboro is not required to take any additional action addressing Prospective Need.

B. EARLIER AFFORDABLE HOUSING ACHIEVEMENTS IN TETERBORO

In order to fully understand Teterboro's approach and response to the 2025-2035 affordable housing obligation as established under the most recent amendments to the Fair Housing Act, it is necessary to examine Teterboro's past efforts, strategies and achievements in meeting its earlier affordable housing obligations.

Teterboro engaged with and negotiated a settlement agreement with the one intervenor in its declaratory judgement action. Fair Share Housing Center, Inc. a private advocacy entity was the only intervenor to Teterboro's declaratory judgement action. Upon reaching a preliminary agreement with Fair Share Housing Center, the draft settlement agreement was presented to the Superior Court. After a noticed and open-to-the public court session, the Superior Court Judge first assigned Teterboro's case, the Honorable William C. Meehan, J.S.C., found the draft settlement agreement was fair and reasonable to lower income households in search of affordable housing, and approved the Settlement Agreement between the Borough of Teterboro and Fair Share Housing Center.

The conditional Judgement of Compliance and Repose signed by Judge Meehan and dated April 17, 2017 is attached to this HE&FSP as Appendix A-1

After Judge Meehan issued his above-cited Judgement, it came to light that the affordable deed-restricted units at Vincent Place had more one (1) bedroom units and fewer (2) bedroom units than authorized by the Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1 et sq.). In response to this issue, Teterboro adopted Ordinance No. 579, on November 9, 2017, which amended the Borough's Affordable Housing Ordinance. Ordinance No. 579 included herein as Appendix A-2

On March 20, 2018, the Honorable Christine Farrington, J.S.C. issued an Amended judgement of Compliance and Repose, attached herein as Appendix A-3.

For the Third Round housing cycle, Teterboro's Rehabilitation Obligation was established at zero (0) units. Since there were no residential dwellings in the Borough that were deteriorated and occupied by low-or moderate-income households, there was no obligation for the Borough to satisfy.

Based on the Amended Judgement of Compliance and Repose, Teterboro is fully compliant with its Third Round affordable housing obligation.

C. ACTIONS TO BE TAKING TO ACHIEVE FOURTH ROUND HOUSING CYCLE COMPLIANCE.

As mentioned earlier, the Department of Community Affairs has determined Teterboro has the following Forth Round housing cycle obligations:

Present Need	4
Prospective Need	92

This next section of the Housing Element and Fair Share Plan will detail the mechanisms Teterboro will use to achieve compliance with its affordable housing obligations.

1. Present Need. Teterboro's Present Need, sometimes called Rehabilitation Obligation is four (4) units.

The Fair Housing Act amendments signed into law in March 2024, contain a provision which allows those municipalities who believe the Present Need obligation is too high to perform a local study, called a Structural Conditions Study. Teterboro is one such municipality and has directed its Construction Official to undertake such a study which involves a exterior survey of the Borough's housing stock. The Construction Official, or other licensed individual, performs an exterior inspection of dwellings, examining the dwelling for code deficient structural components. These might include items such as defective roofs, holes in the building facades, crumbling steps and stoops and similar defects.

Because there are so few dwellings in Teterboro, the Construction Official inspected the Borough's entire housing stock. He reported zero (0) units with deteriorated structural components. This then becomes the Borough's adjusted Present Need Obligation, zero (0) units. As there are no Present Need dwellings in the Borough, there is nothing more for the Borough to do in addressing this obligation.

Recent photos of the residential housing stock is attached as Appendix A-4 through A-7. Also attached is a copy of the April 6, 2025 report of the Boroughs' Construction Official with his findings at the Vincent Place dwellings. The report copy is Appendix A-8.

2. Prospective Need. DCA assigned Teterboro a 92-unit new construction affordable housing obligation.

DCA recognized the small number of dwellings in the Borough, and capped Teterboro's obligation at 20% of the total housing stock. DCA also recognized earlier affordable housing activities undertaken by Teterboro had led to the construction of five (5) deed-restricted affordable dwellings. 20% of Teterboro's housing stock is comprised of deed-restricted affordable dwellings, as such, there is nothing Teterboro needs to do to address its Prospective Housing obligation.

3. Expiring Controls.

The amended FHA recognized that many deed restricted units are approaching the life the restriction requiring units to be sold or rented to an income qualified household. The legislation requires municipalities to explore if units in the community will be confronting this issue and requires they arrive at a plan to address this issued of expiring controls.

The five (5) Vincent Place affordable units received Certificates of Occupancy in January 2000. This office understands these units were initially equipped with thirty (30) year deed restrictions which may be set to expire in 2030, halfway through this housing cycle. The initial restrictions should be reviewed by Teterboro's attorney with the idea that these restrictions should be extended for an additional thirty years at a minimum. The alternative if Teterboro did not want to extend the controls is for Teterboro to somehow replace the five (5) Vincent Place affordable units with five new affordable units.

On the following page is an existing land use map for the Borough of Teterboro.

Borough of Teterboro Zoning Map

