

HOUSING ELEMENT AND **FAIR SHARE PLAN**



Prepared for the Township Council and Planning Board, Township of Teaneck by

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The original of this report was signed and
sealed in accordance with
N.J.S.A. 45:14 A-1 et seq.

A handwritten signature in black ink that reads "Richard M. Preiss".

Richard Preiss, NJ Planners License #3461

February 6, 2019

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Prepared for:

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I. Introduction

The Township of Teaneck, Bergen County, has prepared this Housing Plan Element and Fair Share Plan (“HEFSP”) in accordance with the Municipal Land Use Law (“MLUL”) per N.J.S.A. 40:55D-28b(3), the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.) and the Second Round Substantive Rules (N.J.A.C. 5:93 et seq.) of the New Jersey Council on Affordable Housing (“COAH”). This document supersedes and replaces the Township’s 2015 Housing Element and Fair Share Plan, hereinafter referred to as the “Township’s 2015 Housing Plan.” Teaneck remains committed to meeting its constitutional obligation to provide, through its land use regulations, a realistic opportunity for a fair share of the region’s present and prospective needs for housing for low- and moderate-income families.

The Township of Teaneck filed a Complaint for Declaratory Judgement (Docket No. BER-L-6338-15) on July 9, 2015 (the “Declaratory Judgement Action”). The purpose of the Declaratory Judgement Action was to seek a declaration of its compliance with the Mt. Laurel doctrine and Fair Housing Act of 1985, N.J.S.A. 52:27D-301 et seq. in accordance with the New Jersey Supreme Court’s decision in the matter of the Adoption of Third Round Regulations, N.J.A.C. 5:96 and 5:97, by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) (“Mt. Laurel IV”). Through the declaratory judgement process, the Township, the declaratory judgement plaintiff, and Fair Share Housing Center (“FSHC”), a Supreme Court-designated interested party in the matter in accordance with Mt. Laurel IV, agreed to settle the litigation and present the settlement to the trial court with jurisdiction over this matter for review. The Township has prepared this HEFSP pursuant to the terms of the agreement reached between the Township and FSHC. The Township, through the adoption and implementation of this HEFSP, satisfies its obligations under the Mt. Laurel doctrine and the Fair Housing Act for the Prior Round (1987-1999) and Third Round (1999-2025).

As part of its 2015 Decision, the Supreme Court ruled that the municipal Fair Share obligation will be determined by the trial court on a case-by-case basis. The Supreme Court directed municipalities to rely on the 1987-1999 Prior Round obligation estimates listed in N.J.A.C. 5:93. However, the Court has not provided estimates for the Present Need or Third Round Prospective Need obligations for New Jersey municipalities. As part of its settlement, the Township and FSHC agreed to use Fair Share numbers published by FSHC and prepared by David N. Kinsey¹ (the “Kinsey Report”). According to the Kinsey Report, the Township of Teaneck’s affordable housing obligation is as follows:

- **Present Need Obligation:** 66 units;

¹ David N. Kinsey, PhD, P.P., FAICP, “New Jersey Fair Share Housing Obligations for 1999-2025 (Third Round) Under Mount Laurel IV,” May 17, 2016.

- **Prior Round Obligation (1987-1999):** Per N.J.A.C. 5:93, et seq., Teaneck’s 1987-1999 obligation is 192 units; and
- **Third Round Prospective Need Obligation (1999-2025)²:** The Kinsey Report estimates that Teaneck has a Third Round (2015-2025) obligation of 714 units.

In order to address its Prospective Need Obligation of 714 units, the Township undertook a municipal adjustment due to a lack of land pursuant to N.J.A.C. 5:93-4.2 (i.e., a “Vacant Land Adjustment” or “VLA”). The VLA estimates that the Township has a realistic development potential (“RDP”) of 176 units. The RDP of 176 units subtracted from the Prospective Need Obligation of 714 units results in an unmet need of 538 units.

The remainder of this report is divided into six chapters. Chapter II provides information on the historical and current status of affordable housing in New Jersey; Chapter III lists the statutory requirements for a Housing Element and Fair Share Plan; Chapter IV includes Census and other data on the Township’s housing stock and demographics; Chapter V details how Teaneck will fulfill its Fair Share obligation; and Chapter VI provides a summary of the Township’s Affordable Housing Plan.

² For the purposes of this Agreement, the Third Round Prospective Need includes the Gap Period Present Need, which is a measure of households formed from 1999-2015 that need affordable housing. The Gap Period Present Need was recognized by the Supreme Court In re. Declaratory Judgment Actions Filed by Various Municipalities, 227 N.J. 508 (2017).

II. Affordable Housing in New Jersey

In 1975 the Supreme Court of New Jersey in South Burlington County N.A.A.C.P. v. Township of Mount Laurel, 67 N.J. 151 (1975), ruled that the developing municipalities in the State of New Jersey exercising their zoning power, in general, had a constitutional obligation to provide a realistic opportunity for the construction of their fair share of the region's low- and moderate-income housing needs. In 1983, the Supreme Court refined that constitutional obligation in South Burlington County N.A.A.C.P. v. Township of Mount Laurel, 92 N.J. 158 (1983), to apply to those municipalities having any portion of their boundaries within the growth area as shown on the State Development Guide Plan. In 1985, the New Jersey Legislature adopted, and the Governor signed, the Fair Housing Act ("FHA") N.J.S.A. 52:2D-301 et seq. which transformed the judicial doctrine which became known as the "Mount Laurel doctrine" into a statutory one and provided an alternative administrative process in which municipalities could elect to participate in order to establish a Housing Element and Fair Share Plan ("HEFSP") that would satisfy its constitutional obligation by creating an administrative agency known as the Council on Affordable Housing ("COAH") to develop regulations to define the obligation and implement it. COAH proceeded to adopt regulations for First Round obligations applicable from 1987 to 1993 and Second Round obligations that created a cumulative obligation from 1987 to 1999.

COAH first proposed Third Round Substantive and Procedural Rules in October 2003. 35 N.J.R. 4636(a); 35 N.J.R. 4700(a). Those rules remained un-adopted and COAH re-proposed both the Substantive and Procedural Third Round Rules (N.J.A.C. 5:94 and 5:95) in August of 2004 and adopted the same effective on December 20, 2004 (the "2004 Regulations"). The 2004 Regulations were challenged and on January 25, 2007, the Appellate Division invalidated various aspects of those regulations and remanded considerable portions of the rules to COAH with direction to adopt revised rules. In the Matter of the Adoption of N.J.A.C. 5:94 and 5:95 by the New Jersey Council on Affordable Housing, 390 N.J. Super. 1 (App. Div.), certif. denied, 192 N.J. 72 (2007) (the "2007 Case"). On January 22, 2008, COAH proposed and published revised Third Round regulations in the New Jersey Register 40 N.J.R. 237.

On May 6, 2008, COAH adopted the revised Third Round regulations and advised that the new regulations would be published in the June 2, 2008 New Jersey Register, thereby becoming effective. On May 6, 2008, COAH simultaneously proposed amendments to the revised Third Round rules it had just adopted. Those amendments were published in the June 16, 2008 New Jersey Register, 40 N.J.R. 3373 (Procedural N.J.A.C. 5:96); 40 N.J.R. 3374 (Substantive N.J.A.C. 5:97). The amendments were adopted on September 22, 2008 and made effective on October 20, 2008.

N.J.A.C. 5:96 and 5:97 as adopted in 2008 were challenged in an appeal entitled *In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing*, 416 N.J. Super. 462 (App. Div. 2010) (the “2010 Case”). In its October 8, 2010 decision, the Appellate Division determined, among other things, that the growth share methodology was invalid and that COAH should adopt regulations utilizing methodologies similar to the ones utilized in the First and Second Rounds (i.e., 1987-1999). On September 26, 2013, the Supreme Court of New Jersey affirmed the Appellate Division’s invalidation of the third iteration of the Third Round regulations, sustained their determination that the growth share methodology was invalid, and directed COAH to adopt new regulations based upon the methodology utilized in the First and Second Rounds. *In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing*, 215 N.J. 578 (2013) (the “2013 Case”). COAH proceeded to propose such regulations in accordance with the schedule and amended schedule established by the New Jersey Supreme Court in the 2013 Case. On October 20, 2014, COAH deadlocked with a 3-3 vote and failed to adopt the revised Third Round regulations.

Due to COAH’s failure to adopt the revised regulations and subsequent inaction, Fair Share Housing Center (“FSHC”), a party in the 2010 Case and the 2013 Case, filed a motion with the New Jersey Supreme Court to enforce litigant’s rights. On March 10, 2015 the New Jersey Supreme Court issued its decision on FSHC’s motion to enforce litigant’s rights. The Supreme Court in the 2015 Case found that the COAH administrative process had become non-functioning and, as a result, returned primary jurisdiction over affordable housing matters to the trial courts. *In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing*, 221 N.J. (2015) (the “2015 Case”). In doing so, the Supreme Court established a transitional process for municipalities like the Township of Teaneck that participated in the administrative process before COAH, to file a declaratory judgement action with the trial courts seeking to declare their HEFSPs as being constitutionally complaint and seeking similar protections to those that participating municipalities would have received if they had continued to proceed before COAH.

III. Housing Element/ Fair Share Plan Requirements

In accordance with the Municipal Land Use Law (N.J.S.A 40:55D-1, et seq.), a municipal Master Plan must include a housing element as the foundation for the municipal zoning ordinance. Pursuant to the Fair Housing Act, a municipality's housing element must be designed to provide access to affordable housing to meet present and prospective housing needs, with particular attention to low- and moderate-income housing. The housing element must contain at least the following, as per FHA at N.J.S.A 52:27D-310:

- 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;
- 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 trends;
- An analysis of the municipality's demographic characteristics, including, but not necessarily limited to, household size, income level and age;
- An analysis of the existing and probable future employment characteristics of the municipality;
- A determination of the municipality's present and prospective fair share of low- and moderate-income housing and its capacity to accommodate its present and prospective housing needs, including its fair share of low- and moderate-income housing; and
- A consideration of the lands most appropriate for construction of low- and moderate-income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low- and moderate-income housing, including a consideration of lands of developers who have expressed a commitment to provide low- and moderate-income housing.

IV. Housing Stock and Demographic Analysis

Housing Stock Inventory

In 2016, there were 14,251 housing units in Teaneck, of which 682, or 4.8 percent, were vacant. Of the 13,569 occupied units, 73 percent were owner occupied and 27 percent were renter occupied. Table 1, Housing Units by Occupancy Status, 2016, illustrates this occupancy status.

Table 1. Housing Units by Occupancy Status, 2016

	Housing Units	Owner Occupied	Renter Occupied
Occupied	13,569	9,865	3,704
Vacant	682	-	-
Total	14,251	-	-

Source: American Community Survey, 2012-2016

Approximately 71 percent of the total housing stock in the Township consists of single-family detached units. Structures with three or more units make up approximately 20 percent of the total housing stock. See Table 2, Housing Units by Number of Units in Structure, 2016, for a detailed explanation of the housing units in 2016.

Table 2. Housing Units by Number of Units in Structure, 2016

Number of Units	Total	Percent
1, Detached	10,156	71.3%
1, Attached	486	3.4%
2	803	5.6%
3 or 4	503	3.5%
5 to 9	1,014	7.1%
10 to 19	352	2.5%
20+	910	6.4%
Mobile Home	27	0.2%
Other	0	0.0%
Total	14,251	100.0%

Source: American Community Survey, 2012-2016

Table 3, Housing Units by Age, 2016, illustrates the age of the Township's housing stock. As one would expect from an older, largely built-out community, only approximately 4 percent of the Township's housing stock was

constructed in the years since 2000. A majority of the housing, or 56 percent, was constructed between 1940 and 1989, and 35 percent of the Township’s housing stock was constructed prior to 1940.

Table 3. Housing Units by Age, 2016

Year Built	Total Units	Percent
2014 or later	14	0.1%
2010-2013	79	0.6%
2000-2009	458	3.2%
1990-2000	817	5.7%
1980-1989	636	4.5%
1970-1979	689	4.8%
1960-1969	1,125	7.9%
1950-1959	2,718	19.1%
1940-1949	2,789	19.6%
Before 1940	4,926	34.6%
Total	14,251	100.0%

Source: American Community Survey, 2012-2016

Table 4, Housing Units by Number of Rooms for Teaneck and Bergen County, 2016, shows that 11 percent of Township housing units have between one and three rooms; 38 percent have between four and six rooms; and 51 percent have seven or more rooms. In Bergen County, 15 percent of housing units have between one and three rooms; 46 percent have between four and six rooms; and 39 percent have seven or more rooms. The mean number of rooms per unit in Teaneck is 6.5, which indicates that housing units in Teaneck are, on average, somewhat larger than that of Bergen County (i.e., 5.8 rooms per unit).

Table 4. Housing Units by Number of Rooms for Teaneck and Bergen County, 2016

Rooms	Number of Units in Teaneck	Percent of Units in Teaneck	Number of Units in Bergen County	Percent of Units in Bergen County
1	209	1.5%	7,028	2.0%
2	102	0.7%	7,938	2.2%
3	1,295	9.1%	39,222	11.1%
4	1,400	9.8%	49,219	13.9%
5	1,581	11.1%	54,640	15.3%
6	2,466	17.3%	58,962	16.6%
7	2,600	18.2%	47,347	13.3%

8	1,822	12.8%	37,605	10.6%
9+	2,776	19.5%	52,811	14.9%
Total	14,251	100.0%	354,772	100.0%
Mean Rooms per Unit	6.7		5.8	

Source: American Community Survey, 2012-2016

Tables 5 and 6, Housing Values, Owner Occupied, 2000 and 2016, respectively, show that the median housing values of owner occupied housing in Teaneck increased 89 percent between 2000 and 2016. During the same time period, the median value in Bergen County increased by 87 percent. In 2000, Teaneck's median housing value of \$209,200 was 13 percent lower than that of Bergen County (i.e., \$240,800). In 2016, Teaneck's median housing value of \$387,100 was 13 percent lower than that of Bergen County (i.e., \$443,400).

Table 5. Housing Values, Owner Occupied, 2000

Housing Value	Number in Teaneck	Percent in Teaneck	Number in Bergen County	Percent in Bergen County
Less than \$50,000	51	0.5%	2,963	1.3%
\$50,000 to \$99,999	152	1.5%	5,953	2.7%
\$100,000 to \$149,999	885	8.5%	144,24	6.5%
\$150,000 to \$199,999	3,671	35.3%	514,25	23.1%
\$200,000 to \$299,999	3,839	36.9%	75,743	34.1%
\$300,000 to \$499,999	1,261	12.1%	49,212	22.1%
\$500,000 to \$999,999	519	5.0%	18,958	8.5%
\$1,000,000 or more	32	0.3%	3,559	1.6%
Total	10,410	100.0%	222,237	100.0%
2000 Median Value	\$209,200		\$240,800	

Source: U.S. Census 2000

Table 6. Housing Values, Owner Occupied, 2016

Housing Value	Number in Teaneck	Percent in Teaneck	Number in Bergen County	Percent in Bergen County
Less than \$50,000	158	1.6%	4,053	1.9%

\$50,000 to \$99,999	89	0.9%	2202	1.0%
\$100,000 to \$149,999	70	0.7%	3,204	1.5%
\$150,000 to \$199,999	191	1.9%	5,339	2.4%
\$200,000 to \$299,999	1,246	12.6%	24,232	11.1%
\$300,000 to \$499,999	5,840	59.2%	94,342	43.3%
\$500,000 to \$999,999	1,882	3.9%	69,350	31.8%
\$1,000,000 or more	389	3.9%	15,317	7.0%
Total	9,865	100.0%	218,041	100.0%
2013 Median Value	\$387,100		\$443,400	

Source: American Community Survey, 2012 -2016

Monthly rental costs in Teaneck are somewhat lower than that of Bergen County, wherein the median monthly rent in Teaneck is \$1,376 versus \$1,380 in Bergen County. In Teaneck, the largest percentage of renters, 52 percent, pay between \$1,000 and \$1,499 per month in rent. See Table 7, Township of Teaneck and Bergen County, Monthly Rental Cost, 2016, for additional details.

Table 7. Township of Teaneck and Bergen County, Monthly Rental Cost, 2016

Monthly Rent	Number in Teaneck	Percent in Teaneck	Number in Bergen County	Percent in Bergen County
Less than \$500	30	1.0%	1,026	0.9%
\$500 - \$999	95	3.1%	1,884	1.7%
\$1,000 - \$1,499	71	2.2%	3,138	2.8%
\$1,500 - \$1,999	120	3.8%	3,332	3.0%
\$2,000 - \$2,499	228	7.3%	11,898	10.7%
\$2,500 - \$2,999	31	1.1%	4,767	43.4%
\$3,000 or more	117	3.3%	4,818	4.2%
No Rent Paid	134	--	4,574	--
Total	3,113	100.0%	111,221	100.0%
Median Rent	\$1,376		\$1,380	

Source: American Community Survey, 2012-2016

In 2016, 37 percent of Teaneck owner occupied households contributed 30 percent or more of their income towards monthly housing costs. Forty percent of Teaneck owner occupied households contributed less than 20 percent of their income towards monthly housing costs. See Table 8, Monthly Housing Costs as Percentage of Household Income in the Past 12 Months – Owner Occupied Units, 2016, for further information.

Table 8. Monthly Housing Costs as Percentage of Household Income in the Past 12 Months – Owner Occupied Housing Units, 2016

Income	Less than 20 percent	20 to 29 percent	30 percent or more
Less than \$20,000	0.2%	0.0%	3.1%
\$20,000 - \$34,999	0.4%	0.2%	7.9%
\$35,000 - \$49,999	0.0%	0.7%	3.3%
\$50,000 - \$74,999	1.2%	2.9%	8.2%
\$75,000 or more	37.9%	22.4%	14.7%
Zero or Negative Income	0.2%		

Source: American Community Survey, 2012-2016

In 2016, 53 percent of Teaneck renter occupied households contributed 30 percent or more of their income towards monthly rental costs, whereas 21 percent of Teaneck renter occupied households contributed less than 20 percent. See Table 9, Monthly Housing Costs as a Percentage of Household Income in the Past 12 Months – Renter Occupied Units, 2016, for further information.

Table 9. Monthly Housing Costs as a Percentage of Household Income in the Past 12 Months – Renter Occupied Housing Units, 2016

Income	Less than 20 percent	20 to 29 percent	30 percent or more
Less than \$20,000	0.0%	1.3%	20.6%
\$20,000 - \$34,999	0.7%	0.4%	13.1%
\$35,000 - \$49,999	0.8%	0.3%	8.9%
\$50,000 - \$74,999	2.2%	12.3%	8.5%
\$75,000 or more	17.5%	7.7%	1.9%
Zero or Negative Income	0.2%		
No Cash Rent	3.6%		

Source: American Community Survey 2012-2016

Teaneck has 28 housing units that lack complete plumbing facilities and 306 units that are overcrowded (defined as having 1.01 or more persons per room). The Township has 189 units that have no telephone service available

and 1,055 units that lack complete kitchen facilities. See Table 10, Selected Quality Indicators, Occupied Housing Stock, 2016, for further information.

Table 10. Selected Quality Indicators, Occupied Housing Stock, 2013

	Overcrowded	No Telephone Service Available	Lacking Complete Plumbing	Lacking Complete Kitchen Facilities
No. Units	306	189	28	105

Source: American Community Survey, 2012-2016

General Population Characteristics

The overall population of Teaneck has increased since 1980, with a slight decrease of 3 percent from 1980 to 1990. From 1990 to 2000, the population of Teaneck grew by 4 percent; during this same time period, Bergen County’s population increased by 7 percent. The Township’s estimated 2016 population is 40,668 persons. See Table 11, Population Growth, for more information.

Table 11. Population Growth

	1980	1990	Percent Change (1980-1990)	2000	Percent Change (1990-2000)	2010	Percent Change (2000-2010)	2016	Percent Change (2010 – 2016)
Teaneck	39,007	37,825	-3.0%	39,260	3.8%	39,776	1.3%	40,668	2.2%
Bergen County	845,385	825,380	-2.4%	884,118	7.1%	905,116	2.4%	930,310	2.8%

Source: 1980, 1990, 2000, 2010 U.S. Census, 2012-2016 American Community Survey

From 2000 through 2010, there were several shifts in the age distribution of Teaneck. The age group 5 to 14 decreased from 5,932 persons to 5,494 persons (i.e., -7 percent). The largest decrease was in the 35 to 44 age group, which decreased from 6,028 persons to 5,035 persons (i.e., -17 percent). Conversely, the age group 55 through 64 increased by 31 percent, from 3,988 persons to 5,230 persons. See Table 12, Age Distribution, 2000-2010, for additional details.

Table 12. Age Distribution, 2000-2010

Age Group	2000	Percent	2010	Percent	Percent Change
Under 5	2,521	6.4%	2,622	6.6%	4.0%

5-14	5,932	15.1%	5,494	13.8%	-7.4%
15-24	5,020	12.8%	5,558	14.0%	10.7%
25-34	4,237	10.8%	4,144	10.4%	-2.2%
35-44	6,028	15.4%	5,035	12.7%	-16.5%
45-54	5,950	15.2%	5,787	14.5%	-2.7%
55-64	3,988	10.2%	5,230	13.1%	31.1%
65-74	2,827	7.2%	3,125	7.9%	10.5%
75+	2,757	7.0%	2,781	7.0%	0.9%
Total	39,260	100.0%	39,776	100.0%	-

Source: 2000 and 2010 U.S. Census

Household Characteristics

A household is defined by the U.S. Census Bureau as those persons who occupy a single room or group of rooms constituting a housing unit; however these persons may or may not be related. As a subset of households, a family is identified as a group of persons including a householder and one or more persons related by blood, marriage, or adoption, all living in the same household. In 2016, there were 13,569 households in Teaneck, with an average of 2.93 persons per household and an average of 3.39 persons per family. Approximately 75 percent of the households are comprised of families. Almost 25 percent of the Teaneck households are non-family households, which includes individuals.

Income Characteristics

Teaneck households have, on average, higher incomes than that of Bergen County. Annual median income for Teaneck households in 2016 was \$101,128 versus \$88,487 in Bergen County. Table 13, Household and Family Income by Income Brackets for Teaneck and Bergen County, 2016, further illustrates these findings by noting the number of households in each of the income categories.

Table 13. Household and Family Income by Income Brackets for Teaneck and Bergen County, 2016

	Teaneck		Bergen County	
	Households	Percent	Households	Percent
Less than \$10,000	500	3.7%	15,972	4.7%
\$10,000 - \$14,999	331	2.4%	10,193	3.0%
\$15,000 - \$24,999	825	6.1%	20,103	6.0%
\$25,000 - \$34,999	539	4.0%	21,589	6.4%

\$35,000 - \$49,999	768	5.7%	29,771	8.8%
\$50,000 - \$74,999	2,106	15.5%	48,117	14.3%
\$75,000 - \$99,999	1,618	11.9%	40,265	11.9%
\$100,000 - \$149,999	2,899	21.4%	61,658	18.3%
\$150,000 - \$199,999	1,731	12.8%	38,150	11.3%
\$200,000 or more	2,252	16.6%	51,251	15.2%
Total	13,569	100.0%	337,069	100.0%
Median Income	\$101,128		\$88,487	

Source: American Community Survey, 2012-2016

Employment Characteristics

Table 14, Employment Status, 2016, indicates the number of Township residents 16 years and over who are in the labor force, the type of labor force (i.e., civilian or armed forces) and employment status. Approximately 63 percent of Teaneck residents 16 and over are in the in the labor force and, among those in the labor force, all are in the civilian labor force. Of the residents in the civilian labor force, approximately 96 percent are employed and approximately 3 percent are unemployed.

Table 14. *Employment Status, 2016*

	Number in Teaneck	Percent in Teaneck
Population 16 years and over	32,093	-
In Labor Force	20,341	63.4%
Civilian Labor Force	20,330	63.3%
<i>Employed</i>	19,487	95.6%
<i>Unemployed</i>	843	2.6%
Armed Forces	11	0.0%
Not in Labor Force	11,752	36.6%

Source: American Community Survey, 2012-2016

Table 15, Employment by Occupation, Teaneck, 2016, identifies the occupations of employed persons. While Teaneck residents work in a variety of industries, 56 percent of employed residents work in Management, Business, Science, and Arts-related occupations; and 22 percent are employed in Sales and Office-related occupations. A small number of employed Township residents, approximately 6 percent, work in Production, Transportation and Moving-related occupations.

Table 15. *Employment by Occupation, Teaneck, 2016*

Sector Jobs	Number	Percent
Management, Business, Science, and Arts Occupations	10,891	55.9%
Service	2,252	11.6%
Sales and Office	4,287	22.0%
Natural Resources, Construction, and Maintenance	942	4.8%
Production, Transportation, and Moving	1,111	5.7%
Total	19,487	100.0%

Source: American Community Survey, 2012-2016

Table 16, Distribution of Employment by Industry, Township Residents, 2016, shows the distribution of employment by industry for employed Teaneck residents. The four industries to capture the largest segments of the population were Educational, Health, and Social Services at 35 percent; Professional, Scientific, Management, Administrative, and Waste Management Services at 12 percent; Financing, Insurance, Real Estate, Renting and Leasing at 9 percent; and Retail trade also at 9 percent.

Table 16. *Distribution of Employment by Industry, Township Residents, 2016*

Sector Jobs	Number	Percent
Agriculture, Forestry, Fishing and Hunting, and Mining	0	0.0%
Construction	728	3.7%
Manufacturing	1,122	5.8%
Wholesale Trade	603	3.1%
Retail Trade	1,816	9.3%
Transportation and Warehousing, and Utilities	991	5.1%
Information	808	4.1%
Financing, Insurance, Real Estate, Renting, and Leasing	1,837	9.4%
Professional, Scientific, Management, Administrative, and Waste Management Services	2,293	11.8%

Educational, Health and Social Services	6,721	34.5%
Arts, Entertainment, Recreation, Accommodation and Food Services	1,390	7.1%
Public Administration	665	3.4%
Other	513	2.6%
Total	19,487	100.0%

Source: American Community Survey, 2012-2016

Of the employed Teaneck residents, approximately 83 percent are private wage and salary workers; 12 percent are government workers; and 6 percent are self-employed. See Table 17, Distribution by Class of Worker, 2016, for additional details.

Table 17. *Distribution by Class of Worker, 2016*

	Number in Teaneck	Percent in Teaneck
Private Wage and Salary Workers	16,156	82.9%
Government Workers	2,256	11.6%
Self-employed in own not incorporated business workers	1,075	5.5%
Unpaid family workers	0	0.0%
Total	19,487	100.0%

Source: American Community Survey, 2012-2016

Growth Trends and Projections

Residential Trends and Projections

According to the New Jersey Construction Reporter, between 2006 and 2016, Teaneck issued 273 certificates of occupancy: 137 for one- and two-family dwellings and 136 for multifamily dwellings. See Table 19, Residential Certificates of Occupancy, 2006-2016, for additional details.

Table 19. *Residential Certificates of Occupancy, 2006-2006*

	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>Total</u>

1 & 2 Family	13	11	17	20	11	10	8	4	14	14	15	137
Multifamily	0	74	0	0	0	0	0	0	0	0	62	136
Total	13	85	17	20	11	10	0	4	14	14	77	273

Source: New Jersey Construction Reporter

Nonresidential Trends and Projections

According to the New Jersey Construction Reporter, between 2006 and 2016, Teaneck issued certificates of occupancy for a total of ±280,556 square feet of non-residential building space. See Table 20, Non-Residential Certificates of Occupancy, 2006-2016, for additional details. The majority of the non-residential growth can be attributed to:

- 116,790 square feet of multifamily/dormitory space, for which certificates of occupancy were issued in 2007, 2009 and 2016;
- 59,074 square feet of institutional space, for which certificates of occupancy were issued in 2013;
- 43,820 square feet of church, library, amusement arcade, community hall, gymnasium, indoor swimming pool, art gallery, or museum space (A-3), for which certificates of occupancy were issued in 2006, 2008, 2011, 2012 and 2016; and
- 22,875 square feet of educational space, for which a certificate of occupancy was issued in 2016.

Table 20. Non-Residential Certificates of Occupancy, 2006-2016

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	Total
Office	0	298	19,955	4,355	0	40	7,516	0	0	180	0	32,344
Retail	0	0	0	0	0	0	0	0	0	0	0	0
A-1	0	0	0	0	0	0	0	0	0	0	0	0
A-2	0	0	0	0	0	0	0	0	0	0	0	0
A-3	7,036	0	1,800	0	0	16,482	12,166	0	0	0	6,336	43,820
A-4	6,000	0	0	0	0	0	0	0	0	0	0	6,000
A-5	0	0	0	0	0	0	0	0	0	0	0	0
Multifamily/ Dormitories	0	18,857	0	22,425	0	0	0	0	0	0	75,508	116,790
Hotel/ Motel	0	0	0	0	0	0	0	0	22,875	0	0	22,875
Education	0	0	0	0	0	1,000	0	0	0	0	0	1,000
Industrial	0	0	0	0	0	0	0	0	0	0	0	0
Hazardous	0	0	0	0	0	0	0	0	0	0	0	0
Institutional	0	0	0	0	0	0	0	54,074	0	0	0	59,074
Storage	1,310	0	0	0	0	0	0	0	0	0	0	1,310
Signs, Fences, Utility and Misc.	599	462	0	0	0	0	1,282	0	0	0	0	2,343
TOTAL	14,945	19,617	21,755	26,780	0	17,522	20,964	54,074	22,875	180	81,844	280,556

Source: New Jersey Construction Reporter

Capacity for Growth

Teaneck is essentially fully developed. Per COAH’s Second Round Rules, municipalities may seek an adjustment to their prospective need by undertaking a vacant land analysis and determining their capacity to provide new housing in which affordable housing has the potential to be accommodated, known as the realistic development potential (“RDP”). Such an analysis of all vacant lands was conducted. The analysis is set forth in Appendix A, containing maps and tales. The maps in Appendix A also indicate the location of vacant parcels and environmental constraints. While there are a number parcels identified as potentially developable based on the most recent parcel and tax data for the Township, most of these parcels are encumbered by flood hazard areas, water bodies, steep slopes, and/or wetlands. Many of these parcels are isolated lots in residential neighborhoods that are too small for affordable housing development, while others are irregularly shaped or otherwise constrained. The Vacant Land Map, also in Appendix A, illustrates those sites that can realistically accommodate affordable housing in the Township.

V. Teaneck Affordable Housing Plan

Teaneck's Affordable Housing Efforts

The Township of Teaneck has made good faith efforts to address its affordable housing obligations. Teaneck did not participate in COAH's First Round, but did petition COAH for substantive certification for the Second Round in 2002, and received such substantive certification on December 15, 2004. In its petition for Second Round substantive certification, the Township requested a vacant land adjustment that would reduce its then 191-unit new construction obligation to a six unit RDP and a 185-unit unmet need. COAH determined that the Township could address the entirety of its 191-unit new construction obligation, and thus did not approve the VLA for the Township at that time.

In 2008, the Township petitioned COAH for certification under COAH's 2008 Third Round Rules. While the Township believed that the 2008 plan could have satisfied its fair share obligation without an adjustment, the Township did submit a request for a VLA. COAH declared the 2008 plan complete on April 20, 2009 and no objections were filed on the Township's Third Round plan. However, the Township did not receive Third Round substantive certification prior to the invalidation of COAH's 2008 growth share approach in the October 2010 Appellate Division decision, which was upheld by the New Jersey Supreme Court's September 2013 decision.

On March 10, 2015, the Supreme Court issued a ruling on the Motion In Aid of Litigant's Rights (In re. Adoption of N.J.A.C. 5:96 and 5:97 by N.J. Council on Affordable Housing, 221 N.J. 578 (2015)) filed by Fair Share Housing Center ("FSHC"). In adherence with the process laid out by the Supreme Court and the Superior Court, Teaneck filed a Declaratory Judgement Motion on July 9, 2015 and a Plan Summary on November 20, 2015 with the Superior Court. Teaneck was granted immunity by the court from exclusionary zoning lawsuits while it was negotiating the terms of the Settlement Agreement.

Teaneck prepared a HEFSP in 2015, which was adopted by the Teaneck Planning Board on December 1, 2015. This document supersedes and replaces the Township's 2015 Housing Plan.

This current HEFSP identifies additional realistic mechanisms for affordable housing construction.

Affordable Housing Obligations

In accordance with an agreement reached between the Township of Teaneck and FSHC, a Supreme Court-designated interested party in affordable housing proceedings statewide (the "settlement agreement"), Teaneck's affordable housing obligations are as follows:

- **Rehabilitation Share (Present Need)** (per Kinsey Report³): 66 units
- **Prior Round (1987-1999) Obligation** (pursuant to N.J.A.C. 5:93): 192 units
- **Third Round (1999-2025) Obligation** (per Kinsey Report, as adjusted through the settlement agreement)⁴: 714

In order to address its Prospective Need Obligation of 714 units, the Township undertook a municipal adjustment due to a lack of land pursuant to N.J.A.C. 5:93-4.2 (i.e., a “Vacant Land Adjustment” or “VLA”). The VLA estimates that the Township has a realistic development potential (“RDP”) of 176 units. The RDP of 176 units subtracted from the Prospective Need Obligation of 714 units results in an unmet need of 538 units.

Satisfaction of the Rehabilitation (Present Need) Obligation

As part of the terms of its Settlement Agreement with FSHC, the Township agreed to use estimates of the Township’s Fair Share obligation calculated by David N. Kinsey (the “Kinsey Report”). A municipality’s rehabilitation obligation, also referred to as its present need, is based upon the estimated amount of substandard housing occupied by low- and moderate-income households. As noted, the Township’s present need is 66 units. Eleven (11) units have already been rehabilitated through Bergen County’s Home Improvement Program. See Table 21, Rehabilitated Units in the Township of Teaneck Since 2010, below. The Township will continue to participate in the Bergen County Home Improvement Program to address the remaining 55-unit rehabilitation obligation.

Table 21. Rehabilitated Units in the Township of Teaneck Since 2010

Street Address	Block	Lot	Units	Loan Amount	Year of Loan	Work Done
395 Terhune Street	106	18	1	\$65,550	2010	Windows, electrical, front steps
131 Hamilton Road	5408	17	1	\$17,250	2010	Roof, heating system
118 Fairview Avenue	5813	7	1	\$17,500	2011	Plot survey, handrails, driveway, h/w heater, gutters/leaders, doors, ceiling tile, smoke & CO detectors
12 Irvington Road	5401	26	1	\$10,310	2011	Roof, h/w heater, windows
7 Lerome Place	5204	10	1	\$17,400	2012	Smoke detectors, steps, walk, French drain system, gutters/leaders, windows
1280 Taft Road	2104	22	1	\$32,600	2012	Smoke & CO detectors, roof, repair chimney, steps, plot survey, doors (storm & garage)
14 Voorhees Street	29	2	1	\$16,800	2013	Roof, electrical, front & garage doors

³ David N. Kinsey, PhD, P.P., FAICP, “New Jersey Fair Share Housing Obligations for 1999-2025 (Third Round) Under Mount Laurel IV,” May 17, 2016.

⁴ The Third Round fair share obligation of 714 units represents a 30 percent reduction offered by FSHC as part of settlement negotiations from the 1,020-unit Third Round gap period present need and prospective need obligation (1999-2025) determined by Dr. Kinsey for FSHC in the May 2016 report noted above.

Street Address	Block	Lot	Units	Loan Amount	Year of Loan	Work Done
466 Hillcrest Street	118	5	1	\$23,700	2014	Smoke & CO detectors, electrical, doors, windows
1707 Ardsley Court	5504	13	1	\$18,900	2014	Windows, painting, sump pump, French drain system, mold remediation
1568 Walden Street	5605	4	1	\$33,150	2014	Patio door, garage door, windows, driveway, siding, smoke & CO detectors, lead upgrade
50 Westervelt Place	5703	18	1	\$17,500	2018	Roof, gutters/leaders, tree trimming, storm door, brick repair, smoke & CO detectors, PVC railing

Source: Bergen County Home Improvement Program

Satisfaction of the Prior Round Obligation

Pursuant to the settlement agreement, the Township will address its 192-unit Prior Round obligation with 214 affordable units and rental bonuses as follows:

Prior Cycle Credits

A housing unit that was created and occupied between April 1, 1980 and December 15, 1986 is eligible for one credit when it was developed specifically for households whose income did not exceed 80 percent of the median income and the unit is governed by controls on affordability that are consistent with the requirements set forth in N.J.A.C. 5:92-12; such credits are identified as “Prior Cycle” credits. Teaneck is able to claim 170 Prior Cycle credits from family affordable for-sale units at the Chestnut Hill and Thomas Street Condominiums, family affordable rental units at 87 Tryon Avenue West and senior affordable units at 5 Dogwood Lane. Table 22, Prior Cycle Credits (1980-1986), provides additional details regarding these units.

- Two (2) family for-sale units at Chestnut Hill Condominiums
- Two (2) family for-sale units at Thomas Street Condominiums
- 158 senior rental units at Teaneck Senior Citizen Housing
- Eight (8) family rental units at 87 Tryon Avenue

Table 22. *Prior Cycle Credits (1980-1986)*

Development	Address	Credits
Chestnut Hill Condominiums	400/408 Terhune Street	2 units
Thomas Street Condominiums	379/385 Thomas Street	2 units
Teaneck Senior Citizen Housing	5 Dogwood Lane	158 units
87 Tryon Avenue	87 Tryon Avenue	8 units
Total		170 units

Supportive Housing

N.J.A.C. 5:93-1.3 defines a group home for the developmentally disabled as licensed and/or regulated by the New Jersey Department of Human Services as an “alternative living arrangement.” Per N.J.A.C. 5:93-5.8, alternative living arrangements may be used to address a municipal housing obligation. The unit of credit is the bedroom and each unit may be used to address a municipality’s rental obligation. See Table 23, Group Homes and Rental Bonuses, below for additional information.

- Four (4) credits, including two (2) supportive rental apartments at 1266 Teaneck Road and two (2) rental bonuses
- 16 credits, including thirteen (13) supportive rental apartments at 640 American Legion Drive and three (3) rental bonuses
- Three (3) credits, including two (2) supportive rental apartments at 911 Teaneck Road and one (1) rental bonus
- Five (5) special needs bedrooms in an ARC group home
- Four (4) special needs bedrooms in a New Jersey Friendship House group home
- Three (3) special needs bedrooms at Deveraux Foundation Group Home

Table 23. Group Home Credits and Rental Bonuses

Development	Credits	Rental Bonus	Total
1266 Teaneck Road	2	2	4
640 American Legion Drive	13	3	16
911 Teaneck Road	2	1	3
Arc Group Home	5	0	5
North Jersey Friendship House (315 Locust Street)	4	0	4
Deveraux Foundation Group Home (1014 Palisade Avenue)	3	0	3
Total	29	6	35

Family For-Sale Units

Teaneck addressed its Prior Round obligation through nine affordable for-sale units. Six of the nine units are located at 481 through 491 Linden Avenue in the Lindcrest Garden Condominiums. The remaining three units are located at 243, 245 and 247 Thompson Avenue. See Table 24, Family For-Sale Units Addressing the Prior Round Obligation, below.

- Six (6) family for-sale townhouse units at 481-491 Linden Avenue
- Three (3) family for-sale townhouse units at 243, 245 and 247 Thompson Avenue

Table 24. Family For-Sale Units Addressing the Prior Round Obligation

Development	Credits
481-491 Linden Avenue (Lindcrest Garden Condominiums)	6 units
243, 245 & 247 Thompson Avenue	3 units
Total	9 units

The Township of Teaneck is eligible for **214 credits** towards the Prior Round obligation, creating 22 surplus credits to be applied to the Third Round. These projects are detailed above and summarized below in Table 25, Prior Round Affordable Housing Credits for Constructed Projects and Table 26, Compliance with Minimal Rental and Maximum Age-Restricted and Bonus Requirements for Prior Round.

Table 25. Entitlement to Prior Round Affordable Housing Credits for Constructed Projects

Compliance Mechanism	Credits
Prior Cycle Credits	170 units
Rental Units	29 units
Rental Bonus	6 units
Family For-Sale Units	9 units
Total	214 units

Table 26. Compliance with Minimal Rental and Maximum Age-Restricted and Bonus Requirements for Prior Round

Minimum Rental Obligation	<i>Regulation</i>	=0.25 (Prior Round Obligation + Rehabilitation Obligation – Prior Cycle Credits – Rehabilitation Credits – Impact of 20 Percent Cap – Impact of the 1,000-Unit Limitation) =0.25 (192+66-170-11-0-0) = 19.25 units (round up to 20 units)
	<i>Minimum Required</i>	20 Units
	<i>Proposed</i>	38 Units
Maximum Rental Bonuses	<i>Regulation</i>	A rental unit available to the general public receives one rental bonus; An age-restricted unit receives 1.33 rental bonus, but no more than 50 percent of the rental obligation shall receive a bonus for age-restricted units; and No rental bonus is granted in excess of the Prior Round rental obligation (i.e., 20 units).
	<i>Maximum Allowed</i>	20 Bonuses
	<i>Proposed</i>	6 Bonuses
Maximum Age-Restricted Units	<i>Regulation</i>	=0.25 (Municipal Pre-Credited Need + Rehabilitation Obligation – Prior Cycle Credits – Rehabilitation Credits – Impact of the 20 Percent Cap – Impact of the 1,000-Unit Limitation) =0.25 (192+66-170-11-0-0) = 19.25 units (round down to 19 units)
	<i>Maximum Allowed</i>	19 Units
	<i>Proposed</i>	0 Units

Satisfaction of the Third Round Obligation

As noted above, Teaneck undertook a VLA. It was determined that the Township had an RDP of 176 units, resulting in an unmet need of 538 units. Teaneck will satisfy its Third Round 176-unit RDP with 216 affordable units and rental bonus credits, as well as a 22-unit surplus from the Prior Round, resulting in 40 surplus credits to be carried into the Third Round as follows:

Surplus Credits

- 22 surplus credits from the Prior Round

Alternative Living Arrangements

- 28 Supportive Shared Housing alternative living arrangement units
 - All of the housing set forth in Table 27, Township of Teaneck Supportive Shared Living Housing Units, are completed and occupied.

Table 27. Township of Teaneck Supportive Shared Living Housing Units

Development	Credits (Bedrooms/Units)
624 Ogden Avenue	4
733 Pomander Walk	9

Development	Credits (Bedrooms/Units)
1390 Hill Street 1B	2
121 Washington Place	4
565 John Street	3
236 Irvington Road	4
Walraven Place	2
Total	28

Age-Restricted Projects

- 18 age-restricted affordable rental units (an addition to the Senior Citizens Housing facility)
- 26 age-restricted affordable rental units at The Brookdale⁵

100% Affordable Projects

- Eight (8) family affordable for-sale single-family units from the Bergen County Housing Authority
 - Eight (8) single-family homes have been developed in Teaneck by the Bergen County Housing Authority and all are occupied.
 - The addresses are 528 and 532 Chestnut Place; 621 and 623 American Legion Drive; 393 and 389 Morningside Terrace; and 197 and 195 Fort Lee Road.

Inclusionary Projects

- Five (5) family affordable rental units at 227 Teaneck Road
 - The Township created the R-AH District, which requires a 20 percent affordable housing set-aside, on April 29, 2014. The Planning Board approved the residential development with 24 units, as memorialized April 16, 2015. Five (5) affordable units – or a 20 percent set-aside – will be provided.
 - The site is available, suitable, developable and approvable as defined in N.J.A.C. 5:93-1.3. The site can be developed consistent with the Residential Site Improvement Standards (“RSIS”) and other state regulations, such as the NJDEP. A review of NJDEP’s wetlands mapping appears to indicate that there are no wetlands on the site. A review of Federal Emergency Management Agency (“FEMA”) Flood Insurance Rate Maps (“FIRMs”) indicates that the site is not within a floodplain. The site is serviced by water and sewer infrastructure. NJDEP mapping indicates that the site is located within a sewer service area maintained by the Bergen County Utilities Authority. The site is located in Planning Area 1 (Metropolitan) of the State Development and Redevelopment Plan Policy Map.
 - Currently under construction.
- 25 family affordable rental units at 1775 Windsor Road (Avalon Bay)

⁵ A total of 61 units were constructed. However, because the Township is also seeking credits for 18 age-restricted affordable rental units at the Senior Citizen facility, only 26 age-restricted units at The Brookdale can be counted towards the satisfaction of the Third Round prospective need due to the cap of 25% on age-restricted units.

- The Township created the R-M2 District on December 15, 2015, and gave final approval to the 248-unit multifamily rental development on October 27, 2016. The Township entered into a Developer's Agreement with Avalon Teaneck, LLC, on October 17, 2017 requiring a 10 percent (25 units) affordable housing set-aside, developed and administered in accordance with COAH's regulations and UHAC, and providing three very low-income units.
 - The site is available, suitable, developable and approvable as defined in N.J.A.C. 5:93-1.3. The site can be developed consistent with RSIS and other state regulations, such as the NJDEP. A review of NJDEP's wetlands mapping indicates that there is a small area of deciduous wooded wetlands in the southeastern-most corner of the site. A review of FEMA FIRMs indicates that the site is not within a floodplain. The site is serviced by water and sewer infrastructure. NJDEP mapping indicates that the site is located within a sewer service area maintained by the Bergen County Utilities Authority. The site is located in Planning Area 1 (Metropolitan) of the State Development and Redevelopment Plan Policy Map.
 - Currently under construction.
- 23 family affordable rental units at 1500 Teaneck Road
 - The Township established the R-M3 District on this site in February 2016 with a maximum permitted density of 55 du/acre and a required affordable housing set-aside of 10 percent. An application for site plan for a 228-unit multifamily development was approved on October 27, 2016 with a 10 percent (23-unit) set-aside.
 - The site is available, suitable, developable and approvable as defined in N.J.A.C. 5:93-1.3. The site can be developed consistent with RSIS and other state regulations, such as the NJDEP. A review of NJDEP's wetlands mapping appears to indicate that there are no wetlands on the site. A review of FEMA FIRMs indicates that the site is not within a floodplain. The site is serviced by water and sewer infrastructure. NJDEP mapping indicates that the site is located within a sewer service area maintained by the Bergen County Utilities Authority. The site is located in Planning Area 1 (Metropolitan) of the State Development and Redevelopment Plan Policy Map.
 - Construction has not commenced.
- 10 family affordable apartments at 1475 Palisade Avenue
 - The Zoning Board approved this 128-unit multifamily apartment building on December 5, 2013, with amended approval on December 4, 2014, having a 7.8 percent affordable housing set-aside (10 units). Per the approval, eight (8) of the units will be constructed on-site and the remaining two (2) units will be constructed off-site.
 - The site is available, suitable, developable and approvable as defined in N.J.A.C. 5:93-1.3. The site can be developed consistent with RSIS and other state regulations, such as the NJDEP. A review of NJDEP's wetlands mapping appears to indicate that there are no wetlands on the site. A review of FEMA FIRMs indicates that the site is not within a floodplain. The site is serviced by water and sewer infrastructure. NJDEP mapping indicates that the site is located within a sewer service area maintained by the Bergen County Utilities Authority. The site is located in Planning Area 1 (Metropolitan) of the State Development and Redevelopment Plan Policy Map.
 - Currently under construction.

- Five (5) family affordable apartments at 140 State Street
 - The Zoning Board approved 36 residential units at this 0.462-acre property (a density of 77.9 du/acre) on April 4, 2013, with five affordable units.
 - The site is available, suitable, developable and approvable as defined in N.J.A.C. 5:93-1.3. The site can be developed consistent with RSIS and other state regulations, such as the NJDEP. A review of NJDEP's wetlands mapping appears to indicate that there are no wetlands on the site. A review of FEMA FIRMs indicates that the site is not within a floodplain. The site is serviced by water and sewer infrastructure. NJDEP mapping indicates that the site is located within a sewer service area maintained by the Bergen County Utilities Authority. The site is located in Planning Area 1 (Metropolitan) of the State Development and Redevelopment Plan Policy Map.
 - Construction has not commenced.

- Two (2) family affordable apartments at 764 New Bridge Road
 - The Zoning Board approved 19 residential units, as well as 10,931 square feet of ground floor retail space, at this 2.29-acre property (a density of 8.3 du/acre) on May 5, 2016, with two affordable units.
 - The site is available, suitable, developable and approvable as defined in N.J.A.C. 5:93-1.3. The site can be developed consistent with RSIS and other state regulations, such as the NJDEP. The site is currently developed with various commercial and residential structures in poor condition. A review of NJDEP's wetlands mapping appears to indicate that there are no wetlands on the site. A review of FEMA FIRMs indicates that the site is within the 100-year floodplain due to its proximity to French Brook (which is channelized in an underground pipeline per NJDEP mapping). The site is serviced by water and sewer infrastructure. NJDEP mapping indicates that the site is located within a sewer service area maintained by the Bergen County Utilities Authority. The site is located in Planning Area 1 (Metropolitan) of the State Development and Redevelopment Plan Policy Map.
 - Construction has not commenced.

Rental Bonuses

- 44 rental bonuses

As such, the Township of Teaneck is eligible for **216 credits** towards the Third Round obligation.

Table 28. Compliance with Minimal Rental and Maximum Age-Restricted and Bonus Requirements for Third Round

Minimum Rental Obligation	<i>Regulation</i>	=0.25 (Realistic Development Potential) =0.25 (176) = 44 units
	<i>Minimum Required</i>	44 units
	<i>Proposed</i>	44 units
Maximum Rental Bonuses	<i>Regulation</i>	A rental unit available to the general public receives one rental bonus; An age-restricted unit receives 0.33 rental bonus, but no more than 50 percent of the rental obligation shall receive a bonus for age-restricted units; and No rental bonus is granted in excess of the Prior Round rental obligation
	<i>Maximum Allowed</i>	44 units
	<i>Proposed</i>	44 Bonuses
Maximum Age-Restricted Units	<i>Regulation</i>	=0.25 (Third Round Obligation) =0.25 (176) = units
	<i>Maximum Allowed</i>	44 units
	<i>Proposed</i>	44 units

Very Low-Income Units

Additionally, the Township is subject to the requirements in the Fair Housing Act (“FHA”) for Very Low-Income Units. Per N.J.S.A. 52:27-D-329.1 of the FHA, at least 13 percent of the housing units made available for occupancy by low-income and moderate-income built after July 1, 2008 shall be reserved for occupancy by very low-income households. Half of the very low-income units must be available to families. The Township’s requirement to provide for very low-income units is 13 percent of the 150 affordable units to be developed, i.e., 19.5 units, rounded to 20 units. There will be three very low-income units at 1775 Windsor Road (Avalon Bay). The Township intends to offset the 17-unit shortfall of very low-income units through future development approvals.

Mechanisms to Address Unmet Need

The Township will address its 538-unit Third Round unmet need with 40 surplus non-age restricted units from projects addressing the RDP, 24 age-restricted units from The Bookdale, and through the adoption of overlay inclusionary zoning for the following sites:

- **Alfred Avenue** – an 18-acre site (Block 6002, Lots 1-9) that has been rezoned to allow densities up to 60 du/acre of non-age restricted units, which could yield about 150 to 200 affordable units depending on the tenure and set-aside. The site’s underlying zoning is L-I Light Industry, which permits general

business offices, research, experimental or testing laboratories, light non-nuisance manufacturing, and trade schools; residential uses are not permitted.

The R-MO3 Residential-Multifamily 3 Overlay District and associated building design requirements were established through the adoption of Ordinance No. 48-2015. The R-MO3 district allows for the development of a multifamily residential community with a potential hotel component. Permitted principal uses include multifamily dwellings and hotels. The minimum lot size is 1 acre. The R-MO3 district currently requires a minimum set-aside of 10 percent for low- and moderate-income families. However, the Township is moving to amend the R-MO3 district to require that 15 percent of rental units and 20 percent of for-sale units be designated for low- and moderate-income families.

The site is available, suitable, developable and approvable as defined in N.J.A.C. 5:93-1.3. The site can be developed consistent with RSIS and other state regulations, such as those of the NJDEP. The site is currently developed with outdated industrial uses that would not be easily retrofitted to meet the needs of new industrial warehouse tenants, but could be redeveloped for multifamily residential uses, if such operations ceased and the current improvements were demolished and removed.

The surrounding land use context is appropriate for multifamily residential development, and the site's location along Route 4 provides access to employment centers and limits traffic impacts on surrounding areas. A review of NJDEP's wetlands mapping appears to indicate that there are no wetlands on the site. A review of FEMA FIRMS indicates that the site is partially within the 100-year and 500-year floodplains associated with Overpeck Creek to the east of the site. Any new development on the site will be undertaken in conformance with all applicable Township and/or state regulations governing development in the floodplain area (e.g., Chapter 16A of the Township Ordinance, Flood Damage Prevention). As noted above, the site is currently developed and, as such, is serviced by water and sewer infrastructure. NJDEP mapping indicates that the site is located within a sewer service area maintained by the Bergen County Utilities Authority. The site is located in Planning Area 1 (Metropolitan) of the State Development and Redevelopment Plan Policy Map. L-I Light Industry zone

- **East Oakdene** – a 1.737-acre site that has been rezoned to allow up to 30 du/acre non-age restricted development and could yield approximately 10 affordable units. The site is located primarily in the R-S Residential Single-Family zone, and the easternmost portion of the site is located in the B-2 Business-Office zone. Single-family detached dwellings on a minimum lot area of 7,500 square feet is the principal permitted use in the R-S zone. Permitted principal uses in the B-2 zone include offices, financial institutions, business schools, medical and dental clinics, funeral homes, and governmental buildings and uses. Residential multifamily and single-family attached dwellings are a conditional use, subject to the limitations set forth in the R-M zone. A maximum of 8 du/acre is permitted for single-family attached dwellings and 12 du/acre is permitted for multifamily dwellings.

The R-RO Residential-Rowhouse Overlay District and associated building design requirements were established through the adoption of Ordinance No. 14-2017. The R-RO district allows for townhouse and stacked townhouse development. Permitted principal uses include rowhouses, townhouses, stacked

rowhouses or stacked townhouses, and apartments (only for inclusionary low- and moderate-income households). The minimum lot area is 20,000 square feet. For rowhouse or townhouse developments, the maximum gross density (including affordable units) is 16 units/acre; and for stacked rowhouse or stacked townhouse developments, the maximum gross density is 30 units/acre. The R-RO district requires that 15 percent of rental units and 20 percent of for-sale units be designated for low- and moderate-income families.

The site is available, suitable, developable and approvable as defined in N.J.A.C. 5:93-1.3. The site can be developed consistent with RSIS and other state regulations, such as those of the NJDEP. The site is currently developed with single-family residences; some parcels within the area are vacant. The site is essentially a transitional area, located between taller and more intensive hotels and the hotel parking lots and a single-family residential neighborhood to the north. The easternmost portion of Lots 13 and 14 in Block 4402 are located in the 100-year floodplain; otherwise, the site is devoid of environmental constraints. The site is serviced by water and sewer infrastructure. NJDEP mapping indicates that the site is located within a sewer service area maintained by the Bergen County Utilities Authority. The site is located in Planning Area 1 (Metropolitan) of the State Development and Redevelopment Plan Policy Map.

- **1405 Teaneck Road and 1425 Teaneck Road** – a 0.86-acre site that has been rezoned to R-SC II Residential Senior Housing II District to allow up to 60 du/acre age restricted development, which would yield approximately 10 affordable units. The site’s underlying zoning is B-R Business-Residential. In addition to a number of retail and office uses, the B-R zone permits single-family dwellings, attached and detached, and two-family dwellings. Single-family detached dwellings are governed by the standards set forth in the R-S Residential Single-Family Detached zone, wherein single-family dwellings are permitted on lots of 7,500 square feet or larger. Single-family detached dwellings and two-family dwellings are governed by the standards set forth in the R-M Residential Multifamily zone. Single-family detached dwellings are permitted at 8 du/acre, and two-family dwellings are permitted at 12 du/acre.

The R-SCII Residential-Senior Housing II District and associated building design requirements were established through the adoption of Ordinance No. 15-2017, and includes both 1425 and 1405 Teaneck Road. The R-SCII district allows for the development of age restricted/senior housing/retail development. Permitted principal uses include retail sale of goods and services, but only on the ground floor, and excluding those retail uses permitted as conditional uses in Section 33-25, those retail uses specifically prohibited in Section 33-25, as well as Section 33-26; restaurants, with the exception of fast food and drive-through restaurants, and only on the ground floor; and apartments for age-restricted (55 years of age or over) or senior housing (62 years of age or older) households. The minimum lot area is 10,000 square feet, and the maximum gross residential density is 50 units/acre. The R-SCII district requires that 15 percent of rental units and 20 percent of for-sale units be designated for low- and moderate-income families.

The site is available, suitable, developable and approvable as defined in N.J.A.C. 5:93-1.3. The site is currently developed with a restaurant and the Township DPW maintenance building. The site can be developed consistent with RSIS and other state regulations, such as those of the NJDEP. A review of NJDEP's wetlands mapping appears to indicate that there are no wetlands on the site. A review of FEMA FIRMs indicates that the site is not within a floodplain. The site is serviced by water and sewer infrastructure. NJDEP mapping indicates that the site is located within a sewer service area maintained by the Bergen County Utilities Authority. The site is located in Planning Area 1 (Metropolitan) of the State Development and Redevelopment Plan Policy Map.

- **Holuba** – a 6.75-acre site which will be rezoned to allow up to a 12 du/acre non-age restricted development, which would yield approximately 16 affordable units. The site's underlying zoning is L-I Light Industry, which permits general business offices, research, experimental or testing laboratories, light non-nuisance manufacturing, and trade schools; residential uses are not permitted. The site is available, suitable, developable and approvable as defined in N.J.A.C. 5:93-1.3.

The site is developed with industrial buildings and paved areas associated with a former soap factory that used to operate on the site. The site can be developed consistent with RSIS and other state regulations, such as those of the NJDEP. A review of NJDEP's wetlands mapping appears to indicate that there are no wetlands on the site. A review of FEMA FIRMs indicates that the site is not within a floodplain. The site is serviced by water and sewer infrastructure. NJDEP mapping indicates that the site is located within a sewer service area maintained by the Bergen County Utilities Authority. The site is located in Planning Area 1 (Metropolitan) of the State Development and Redevelopment Plan Policy Map.

In addition, the Township will adopt a Township-wide mandatory set-aside ordinance, as follows:

- A multi-family or single-family attached development providing a minimum of five (5) new housing units created through any future municipal rezoning or Zoning Board action, use or density variance, redevelopment plan, or rehabilitation plan that provide for densities at or above six (6) units per acre is required to include an affordable housing set-aside of 20 percent if the affordable units will be for sale and 15 percent if the affordable units will be for rent. This requirement does not give any developer the right to any such rezoning, variance or other relief, or establish any obligation on the part of Teaneck Township to grant such rezoning, variance or other relief. No subdivision shall be permitted or approved for the purpose of avoiding compliance with this requirement.
- This requirement shall not apply to any sites or specific zones otherwise identified in the Township's Settlement Agreement with Fair Share Housing Center dated December 7, 2017, or in the Township's Housing Element and Fair Share Plan, adopted by the Township Planning Board and endorsed by the Township Committee, for which density and set-aside standards shall be governed by the specific standards set forth therein.

VI. Summary

This Fair Share Plan provides realistic opportunities for the provision of new affordable housing units and rehabilitation of existing substandard units, in light of the Township’s limited resources – both in monetary terms and with regard to the limited amount of vacant land in the Township. Table 29, The Township of Teaneck Entitlement to Affordable Housing Credits, summarizes the affordable housing mechanisms that address Teaneck’s Prior Round and Third Round obligations.

Table 29. Township of Teaneck Entitlement to Affordable Housing Credits

CREDITS APPLIED TOWARDS PRIOR ROUND OBLIGATION				
<u>Affordable Development</u>	<u>Type</u>	<u>Units</u>	<u>Bonus Credits</u>	<u>Total Credits Plus Bonuses</u>
<i>Prior Cycle Credits (170 Credits)</i>				
Chestnut Hill Condominiums	Family For-Sale	2	-	2
Thomas Street Condominiums	Family For-Sale	2	-	2
Teaneck Senior Citizen Housing	Age-Restricted Rental	158	-	158
87 Tryon Avenue	Family Rental	8	-	8
<i>Rental and Family For-Sale Units (44 Credits)</i>				
1266 Teaneck Road	Supportive Rental Apartments	2	2	4
640 American Legion Drive	Supportive Rental Apartments	13	3	16
911 Teaneck Road	Supportive Rental Apartments	2	1	3
ARC Group Home	Special Needs Bedrooms	5	-	5
North Jersey Friendship House (315 Locust Street)	Special Needs Bedrooms	4	-	4
Deveraux Foundation Group Home (1014 Palisade Avenue)	Special Needs Bedrooms	3	-	3
481-491 Linden Avenue	Family For-Sale	6	-	6

243, 245 & 247 Thompson Avenue	Family For-Sale	3	-	3
Total		208	6	214
<u>CREDITS APPLIED TOWARDS THIRD ROUND OBLIGATION</u>				
<u>Affordable Development</u>	<u>Type</u>	<u>Units</u>	<u>Bonus Credits</u>	<u>Total Credits Plus Bonuses</u>
Surplus Units Carried from Prior Round	-	22	-	22
Supportive Shared Housing	Alternative Living Arrangements	28	-	28
Teaneck Senior Citizens Addition	Age-Restricted Rental	18	-	18
Single-Family Homes (Bergen County Housing Authority)	Family For-Sale	8	-	8
The Brookdale	Age-Restricted Rental	26	-	26
227 Teaneck Road	Family For- Sale/Rental	5	-	5
1775 Windsor Road (Avalon Bay)	Family Rental	25	-	25
1500 Teaneck Road	Family Rental	23	-	23
1475 Palisade Avenue	Family For- Sale/Rental	10	-	10
140 State Street	Family For- Sale/Rental	5	-	5
764 New Bridge Road	Family For- Sale/Rental	2	-	2
Total		172	44	216

Appendices

- Appendix A: Vacant Land Adjustment
 - Appendix A-1. Suitability Analysis of all Vacant and Class 15C Land in Teaneck for Potential Inclusionary Affordable Housing Development (Realistic Development Potential)
 - Appendix A-1.1. Individual Maps of Select Vacant and Class 15C Land in Teaneck for Potential Inclusionary Affordable Housing Development (Realistic Development Potential)
 - Appendix A-2. Properties in Teaneck Deemed Suitable for Potential Inclusionary Affordable Housing (Realistic Development Potential)
 - Appendix A-2.1. Individual Maps of Vacant Properties Not Zoned for Affordable Housing
 - Appendix A-2.2. Individual Maps of Properties Zoned for Affordable Housing
 - Appendix A-3. Overview Map of Properties in Teaneck Deemed Suitable for Potential Inclusionary Affordable Housing (Realistic Development Potential)
- Appendix B: Affordable Housing Ordinance (signed)
- Appendix C: R-AHO Residential Affordable Housing Overlay Zone Ordinance (signed)
- Appendix D: R-MO3 Residential-Multifamily 3 Overlay Zoning District Ordinance (signed)
- Appendix E. Spending Plan dated August 28, 2019 and Resolution of Adoption of Same
- Appendix F. Minutes of the February 28, 2019 Township of Teaneck Planning Board Meeting at Which the Board Adopted the Housing Element and Fair Share Plan
- Appendix G. Agenda for January 9, 2020 Township of Teaneck Zoning Board of Adjustment Meeting in Which the Memorialization of Approval for the 100 State Street Project is Listed

Appendix A. Vacant Land Adjustment

Appendix A-1. Suitability Analysis of all Vacant and Class 15C Land in Teaneck for Potential Inclusionary Affordable Housing Development (Realistic Development Potential)

Appendix A-1. Suitability Analysis of all Vacant and Class 15C Land in Teaneck for Potential Inclusionary Affordable Housing Developments (Realistic Development Potential)

Block	Lot	Qual	Zone	Max. Residential Density (Units/Acre)	Tax Acreage	Constrained Acreage (GIS)	Developable Acreage	Notes	Property Location	Property Class	Owner's Name	Map Number
101	1		P	0	1.01	-	1.01	Green Acres, River Road	640 RIVER ROAD	15C	TOWNSHIP OF TEANECK	-
101	7		P	0	10.3	-	10.3	Green Acres, Terhune Park	550 RIVER RD	15C	TOWNSHIP OF TEANECK	-
105	21		R01	5	0.0298	-	0.0298	Too small	440 KIPP ST	15C	TOWNSHIP OF TEANECK	-
107	5		R01	5	0.157	-	0.157	Green Acres, Kipp Street Park	370 KIPP ST	15C	TOWNSHIP OF TEANECK	-
117	3		n/a	n/a	0.0103	-	0.0103	Rear portion of residential property, in Bogota	568 HILLCREST ST (REAR)	1	UNKNOWN	-
117	18		n/a	n/a	0.0172	-	0.0172	Rear portion of residential property, in Bogota	512 HILLCREST ST (REAR)	1	UNKNOWN	-
118	1		n/a	n/a	0.0803	-	0.0803	Residential property assessed in Bogota	161 LARCH AVE	1	UNKNOWN	-
119	1		n/a	n/a	0.0379	-	0.0379	Residential property assessed in Bogota	183 ELM AVE	1	UNKNOWN	-
201	1	X	P	0	9.4	-	9.4	Developed with Teaneck Swim Club	700 POMANDER WALK	15C	TOWNSHIP OF TEANECK	-
201	2		R01	5	0.2709	-	0.2709	Too small	836 CEDAR LANE	1	836 CEDAR LN LLC	-
201	11		P	0	6.94	9.08	0.00	Adjacent to Hackensack River; environmental constraints (flood hazard area); Green Acres, 5' Wide Trail Adj. to Hackensack River	672 POMANDER WALK	15C	TOWNSHIP OF TEANECK	A-1-1
212	1		R01	5	0.5562	-	0.5562	Developed with a single-family residence	671 POMANDER WALK	15C	TOWNSHIP OF TEANECK	-
212	2		R01	5	0.3197	-	0.3197	The "Old Burial Ground" property, Township signed conservation easement deed with Meadowlands Conservation Trust; Green Acres, Pomander Walk	662 POMANDER WALK	15C	TOWNSHIP OF TEANECK	-
302	4		R01	5	0.2862	-	0.2862	Too small	827 CEDAR LANE	15C	BOARD OF FREEHOLDERS	-
402	1		U	0	3	-	3	Part of Fairleigh Dickenson University and reserved for future university facilities	1100 RIVER RD	1	FAIRLEIGH DICKENSON UNIVERSITY	-
502	18		R01	5	0.58	-	0.58	Too small	ROUTE 4 BUFFER	15C	TOWNSHIP OF TEANECK	-
502	19		R01	5	0.062	-	0.062	Too small	ROUTE 4 BUFFER	15C	TOWNSHIP OF TEANECK	-
503	10		R01	5	0.0599	-	0.0599	Too small	ROUTE 4 BUFFER	15C	TOWNSHIP OF TEANECK	-

Appendix A-1. Suitability Analysis of all Vacant and Class 15C Land in Teaneck for Potential Inclusionary Affordable Housing Developments (Realistic Development Potential)

Block	Lot	Qual	Zone	Max. Residential Density (Units/Acre)	Tax Acreage	Constrained Acreage (GIS)	Developable Acreage	Notes	Property Location	Property Class	Owner's Name	Map Number
504	9		R01	5	0.0823	-	0.0823	Too small	ROUTE 4 BUFFER	15C	TOWNSHIP OF TEANECK	-
510	2		R01	5	0.1041	-	0.1041	Too small	681 MARTENSE AVE	15C	TOWNSHIP OF TEANECK	-
511	22		R01	5	16.31	-	16.31	Green Acres, Phelps Park	1005 RIVER RD	15C	TOWNSHIP OF TEANECK	-
604	5		R01	5	0.0918	-	0.0918	Too small	668 TILDEN AVE	15C	TOWNSHIP OF TEANECK	-
605	6		R01	5	0.0129	-	0.0129	Too small	668 MAPLE AVE	15C	TOWNSHIP OF TEANECK	-
608	1		P	0	0.33	-	0.33	Too small	682 BEVERLY RD	15C	TOWNSHIP OF TEANECK	-
610	29		B1	20	0.1537	-	0.1537	Too small	619 CEDAR LANE	15C	TOWNSHIP OF TEANECK	-
705	4.01		P	0	1.47	-	1.47	Municipal parking lot	AMERICAN LEGION DRIVE	15C	TOWNSHIP OF TEANECK	-
705.01	4.01		P	0	0.15	-	0.15	Too small	ALMA TERRACE	15C	TOWNSHIP OF TEANECK	-
706	5		MX-1	15	0.0275	-	0.0275	Too small	404 CEDAR LANE	15C	TOWNSHIP OF TEANECK	-
706	9		MX-1	15	0.1655	-	0.1655	Too small	380 CEDAR LANE	15C	TOWNSHIP OF TEANECK	-
803	6		R01	5	4.48	-	4.48	Green Acres, Sagamore Park	900 WINDSOR RD	15C	TOWNSHIP OF TEANECK	-
810	9		R01	5	1.48	-	1.48	Green Acres, Brookstaver Park	860 WINDSOR RD	15C	TOWNSHIP OF TEANECK	-
817	8		P	0	0.3306	-	0.3306	Too small	539 CEDAR LANE	15C	TOWNSHIP OF TEANECK	-
818	6		P	0	0.2938	-	0.2938	Too small	BEVERLY RD	15C	TOWNSHIP OF TEANECK	-
819	1		P	0	0.2382	-	0.2382	Too small	408 BEVERLY RD	15C	TOWNSHIP OF TEANECK	-
819	14		P	0	0.36	-	0.36	Too small	824 WINDSOR RD	15C	TOWNSHIP OF TEANECK	-
819	16		MX-1	15	0.0666	-	0.0666	Too small	BEVERLY RD	15C	TOWNSHIP OF TEANECK	-
819	17		P	0	2.03	-	2.03	Municipal parking lot	821 GARRISON AVE	15C	TOWNSHIP OF TEANECK	-
902	1		R01	5	1.16	-	1.16	Green Acres, S. Gaylord Park	399 WOODS RD	15C	TOWNSHIP OF TEANECK	-
903	1		R01	5	1.31	-	1.31	Green Acres, S. Gaylord Park	401 WOODS RD	15C	TOWNSHIP OF TEANECK	-

Appendix A-1. Suitability Analysis of all Vacant and Class 15C Land in Teaneck for Potential Inclusionary Affordable Housing Developments (Realistic Development Potential)

Block	Lot	Qual	Zone	Max. Residential Density (Units/Acre)	Tax Acreage	Constrained Acreage (GIS)	Developable Acreage	Notes	Property Location	Property Class	Owner's Name	Map Number
1101	1		R01	5	1.04	0.93	0.11	Environmental constraints (wetlands, flood hazard area)	739 ROEMER AVE	15C	TOWNSHIP OF TEANECK	A-1-2
1002	1		RS	5	10.54	-	10.54	Green Acres, Brett Park	1660 RIVER RD	15C	TOWNSHIP OF TEANECK	-
1002	2		P	0	7.58	-	7.58	Teaneck DPW Facility; Green Acres, 5' Trail Adj. to Hackensack River	1600 RIVER RD	15C	TOWNSHIP OF TEANECK	-
1102	11		R01	5	1.2	-	1.2	Green Acres, Continental Park	ROEMER AVE	15C	TOWNSHIP OF TEANECK	-
1102	14		R01	5	0.2101	-	0.2101	Too small	578 NEW BRIDGE RD	1	GOREN,JACOB & BONNIE	-
1103	1.01		R01	5	15.1	-	15.1	Green Acres, Feldman Nature Preserve	1725 RIVER RD	15C	TOWNSHIP OF TEANECK	-
1103	16		R01	5	0.2332	-	0.2332	Too small	757 WINTHROP RD	1	PERL, ALLEN S & KAREN	-
1107	5		R01	5	0.043	-	0.043	Too small	416 NEW BRIDGE RD	15C	TOWNSHIP OF TEANECK	-
1107	6		n/a	n/a	0.0168	-	0.0168	Rear portion of residential property, assessed in Bergenfield	THAMES BLVD(REAR)	1	UNKNOWN	-
1107	12		n/a	n/a	0.0029	-	0.0029	Rear portion of residential property, assessed in Bergenfield	414 NEW BRIDGE RD	1	UNKNOWN	-
1108	8		R01	5	0.1286	-	0.1286	Too small	640 THAMES BLVD (REAR)	1	SUSS,MORRIS & BARBARA	-
1108	9		R01	5	0.0537	-	0.0537	Too small	630 THAMES BLVD (REAR)	1	BERNSTEIN,MORRIS & IRENE	-
1108	10		R01	5	0.0219	-	0.0219	Too small	THAMES BOULEVARD	1	UNKNOWN	-
1109	3		R01	5	0.0551	-	0.0551	Too small	630 NORFOLK ST	1	GROSSBARD,MARVIN & BEA	-
1112	1		R01	5	0.43	-	0.43	Too small	751 ROEMER AVE	15C	TOWNSHIP OF TEANECK	-
1204	1		R01	5	10.58	-	10.58	Green Acres, Tokoloka Park	589 MAITLAND AVE	15C	TOWNSHIP OF TEANECK	-
1301	1		RS	5	23.38	-	23.38	Borough Park, Andreas Memorial	1400 RIVER RD	15C	TOWNSHIP OF TEANECK	-
1401	2		RS	5	0.3419	-	0.3419	Green Acres, River Road	1262 RIVER RD	15C	TOWNSHIP OF TEANECK	-
1501	1		R01	5	0.0386	-	0.0386	Too small	ROUTE 4 BUFFER	15C	TOWNSHIP OF TEANECK	-
1501	7		R01	5	0.0675	-	0.0675	Too small	ROUTE 4 BUFFER	15C	TOWNSHIP OF TEANECK	-
1502	1		R01	5	0.0964	-	0.0964	Too small	ROUTE 4 BUFFER	15C	TOWNSHIP OF TEANECK	-
1503	1		R01	5	0.0689	-	0.0689	Too small	ROUTE 4 BUFFER	15C	TOWNSHIP OF TEANECK	-

Appendix A-1. Suitability Analysis of all Vacant and Class 15C Land in Teaneck for Potential Inclusionary Affordable Housing Developments (Realistic Development Potential)

Block	Lot	Qual	Zone	Max. Residential Density (Units/Acre)	Tax Acreage	Constrained Acreage (GIS)	Developable Acreage	Notes	Property Location	Property Class	Owner's Name	Map Number
1507	1		R01	5	0.1653	-	0.1653	Too small	ROUTE 4 BUFFER	15C	TOWNSHIP OF TEANECK	-
1510	1		R01	5	0.461	-	0.461	Route 4 narrow, green buffer; street access cannot be extended (steep drop-off at end of road, steep slopes)	PEMBROKE ST	15C	TOWNSHIP OF TEANECK	-
1510	2		R01	5	0.0414	-	0.0414	Too small	DARTMOUTH ST	15C	STATE OF NEW JERSEY	-
1510	3		R01	5	1.43	-	1.43	Route 4 narrow, green buffer; street access cannot be extended (steep drop-off at end of road, steep slopes)	1064 CAMBRIDGE RD	15C	TOWNSHIP OF TEANECK	A-1-3
1609	8		R01	5	0.1653	-	0.1653	Too small	690 FOREST AVE	1	JERROLD S DREYER MD INC	-
1610	13		R01	5	0.0266	-	0.0266	Too small	1196 THE STRAND (REAR)	15C	TOWNSHIP OF TEANECK	-
1614	5		R01	5	0.1423	-	0.1423	Too small	1163 TRAFALGAR ST	1	FISCH, JEROME	-
1618	1		R01	5	0.1928	-	0.1928	Too small	668 NORTHUMBERLAND RD	15C	TOWNSHIP OF TEANECK	-
1716	12		R01	5	0.1653	-	0.1653	Too small	1351 SOMERSET RD	1	MOBILITY BUILDERS, LLC	-
1801	14.01		RS	5	0	-	0	Too small	CHURCHILL ROAD (REAR)	15C	TOWNSHIP OF TEANECK	-
1802	10.02		RS	5	0	-	0	Too small	CHURCHILL ROAD (REAR)	15C	TOWNSHIP OF TEANECK	-
1803	11		R01	5	0.2948	-	0.2948	Too small	490 CHURCHILL RD	1	SCHULHOF, STEVEN & YAEL	-
1806	11		R01	5	0.6428	-	0.6428	Under common ownership with adjacent Block 1806, Lot 10; used as side yard to single-family residence	450 WINTHROP RD	1	LINDENBAUM, NATHAN J. & SHARI A.	-
1808	20		R01	5	0.1653	-	0.1653	Too small	569 MAITLAND AVE	1	ZAYAT, AHMED & JOANNE	-
1808	21		R01	5	0.1653	-	0.1653	Too small	563 MAITLAND AVE	1	ZAYAT, AHMED & JOANNE	-
1811	11		R01	5	0.1928	-	0.1928	Too small	448 MAITLAND AVE	1	HORNBLASS, MAURICE & RICKY	-
1907	11		R01	5	0.0138	-	0.0138	Too small	416 BRIARCLIFFE RD	1	GOTESMAN, ALEXANDER & MATY	-
1908	19		R01	5	0.2583	-	0.2583	Too small	393 WINTHROP RD	1	BLACKSTONE INC	-
2005	10		R01	5	0.2204	-	0.2204	Too small	359 MAITLAND AVE	1	HOFFER, AARON J & JENNIFER	-
2006	21		R01	5	0.1653	-	0.1653	Too small	327 MAITLAND AVE	1	SINGLETON, JENNIFER D	-

Appendix A-1. Suitability Analysis of all Vacant and Class 15C Land in Teaneck for Potential Inclusionary Affordable Housing Developments (Realistic Development Potential)

Block	Lot	Qual	Zone	Max. Residential Density (Units/Acre)	Tax Acreage	Constrained Acreage (GIS)	Developable Acreage	Notes	Property Location	Property Class	Owner's Name	Map Number
2008	8		R01	5	0.1653	-	0.1653	Too small	372 MAITLAND AVE	1	372 MAITLAND AVENUE, LLC	-
2008	14		R01	5	0.2204	-	0.2204	Too small	387 RUTLAND AVE	1	BORGER, LAWRENCE & IRIS OFER	-
2011	9		R01	5	0.1653	-	0.1653	Too small	286 OGDEN AVE	1	MOBILITY BLDGRS LLC	-
2105	17		R01	5	0.1626	-	0.1626	Too small	1363 TAFT RD	1	TEUBER, GORDON ET AL	-
2105	18		R01	5	0.14	-	0.14	Too small	1357 TAFT RD (REAR)	15C	TOWNSHIP OF TEANECK	-
2107	5		R01	5	0.003	-	0.003	Too small	1220 EMERSON AVE	15C	TOWNSHIP OF TEANECK	-
2205	9		R01	5	0.1733	-	0.1733	Too small	1192 WINDSOR RD	15C	TOWNSHIP OF TEANECK	-
2210	5		R01	5	1.25	-	1.25	Green Acres, Kieliszek Park	434 BILLINGTON RD	15C	TOWNSHIP OF TEANECK	-
2211	1		R01	5	1	-	1	Green Acres, Kieliszek Park	374 BILLINGTON RD	15C	TOWNSHIP OF TEANECK	-
2301	1		n/a	n/a	0.0069	-	0.0069	Residential property assessed in Bogota	334 GROVE ST	1	UNKNOWN	-
2301	2		R01	5	0.0826	-	0.0826	Too small	332 GROVE ST	1	HYLTON, SHANNEICE & LLOYDFORD	-
2301	12		n/a	n/a	0.023	-	0.023	Residential property assessed in Bogota	321 CANE ST	1	UNKNOWN	-
2303	10		n/a	n/a	0.0356	-	0.0356	Residential property assessed in Bogota	147 GRAY ST	1	UNKNOWN	-
2304	15		n/a	n/a	0.0986	-	0.0986	Bogota High school, assessed in Bogota	317 HIGHWOOD ST	1	UNKNOWN	-
2305	35		n/a	n/a	0.0286	-	0.0286	Bogota High school, assessed in Bogota	316 HIGHWOOD ST	1	UNKNOWN	-
2306	15		B1	20	0.0057	-	0.0057	Too small	370 QUEEN ANNE RD (REAR)	15C	TOWNSHIP OF TEANECK	-
2402	2		P	0	2.74	-	2.74	Green Acres, Herrick Park	PALISADE AVE	15C	TOWNSHIP OF TEANECK	-
2405	4		R01	5	0.2525	-	0.2525	Too small	266 JOHNSON AVE	1	GURALNIK, MORDECHAI I & SARAH	-
2414	21		n/a	n/a	0.0056	-	0.0056	Residential property assessed in Bogota	315 PINE ST (REAR)	1	UNKNOWN	-
2415	1		n/a	n/a	0.0044	-	0.0044	Residential property assessed in Bogota	316 PINE ST	1	UNKNOWN	-
2415	2		n/a	n/a	0.0713	-	0.0713	Residential property assessed in Bogota	314 PINE ST	1	UNKNOWN	-
2415	12		R01	5	0.0069	-	0.0069	Too small	GROVE ST	1	RUSSO, JOHN & LASANTA, DANIELLE	-

Appendix A-1. Suitability Analysis of all Vacant and Class 15C Land in Teaneck for Potential Inclusionary Affordable Housing Developments (Realistic Development Potential)

Block	Lot	Qual	Zone	Max. Residential Density (Units/Acre)	Tax Acreage	Constrained Acreage (GIS)	Developable Acreage	Notes	Property Location	Property Class	Owner's Name	Map Number
2415	13		n/a	n/a	0.0084	-	0.0084	Residential property assessed in Bogota	GROVE ST(REAR)	1	UNKNOWN	-
2505	1		P	0	0.98	-	0.98	Developed with U.S. Post Office	751 PALISADE AVE	15C	U.S.OF AMERICA C/O NORTHEAST REGION	-
2601	1		RS	5	0.77	-	0.77	Green Acres, Windsor Park	949 WINDSOR RD	15C	TOWNSHIP OF TEANECK	-
2603	23		B2	8 (attached SF, townhouses); 3 (two-family); 12 (multifamily)	0.0413	-	0.0413	Too small	FRANCES ST	1	SAGAMA CORPORATION	-
2701	1		RS	5	1.31	-	1.31	Green Acres, Windsor Park	1001 WINDSOR RD	15C	TOWNSHIP OF TEANECK	-
2702	11		R01	5	0.3488	-	0.3488	Too small	ROUTE 4 BUFFER	15C	TOWNSHIP OF TEANECK	-
2703	10		R01	5	1.49	-	1.49	Long and very narrow strip adjacent to Route 4; unsuitable for residential development	ROUTE 4 BUFFER	15C	TOWNSHIP OF TEANECK	A-1-4
2801	2		R01	5	0.7	-	0.7	Narrow strip of land in front of Teaneck High School; contains sidewalks and driveways	101 CRANFORD PL	15C	TOWNSHIP OF TEANECK	-
2904	11		P	0	1.23	-	1.23	Green Acres, Dr. MLK Jr. Park	873 BROAD ST	15C	TOWNSHIP OF TEANECK	-
2904	12		P	0	6.66	-	6.66	Green Acres, Volcker Municipal Green	818 TEANECK RD	15C	TOWNSHIP OF TEANECK	-
2916	9		R01	5	0.0803	-	0.0803	Too small	816 RED ROAD	1	811 GRANGE CORPORATION	-
3002	3		B2	8 (attached SF, townhouses); 3 (two-family); 12 (multifamily)	0.2	-	0.2	Too small	60 CEDAR LANE	1	HOLY NAME REAL ESTATE CORP.	-
3002	6		R01	5	0.5338	-	0.5338	Vacant lot in single-family residential neighborhood; building demolished in 2010	75 CHADWICK RD	1	75 CHADWICK LLC	-
3103	17.01		R01	5	0.1435	-	0.1435	Too small	16 JOHNSON AVE	1	KLEIN,ROBIN & DEBRA N	-
3114	68.01		R01	5	0.0069	-	0.0069	Too small	127 OAKDENE AVE	15C	TOWNSHIP OF TEANECK	-
3205	6		P	0	0.98	-	0.98	Part of fire station property	370 TEANECK RD	15C	TOWNSHIP OF TEANECK	-

Appendix A-1. Suitability Analysis of all Vacant and Class 15C Land in Teaneck for Potential Inclusionary Affordable Housing Developments (Realistic Development Potential)

Block	Lot	Qual	Zone	Max. Residential Density (Units/Acre)	Tax Acreage	Constrained Acreage (GIS)	Developable Acreage	Notes	Property Location	Property Class	Owner's Name	Map Number
3210	2		P	0	0.3884	-	0.3884	Too small	325 QUEEN ANNE RD	15C	TOWNSHIP OF TEANECK	-
3210	18		B1	20	0.1065	-	0.1065	Too small	283 QUEEN ANNE RD	1	GILCHRIST,IRMGARD K. & MALCOLM J.	-
3301	1		RM	8 (attached SF, townhouses); 3 (two-family); 12 (multifamily)	0.0218	-	0.0218	Too small	129 FORT LEE RD	1	ROJAS,ROSALIO B. & ERIKA M.	-
3301	3.02		RM	8 (attached SF, townhouses); 3 (two-family); 12 (multifamily)	0.088	-	0.088	Too small; shown on overview map as Block 3301, Lot 3	165 FORT LEE RD	1	LOVINO ELECTRIC & BERGEN DEVEL	-
3301	26		R01	5	0.0545	-	0.0545	Too small	211 HENRY ST	1	IWANO,MARIA & HEINSEN,HANS	-
3303	5		RS	5	5.29	-	5.29	Green Acres, Ammann Park	200 TEANECK RD	15C	TOWNSHIP OF TEANECK	-
3306	1		R01	5	0.0554	-	0.0554	Too small	207 MUNN AVE	1	BRADY, CHRISTINE E.	-
3306	2		R01	5	0.0044	-	0.0044	Too small	207 MUNN AVE	15C	TOWNSHIP OF TEANECK	-
3306	15		R01	5	0.0949	-	0.0949	Too small	206 HENRY ST	1	DENICOLA, JOHN	-
3306	16		R01	5	0.0815	-	0.0815	Too small	203 QUEEN ANNE RD (REAR)	1	FUCCI, JAMES E	-
3306	17	C0001	R01	5	0.0104	-	0.0104	Too small	197 QUEEN ANNE RD (REAR)	1	TRIVINO, HERNANDO& CORONADO, GILMA	-
3306	17	C0002	R01	5	0.0104	-	0.0104	Too small	197 QUEEN ANNE RD (REAR)	1	BARROS, SHEILA M.	-
3306	17	C0003	R01	5	0.0104	-	0.0104	Too small	197 QUEEN ANNE RD (REAR)	1	ARMSTRONG,JEAN	-
3306	17	C0004	R01	5	0.0097	-	0.0097	Too small	197 QUEEN ANNE RD (REAR)	1	ETZIONI,AVNER& ETZIONI,ZOE	-
3306	17	C0005	R01	5	0.0104	-	0.0104	Too small	197 QUEEN ANNE RD (REAR)	1	KIAI S. JONES	-
3306	17	C0006	R01	5	0.0104	-	0.0104	Too small	197 QUEEN ANNE RD (REAR)	1	SCHLACHTER,A.&D. &SCHLACHTER,S.	-
3306	17	C0007	R01	5	0.0104	-	0.0104	Too small	197 QUEEN ANNE RD (REAR)	1	SHEER A. BACCHUS	-
3306	17	C0008	R01	5	0.0104	-	0.0104	Too small	197 QUEEN ANNE RD (REAR)	1	ALEX ROLAND	-
3306	18		R01	5	0.0831	-	0.0831	Too small	193 QUEEN ANNE RD (REAR)	1	CANZANI,THOMAS & PATRICIA	-

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Block	Lot	Qual	Zone	Max. Residential Density (Units/Acre)	Tax Acreage	Constrained Acreage (GIS)	Developable Acreage	Notes	Property Location	Property Class	Owner's Name	Map Number
3306	19		R01	5	0.0815	-	0.0815	Too small	187 QUEEN ANNE RD (REAR)	1	CUNANAN, ARNALDO & MARIA	-
3313	15		n/a	n/a	0.0184	-	0.0184	Residential property assessed in Bogota	196 WALNUT ST	1	UNKNOWN	-
3401	11		n/a	n/a	0.0092	-	0.0092	Residential property assessed in Bogota	195 MAPLE ST (REAR)	1	UNKNOWN	-
3408	1		n/a	n/a	0.0351	-	0.0351	Residential property assessed in Bogota	192 MAPLE ST	1	UNKNOWN	-
3501	1		RS	5	35.65	-	35.65	Green Acres, Overpeck County Park	FORT LEE RD	15C	COUNTY OF BERGEN	-
3502.01	8		R01	5	1.93	1.57	0.36	Adjacent to Overpeck Park; environmental constraints (wetlands, slopes)	18 E SHERWOOD AVE	15C	TOWNSHIP OF TEANECK	A-1-5
3602	10		R01	5	0.77	-	0.77	Green Acres, Overpeck County Park; part of Teaneck Creek Park	379 TEANECK RD	15C	COUNTY OF BERGEN	-
3603	1		P	0	0.4037	-	0.4037	Green Acres, Overpeck County Park	DEGRAW AVE	15C	COUNTY OF BERGEN	-
3604	11		R01	5	0.1392	-	0.1392	Too small	255 E OAKDENE AVE	1	A.SANZARI ENTERPRISES C/O HAMMER,J	-
3604	13		RC2	0	0.845	0.00	0.845	Strip between private driveway and multi-level parking deck	FRANK W BURR BLVD	1.000	A.SANZARI ENTERPRISES VC/O HAMMER,J	A-1-6
3604	15		RS	5	0.2066	-	0.2066	Too small	492 GLENWOOD AVE	15C	TOWNSHIP OF TEANECK	-
3605	7		RC3	0	0.367	-	0.367	Too small	370 GLENWOOD AVE	1	A.SANZARI ENTERPRISES C/O HAMMER,J	-
3608	1		RS	5	39.68	-	39.68	Green Acres, Overpeck County Park	FORT LEE RD	15C	COUNTY OF BERGEN	-
3609	1		RM	8 (attached SF, townhouses); 3 (two-family); 12 (multifamily)	0.1834	-	0.1834	Green Acres, Overpeck County Park	FORT LEE RD	15C	COUNTY OF BERGEN	-
3701	14		R01	5	0.1551	-	0.1551	Too small	56 FYCKE LANE	15C	TOWNSHIP OF TEANECK	-
3703	11		RS	5	45.618	-	45.618	Green Acres, Overpeck County Park	80 FYCKE LANE	15C	COUNTY OF BERGEN	-
3710.01	5.01		R01	5	0.1377	-	0.1377	Too small	575 GRANT TERR	1	MANSOOR, QAISER & HUMERA	-
4001	8		R01	5	0.18	-	0.18	Too small	ROUTE 4 BUFFER	15C	TOWNSHIP OF TEANECK	-
4002	11		R01	5	0.19	-	0.19	Too small	ROUTE 4 BUFFER	15C	TOWNSHIP OF TEANECK	-

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Block	Lot	Qual	Zone	Max. Residential Density (Units/Acre)	Tax Acreage	Constrained Acreage (GIS)	Developable Acreage	Notes	Property Location	Property Class	Owner's Name	Map Number
4003	23		R01	5	1.25	-	1.25	Long and very narrow strip adjacent to Route 4; unsuitable for residential development	ROUTE 4 BUFFER	15C	TOWNSHIP OF TEANECK	A-1-7
4101	1		R01	5	140	-	140	Green Acres, Overpeck Golf Course	COLUMBUS DR	15C	COUNTY OF BERGEN	-
4102	27		R01	5	0.94	-	0.94	Deed restricted for open space	FARRAGUT DR	15C	TOWNSHIP OF TEANECK	-
4201	19		R01	5	0	-	0	Too small	EAST CEDAR LANE	15C	TOWNSHIP OF TEANECK	-
4201	19	X	R01	5	0	-	0	Too small	5 DOGWOOD LANE	15C	TEANECK SENIOR CITIZEN HSNG ASSOC	-
4204	5		RS	5	6.89	-	6.89	Green Acres, Hawthorne Park	665 GLENWOOD AVE	15C	TOWNSHIP OF TEANECK	-
4207	1		R01	5	0.4201	-	0.4201	Too small	HAWTHORNE AVE	15C	TOWNSHIP OF TEANECK	-
4208	11		RS	5	7.52	-	7.52	Green Acres, Hawthorne Park	LUCY AVE	15C	TOWNSHIP OF TEANECK	-
4302	3		R01	5	0.3817	-	0.3817	Green Acres, Harte Park	565 GLENWOOD AVE	15C	TOWNSHIP OF TEANECK	-
4303	1		R01	5	0.4408	-	0.4408	Too small	314 HOME ST	15C	TOWNSHIP OF TEANECK	-
4303	19		R01	5	0.03	-	0.03	Too small	HOME STREET	15C	TOWNSHIP OF TEANECK	-
4304	4.02		R01	5	0.1148	-	0.1148	Too small	290 WASHINGTON ST	1	PETERKIN, DONNA LEE & ORGILL, DESMOND	-
4306	1		RS	5	50.55	-	50.55	Green Acres, Overpeck County Park	ROUTE NO.95	15C	COUNTY OF BERGEN	-
4401	11		R01	5	0.3024	-	0.3024	Too small	314 HARDING AVE	1	SALMA, SYEDA UMME & QURRATH U.A	-
4402	12		P	0	0.5253	-	0.5253	Developed with pumping station	309 E OAKDENE AVE	15C	TOWNSHIP OF TEANECK	-
4402	14		R01	5	0.1405	-	0.1405	Too small	289 E OAKDENE AVE	15C	TOWNSHIP OF TEANECK	-
4403	1		RC3	0	1.22	0.61	0.61	Hotel under construction	1 GLENWOOD AVENUE	1	GLENPOINTE ASSOCIATES IV LLC	-
4501	1		RS	5	56.67	-	56.67	Green Acres, Overpeck County Park	ROUTE NO.95	15C	COUNTY OF BERGEN	-
4701	1		RS	5	2.75	-	2.75	Green Acres, Windsor Park	1101 WINDSOR RD	15C	TOWNSHIP OF TEANECK	-
4702	1		RS	5	39	-	39	Green Acres, Milton Votee Park	1104 QUEEN ANNE RD	15C	TOWNSHIP OF TEANECK	-
4703	2		R01	5	0.079	-	0.079	Green Acres, Milton Votee Park	1086 QUEEN ANNE RD	15C	TOWNSHIP OF TEANECK	-
4703	4		P	0	2.17	-	2.17	Developed with Rodda Community Center	1079 PALISADE AVE	15C	TOWNSHIP OF TEANECK	-

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Block	Lot	Qual	Zone	Max. Residential Density (Units/Acre)	Tax Acreage	Constrained Acreage (GIS)	Developable Acreage	Notes	Property Location	Property Class	Owner's Name	Map Number
4704	1		RS	5	1.35	-	1.35	Green Acres, Milton Votee Park	1086 PALISADE AVE	15C	TOWNSHIP OF TEANECK	-
4808	15		RS	5	1.8	-	1.8	Long, narrow and steep; Route 4 buffer; unsuitable for inclusionary housing; 110 feet deep	ROUTE 4 BUFFER	15C	TOWNSHIP OF TEANECK	A-1-8
4811	12		P	0	0.1148	-	0.1148	Too small	ROUTE 4 BUFFER	15C	TOWNSHIP OF TEANECK	-
4812	15		P	0	0.255	-	0.255	Too small	1056 MARGARET ST	15C	TOWNSHIP OF TEANECK	-
4901	1		P	0	0.6382	-	0.6382	Too small	1375 WINDSOR RD	15C	TOWNSHIP OF TEANECK	-
4901	2		RS	5	2.33	-	2.33	Green Acres, Windsor Park	1355 WINDSOR RD	15C	TOWNSHIP OF TEANECK	-
4903	4		P	0	0.2136	-	0.2136	Too small	1350 QUEEN ANNE RD	15C	TOWNSHIP OF TEANECK	-
4905	14		P	0	0.4546	-	0.4546	Too small	1344 TEANECK RD	15C	TOWNSHIP OF TEANECK	-
4906	17		P	0	0.528	-	0.528	Developed with municipal parking lot	1240 TEANECK RD	15C	TOWNSHIP OF TEANECK	-
4906	21		BR	5 (single-family); 3 (two-family)	0.584	-	0.584	Pending application for site plan approval to construct new retail building	1280 TEANECK RD	1	GRANITE 1280 C/O EPS MGMT CO	-
5002	1		R01	5	0.2439	-	0.2439	Too small	108 AMSTERDAM AVE	15C	TOWNSHIP OF TEANECK	-
5002	20		P	0	0.4017	-	0.4017	Too small	29 STATE ST	15C	TOWNSHIP OF TEANECK	-
5002	23		R01	5	0.4017	-	0.4017	Too small	89 STATE ST	15C	TOWNSHIP OF TEANECK	-
5002	25		P	0	0.74	-	0.74	Developed with municipal parking lot	105 STATE ST	15C	TOWNSHIP OF TEANECK	-
5004	3		R01	5	0.066	-	0.066	Too small	118 STATE ST	1	100 STATE STREET DEVELOPMENT LLC	-
5004	5		R01	5	0.33	-	0.33	Too small	90 STATE ST	1	100 STATE STREET DEVELOPMENT LLC	-
5005	12		B1	20	0.0444	-	0.0444	Too small	195 THE PLAZA	15C	TOWNSHIP OF TEANECK	-
5006	1		RS	5	1.02	-	1.02	Green Acres, Windsor Park	1471 WINDSOR RD	15C	TOWNSHIP OF TEANECK	-
5007	1		RS	5	3	-	3	Green Acres, Veteran's Park	1421 WINDSOR RD	15C	TOWNSHIP OF TEANECK	-
5008	4		B1	20	1.4	0.00	1.4	Municipal parking lot	1389 PALISADE AVE	15C	TOWNSHIP OF TEANECK	A-1-9

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Block	Lot	Qual	Zone	Max. Residential Density (Units/Acre)	Tax Acreage	Constrained Acreage (GIS)	Developable Acreage	Notes	Property Location	Property Class	Owner's Name	Map Number
5101	1		RS	5	30	-	30	Green Acres, Windsor Park	1601 WINDSOR RD	15C	TOWNSHIP OF TEANECK	-
5103	7		R01	5	0.4591	-	0.4591	Green Acres, Stephens Place Park	1665 STEPHENS PL	15C	TOWNSHIP OF TEANECK	-
5105	10		LI	0	0.0333	-	0.0333	Too small	GALWAY PL	15C	TOWNSHIP OF TEANECK	-
5106	11		R01	5	0.2494	-	0.2494	Too small	77 TRYON AVE WEST	1	BULDO,AMBROSE	-
5106	16		R01	5	0.3162	-	0.3162	Too small	44 GALWAY PL	1	BULDO,AMBROSE & LORETTA	-
5107	18		R01	5	0.96	0.83	0.13	Environmental constraints (steep slopes)	56 TRYON AVE WEST	15C	TOWNSHIP OF TEANECK	A-1-10
5109	1		LI	0	0.6326	-	0.6326	Narrow strip of land adjacent to railroad right-of-way developed with Yeshiva parking lot (currently class 15D)	1480 PALISADE AVE	1	DCI TEANECK VENTURE, LLC	-
5109	3		LI	0	0.0172	-	0.0172	Too small	PALISADE AVE	1	BONANNO REAL ESTATE GROUP 111	-
5201	1		LI	0	0.2934	-	0.2934	Too small	1775 WINDSOR RD	1	TEANECK WINDSOR LLC	-
5202	8		R01	5	0.68	-	0.68	Developed with PSE&G substation (also on property in Bergenfield)	MEYER CT	1	PUBLIC SERVICE ELECTRIC & GAS CO	-
5202	9		R01	5	0.0163	-	0.0163	Too small	1860 TEANECK RD	1	DIBELLA FAMILY, L.L.C.	-
5202	10		R01	5	0.1191	-	0.1191	Too small	1860 TEANECK RD	1	DI BELLA FAMILY, L.L.C.	-
5204	1		R01	5	0.1413	-	0.1413	Too small	38 ARMORY PLACE	1	PENA, EMMA A & RAQUEL	-
5207	14		R01	5	0.1722	-	0.1722	Too small	43 SACKVILLE ST	15C	TOWNSHIP OF TEANECK	-
5301	1		P	0	13.66	-	13.66	Teaneck National Guard Armory	1799 TEANECK RD	15C	STATE OF N.J./DEPT MILITARY	-
5302	29		R01	5	0.4132	-	0.4132	Too small	207 LIBERTY RD	15C	TOWNSHIP OF TEANECK	-
5302	31		n/a	n/a	0.1457	-	0.1457	Residential property assessed in Englewood	461 HENDRICK AVE	1	UNKNOWN	-
5402	15		R01	5	0.0115	-	0.0115	Too small	100 IRVINGTON RD	15C	TOWNSHIP OF TEANECK	-
5402	23		R01	5	0.0918	-	0.0918	Too small	152 IRVINGTON RD	15C	TOWNSHIP OF TEANECK	-
5404	12		R01	5	0.0184	-	0.0184	Too small	246 STUYVESANT RD	15C	TOWNSHIP OF TEANECK	-
5404	17		R01	5	0.0459	-	0.0459	Too small	STUYVESANT ROAD	1	UNKNOWN	-
5410	1		n/a	n/a	0.0406	-	0.0406	Portion of Eleanor Harvey Park assessed in Englewood	262 VOORHEES ST	1	UNKNOWN	-

Appendix A-1. Suitability Analysis of all Vacant and Class 15C Land in Teaneck for Potential Inclusionary Affordable Housing Developments (Realistic Development Potential)

Block	Lot	Qual	Zone	Max. Residential Density (Units/Acre)	Tax Acreage	Constrained Acreage (GIS)	Developable Acreage	Notes	Property Location	Property Class	Owner's Name	Map Number
5411	3		R01	5	0.0138	-	0.0138	Too small	204 HAMILTON RD	15C	TOWNSHIP OF TEANECK	-
5413	18		R01	5	0.0918	-	0.0918	Too small	93 VAN BUSKIRK RD	15C	TOWNSHIP OF TEANECK	-
5413	20		R01	5	0.0918	-	0.0918	Too small	97 VAN BUSKIRK RD	1	VAN BUSKIRK LLC	-
5502	4		R01	5	0.0918	-	0.0918	Too small	151 INTERVALE RD	15C	TOWNSHIP OF TEANECK	-
5505	1		R01	5	0.0453	-	0.0453	Too small	115 FAIRFIELD ST	1	FRAZIER, PAMELA	-
5505	2		n/a	n/a	0.0385	-	0.0385	Residential property assessed in Englewood	111 FAIRFIELD ST	1	UNKNOWN	-
5505	3		n/a	n/a	0.0316	-	0.0316	Residential property assessed in Englewood	107 FAIRFIELD ST	1	UNKNOWN	-
5505	4		n/a	n/a	0.0279	-	0.0279	Residential property assessed in Englewood	103 FAIRFIELD ST	1	UNKNOWN	-
5505	5		n/a	n/a	0.0184	-	0.0184	Residential property assessed in Englewood	99 FAIRFIELD ST	1	UNKNOWN	-
5505	8		n/a	n/a	0.014	-	0.014	Residential property assessed in Englewood	95 FAIRFIELD ST	1	UNKNOWN	-
5505	9		n/a	n/a	0.0052	-	0.0052	Residential property assessed in Englewood	91 FAIRFIELD ST	1	UNKNOWN	-
5507	6		R01	5	0.7802	-	0.7802	Vacant lot in single-family residential neighborhood	1603 ARDSLEY CT	15C	TOWNSHIP OF TEANECK	-
5507	9		n/a	n/a	0.0376	-	0.0376	Residential property assessed in Englewood	243 HARGREAVES AVE	1	UNKNOWN	-
5507	10		n/a	n/a	0.0327	-	0.0327	Residential property assessed in Englewood	273 HARGREAVES AVE (REAR)	1	UNKNOWN	-
5507	11		n/a	n/a	0.0175	-	0.0175	Residential property assessed in Englewood	231 HARGREAVES AVE (REAR)	1	UNKNOWN	-
5507	12		n/a	n/a	0.1098	-	0.1098	Residential property assessed in Englewood	1605 ARDSLEY CT (REAR)	1	UNKNOWN	-
5507	14		n/a	n/a	0.2837	-	0.2837	Residential property assessed in Englewood	1607 ARDSLEY CT (REAR)	1	UNKNOWN	-
5507	15		n/a	n/a	0.1309	-	0.1309	Residential property assessed in Englewood	1609 ARDSLEY CT (REAR)	1	UNKNOWN	-
5507	16		R01	5	0.1221	-	0.1221	Too small	1615 ARDSLEY CT (REAR)	15C	TOWNSHIP OF TEANECK	-
5507	17		n/a	n/a	0.013	-	0.013	Residential property assessed in Englewood	262 TRYON AVE (REAR)	1	UNKNOWN	-
5507	18		n/a	n/a	0.0117	-	0.0117	Residential property assessed in Englewood	262 TRYON AVE (REAR)	1	UNKNOWN	-
5508	2		R01	5	0.1934	-	0.1934	Too small	175 HARGREAVES AVE	1	SYED HAZARI	-

Appendix A-1. Suitability Analysis of all Vacant and Class 15C Land in Teaneck for Potential Inclusionary Affordable Housing Developments (Realistic Development Potential)

Block	Lot	Qual	Zone	Max. Residential Density (Units/Acre)	Tax Acreage	Constrained Acreage (GIS)	Developable Acreage	Notes	Property Location	Property Class	Owner's Name	Map Number
5508	7		R01	5	0.1195	-	0.1195	Too small	201 HARGREAVES AVE	15C	TOWNSHIP OF TEANECK	-
5511	28		R01	5	4.73	-	4.73	Green Acres, Bernard Brooks Park	150 INTERVALE RD	15C	TOWNSHIP OF TEANECK	-
5602	1		R01	5	0.1652	-	0.1652	Too small	116 TRYON AVE	15C	TOWNSHIP OF TEANECK	-
5602	10		R01	5	0.1029	-	0.1029	Too small	190 TRYON AVE	1	KACZKOWSKI, MATTHEW S	-
5604.01	7		R01	5	0.1722	-	0.1722	Too small	1576 SUMNER AVE	1	CHAIM GOTTSMAN	-
5604.01	10		R01	5	0.1216	-	0.1216	Too small	191 WASHINGTON PL	1	CHAIM GOTTSMAN	-
5604.01	18		R01	5	0.1806	-	0.1806	Too small	231 WASHINGTON PL	15C	TOWNSHIP OF TEANECK	-
5604.01	23.01		R01	5	0.2583	-	0.2583	Too small; shown on overview map as Block 5604.01, Lot 23	MANHATTAN AVE	1	RIZWAN ABDUS SALAM & UZMA SHABBIR	-
5604.01	23.02		R01	5	0.2583	-	0.2583	Too small; shown on overview map as Block 5604.01, Lot 23	MANHATTAN AVE	1	RIZWAN ABDUS SALAM & UZMA SHABBIR	-
5604.01	25		n/a	n/a	0	-	0	Residential property assessed in Englewood	260 HARGREAVES AVE (REAR)	1	CLARA S. WILLIAMS	-
5604.01	26		n/a	n/a	0.1554	-	0.1554	Residential property assessed in Englewood	260 HARGREAVES AVE (REAR)	1	UNKNOWN	-
5607	4		n/a	n/a	0.0069	-	0.0069	Residential property assessed in Englewood	261 SHEPARD AVE	1	UNKNOWN	-
5608	12		n/a	n/a	0.0335	-	0.0335	Residential property assessed in Englewood	270 SHEPARD AVE	1	UNKNOWN	-
5608	13		RS	5	0.024	-	0.024	Too small	527 ENGLEWOOD AVE (REAR)	1	HUNT-YOUNG, ARMETRIA	-
5608	14		RS	5	0.0413	-	0.0413	Too small	527B ENGLEWOOD AVE	1	FOSQUE, BRUCE E (ETAL)	-
5608	15		RS	5	0.0413	-	0.0413	Too small	527A ENGLEWOOD AVE	1	CAROLYN NORRIS	-
5608	16		R01	5	0.1292	-	0.1292	Too small	527 ENGLEWOOD AVE	1	DOWDY, FRED, JR & MOORE, CHARLES & D	-
5608	25		R01	5	0.0872	-	0.0872	Too small	1478 SYLVAN TERR	15C	TOWNSHIP OF TEANECK	-
5612	11		R01	5	0.2181	-	0.2181	Too small	1466 ENDICOTT TERR	15C	TOWNSHIP OF TEANECK	-
5703	11		B2	8 (attached SF, townhouses); 3 (two-family); 12 (multifamily)	0.3246	-	0.3246	Too small	1421-1425 TEANECK RD	15C	TOWNSHIP OF TEANECK	-
5706	6		R01	5	0.68	-	0.68	Too small	ENGLEWOOD AVE	15C	TOWNSHIP OF TEANECK	-

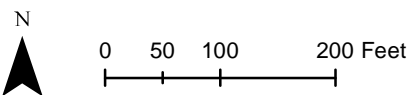
Appendix A-1. Suitability Analysis of all Vacant and Class 15C Land in Teaneck for Potential Inclusionary Affordable Housing Developments (Realistic Development Potential)

Block	Lot	Qual	Zone	Max. Residential Density (Units/Acre)	Tax Acreage	Constrained Acreage (GIS)	Developable Acreage	Notes	Property Location	Property Class	Owner's Name	Map Number
5706	9		R01	5	0.551	-	0.551	Too small	1423 ASPEN TERR	15C	TOWNSHIP OF TEANECK	-
5707	10		R01	5	0.3788	-	0.3788	Too small	1423 SPRUCE ST	15C	TOWNSHIP OF TEANECK	-
5708	1		R01	5	0.0574	-	0.0574	Green Acres, Argonne Park	1415 BALSAM ST	15C	TOWNSHIP OF TEANECK	-
5710	35		P	0	0.4132	-	0.4132	Too small	1391 TEANECK RD	15C	TOWNSHIP OF TEANECK	-
5713	18.02		R01	5	0.0169	-	0.0169	Too small	FRANKLIN RD	1	HALL, WILBERT & LEZLI	-
5713	39		RS	5	0.0742	-	0.0742	Too small	ARLINGTON AV	15C	TOWNSHIP OF TEANECK	-
5714	1		R01	5	54	-	54	Green Acres, Argonne Park	200 ENGLEWOOD AVE	15C	TOWNSHIP OF TEANECK	-
5714	7		R01	5	0.204	-	0.204	Too small	1288 LORAIN AVE	1	MCCAIN, ROSEMARY	-
5801	9		B2	8 (attached SF, townhouses); 3 (two-family); 12 (multifamily)	1.24	-	1.24	Green Acres, Mackel Field Park	38 GENESEE AVE	15C	TOWNSHIP OF TEANECK	-
5801	15		R01	5	0.1357	-	0.1357	Too small	GENESEE AVE	15C	TOWNSHIP OF TEANECK	-
5802	1		R01	5	0.1755	-	0.1755	Green Acres, Argonne Park	1295 LORAIN AVE	15C	TOWNSHIP OF TEANECK	-
5802	3		R01	5	0.1435	-	0.1435	Too small	1279 LORAIN AVE	15C	TOWNSHIP OF TEANECK	-
5803	5		n/a	n/a	0.0275	-	0.0275	Residential property assessed in Englewood	256 ROSEMONT PL (REAR)	1	UNKNOWN	-
5808	1		P	0	0.4362	-	0.4362	Too small	1231 TEANECK RD	15C	TOWNSHIP OF TEANECK	-
5809	2		R01	5	0.0717	-	0.0717	Too small	1233 OVERLOOK AVE	15C	TOWNSHIP OF TEANECK	-
5816	2		R01	5	0.0643	-	0.0643	Too small	GENESEE AVE	15C	TOWNSHIP OF TEANECK	-
5902	9		R01	5	0.12	-	0.12	Too small	66 E FOREST AVE	15C	TOWNSHIP OF TEANECK	-
5905	2		R01	5	0.102	-	0.102	Too small	150 E FOREST AVE	15C	TOWNSHIP OF TEANECK	-
5909	9		R01	5	0.0551	-	0.0551	Too small	254 E. FOREST AVE	15C	TOWNSHIP OF TEANECK	-
5909	10		n/a	n/a	0.0419	-	0.0419	Residential property assessed in Englewood	304 WEBSTER AVE (REAR)	1	UNKNOWN	-

Appendix A-1. Suitability Analysis of all Vacant and Class 15C Land in Teaneck for Potential Inclusionary Affordable Housing Developments (Realistic Development Potential)





Block	Lot	Qual	Zone	Max. Residential Density (Units/Acre)	Tax Acreage	Constrained Acreage (GIS)	Developable Acreage	Notes	Property Location	Property Class	Owner's Name	Map Number
5909	11		n/a	n/a	0.0448	-	0.0448	Residential property assessed in Englewood	308 WEBSTER AVE (REAR)	1	UNKNOWN	-
5910	3.01		n/a	n/a	0.0956	-	0.0956	Residential property assessed in Englewood	250 THOMSON AVE	1	UNKNOWN	-
5910	4.01		n/a	n/a	0.1779	-	0.1779	Residential property assessed in Englewood	255 COOLIDGE AVE	1	UNKNOWN	-
5918	3		R01	5	0.1148	-	0.1148	Too small	36 PROSPECT TERR SO	15C	TOWNSHIP OF TEANECK	-
5921	11		R01	5	0.0692	-	0.0692	Too small	ROUTE 4 BUFFER	15C	TOWNSHIP OF TEANECK	-
5921	12		R01	5	0.0242	-	0.0242	Too small	ROUTE 4 BUFFER	15C	STATE OF NEW JERSEY	-
5922	9		R01	5	0.0207	-	0.0207	Too small	ROUTE 4 BUFFER	15C	STATE OF NEW JERSEY	-
5923	9		R01	5	0.1956	-	0.1956	Too small	ROUTE 4 BUFFER	15C	TOWNSHIP OF TEANECK	-
5924	11		R01	5	0.1591	-	0.1591	Too small	ROUTE 4 BUFFER	15C	TOWNSHIP OF TEANECK	-
5925	2		R01	5	0.1377	-	0.1377	Too small	1124 LORAIN AVE	15C	TOWNSHIP OF TEANECK	-
5925	7		R01	5	0.53	-	0.53	Too small	1096 LORAIN AVE	15C	TOWNSHIP OF TEANECK	-
5925	8		R01	5	0.0937	-	0.0937	Too small	ROUTE 4 BUFFER	15C	TOWNSHIP OF TEANECK	-
5926	1		R01	5	0.92	-	0.92	Green Acres, Coolidge Park	1125 LORAIN AVE	15C	TOWNSHIP OF TEANECK	-
5927	1		R01	5	0.2947	-	0.2947	Too small	1101 LORAIN AVE	15C	TOWNSHIP OF TEANECK	-
5927	4		R01	5	0.0918	-	0.0918	Too small	1111 WEBSTER AVE	15C	TOWNSHIP OF TEANECK	-
5927	5		R01	5	0.2336	-	0.2336	Too small	ROUTE 4 BUFFER	15C	TOWNSHIP OF TEANECK	-
6001	1		R01	5	0.3285	-	0.3285	Too small	266 TIETJEN AVE	15C	TOWNSHIP OF TEANECK	-
6001	3		R01	5	0.2794	-	0.2794	Too small	286 TIETJEN AVE	15C	TOWNSHIP OF TEANECK	-
6001	7		R01	5	0.65	-	0.65	Too small	ROUTE 4 BUFFER	15C	TOWNSHIP OF TEANECK	-
6001	8		R01	5	0.1837	-	0.1837	Too small	1091 WEBSTER AVE	15C	TOWNSHIP OF TEANECK	-
6002	10		R01	5	4.69	1.46	3.23	Deed restricted for open space	ROUTE 4 BUFFER	15C	TOWNSHIP OF TEANECK	-
6002	11		R01	5	0.0092	-	0.0092	Too small	ROUTE 4 BUFFER	15C	STATE OF NEW JERSEY	-

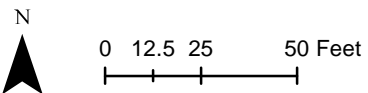
Appendix A-1.1. Individual Maps of Select Vacant and Class 15C Land in Teaneck for Potential Inclusionary Affordable Housing Development (Realistic Development Potential)



Source:
NJ Geographic Information Network
NJDEP
Phillips Preiss Grygiel LLC, 2017

Legend





-  Class 1/15C Parcels Deemed Unsuitable for Development
-  Steep Slopes
-  Flood Hazard Area
-  Wetlands



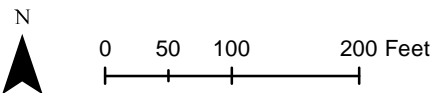
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NJ Geographic Information Network
NJDEP

Phillips Preiss Grygiel LLC, 2017





Legend

-  Class 1/15C Parcels Deemed Unsuitable for Development
-  Steep Slopes
-  Flood Hazard Area
-  Wetlands

Township of Teaneck
Block 1510, Lot 3 / 1064 Cambridge Road



Legend

-  Class 1/15C Parcels Deemed Unsuitable for Development
-  Steep Slopes
-  Flood Hazard Area
-  Wetlands

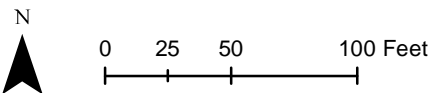
Source:
NJ Geographic Information Network
NJDEP

Phillips Preiss Grygiel LLC, 2017

Township of Teaneck
Block 1510, Lot 3 / 1064 Cambridge Road







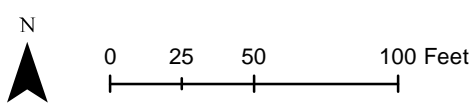
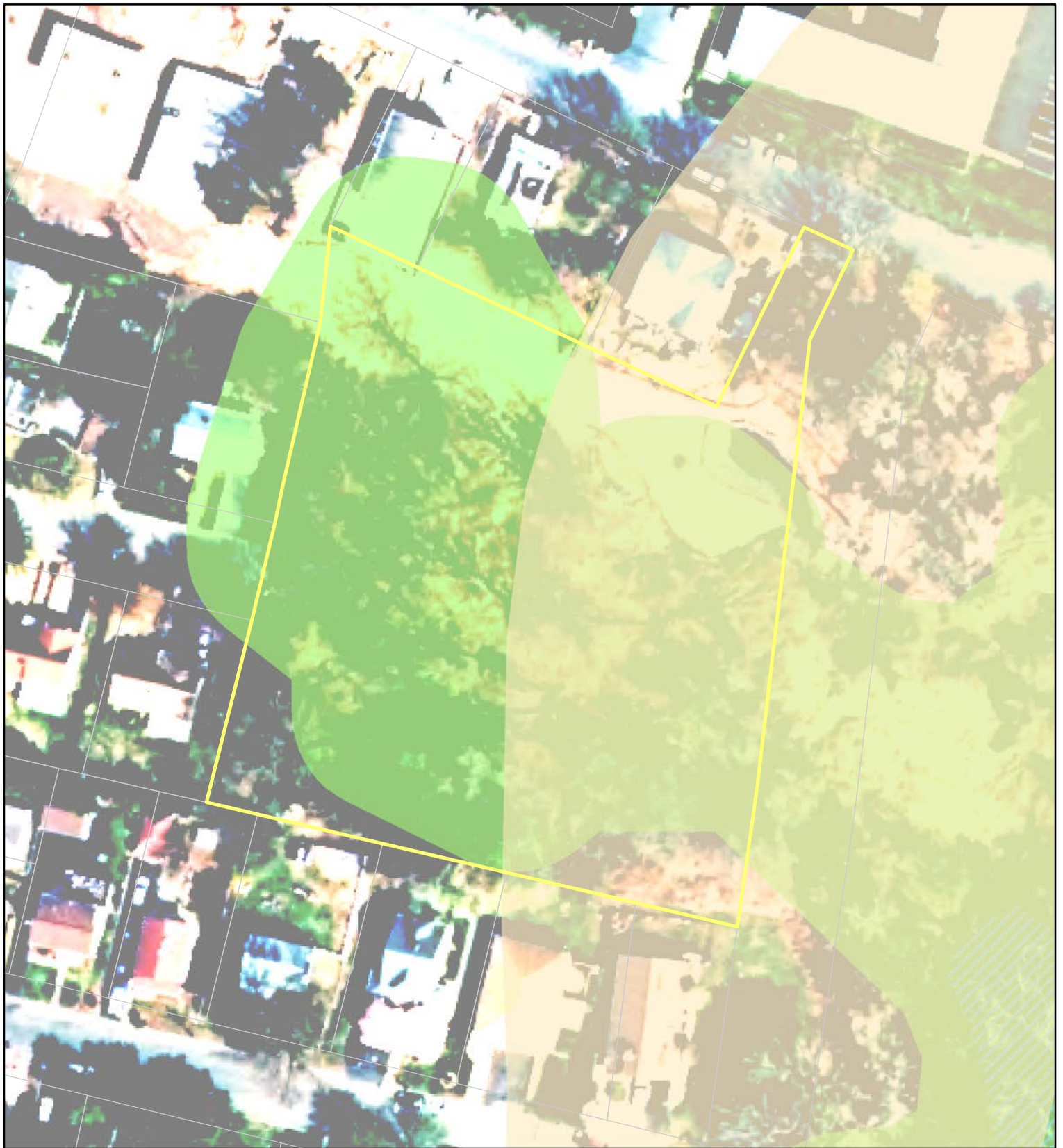
Source: Google Street View, July 2012







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NJDEP
Phillips Preiss Grygiel LLC, 2017

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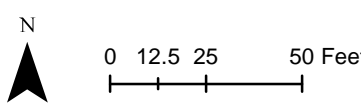
-  Class 1/15C Parcels Deemed Unsuitable for Development
-  Steep Slopes
-  Flood Hazard Area
-  Wetlands







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-  Class 1/15C Parcels Deemed Unsuitable for Development
-  Steep Slopes
-  Flood Hazard Area
-  Wetlands

Source:
NJ Geographic Information Network
NJDEP
Phillips Preiss Grygiel LLC, 2017



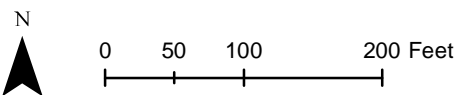
Source:
NJ Geographic Information Network
NJDEP
Phillips Preiss Grygiel LLC, 2017

- Legend**
-  Class 1/15C Parcels Deemed Unsuitable for Development
 -  Steep Slopes
 -  Flood Hazard Area
 -  Wetlands





Township of Teaneck
Block 3604, Lot 13 / Frank W Burr Boulevard



Source: Google Street View, August 2012

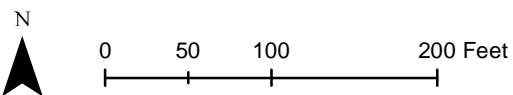


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
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-  Steep Slopes
-  Flood Hazard Area
-  Wetlands

Source:
NJ Geographic Information Network
NJDEP

Phillips Preiss Grygiel LLC, 2017



Legend

-  Class 1/15C Parcels Deemed Unsuitable for Development
-  Steep Slopes
-  Flood Hazard Area
-  Wetlands

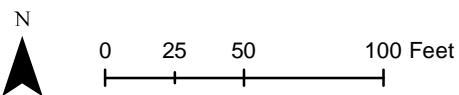
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NJDEP

Phillips Preiss Grygiel LLC, 2017





Township of Teaneck
Block 4808, Lot 15 / Route 4 Buffer (View from Anna Street)



Source: Google Street View, August 2012



Legend

-  Class 1/15C Parcels Deemed Unsuitable for Development
-  Steep Slopes
-  Flood Hazard Area
-  Wetlands

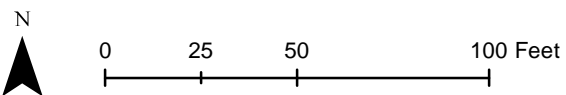
Source:
NJ Geographic Information Network
NJDEP

Phillips Preiss Grygiel LLC, 2017

Township of Teaneck
Block 5008, Lot 4 / 1389 Palisade Avenue







Source: Google Street View, October 2016



Source:
NJ Geographic Information Network
NJDEP

Phillips Preiss Grygiel LLC, 2017

Legend

-  Class 1/15C Parcels Deemed Unsuitable for Development
-  Steep Slopes
-  Flood Hazard Area
-  Wetlands

Appendix A-2. Properties in Teaneck Deemed Suitable for Potential Inclusionary Affordable Housing (Realistic Development Potential)

Appendix A-2. Properties in Teaneck Deemed Suitable for Potential Inclusionary Affordable Housing (Realistic Development Potential)

Table A-2.1. Vacant Properties Not Zoned for Affordable Housing

Block	Lot	Zone	Tax Acreage	Constrained Acreage (GIS)	Developable Acreage	Density (units/acre)	Potential Affordable Units Generated	Notes	Property Location	Property Class	Owner's Name	Map Number
<u>1102</u>	<u>10</u>	R01	1.39	0.59	0.80	10	1.60	Limited constraints (wetlands)	661 ROEMER AVE	15C	TOWNSHIP OF TEANECK	A-2.1-1
<u>1107</u>	<u>1</u>	R01	1.10	0.00	1.10	10	2.20	Triangular wooded lot, may be perceived as parkland; no constraints	440 NEW BRIDGE RD	15C	TOWNSHIP OF TEANECK	A-2.1-2
<u>2402</u>	<u>1</u>	LI	6.75	0.00	6.75	12	16.20	Holuba property; triangular, narrow and steep slopes at end; between railroad, park and single-family neighborhood	520 PALISADE AVE	4B	HOLUBA REALTY CO LLC	A-2.1-3
<u>5608</u>	<u>10</u>	R01	6.297	0.00	6.30	10	12.59	Midst of single-family neighborhood; no constraints	210 SHEPARD AVE	15C	TOWNSHIP OF TEANECK	A-2.1-5
<u>5707</u>	<u>2</u>	R01	0.7604	0.00	0.76	10	1.52	Midst of single-family neighborhood; no constraints	ENGLEWOOD AVE	15C	TOWNSHIP OF TEANECK	-
<u>5801</u>	<u>4</u>	R01	1.321	0.00	1.32	10	2.64	Midst of single-family neighborhood; no constraints	75 BEDFORD AVE	15C	TOWNSHIP OF TEANECK	A-2.1-6
<u>5911</u>	<u>1</u>	R01	0.7931	0.00	0.79	10	1.59	Midst of single-family neighborhood; no constraints	1140 LORAIN AVE	15C	TOWNSHIP OF TEANECK	-

Total	18.41	0.59	17.82	-	38.34
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Appendix A-2. Properties in Teaneck Deemed Suitable for Potential Inclusionary Affordable Housing (Realistic Development Potential)

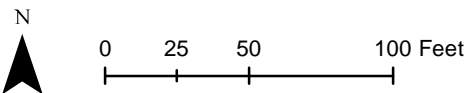
Table A-2.2. Properties Rezoned for Affordable Housing

Block	Lot	Qual	Acreage	RDP*	Property Location	Owner's Name	Map Number
3502.01	4		0.6471	5	227 Teaneck Road (Daibes)	227 TEANECK ROAD REALTY LLC	A-2.2-1
5201	1, 2		5.2234	50	1775 Windsor Road (Avalon)	AVALON TEANECK LLC	A-2.2-2
5002	18.01		4.54	46	1500 Teaneck Road	1500 TEANECK RD REALEST LLC	A-2.2-3
5001	3.01		1.777	26	1475 Palisade Avenue	1480 REALTY, LP	A-2.2-4
5004	1		0.462	7	140 State Street	STATE CORNER LLC C/O R LEVY	A-2.2-5
1001	6.01		2.1721	4	764 New Bridge Road	RED REAL EST C/O THE KAMSON CORP	A-2.2-6
			Total	138			





Overall Total	176.34
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*RDP = Inclusionary Affordable Units

Appendix A-2.1. Individual Maps of Vacant Properties Not Zoned for Affordable Housing

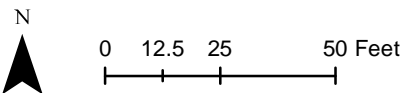


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
-  Vacant/Potentially Developable Parcels
-  Flood Hazard Area
-  Wetlands
-  Steep Slopes

Source:
NJ Geographic Information Network
NJDEP

Phillips Preiss Grygiel LLC, 2017



Legend

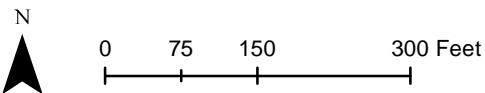
-  Vacant/Potentially Developable Parcels
-  Steep Slopes
-  Flood Hazard Area
-  Wetlands

Source:
NJ Geographic Information Network
NJDEP





Phillips Preiss Grygiel LLC, 2017

Township of Teaneck

Block 2402, Lot 1 / 520 Palisade Avenue

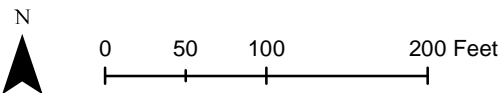


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


-  Vacant/Potentially Developable Parcels
-  Steep Slopes
-  Flood Hazard Area
-  Wetlands

Source:
NJ Geographic Information Network
NJDEP
Phillips Preiss Grygiel LLC, 2017

Township of Teaneck
Block 5608, Lot 10 / 210 Shepard Avenue

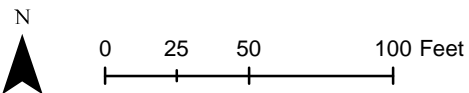


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


-  Vacant/Potentially Developable Parcels
-  Steep Slopes
-  Flood Hazard Area
-  Wetlands

Source:
NJ Geographic Information Network
NJDEP

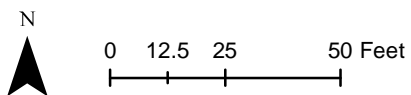
Phillips Preiss Grygiel LLC, 2017



Legend





-  Vacant/Potentially Developable Parcels
-  Steep Slopes
-  Flood Hazard Area
-  Wetlands

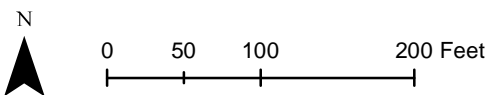
Appendix A-2.2. Individual Maps of Properties Zoned for Affordable Housing







Source:
NJ Geographic Information Network
NJDEP
Phillips Preiss Grygiel LLC, 2017

Legend

-  Properties Rezoned for Affordable Housing
-  Steep Slopes
-  Flood Hazard Area
-  Wetlands

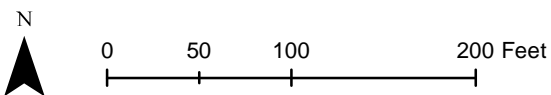
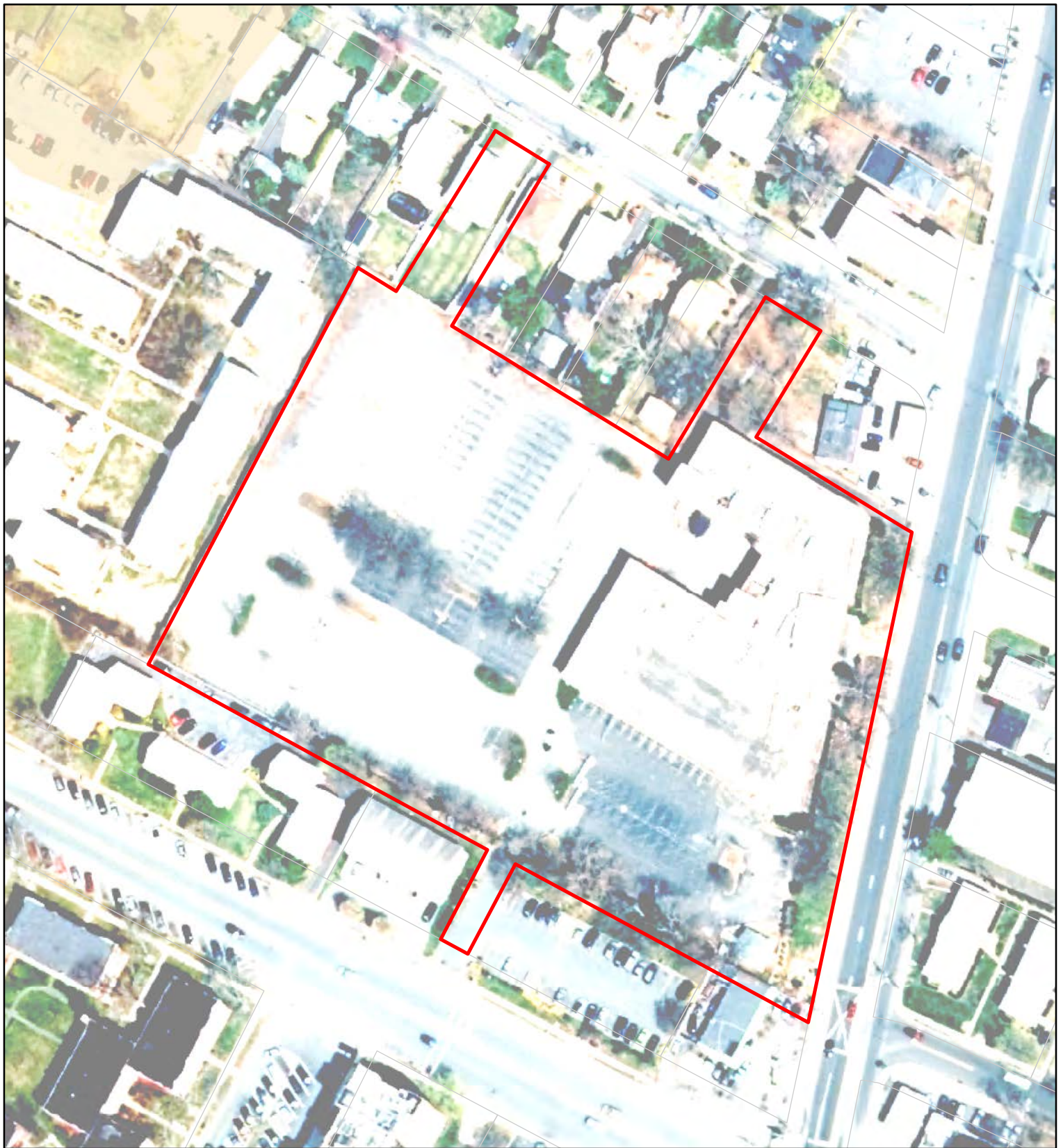


Legend




-  Properties Rezoned for Affordable Housing
-  Steep Slopes
-  Flood Hazard Area
-  Wetlands

Source:
NJ Geographic Information Network
NJDEP

Phillips Preiss Grygiel LLC, 2017

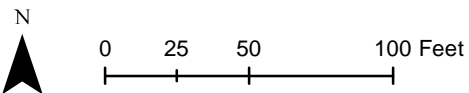


Legend

-  Properties Rezoned for Affordable Housing
-  Steep Slopes
-  Flood Hazard Area
-  Wetlands

Source:
NJ Geographic Information Network
NJDEP




Phillips Preiss Grygiel LLC, 2017

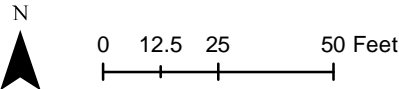





Source:
NJ Geographic Information Network
NJDEP

Phillips Preiss Grygiel LLC, 2017

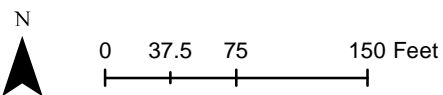
Legend

-  Properties Rezoned for Affordable Housing
-  Steep Slopes
-  Flood Hazard Area
-  Wetlands







- Legend**
-  Properties Rezoned for Affordable Housing
 -  Steep Slopes
 -  Flood Hazard Area
 -  Wetlands

Source:
NJ Geographic Information Network
NJDEP
Phillips Preiss Grygiel LLC, 2017



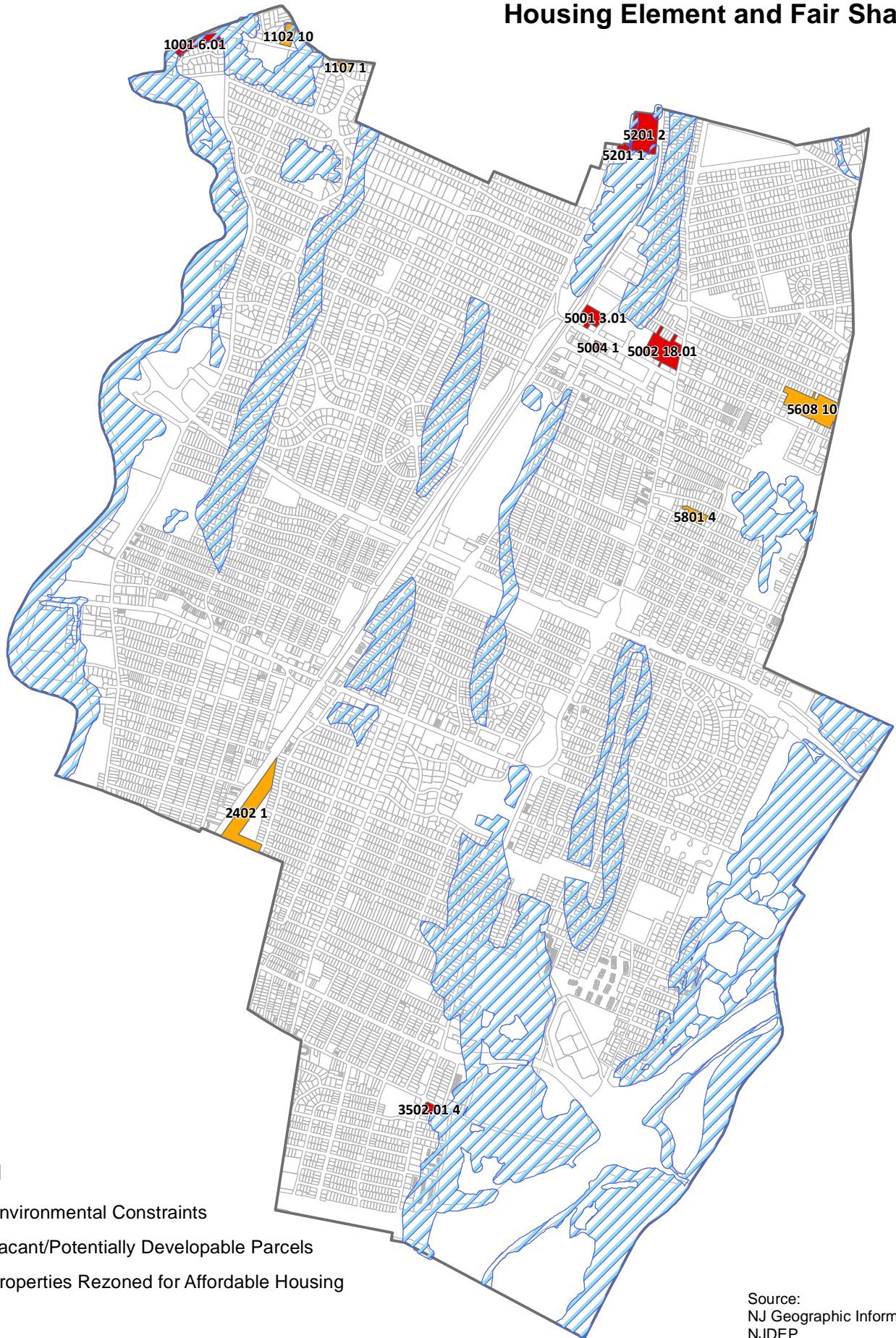
Source:
NJ Geographic Information Network
NJDEP
Phillips Preiss Grygiel LLC, 2017

Legend




-  Properties Rezoned for Affordable Housing
-  Steep Slopes
-  Flood Hazard Area
-  Wetlands

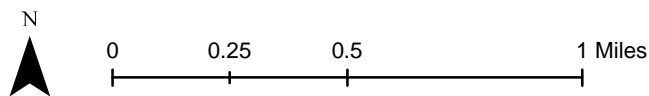
Appendix A-3. Overview Map of Properties in Teaneck Deemed Suitable for Potential Inclusionary Affordable Housing (Realistic Development Potential)

Township of Teaneck Housing Element and Fair Share Plan



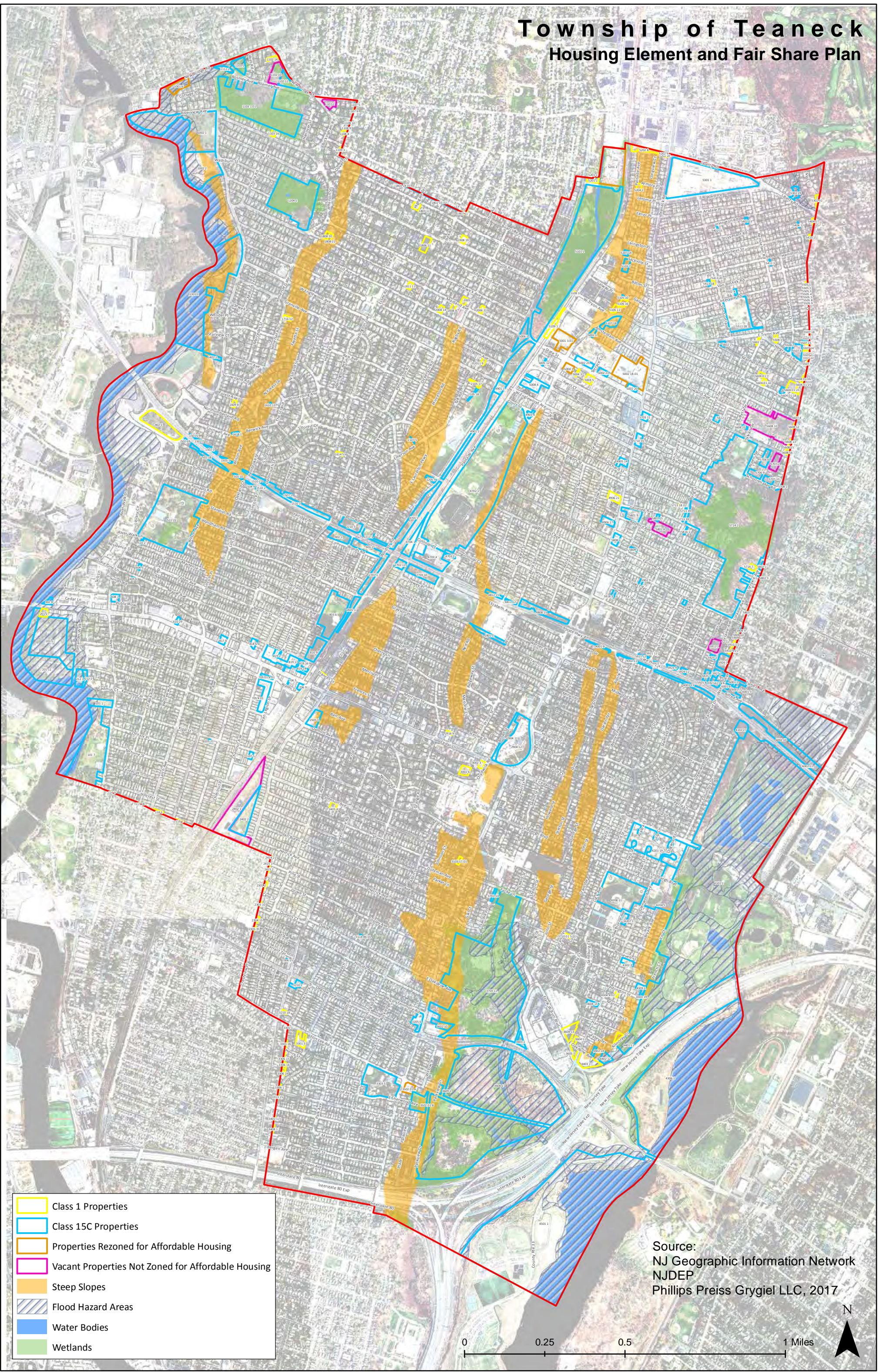
Legend

-  Environmental Constraints
-  Vacant/Potentially Developable Parcels
-  Properties Rezoned for Affordable Housing



Source:
NJ Geographic Information Network
NJDEP
Phillips Preiss Grygiel LLC, 2017

Township of Teaneck Housing Element and Fair Share Plan



- Class 1 Properties
- Class 15C Properties
- Properties Rezoned for Affordable Housing
- Vacant Properties Not Zoned for Affordable Housing
- Steep Slopes
- Flood Hazard Areas
- Water Bodies
- Wetlands

Source:
NJ Geographic Information Network
NJDEP
Phillips Preiss Grygiel LLC, 2017



Appendix B. Affordable Housing Ordinance



ORDINANCE (ID # 5241)

Ordinance No. 4-2019 AN ORDINANCE REPEALING AND REPLACING ARTICLE VI “REQUIREMENTS FOR DEVELOPMENTS THAT INCREASE THE TOWNSHIP’S GROWTH SHARE OBLIGATION FOR AFFORDABLE HOUSING” OF CHAPTER 33, DEVELOPMENT REGULATIONS, OF THE CODE OF THE TOWNSHIP OF TEANECK, TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS (UHAC) REGARDING COMPLIANCE WITH THE TOWNSHIP’S AFFORDABLE HOUSING OBLIGATIONS
BE IT RESOLVED by the Township Council of the Township of Teaneck that Ordinance #4-2019 pass upon second and final reading and that the Township Clerk is hereby authorized and directed to advertise the same according to law and to provide the appropriate notices in accordance with law.

AN ORDINANCE REPEALING AND REPLACING ARTICLE VI “REQUIREMENTS FOR DEVELOPMENTS THAT INCREASE THE TOWNSHIP’S GROWTH SHARE OBLIGATION FOR AFFORDABLE HOUSING” OF CHAPTER 33, DEVELOPMENT REGULATIONS, OF THE CODE OF THE TOWNSHIP OF TEANECK, TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS (UHAC) REGARDING COMPLIANCE WITH THE TOWNSHIP’S AFFORDABLE HOUSING OBLIGATIONS

BE IT RESOLVED by the Township Council of the Township of Teaneck that Ordinance #4-2019 pass upon second and final reading and that the Township Clerk is hereby authorized and directed to advertise the same according to law and to provide the appropriate notices in accordance with law.

HISTORY:

02/11/19 Township Council INTRODUCED

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Mohammed Hameeduddin, Mayor
SECONDER:	James Dunleavy, Councilman
AYES:	Dunleavy, Rice, Kaplan, Pruitt, Schwartz, Katz, Hameeduddin

TOWNSHIP OF TEANECK
BERGEN COUNTY, NJ

ORDINANCE NO. 4-2019 AN ORDINANCE REPEALING AND REPLACING ARTICLE VI "REQUIREMENTS FOR DEVELOPMENTS THAT INCREASE THE TOWNSHIP'S GROWTH SHARE OBLIGATION FOR AFFORDABLE HOUSING" OF CHAPTER 33, DEVELOPMENT REGULATIONS, OF THE CODE OF THE TOWNSHIP OF TEANECK, TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS (UHAC) REGARDING COMPLIANCE WITH THE TOWNSHIP'S AFFORDABLE HOUSING OBLIGATIONS BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TEANECK THAT ORDINANCE #4-2019 PASS UPON SECOND AND FINAL READING AND THAT THE TOWNSHIP CLERK IS HEREBY AUTHORIZED AND DIRECTED TO ADVERTISE THE SAME ACCORDING TO LAW AND TO PROVIDE THE APPROPRIATE NOTICES IN ACCORDANCE WITH LAW.

WHEREAS, on July 9, 2015, the Township of Teaneck had filed and served on all interested parties a Complaint for Declaratory Judgment with respect to the Township of Teaneck's affordable housing obligation; and

WHEREAS, the Township of Teaneck and Fair Share Housing Council, in consultation with the Court appointed Master and the Township's Planner, entered into a proposed settlement agreement last revised December 7, 2017; and

WHEREAS, following a fairness hearing on March 28, 2018, the Court approved the aforesaid proposed settlement agreement pursuant to an Order entered on May 31, 2018; and

WHEREAS, the purpose of the within ordinance is to address the Township of Teaneck'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. 5:80-26.1, et seq.*, as amended and supplemented, and the New Jersey Fair Housing Act of 1985. This Ordinance is intended to provide assurances that very low-, low- and moderate-income units ("affordable

units") are created with controls on affordability over time and that very low-, low- and moderate-income households shall occupy those units. This Ordinance shall apply, except where inconsistent with applicable law.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Teaneck, Bergen County, New Jersey, as follows:

SECTION 1. Article VI "Requirements for Developments that Increase the Township's Growth Share Obligation for Affordable Housing" of Chapter 33, Development Regulations, of the Code of the Township of Teaneck is hereby amended to read in full as follows:

Article VI

Affordable Housing

§33-34. General Program Purposes, Procedure

A. Affordable Housing Obligation.

- (1) This Article sets forth regulations regarding the low- and moderate-income housing units in the Township of Teaneck consistent with the provisions known as the "Substantive Rules of the New Jersey Council on Affordable Housing," the Uniform Housing Affordability Controls ("UHAC"), *N.J.A.C. 5:80-26.1 et seq.*, and the Township's constitutional obligation to provide a fair share of affordable housing for low- and moderate-income households. In addition, this section applies requirements for very low income housing established in P.L. 2008, c.46 (the "Roberts Bill").
- (2) This Article is intended to assure that low- and moderate-income units ("affordable units") are created with controls on affordability over time and that low- and moderate-income households shall occupy these units. This Article shall apply except where inconsistent with applicable law.
- (3) The Teaneck Township Planning Board has adopted a Housing Element and Fair Share Plan pursuant to the Municipal Land Use Law at *N.J.S.A. 40:55D-1, et seq.* The Fair Share Plan has been endorsed by the governing body. The Fair Share Plan describes the ways Teaneck Township shall address its fair share for low- and moderate-income housing as determined by the Superior Court and documented in the Housing Element.
- (4) This Article implements and incorporates the Fair Share Plan and addresses the requirements of the Act and regulations thereunder, as may be amended and supplemented.

- (5) The Township shall file monitoring reports with the Superior Court and place the reports on its municipal website. Any plan evaluation report of the Housing Element and Fair Share Plan and monitoring prepared by the Special Master shall be available to the public at the Teaneck Township Municipal Building, 818 Teaneck Road, Teaneck, New Jersey.

B. Definitions.

The following terms when used in this Article shall have the meanings given in this Section:

“Accessory apartment” means a self-contained residential dwelling unit with a kitchen, sanitary facilities, sleeping quarters and a private entrance, which is created within an existing home, or through the conversion of an existing accessory structure on the same site, or by an addition to an existing home or accessory building, or by the construction of a new accessory structure on the same site.

“Act” means the Fair Housing Act of 1985, P.L. 1985, c. 222 (N.J.S.A. 52:27D-301 et seq.)

“Adaptable” means constructed in compliance with the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7.

“Administrative agent” means the entity responsible for the administration of affordable units in accordance with this Article, N.J.A.C. 5:80-26.1 et seq.

“Affirmative marketing” means a regional marketing strategy designed to attract buyers and/or renters of affordable units pursuant to N.J.A.C. 5:80-26.15.

“Affordability average” means the average percentage of median income at which restricted units in an affordable housing development are affordable to low- and moderate-income households.

“Affordable” means, a sales price or rent within the means of a low- or moderate-income household; in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.6, as may be amended and supplemented, and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.12, as may be amended and supplemented.

“Affordable development” means a housing development all or a portion of which consists of restricted units.

“Affordable housing development” means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable development.

“Affordable housing program(s)” means any mechanism in a municipal Fair Share Plan prepared or implemented to address a municipality’s fair share obligation.

“Affordable unit” means a housing unit proposed or created pursuant to the Act, and/or funded through an affordable housing trust fund.

“Agency” means the New Jersey Housing and Mortgage Finance Agency established by P.L. 1983, c. 530 (N.J.S.A. 55:14K-1, et seq.).

“Age-restricted unit” means a housing unit designed to meet the needs of, and exclusively for, the residents of an age-restricted segment of the population such that: 1) all the residents of the development where the unit is situated are 62 years or older; or 2) at least 80 percent of the units are occupied by one person that is 55 years or older; or 3) the development has been designated by the Secretary of the U.S. Department of Housing and Urban Development as “housing for older persons” as defined in Section 807(b)(2) of the Fair Housing Act, 42 U.S.C. § 3607.

“Alternative living arrangement” a structure in which households live in distinct bedrooms, yet share kitchen and plumbing facilities, central heat and common areas. Alternate living arrangements includes, but is not limited to: transitional facilities for the homeless, Class A, B, C, D, and E boarding homes, as regulated by the New Jersey Department of Community Affairs; residential health care facilities as regulated by the New Jersey Department of Health; group homes for the developmentally disabled and mentally ill as licensed and/or regulated by the New Jersey Department of Human Services; and congregate living arrangements.

“Assisted living residence” means a facility licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and to assure that assisted living services are available when needed for four or more adult persons unrelated to the proprietor and that offers units containing, at a minimum, one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance.

“Certified household” means a household that has been certified by an Administrative Agent as a low-income household or moderate-income household.

“COAH” means the Council on Affordable Housing, which is in, but not of, the Department of Community Affairs of the State of New Jersey, that was established under the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.).

“Construction” means new construction and additions, but does not include alterations, reconstruction, renovations, and repairs as those terms are defined under the State Uniform Construction Code promulgated pursuant to the “State Uniform Construction Code Act,” P.L.1975, c.217 (C.52:27D-119 et seq.).

“Commissioner” means the Commissioner of Community Affairs.

“Council” means the Council on Affordable Housing, established pursuant to P.L.1985, c.222 (C.52:27D-301 et al.).

“DCA” means the State of New Jersey Department of Community Affairs.

“Developer” means the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.

“Deficient housing unit” means a housing unit with health and safety code violations that require the repair or replacement of a major system. A major system includes weatherization,

roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and/or load bearing structural systems.

“Developer” means any person, partnership, association, company or corporation that is the legal or beneficial owner or owners of a lot or any land proposed to be included in a proposed development including the holder of an option to contract or purchase, or other person having an enforceable proprietary interest in such land.

“Development” means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any use or change in the use of any building or other structure, or of any mining, excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to N.J.S.A. 40:55D-1 et seq.

“Equalized Assessed Value <<http://www.ecode360.com/print/12600811>>” means the assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with Sections 1, 5 and 6 of P.L. 1973, c. 123 (N.J.S.A. 54:1-35a through 54:1-35c).

“Inclusionary development” means a development containing both affordable units and market rate units. This term includes, but is not necessarily limited to: new construction, the conversion of a non-residential structure to residential and the creation of new affordable units through the reconstruction of a vacant residential structure.

“Low-income household” means a household with a total gross annual household income equal to 50 percent or less of the median household income.

“Low-income unit” means a restricted unit that is affordable to a low-income household.

“Major system” means the primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a building which include but are not limited to, weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement or load bearing structural systems.

“Market-rate units” means housing not restricted to low- and moderate-income households that may sell or rent at any price.

“Median income” means the median income by household size for the applicable county, as adopted annually by COAH or approved by the New Jersey Superior Court.

“Mixed use development” means any development which includes both a non-residential development component and a residential development component, and shall include developments for which (1) there is a common developer for both the residential development component and the non-residential development component, provided that for purposes of this definition, multiple persons and entities may be considered a common developer if there is a contractual relationship among them obligating each entity to develop at least a portion of the residential or non-residential development, or both, or otherwise to contribute resources to the development; and (2) the residential and non-residential developments are located on the same lot or adjoining lots, including but not limited to lots separated by a street, a river, or another geographical feature.

“Moderate-income household” means a household with a total gross annual household income in excess of 50 percent but less than 80 percent of the median household income.

“Moderate-income unit” means a restricted unit that is affordable to a moderate-income household.

“Non-exempt sale” means any sale or transfer of ownership other than the transfer of ownership between husband and wife; the transfer of ownership between former spouses ordered as a result of a judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor’s deed to a class A beneficiary and the transfer of ownership by court order.

“Non-residential development” means: (1) any building or structure, or portion thereof, including but not limited to any appurtenant improvements, which is designated to a use group other than a residential use group according to the State Uniform Construction Code promulgated to effectuate the “State Uniform Construction Code Act,” P.L.1975, c.217 (C.52:27D-119 et seq.), including any subsequent amendments or revisions thereto; (2) hotels, motels, vacation timeshares, and child-care facilities; and (3) the entirety of all continuing care facilities within a continuing care retirement community which is subject to the “Continuing Care Retirement Community Regulation and Financial Disclosure Act,” P.L.1986, c.103 (C.52:27D-330 et seq.).

“Non-residential development fee” means the fee authorized to be imposed pursuant to sections 32 through 38 of P.L.2008, c.46 (C.40:55D-8.1 through C.40:55D-8.7).

“Random selection process” means a process by which currently income-eligible households are selected for placement in affordable housing units such that no preference is given to one applicant over another except for purposes of matching household income and size with an appropriately priced and sized affordable unit (e.g., by lottery).

“Recreational facilities and community center” means any indoor or outdoor buildings, spaces, structures, or improvements intended for active or passive recreation, including but not limited to ball fields, meeting halls, and classrooms, accommodating either organized or informal activity; and “senior center” means any recreational facility or community center with activities and services oriented towards serving senior citizens.

“Regional asset limit” means the maximum housing value in each housing region affordable to a four-person household with an income at 80 percent of the regional median as defined by/approved regional income limits.

“Rehabilitation” means the repair, renovation, alteration or reconstruction of any building or structure, pursuant to the Rehabilitation Subcode, N.J.A.C. 5:23-6.

“Relating to the provision of housing” shall be liberally construed to include the construction, maintenance, or operation of housing, including but not limited to the provision of services to such housing and the funding of any of the above.

“Rent” means the gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with

allowances published by DCA for its Section 8 program. In assisted living residences, rent does not include charges for food and services.

“Restricted unit” means a dwelling unit, whether a rental unit or ownership unit, that is subject to the affordability controls of N.J.A.C. 5:80-26.1, as may be amended and supplemented, but does not include a market-rate unit financed under UHORP or MONI.

“Spending plan” means a method of allocating funds collected and to be collected pursuant to an approved municipal development fee ordinance, or pursuant to P.L.2008, c.46 (C.52:27D-329.1 et al.) for the purpose of meeting the housing needs of low and moderate income individuals.

“Special Master” means an expert appointed by a judge to make sure that judicial orders are followed. A master’s function is essentially investigative, compiling evidence or documents to inform some future action by the court.

“Treasurer” means the Treasurer of the State of New Jersey.

“Township” means the Township of Teaneck, Bergen County, New Jersey.

“UHAC” means the Uniform Housing Affordability Controls set forth in N.J.A.C. 5:80-26.1 et seq.

“Very low-income household” means a household with a total gross annual household income equal to 30 percent or less of the median household income.

“Very low-income unit” means a restricted unit that is affordable to a very low-income household.

“Weatherization” means building insulation (for attic, exterior walls and crawl space), siding to improve energy efficiency, replacement storm windows, replacement storm doors, replacement windows and replacement doors, and is considered a major system for rehabilitation.

C. Township-wide Mandatory Set-Aside

- (1) A multi-family or single-family development providing a minimum of five (5) new housing units created through any future development application, municipal rezoning or Zoning Board action, use or density variance, redevelopment plan, or rehabilitation plan is required to include an affordable housing set-aside of 20% if the affordable units will be for sale and 15% if the affordable units will be for rent. This requirement does not give any developer the right to any such rezoning, variance or other relief, or establish any obligation on the part of Teaneck Township to grant such rezoning, variance or other relief. No subdivision shall be permitted or approved for the purpose of avoiding compliance with this requirement.
- (2) This requirement shall not apply to any sites or specific zones otherwise identified in the Township's Settlement Agreement with Fair Share Housing Center dated December 7, 2017, or in the Township's Housing Element and Fair Share Plan, adopted by the Township Planning Board and endorsed by the Township Council, for which density and set-aside standards shall be governed by the specific standards set forth therein.

D. New Construction.

The following general guidelines apply to all newly constructed developments that contain low- and moderate-income housing units, including any currently unanticipated future developments that will provide low- and moderate-income housing units.

- (1) Phasing. Final site plan or subdivision approval shall be contingent upon the affordable housing development meeting the following phasing schedule for low- and moderate-income units.

Maximum Percentage of Market-Rate Units Completed	Minimum Percentage of Low- and Moderate-Income Units Completed
25%	0%
25% +1	10%
50%	50%
75%	75%
90%	100%

- (2) Design. In inclusionary developments, to the extent possible, low- and moderate-income units shall be integrated with the market units.

- (3) Utilities. Affordable units shall utilize the same type of heating source as market units within the affordable development.

- (4) Low/Moderate Split and Bedroom Distribution of Affordable Housing Units:

- (a) The fair share obligation shall be divided equally between low- and moderate- income units, except that where there is an odd number of affordable housing units, the extra unit shall be a low income unit.

- (b) In each affordable development, at least 50 percent of the restricted units within each bedroom distribution shall be low-income units.

- (c) Within rental developments, of the total number of affordable rental units, at least 13% shall be affordable to very low-income households.

- (d) Affordable developments that are not age-restricted shall be structured in conjunction with realistic market demands such that:

[1.] The combined number of efficiency and one-bedroom units shall be no greater than 20 percent of the total low- and moderate-income units;

[2.] At least 30 percent of all low- and moderate-income units shall be two bedroom units;

[3.] At least 20 percent of all low- and moderate-income units shall be three bedroom units; and

[4.] The remaining units may be allocated among two and three bedroom units at the discretion of the developer.

(e) Affordable developments that are age-restricted shall be structured such that the number of bedrooms shall equal the number of age-restricted low- and moderate-income units within the inclusionary development. The standard may be met by having all one-bedroom units or by having a two-bedroom unit for each efficiency unit.

(5) Accessibility Requirements:

(a) The first floor of all restricted townhouse dwelling units and all restricted units in all other multistory buildings shall be subject to the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7.

(b) All restricted townhouse dwelling units and all restricted units in other multistory buildings in which a restricted dwelling unit is attached to at least one other dwelling unit shall have the following features:

[1.] An adaptable toilet and bathing facility on the first floor;

[2.] An adaptable kitchen on the first floor;

[3.] An interior accessible route of travel on the first floor;

[4.] An interior accessible route of travel shall not be required between stories within an individual unit;

[5.] An adaptable room that can be used as a bedroom, with a door or the casing for the installation of a door, on the first floor; and

[6.] An accessible entranceway as set forth at P.L. 2005, c. 350 (N.J.S.A. 52:27D-311a et seq.) and the Barrier Free Subcode, N.J.A.C. 5:23-7, or evidence that the Township has collected funds from the developer sufficient to make 10 percent of the adaptable entrances in the development accessible:

[a] Where a unit has been constructed with an adaptable entrance, upon the request of a disabled person who is purchasing or will reside in the dwelling unit, an accessible entrance shall be installed.

[b] To this end, the builder of restricted units shall deposit funds within the Township's affordable housing trust fund sufficient to install accessible entrances in 10 percent of the affordable units that have been constructed with adaptable entrances.

[c] The funds deposited under subsection [b] above shall be used by the

Township for the sole purpose of making the adaptable entrance of any affordable unit accessible when requested to do so by a person with a disability who occupies or intends to occupy the unit and requires an accessible entrance.

[d] The developer of the restricted units shall submit a design plan and cost estimate for the conversion from adaptable to accessible entrances to the Construction Official of Teaneck Township.

[e] Once the Construction Official has determined that the design plan to convert the unit entrances from adaptable to accessible meet the requirements of the Barrier Free Subcode, *N.J.A.C. 5:23-7*, and that the cost estimate of such conversion is reasonable, payment shall be made to Teaneck Township's affordable housing trust fund in care of the Municipal Treasurer who shall ensure that the funds are deposited into the affordable housing trust fund and appropriately earmarked.

[f] Full compliance with the foregoing provisions shall not be required where an entity can demonstrate that it is impracticable to meet the requirements. Determinations of site impracticability shall be in compliance with the Barrier Free Subcode, *N.J.A.C. 5:23-7*.

(6) Maximum Rents and Sales Prices

- (a) In establishing rents and sales prices of affordable housing units, the administrative agent shall follow the procedures set forth in UHAC and by the Superior Court, utilizing the regional income limits established.
- (b) The maximum rent for restricted rental units within each affordable development shall be affordable to households earning no more than 60 percent of median income, and the average rent for restricted low- and moderate-income units shall be affordable to households earning no more than 52 percent of median income.
- (c) The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units. At least 13 percent of all low- and moderate-income rental units shall be affordable to households earning no more than 30 percent of median income.
- (d) The maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than 70 percent of median income, and each affordable development must achieve an affordability average of 55 percent for restricted ownership units; in achieving this affordability average, moderate-income ownership units must be available for at least three different prices for each bedroom type, and low-income ownership units must be available for at least two different prices for each bedroom type.
- (e) In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted units other than assisted living facilities, the following standards shall be used:

- [1.] A studio shall be affordable to a one-person household;
 - [2.] A one-bedroom unit shall be affordable to a one and one-half person household;
 - [3.] A two-bedroom unit shall be affordable to a three-person household;
 - [4.] A three-bedroom unit shall be affordable to a four and one-half person household; and
 - [5.] A four-bedroom unit shall be affordable to a six-person household.
- (f) In determining the initial rents for compliance with the affordability average requirements for restricted units in assisted living facilities, the following standards shall be used:
- [1.] A studio shall be affordable to a one-person household;
 - [2.] A one-bedroom unit shall be affordable to a one and one-half person household; and
 - [3.] A two-bedroom unit shall be affordable to a two-person household or to two one-person households.
- (g) The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the unit, including principal and interest (based on a mortgage loan equal to 95 percent of the purchase price and the Federal Reserve H.15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 28 percent of the eligible monthly income of the appropriate size household as determined under *N.J.A.C. 5:80-26.4*, as may be amended and supplemented; provided, however, that the price shall be subject to the affordability average requirement of *N.J.A.C. 5:80-26.3*, as may be amended and supplemented.
- (h) The initial rent for a restricted rental unit shall be calculated so as not to exceed 30 percent of the eligible monthly income of the appropriate household size as determined under *N.J.A.C. 5:80-26.4*, as may be amended and supplemented; provided, however, that the rent shall be subject to the affordability average requirement of *N.J.A.C. 5:80-26.3*, as may be amended and supplemented.
- (i) The price of owner-occupied low- and moderate-income units may increase annually based on the percentage increase in the regional median income limit for each housing region. In no event shall the maximum resale price established by the administrative agent be lower than the last recorded purchase price.
- (j) The 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 nine percent in any one year. Rents for units constructed pursuant to low- income housing tax credit regulations shall be indexed

pursuant to the regulations governing low- income housing tax credits.

- (k) Tenant-paid utilities that are included in the utility allowance shall be so stated in the lease and shall be consistent with the utility allowance approved by DCA for its Section 8 program.

E. Condominium and Homeowners Associates Fees.

For any affordable housing unit that is part of a condominium association and/or homeowner's association, the Master Deed shall reflect that the association fee assessed for each affordable housing unit shall be established at 100 percent of the market rate fee.

§33-35. Administration

A. Municipal Housing Liaison.

- (1) The position of Municipal Housing Liaison (MHL) for Teaneck Township is established by this Article. The MHL shall be appointed by the Township Manager.
- (2) The MHL must be either a full-time or part-time employee of Teaneck Township.
- (3) The Municipal Housing Liaison must meet the requirements for qualifications, including initial and periodic training, as required by State law or regulation.
- (4) The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for Teaneck Township, including the following responsibilities which may not be contracted out to the Administrative Agent:
 - (a) Serving as the municipality's primary point of contact for all inquiries from the State, affordable housing providers, Administrative Agents and interested households;
 - (b) The implementation of the Affirmative Marketing Plan and affordability controls.
 - (c) When applicable, supervising any contracting Administrative Agent.
 - (d) Monitoring the status of all restricted units in the Teaneck Township's Fair Share Plan;
 - (e) Compiling, verifying and submitting annual reports as required by the Superior Court;
 - (f) Coordinating meetings with affordable housing providers and Administrative Agents, as applicable; and
 - (g) Attending continuing education opportunities on affordability controls, compliance monitoring and affirmative marketing as offered or approved by the Superior Court.

B. Administrative Agent.

- (1) The Township shall designate by resolution of the Township Committee one or more Administrative Agents to administer newly constructed affordable units in accordance with State law or regulation and UHAC.
- (2) The Administrative Agent shall perform the duties and responsibilities of an administrative agent as are set forth in UHAC, including those set forth in *N.J.A.C. 5:80-26.14, 16 and 18* thereof, which includes:
 - (a) Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by the Superior Court;
 - (b) Affirmative Marketing and conducting an outreach process to ensure affirmative marketing of affordable housing units in accordance with the affirmative marketing plan of the township and the provisions of *N.J.A.C. 5:80-26.15*.
 - (c) Household Certification;
 - i. Soliciting, scheduling, conducting and following up on interviews with interested households;
 - ii. Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;
 - iii. Providing written notification to each applicant as to the determination of eligibility or noneligibility;
 - iv. Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in Appendices J and K of *N.J.A.C. 5:80-26.1 et seq.*
 - v. Creating and maintaining a referral list of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are located; and
 - vi. Employing the random selection process as provided in the affirmative marketing plan of the township when referring households for certification to affordable units.
 - (d) Affordability Controls;
 - i. Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for recording at the time of conveyance of title of each restricted unit;
 - ii. Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded mortgage and note, as appropriate;

- iii. Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and properly filed with the appropriate county's register of deeds or county clerk's office after the termination of the affordability controls for each restricted unit;
 - iv. Communicating with lenders regarding foreclosure; and
 - v. Ensuring the issuance of continuing certificates of occupancy or certifications pursuant to N.J.A.C. 5:80-26.10;
- (e) Records retention;
- (f) Resale and re-rental;
- i. Instituting and maintaining an effective means of communicating information between owners and the administrative agent regarding the availability of restricted units for resale or rental; and
 - ii. Instituting and maintaining an effective means of communicating information to low- and moderate-income households regarding the availability of restricted units for resale or re-rental.
- (g) Processing requests from unit owners; and
- i. Reviewing and approving requests from owners of restricted units who wish to take out home equity loans or refinance during the term of their ownership;
 - ii. Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the cost of central air conditioning systems; and
 - iii. Processing requests and making determinations on requests by owners of restricted units for hardship waivers.
- (h) Enforcement, though the ultimate responsibility for retaining controls on the units rests with the municipality.
- i. Ensure that all restricted units are identified as affordable within the tax assessors' office and upon notification to the administrative agent of change in billing address, payment delinquency of two consecutive billing cycles, transfer of title, or institution of a writ of foreclosure on all affordable units, notifying all such owners that they must either move back to their unit or sell it;
 - ii. Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgment of the requirement that no restricted unit can be offered, or in

any other way committed to any person, other than a household duly certified to the unit by the administrative agent;

iii. The posting annually in all rental properties, including two-family homes, of a notice as to the maximum permitted rent together with the telephone number of the administrative agent where complaints of excess rent can be made;

iv. Sending annual mailings to all owners of affordable dwelling units, reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.18(d)4

v. Establishing a program for diverting unlawful rent payments to the municipality's affordable housing trust fund or other appropriate municipal fund approved by the DCA;

vi. Establishing a rent-to-equity program;

vii. Creating and publishing a written operating manual setting forth procedures for administering such affordability controls; and

viii. Proving annual reports as required.

(i) The Administrative Agent shall have authority to take all actions necessary and appropriate to carry out its responsibilities, hereunder.

C. Enforcement of Affordable Housing Regulations

(1) Upon the occurrence of a breach of any of the regulations governing the affordable unit by an Owner, Developer or Tenant the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, tenant eviction, municipal fines, a requirement for household recertification, acceleration of all sums due under a mortgage, recoupment of any funds from a sale in the violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.

(2) After providing written notice of a violation to an Owner, Developer or Tenant of a low- or moderate-income unit and advising the Owner, Developer or Tenant of the penalties for such violations, the municipality may take the following action against the Owner, Developer or Tenant for any violation that remains uncured for a period of 60 days after service of the written notice:

(a) The municipality may file a court action pursuant to *N.J.S.A. 2A:58-11* alleging a violation, or violations, of the regulations governing the affordable housing unit. If the Owner, Developer or Tenant is found by the court to have violated any provision of the regulations governing affordable housing units the Owner, Developer or Tenant shall be subject to one or more of the following penalties, at the discretion of the court:

i. A fine of not more than \$500 or imprisonment for a period not to exceed 90

days, or both. Each and every day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not as a continuing offense;

ii. In the case of an Owner who has rented his or her low- or moderate-income unit in violation of the regulations governing affordable housing units, payment into the Teaneck Township Affordable Housing Trust Fund of the gross amount of rent illegally collected;

iii. In the case of an Owner who has rented his or her low- or moderate-income unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's reasonable relocation costs, as determined by the court.

(b) The municipality may file a court action in the Superior Court seeking a judgment, which would result in the termination of the Owner's equity or other interest in the unit, in the nature of a mortgage foreclosure. Any judgment shall be enforceable as if the same were a judgment of default of the First Purchase Money Mortgage and shall constitute a lien against the low- and moderate-income unit.

(3) Such judgment shall be enforceable, at the option of the municipality, by means of an execution sale by the Sheriff, at which time the low- and moderate-income unit of the violating Owner shall be sold at a sale price which is not less than the amount necessary to fully satisfy and pay off any First Purchase Money Mortgage and prior liens and the costs of the enforcement proceedings incurred by the municipality, including attorney's fees. The violating Owner shall have the right to possession terminated as well as the title conveyed pursuant to the Sheriff's sale.

(4) The proceeds of the Sheriff's sale shall first be applied to satisfy the First Purchase Money Mortgage lien and any prior liens upon the low- and moderate-income unit. The excess, if any, shall be applied to reimburse the municipality for any and all costs and expenses incurred in connection with either the court action resulting in the judgment of violation or the Sheriff's sale. In the event that the proceeds from the Sheriff's sale are insufficient to reimburse the municipality in full as aforesaid, the violating Owner shall be personally responsible for and to the extent of such deficiency, in addition to any and all costs incurred by the municipality in connection with collecting such deficiency. In the event that a surplus remains after satisfying all of the above, such surplus, if any, shall be placed in escrow by the municipality for the Owner and shall be held in such escrow for a maximum period of two years or until such earlier time as the Owner shall make a claim with the municipality for such. Failure of the Owner to claim such balance within the two-year period shall automatically result in a forfeiture of such balance to the municipality. Any interest accrued or earned on such balance while being held in escrow shall belong to and shall be paid to the municipality, whether such balance shall be paid to the Owner or forfeited to the municipality.

(5) Foreclosure by the municipality due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as the same apply to the low- and moderate-income unit. Title shall be conveyed to the purchaser at the Sheriff's sale, subject to the restrictions and provisions

of the regulations governing the affordable housing unit. The Owner determined to be in violation of the provisions of this plan and from whom title and possession were taken by means of the Sheriff's sale shall not be entitled to any right of redemption.

- (6) If there are no bidders at the Sheriff's sale, or if insufficient amounts are bid to satisfy the First Purchase Money Mortgage and any prior liens, the municipality may acquire title to the low- and moderate-income unit by satisfying the First Purchase Money Mortgage and any prior liens and crediting the violating owner with an amount equal to the difference between the First Purchase Money Mortgage and any prior liens and costs of the enforcement proceedings, including legal fees and the maximum resale price for which the low- and moderate-income unit could have been sold under the terms of the regulations governing affordable housing units. This excess shall be treated in the same manner as the excess which would have been realized from an actual sale as previously described.
- (7) Failure of the low- and moderate-income unit to be either sold at the Sheriff's sale or acquired by the municipality shall obligate the Owner to accept an offer to purchase from any qualified purchaser which may be referred to the Owner by the municipality, with such offer to purchase being equal to the maximum resale price of the low- and moderate-income unit as permitted by the regulations governing affordable housing units.
- (8) The Owner shall remain fully obligated, responsible and liable for complying with the terms and restrictions of governing affordable housing units until such time as title is conveyed from the Owner.

D. The township may contract with or authorize a consultant, authority, government or any agency charged by the township council, which entity shall have the responsibility of administering the affordable housing program of the township. If the township contracts with another entity to administer all or any part of the affordable housing program, including the affordability controls and affirmative marketing plan, the municipal housing liaison shall supervise the contracting administrative agent. The administrative agent shall have authority to take all actions necessary and appropriate to carry out its responsibilities hereunder.

E. The cost for administering the affordable housing program for the Township of Teaneck, including affirmative marketing, household certification, affordability controls, resale and rentals, communicating with unit owners and enforcement, shall be the responsibility of developers or owners of affordable housing units in accordance with the following fee schedule, as may be amended from time to time:

Annual fee for consulting, list maintenance

and responding to inquiries

\$50.00 per affordable unit

Re-Sales of existing affordable housing units
(payable by seller upon transfer of title)

\$1,000 per re-sale certification

Re-rentals of existing affordable housing units (payable by landlord upon occupancy of new tenant)	\$550 pre re-occupancy certification
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sale of new affordable housing units	\$200 per unit setup, plus \$1000 per unit certification fee, plus \$3,000 minimum project fee (payable at least 180 days prior to the issuance of a temporary or permanent certificate of occupancy, which first occurs)
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Rental of new affordable housing units	\$400 per unit setup, plus \$500 per unit certification fee, plus \$3,000 minimum project fee (payable at least 180 days prior to the issuance of a temporary or permanent certificate of occupancy, whichever first occurs)
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Refinancing	\$200 to be paid by unit owner
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Lien satisfaction	no charge
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Other programs	The cost to provide compliance services for programs, such as accessory apartments, market to affordable, etc., are subject to the number of units and the scope of services required for each.
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Additional Services	In the event additional services are requested or required to comply with
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the affirmative marketing requirements, the rate for such services shall be determined prior to implementation.

Reimbursement of expenses

In addition to the foregoing fees, cost of postage, printing of notices, copying costs, and advertising shall be paid by the developer or owner.

§33-36. Affirmative Marketing within Inclusionary Development

A. Adoption of an Affirmative Marketing Plan

(1) Teaneck Township hereby adopts the within an Affirmative Marketing Plan in compliance with *N.J.A.C. 5:80-26.15*, as may be amended and supplemented.

(2) The affirmative marketing plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer, sponsor or owner of affordable housing. The affirmative marketing plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward COAH Housing Region 1 and covers the period of deed restriction.

B. The affirmative marketing plan shall provide a regional preference for all households that live and/or work in COAH Housing Region 1 comprised of Bergen, Hudson, Passaic, and Sussex Counties.

C. The Administrative Agent designated by Teaneck Township shall assure the affirmative marketing of all affordable units consistent with the Affirmative Marketing Plan for the municipality.

(1) All newspaper articles, announcements and requests for applications for low- and moderate-income units will appear in the following newspapers/publications: The Record, the Suburbanite, the Jewish Standard, the Teaneck Patch, the Jewish Link and the Star Ledger.

(2) The primary marketing will take the form of at least one press release sent to the above publications and a paid display advertisement in each of the above newspapers. Additional advertising and publicity will be on an as-needed basis.

(3) The advertisement will include:

(a) The street address and location of units;

- (b) Directions to the housing units;
- (c) The size, as measured in the number of bedrooms, of the housing units;
- (d) A range of prices/rents for the housing units;
- (e) The maximum income permitted to qualify for the housing units
- (f) The location of applications for the housing units;
- (g) The business hours when interested households may obtain an application for a housing unit.
- (h) The name of the rental manager and/or sales agent for the housing units.

(4) All newspaper articles, announcements and requests for applications for low- and moderate-income housing will appear in publications circulated within the housing region that are likely to be read by low and moderate income households, such as neighborhood oriented weekly newspaper, religious publications and organizational newsletters.

(5) Regional radio and/or cable television station(s) will also be used.

(6) Applications, brochure(s), sign(s) and/or poster(s) used as part of the affirmative marketing program will be provided to specific employment centers within the region and to the municipal clerks of all municipalities in the region.

(7) Applications for low and moderate income housing shall be available in several convenient locations within the Township of Teaneck, including, at a minimum, Town Hall, the Teaneck Public Library, and the developer's sales/rental office.

The following is a listing of community contact persons and/or organizations in Teaneck that will administer the program and will aid in the affirmative marketing program with particular emphasis on contacts that will reach out to groups that are least likely to apply for housing within the region: land use administrator, County Housing Office and houses of worship.

(8) Quarterly flyers and applications will be sent to each of the following agencies for publication in their journals and for circulation among their members: Board of Realtors in Bergen, Hudson, Passaic and Sussex Counties.

(9) Applications will be mailed to prospective applicants upon request.

Additionally, quarterly informational circulars and applications will be sent to the chief administrative employees of each of the following agencies in the counties the Township of Teaneck's region: Welfare or Social Service Board, Rental Assistance Office (local office of DCA), Office on Aging, libraries and housing agency or authority.

(10) The affirmative marketing program will meet the following requirements

- (a) The affirmative marketing process for available affordable units shall begin at least four months prior to the expected date of occupancy.
- (b) A random selection method will be used to select occupants of low- and

moderate-income housing.

- (c) Low and moderate income households who live or work in the housing region in which the Township of Teaneck is located shall be given preference for sales and rental units constructed within the Township of Teaneck. Applicants living outside the housing region will have an equal opportunity for units after regional applicants have been initially serviced.
- (d) Low and moderate income households residing or working within the Township of Teaneck shall be provided a preference for low and moderate income units created within the Township of Teaneck that respond to Teaneck's rehabilitation component.
- (e) All developers of low- and moderate-income housing units will be required to assist in the marketing of the affordable units in their respective developments.
- (f) The cost of advertising and administrating low and moderate income units shall be the responsibility of the developer and/or owner of low and moderate income housing units within the Township of Teaneck.
- (g) The marketing program will commence at least 120 days before the issuance of either temporary or permanent certificates of occupancy. The marketing program will continue until all low- and moderate-income housing units are initially occupied and for as long as affordable units are deed restricted and occupancy or reoccupancy of units continues to be necessary.
- (h) Households that apply for low and moderate income housing shall be screened for preliminary income eligibility by comparing their total income to the low and moderate income limits pursuant to State law and regulations. Applicants shall be notified as to their eligibility status.
- (i) Having screened applicants for preliminary income eligibility, the Township may analyze the income and household sizes of applicants to determine which applicants have the assets and/or income necessary to purchase or rent each available low or moderate income unit.
- (j) The Township shall conduct a process and interview each applicant to verify the applicant's income and household size; determine the applicant's asset availability; and review the applicant's credit history. Applicants shall be required to submit income verification for each household member 18 years or older. This process shall be utilized in establishing the final certified applicant group.
- (k) The process described in (j) through (l) above may begin no sooner than one month after the advertising program begins. Households shall be selected to proceed through the process described in (j) through (l) above through a method of random selection. Households shall be certified for low and moderate income units. The process described in (j) through (l) shall be

continued until all the low and moderate income units are occupied.

- (l) Continuing marketing activities shall undertaken after the completion of initial occupancy of sales and rental units in order to fill vacancies resulting from normal turnover which shall include:

1. Insuring a sufficient supply of income eligible applicants by continuing to implement the marketing plan throughout the housing region. At a minimum, the Township shall maintain a current pool of at least five income eligible applicants for each low and moderate income unit.
2. Contacting each income eligible applicant annually to request updated information regarding income and family size.
3. As units become available, the municipal entity shall select eligible applicants for the units until the units are occupied by low and moderate income households.

D. In implementing the affirmative marketing plan, the Administrative Agent shall provide a list of counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.

E. The costs of advertising and affirmative marketing of the affordable units shall be the responsibility of the developer, sponsor or owner, unless otherwise determined or agreed to by Teaneck Township.

§33-37. Affordable Unit Controls and Requirements

The following general guidelines apply to all developments that contain low- and moderate-income housing units, including any currently unanticipated future developments that will provide low- and moderate-income housing units.

A. Occupancy Standards.

In referring certified households to specific restricted units, to the extent feasible, and without causing an undue delay in occupying the unit, the Administrative Agent shall strive to:

- (a) Provide an occupant for each bedroom;
- (b) Provide children of different sex with separate bedrooms; and
- (c) Prevent more than two persons from occupying a single bedroom.

B. Selection of Occupants of Affordable Housing Units.

- (1) The administrative agent shall use a random selection process to select occupants of low- and moderate-income housing.

- (2) A waiting list of all eligible candidates will be maintained in accordance with the provisions of *N.J.A.C. 5:80-26* et seq.

C. Control Periods for Restricted Ownership Units and Enforcement Mechanisms

- (a) Control periods for restricted ownership units shall be in accordance with *N.J.A.C. 5:80-26.5*, as may be amended and supplemented, and each restricted ownership unit shall remain subject to the requirements of this Article until Teaneck Township elects to release the unit from such requirements however, and prior to such an election, a restricted ownership unit must remain subject to the requirements of *N.J.A.C. 5:80-26.1*, as may be amended and supplemented, for at least 30 years.
- (b) The affordability control period for a restricted ownership unit shall commence on the date the initial certified household takes title to the unit.
- (c) Prior to the issuance of the initial certificate of occupancy for a restricted ownership unit and upon each successive sale during the period of restricted ownership, the administrative agent shall determine the restricted price for the unit and shall also determine the non-restricted, fair market value of the unit based on either an appraisal or the unit's equalized assessed value.
- (d) At the time of the first sale of the unit, the purchaser shall execute and deliver to the Administrative Agent a recapture note obligating the purchaser (as well as the purchaser's heirs, successors and assigns) to repay, upon the first non-exempt sale after the unit's release from the requirements of this Article, an amount equal to the difference between the unit's non-restricted fair market value and its restricted price, and the recapture note shall be secured by a recapture lien evidenced by a duly recorded mortgage on the unit.
- (e) The affordability controls set forth in this Article shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to restricted ownership units.
- (f) A restricted ownership unit shall be required to obtain a Continuing Certificate of Occupancy or a certified statement from the Construction Official stating that the unit meets all code standards upon the first transfer of title that follows the expiration of the applicable minimum control period provided under *N.J.A.C. 5:80-26.5(a)*, as may be amended and supplemented.
- (g) Deeds of all real property that include restricted ownership units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property, and the deed restriction shall be filed by the developer or seller with the records office of the County of Bergen. A copy of the filed document shall be provided to the Administrative Agent within 30 days of the receipt of a Certificate of Occupancy. The deed restriction shall be subject to the approval of the Administrative Agent and shall be substantially in the form set forth in Schedule B, annexed hereto and made part of this Article.

D. Price Restrictions for Restricted Ownership Units, Homeowner Association Fees and Resale Prices

Price restrictions for restricted ownership units shall be in accordance with *N.J.A.C. 5:80-26.1*, as may be amended and supplemented, including:

- (1) The initial purchase price for a restricted ownership unit shall be approved by the Administrative Agent.
- (2) The Administrative Agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the foregoing standards.
- (3) The method used to determine the condominium association fee amounts and special assessments shall be indistinguishable between the low- and moderate-income unit owners and the market unit owners.
- (4) The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of capital improvements. Eligible capital improvements shall be those that render the unit suitable for a larger household or the addition of a bathroom.

E. Buyer Income Eligibility.

- (1) Buyer income eligibility for restricted ownership units shall be in accordance with *N.J.A.C. 5:80-26.1*, as may be amended and supplemented, such that low-income ownership units shall be reserved for households with a gross household income less than or equal to 50 percent of median income and moderate-income ownership units shall be reserved for households with a gross household income less than 80 percent of median income.
- (2) The Administrative Agent shall certify a household as eligible for a restricted ownership unit when the household is a low-income household or a moderate-income household, as applicable to the unit, and the estimated monthly housing cost for the particular unit (including principal, interest, taxes, homeowner and private mortgage insurance and condominium or homeowner association fees, as applicable) does not exceed 33 percent of the household's certified monthly income.

F. Limitations on indebtedness secured by ownership unit; subordination.

- (1) Prior to incurring any indebtedness to be secured by a restricted ownership unit, the administrative agent shall determine in writing that the proposed indebtedness complies with the provisions of this section.
- (2) With the exception of original purchase money mortgages, during a control period neither an owner nor a lender shall at any time cause or permit the total indebtedness secured by a restricted ownership unit to exceed 95 percent of the maximum allowable resale price of that unit, as such price is determined by the administrative agent in accordance with *N.J.A.C. 5:80-26.6(b)*.

G. Control Periods for Restricted Rental Units

- (1) Control periods for restricted rental units shall be in accordance with *N.J.A.C. 5:80-26.11*, as may be amended and supplemented, and each restricted rental unit shall remain subject to the requirements of this Article until the [insert name of municipality] elects to release the unit from such requirements pursuant to action taken in compliance with *N.J.A.C. 5:80-26.1*, as may be amended and supplemented, and prior to such an election, a restricted rental unit must remain subject to the requirements of *N.J.A.C. 5:80-26.1*, as may be amended and supplemented, for at least 30 years.
- (2) Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property, and the deed restriction shall be filed by the developer or seller with the records office of the County of Bergen. A copy of the filed document shall be provided to the Administrative Agent within 30 days of the receipt of a Certificate of Occupancy. The deed restriction shall be subject to the approval of the Administrative Agent and shall be substantially in the form set forth in Schedule B, annexed hereto and made part of this Article.
- (3) A restricted rental unit shall remain subject to the affordability controls of this Article, despite the occurrence of any of the following events:
 - (a) Sublease or assignment of the lease of the unit;
 - (b) Sale or other voluntary transfer of the ownership of the unit; or
 - (c) The entry and enforcement of any judgment of foreclosure.

H. Price Restrictions for Rental Units; Leases

- (1) A written lease shall be required for all restricted rental units, except for units in an assisted living residence, and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. A copy of the current lease for each restricted rental unit shall be provided to the Administrative Agent.
- (2) No additional fees or charges shall be added to the approved rent (except, in the case of units in an assisted living residence, to cover the customary charges for food and services) without the express written approval of the Administrative Agent.
- (3) Application fees (including the charge for any credit check) shall not exceed five percent of the monthly rent of the applicable restricted unit and shall be payable to the Administrative Agent to be applied to the costs of administering the controls applicable to the unit as set forth in this Article.

I. Tenant Income Eligibility.

- (1) Tenant income eligibility shall be in accordance with *N.J.A.C. 5:80-26.13*, as may be amended and supplemented, and shall be determined as follows:
 - (a) Very low-income rental units shall be reserved for households with a gross

household income less than or equal to 30 percent of median income.

(b) Low-income rental units shall be reserved for households with a gross household income less than or equal to 50 percent of median income.

(c) Moderate-income rental units shall be reserved for households with a gross household income less than 80 percent of median income.

(2) The Administrative Agent shall certify a household as eligible for a restricted rental unit when the household is a very low-income, low-income household or a moderate-income household, as applicable to the unit, and the rent proposed for the unit does not exceed 35 percent (40 percent for age-restricted units) of the household's eligible monthly income as determined pursuant to *N.J.A.C. 5:80-26.16*, as may be amended and supplemented; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:

(a) The household currently pays more than 35 percent (40 percent for households eligible for age-restricted units) of its gross household income for rent, and the proposed rent will reduce its housing costs;

(b) The household has consistently paid more than 35 percent (40 percent for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;

(c) The household is currently in substandard or overcrowded living conditions;

(d) The household documents the existence of assets with which the household proposes to supplement the rent payments; or

(e) The household documents proposed third-party assistance from an outside source such as a family member in a form acceptable to the Administrative Agent and the owner of the unit.

(3) The applicant shall file documentation sufficient to establish the existence of the circumstances in (2)(a) through (e) above with the Administrative Agent, who shall counsel the household on budgeting.

§33-38 Affordable Housing Development Fees

A. Purpose.

In *Holmdel Builder's Association v. Holmdel Township*, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985, N.J.S.A. 52:27D-301 et seq., and the State Constitution, subject to COAH developing rules as amended from time to time and/or in accordance with the enacted legislation and/or in accordance with directives from the Courts. The purpose of this article is to establish standards for the collection, maintenance and expenditure of development fees pursuant to the above. Fees collected pursuant to this article shall be used for the sole purpose of providing low- and moderate-income housing.

B. Development Fees.

(1) Residential Development Fees.

a. Within all zone districts, unless invalidated by State Statute or Court Order, developers of residential housing, except for developers of the types of development specifically exempted below, shall pay a fee of 1 1/2% of the equalized assessed value for residential development, that no increased density is permitted.

b. When an increase in residential density has been permitted pursuant to N.J.S.A. 40:55D-70d (known as a "d" variance) or pursuant to Zoning Amendment or pursuant to the adoption of a Redevelopment Plan pursuant to New Jersey Local Redevelopment and Housing Law (NJSA 40A-12-1 et. seq.), developers shall be required to pay a residential development fee of a maximum of 6% of the equalized assessed value for each additional unit that may be realized.

c. Affordable housing developments and residential developments where the developer is providing for the construction of affordable units elsewhere in the municipality shall be exempt from residential development fees.

d. Residential Developments that have received preliminary or final site plan approval prior to the adoption of a municipal residential development fee shall be exempt from residential development fees, unless the developer seeks a substantial change in the approval or the developer has accepted responsibility to pay a residential development fee. Where a site plan approval does not apply, a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for this purpose. A development fee shall be based on the percentage that applies on the date that a building permit is issued, regardless of the time of collection of the fee.

e. Owner-occupied residential structures demolished and replaced as a result of a fire, flood, or natural disaster shall be exempt from paying a residential development fee.

f. Residential development fees shall be imposed and collected when an existing structure undergoes a change to a more intense use. The development fee shall be calculated on the increase in the equalized assessed value of the improved structure.

g. A developer of an addition to an existing single family residential unit which constitutes less than a fifty (50%) percent increase in the gross floor area of the unit shall be exempt from the development fee.

(2) Nonresidential development fees.

a. Within all zoning districts, unless invalidated by State Statute or Court Order, nonresidential developers, except for developers of the types of development specifically exempted, shall pay a nonresidential development fee equal to 2.5% of the equalized assessed value of the land and improvements for all new nonresidential construction.

b. Nonresidential developers, except for developers of the types of development specifically exempted, shall also pay a nonresidential development fee equal to 2.5% of the increase in equalized assessed value resulting from any additions to existing structures to be used for nonresidential purposes.

c. Development fees shall be imposed and collected when an existing structure is

demolished and replaced. Whenever non-residential development is situated on real property that has been previously developed with a building, structure, or other improvement, the non-residential development fee shall be equal to two and a half (2.5) percent of the equalized assessed value of the land and improvements on the property where the non-residential development is situated at the time the final certificate of occupancy is issued, less the equalized assessed value of the land and improvements on the property where the non-residential development is situated, as determined by the tax assessor of the municipality at the time the developer or owner, including any previous owners, first sought approval for a construction permit, including, but not limited to, demolition permits, pursuant to the State Uniform Construction Code, or approval under the "Municipal Land Use Law," P.L.1975, c.291 (C.40:55D-1 et seq.). If the calculation required under this section results in a negative number, the non-residential development fee shall be zero.

d. The nonresidential portion of a mixed-use inclusionary or market-rate development shall be subject to the 2.5% development fee, unless otherwise exempted below.

e. The 2.5% fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.

f. All non-residential construction of buildings or structures on property used by churches, synagogues, mosques, and other houses of worship, and property used for educational purposes, which is tax-exempt pursuant to R.S.54:4-3.6, shall be exempt from the imposition of a non-residential development fee pursuant to this section, provided that the property continues to maintain its tax exempt status under that statute for a period of at least three years from the date of issuance of the certificate of occupancy. In addition, the following shall be exempt from the imposition of a non-residential development fee:

(1) parking lots and parking structures, regardless of whether the parking lot or parking structure is constructed in conjunction with a non-residential development, such as an office building, or whether the parking lot is developed as an independent non-residential development;

(2) any non-residential development which is an amenity to be made available to the public, including, but not limited to, recreational facilities, community centers, and senior centers, which are developed in conjunction with or funded by a non-residential developer;

(3) non-residential construction resulting from a relocation of or an on-site improvement to a nonprofit hospital or a nursing home facility;

(4) projects that are located within a specifically delineated urban transit hub, as defined pursuant to section 2 of P.L.2007, c.346 (C.34:1B-208);

(5) projects that are located within an eligible municipality, as defined under section 2 of P.L.2007, c.346 (C.34:1B-208), when a majority of the project is located within a one-half mile radius of the midpoint of a platform area for a light rail system; and

(6) projects determined by the New Jersey Transit Corporation to be consistent with a transit village plan developed by a transit village designated by the Department of Transportation.

Any exemption claimed by a developer shall be substantiated by that developer.

g. A developer of a nonresidential development exempted from the nonresidential development fee, shall be subject to it at such time the basis for the exemption no longer applies and shall make the payment of the nonresidential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the nonresidential development, whichever is later.

h. If a property which was exempted from the collection of a nonresidential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid nonresidential development fees under these circumstances may be enforceable by the Township of Teaneck as a lien against the real property of the owner.

(3) Collection procedures.

a. Upon the granting of a preliminary, final or other applicable approval for a development, the applicable approving authority shall direct its staff to notify the Construction Official responsible for the issuance of a building permit.

b. For nonresidential developments only, the developer shall also be provided with a copy of Form N-RDF, State of New Jersey Nonresidential Development Certification/Exemption, to be completed as per the instructions provided. The developer of a nonresidential development shall complete Form N-RDF as per the instructions provided. The Construction Official shall verify the information submitted by the nonresidential developer as per the instructions provided in the Form N-RDF. The Tax Assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.

c. The Construction Official responsible for the issuance of a building permit shall notify the local Tax Assessor of the issuance of the first building permit for a development which is subject to a development fee.

d. Within 90 days of receipt of that notice, the Municipal Tax Assessor, based on the plans filed, shall provide an estimate of the equalized assessed value of the development.

e. The Construction Official responsible for the issuance of a final certificate of occupancy notifies the local Assessor of any and all requests for the scheduling of a final inspection on property which is subject to a development fee.

f. Within 10 business days of a request for the scheduling of a final inspection, the Municipal Assessor shall confirm or modify the previously estimated equalized assessed value of the improvements of the development, calculate the development fee and thereafter notify the developer of the amount of the fee.

g. Should the Township of Teaneck fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in Subsection b of Section 37 of P.L. 2008, c. 46 (N.J.S.A. 40:55D-8.6). Upon tender of the estimated non-

residential development fee, provided the developer is in full compliance with all other applicable laws, the municipality shall issue a final certificate of occupancy for the subject property.

h. A developer of a mixed use development shall be required to pay the Statewide non-residential development fee relating to the non-residential development component of a mixed use development subject to the provisions of P.L.2008, c.46 (C.52:27D-329.1 et al.).

i. Non-residential construction which is connected with the relocation of the facilities of a for-profit hospital shall be subject to the fee authorized to be imposed under this section to the extent of the increase in equalized assessed valuation in accordance with regulations to be promulgated by the Director of the Division of Taxation, Department of the Treasury.

j. The payment of non-residential development fees required pursuant to sections 32 through 38 of P.L.2008, c.46 (C.40:55D-8.1 through C.40:55D-8.7) shall be made prior to the issuance of a certificate of occupancy for such development. A final certificate of occupancy shall not be issued for any non-residential development until such time as the fee imposed pursuant to this section has been paid by the developer. A non-residential developer may deposit with the appropriate entity the development fees as calculated by the municipality under protest, and the local code enforcement official shall thereafter issue the certificate of occupancy provided that the construction is otherwise eligible for a certificate of occupancy.

(4). Appeal of Development Fees

a. A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, collected fees shall be placed in an interest-bearing escrow account by the Township of Teaneck. Appeals from a determination of the Board may be made to the Tax Court in accordance with the provisions of the State Uniform Tax Procedure Law, N.J.S.A. 54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

b. A developer may challenge nonresidential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest-bearing escrow account by the Township of Teaneck. Appeals from a determination of the Director may be made to the Tax Court in accordance with the provisions of the State Uniform Tax Procedure Law, N.J.S.A. 54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

(5). Retention of Fees. Any fees collected prior to the adoption or amendment of this article shall be retained by the Township of Teaneck.

C. Housing trust fund.

(1) There is hereby created a separate interest-bearing housing trust fund to be maintained by the Township's Chief Financial Officer and proceeds from the sale of units with

extinguished controls.

(2) The following additional funds shall be deposited in the affordable housing trust fund and shall at all times be identifiable by source and amount:

- a. Developer-contributed funds to make 10% of the adaptable entrances in a townhouse or other multistory attached development accessible;
 - Rental income from municipally operated units;
- c. Repayments from affordable housing program loans;
- d. Recapture funds;
- e. Proceeds from the sale of affordable units; and
- f. Any other funds collected in connection with the Township of Teaneck's affordable housing program.

(3) Use of funds.

a. Money deposited in a housing trust fund may be used for any activity approved for addressing the Township of Teaneck's low- and moderate-income housing obligation in accordance with Teaneck Housing Element and Fair Share Plan, Spending Plan or any directives from the Courts. Such activities may include, but are not necessarily limited to: housing rehabilitation; new construction; the purchase of land for low- and moderate-income housing; preservation or purchase of housing for the purpose of maintaining or implementing affordability controls, including the extension of controls, accessory apartment, market to affordable, or regional housing partnership programs, conversion of existing nonresidential buildings to create new affordable units, extensions and/or improvements of roads and infrastructure to low- and moderate-income housing sites; assistance designed to render units to be more affordable to low- and moderate-income households; and administrative costs necessary to implement the Township of Teaneck's housing element. The expenditure of all money shall conform to a spending plan approved by the Courts.

b. At least 30% of all development fees collected and interest earned shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipal Fair Share Plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30% or less of median income by region.

i. Affordability assistance programs may include down payment assistance, security deposit assistance, low-interest loans, rental assistance, assistance with homeowners' association or condominium fees and special assessments, and assistance with emergency repairs.

ii. Affordability assistance to households earning 30% or less of median income may include buying down the cost of low- or moderate-income units in the municipal Fair Share Plan to make them affordable to households earning 30% or less of median income.

iii. Payments in lieu of constructing affordable units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.

D. The Township of Teaneck may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including the requirement for affordability assistance, in accordance with N.J.A.C. 5:96-18.

E. No more than 20% of all revenues collected from development fees may be expended on administration, including but not limited to salaries and benefits for municipal employees or consultant fees necessary to develop or implement a new construction program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program. In the case of a rehabilitation program, no more than 20% of the revenues collected from development fees shall be expended for such administrative expenses. Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with the Courts monitoring requirements. Legal or other fees related to litigation opposing affordable housing sites or objecting to the Council's regulations and/or action are not eligible uses of the affordable housing trust fund.

F. Funds shall not be expended to reimburse the Township of Teaneck for housing activities carried out prior to the establishment of the Affordable Housing Trust Fund.

G. Monitoring. The Township of Teaneck shall complete and return to the Courts all monitoring forms included in monitoring requirements related to the collection of development fees from residential and nonresidential developers, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, barrier-free escrow funds, rental income, repayments from affordable housing program loans, and any other funds collected in connection with the Township of Teaneck's housing program, as well as to the expenditure of revenues and implementation of the plan certified the Courts. All monitoring reports shall be completed on forms designed by the Courts.

H. This section is intended to be interpreted and applied consistent with the Statewide Non-Residential Development Fee Act (N.J.S.A. 40:55D-8.1 et seq.). In the event of any inconsistency, this section shall be read so as to comply with the Act.

SECTION 2. Inconsistency. All ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 3. Severability. If any sentence, section, clause, or other portion of this ordinance, or the application thereof to any person or circumstance, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or repeal the remainder of this ordinance.

SECTION 4. Effective Date. This ordinance shall take effect twenty (20) days following passage and publication, or as otherwise required by law, and upon filing with the Planning Board of the County of Bergen.

Mohammed Hameeduddin, Mayor

ATTEST:

Issa Abbasi, Township Clerk

Introduced: _____

Adopted: _____

SCHEDULE A - MANDATORY DEED RESTRICTION FOR RENTAL PROJECTS

Deed Restriction

To Rental Property

With Covenants Restricting Rentals, Conveyance and Improvements
And Requiring Notice of Foreclosure and Bankruptcy

THIS DEED RESTRICTION, entered into as of this the ___ day of _____, 20___, by and between the [Administrative Agent] ("Administrative Agent"), or its successor, acting on behalf of [Municipality], with offices at _____ and _____ a New Jersey [Corporation / Partnership / Limited Partnership] having offices at _____ the developer/sponsor (the "Owner") of a residential low- or moderate-income rental project (the "Project");

WITNESSETH

Article 1. Consideration

In consideration of benefits and/or right to develop received by the Owner from the Municipality regarding this rental Project, the Owner hereby agrees to abide by the covenants, terms and conditions set forth in this Deed restriction, with respect to the land and improvements more specifically described in Article 2, hereof (the Property).

Article 2. Description of Property

[If the project is a 100 percent affordable development, use the following:]

The Property consists of all of the land, and improvements thereon, that is located in the municipality of _____, County of _____, State of New Jersey, and

described more specifically as Block No. _____ Lot No. _____, and known by the street address:

[Where restrictions are limited to specific units within the project, use the following:]

The Property consists of all of the land, and a portion of the improvements thereon, that is located in the municipality of _____, County of _____, State of New Jersey, and described more specifically as Block No. _____ Lot No. _____, and known by the street address:

More specifically designated as:

(List specific affordable units by address or apartment number.)

Article 3. Affordable Housing Covenants

The following covenants (the "Covenants") shall run with the land for the period of time (the "Control Period"), determined separately with respect for each dwelling unit, commencing upon the earlier of the date hereof or the date on which the first certified household occupies the unit, and shall and expire as determined under the Uniform Controls, as defined below.

In accordance with N.J.A.C. 5:80-26.11, each restricted unit shall remain subject to the requirements of this subchapter, the "Control Period," until the municipality in which the unit is located elects to release the unit from such requirements. Prior to such a municipal election, a restricted unit must remain subject to the requirements of this subchapter for a period of at least 30 years; provided, however, that:

1. Units located in high-poverty census tracts shall remain subject to these affordability requirements for a period of at least 10 years; and
2. **Any unit that, prior to December 20, 2004, received substantive certification from COAH, was part of a judgment of compliance from a court of competent jurisdiction or**

became subject to a grant agreement or other contract with either the State or a political subdivision thereof, shall have its control period governed by said grant of substantive certification, judgment or grant or contract.

- A. Sale and use of the Property is governed by regulations known as the Uniform Housing Affordability Controls, which are found in New Jersey Administrative Code at Title 5, chapter 80, subchapter 26 (N.J.A.C. 5:80-26.1; *et seq.*, the "Uniform Controls").
- B. The Property shall be used solely for the purpose of providing rental dwelling units for low- or moderate-income households, and no commitment for any such dwelling unit shall be given or implied, without exception, to any person who has not been certified for that unit in writing by the Administrative Agent. So long as any dwelling unit remains within its Control Period, sale of the Property must be expressly subject to these Deed Restrictions, deeds of conveyance must have these Deed Restrictions appended thereto, and no sale of the Property shall be lawful, unless approved in advance and in writing by the Administrative Agent.
- C. No improvements may be made to the Property that would affect the bedroom configuration of any of its dwelling units, and any improvements to the Property must be approved in advance and in writing by the Administrative Agent.
- D. The Owner shall notify the Administrative Agent and the Municipality of any foreclosure actions filed with respect to the Property within five (5) business days of service upon Owner.
- E. The Owner shall notify the Administrative Agent and the Municipality within three (3) business days of the filing of any petition for protection from creditors or reorganization filed by or on behalf of the Owner.

Article 4. Remedies for Breach of Affordable Housing Covenants

A breach of the Covenants will cause irreparable harm to the Administrative Agent, to the Municipality and to the public, in light of the public policies set forth in the New Jersey Fair Housing Act, the Uniform Housing Affordability Control rules found at N.J.A.C. 5:80-26, and the obligation for the provision of low and moderate-income housing.

- A. In the event of a threatened breach of any of the Covenants by the Owner, or any successor in interest of the Property, the Administrative Agent and the Municipality shall have all remedies provided at law or equity, including the right to seek injunctive relief or specific performance.
- B. Upon the occurrence of a breach of any Covenants by the Grantee, or any successor in interest or other owner of the Property, the Administrative Agent and the Municipality shall have all remedies provided at law or equity including but not limited to forfeiture, foreclosure, acceleration of all sums due under any mortgage, recouping of any funds from a sale in violation

of the Covenants, diverting of rent proceeds from illegal rentals, injunctive relief to prevent further violation of said Covenants, entry on the premises, those provided under Title 5, Chapter 80, Subchapter 26 of the New Jersey Administrative Code and specific performance.

IN WITNESS WHEREOF, the Administrative Agent and the Owner have executed this Deed Restriction in triplicate as of the date first above written.

[THE ADMINISTRATIVE AGENT]

BY: _____

XXXXXXXXXXXXXXXX

Title

[THE OWNER]

BY: _____

XXXXXXXXXXXXXXXX

Title

APPROVED BY _____ [Municipality]

BY: _____

XXXXXXXXXXXXXXXX

Title

ACKNOWLEDGEMENTS

On this the _____ day of _____, 20____ before me came _____, to me known and known to me to be the Administrative Agent for _____ [Municipality], who states that (s)he has signed said Agreement on behalf of said Municipality for the purposes stated therein.

NOTARY PUBLIC

On this the _____ day of _____, 20____ before me came _____, to me known and known to me to be _____, the Owner of the Property, who states that (s)he has signed said Agreement for the purposes stated therein.

NOTARY PUBLIC

On this the _____ day of _____, 20____ before me came _____ known and known to me to be _____ of _____, the Municipality identified as such in the foregoing Agreement, who states that (s)he is duly authorized to execute said Agreement on behalf of said Municipality, and that (s)he has so executed the foregoing Agreement for the purposes stated therein

NOTARY PUBLIC

SCHEDULE B - MANDATORY DEED FORM FOR OWNERSHIP UNITS

Deed

With Covenants Restricting Conveyance
And Mortgage Debt

THIS DEED is made on this the _____ day of _____, 20__ by and between

_____ (Grantor) and

_____ (Grantee).

Article 1. Consideration and Conveyance

In return for payment to the Grantor by the Grantee of _____ Dollars

(\$ _____), the receipt of which is hereby acknowledged by the Grantor, the Grantor hereby grants and conveys to the Grantee all of the land and improvements thereon as is more specifically described in Article 2, hereof (the Property).

Article 2. Description of Property

The Property consists of all of the land, and improvements thereon, that is located in the municipality of _____, County of _____, State of New Jersey, and described more specifically as Block No. _____ Lot No. _____, and known by the street address:

Article 3. Grantor's Covenant

The Grantor hereby covenants and affirms that Grantor has taken no action to encumber the Property.

Article 4. Affordable Housing Covenants

Sale and use of the Property is governed by regulations known as the Uniform Housing Affordability Controls, which are found in New Jersey Administrative Code at Title 5, chapter 80, subchapter 26 (N.J.A.C. 5:80-26.1, *et seq.*, the "Regulations"). Consistent with the Regulations, the following covenants (the "Covenants") shall run with the land for the period of time commencing upon the earlier of (a) the date hereof or (b) the prior commencement of the "Control Period", as that term is defined in the Regulations, and terminating upon the expiration of the Control Period as provided in the Regulations.

In accordance with N.J.A.C. 5:80-26.5, each restricted unit shall remain subject to the requirements of this subchapter, the "Control Period," until the municipality in which the unit is located elects to release the unit from such requirements. Prior to such a municipal election, a restricted unit must remain subject to the requirements of this subchapter for a period of at least 30 years; provided, however, that units located in high-poverty census tracts shall remain subject to these affordability requirements for a period of at least 10 years;

A. The Property may be conveyed only to a household who has been approved in advance and in writing by _____, an administrative agent appointed under the Regulations (hereinafter, collectively, the "Administrative Agent").

B. No sale of the Property shall be lawful, unless approved in advance and in writing by the Administrative Agent, and no sale shall be for a consideration greater than maximum permitted price ("Maximum Resale Price", or "MRP") as determined by the Administrative Agent.

C. No refinancing, equity loan, secured letter of credit, or any other mortgage obligation or other debt (collectively, "Debt") secured by the Property, may be incurred except as approved in advance and in writing by the Administrative Agent. At no time shall the Administrative Agent approve any such Debt, if incurring the Debt would make the total of all such Debt exceed Ninety-Five Percent (95%) of the applicable MRP.

D. The owner of the Property shall at all times maintain the Property as his or her principal place of residence.

E. Except as set forth in F, below, at no time shall the owner of the Property lease or rent the Property to any person or persons, except on a short-term hardship basis as approved in advance and in writing by the Administrative Agent.

F. If the Property is a two-family home, the owner shall lease the rental unit only to income-certified

low-income households approved in writing by the Administrative Agent, shall charge rent no greater than the maximum permitted rent as determined by the Administrative Agent, and shall submit for written approval of the Administrative Agent copies of all proposed leases prior to having them signed by any proposed tenant.

G. No improvements may be made to the Property that would affect its bedroom configuration, and in any event, no improvement made to the Property will be taken into consideration to increase the MRP, except for improvements approved in advance and in writing by the Administrative Agent.

Article 5. Remedies for Breach of Affordable Housing Covenants

A breach of the Covenants will cause irreparable harm to the Administrative Agent and to the public, in light of the public policies set forth in the New Jersey Fair Housing Act, the Uniform Housing Affordability Control rules found at N.J.A.C. 5:80-26, and the obligation for the provision of low and moderate-income housing. Accordingly, and as set forth in N.J.A.C. 5:80-26.18:

A. In the event of a threatened breach of any of the Covenants by the Grantee, or any successor in interest or other owner of the Property, the Administrative Agent shall have all remedies provided at law or equity, including the right to seek injunctive relief or specific performance.

B. Upon the occurrence of a breach of any Covenants by the Grantee, or any successor in interest or other owner of the Property, the Administrative Agent shall have all remedies provided at law or equity including but not limited to forfeiture, foreclosure, acceleration of all sums due under any mortgage, recouping of any funds from a sale in violation of the Covenants, diverting of rent proceeds from illegal rentals, injunctive relief to prevent further violation of said Covenants, entry on the premises, those provided under Title 5, Chapter 80, Subchapter 26 of the New Jersey Administrative Code and specific performance.

EXECUTION BY GRANTOR

Signed by the Grantor on the date hereof. If the Grantor is a corporation, this Deed is signed by a corporate officer who has authority to (a) convey all interests of the corporation that are conveyed by this Deed, and (b) to bind the corporation with respect to all matters dealt with herein.

Signed, sealed and delivered in
the presence of or attested by:

_____ [seal]

_____ [seal]

_____ [seal]

_____ [seal]

CERTIFICATE OF ACKNOWLEDGEMENT BY INDIVIDUAL

State of New Jersey, County of _____

I am either (check one) _____ a Notary Public or _____ a _____, an officer authorized to take acknowledgements and proofs in the state of New Jersey. I sign this acknowledgement below to certify that it was executed before me. On this the _____ day of _____, 20____
_____ appeared before me in person. (If more than one person appears, the words "this person" shall include all persons named who appeared before the officer making this acknowledgement). I am satisfied that this person is the person named in and who signed this Deed.

This person also acknowledged that the full and actual consideration paid or to be paid for the transfer of title to realty evidenced by this Deed, as such consideration is defined in P.L. 1968, c. 49, sec. 1(c), is \$ _____.

Officer's signature: Sign above, and print stamp or type name below

CORPORATE PROOF BY SUBSCRIBING WITNESS

State of New Jersey, County of _____

I am either (check one) _____ a Notary Public or _____ a _____, an officer authorized to take acknowledgements and proofs in the state of New Jersey. On this the _____ day of _____, 20____, _____ (hereinafter the "Witness") appeared before me in person. The Witness was duly sworn by me, and under oath stated and proved to my satisfaction that:

1. The Witness is the _____ secretary of the corporation which is the Grantor described as such in this deed (hereinafter the "Corporation").
2. _____, the officer who signed this Deed is the (title) _____ of the Corporation (hereinafter the "Corporate Officer").
3. The making, signing, sealing and delivery of this Deed have been duly authorized by a proper resolution of the Board of Directors of the Corporation.
4. The Witness knows the corporate seal affixed to this Deed is the corporate seal of the Corporation. The Corporate Officer affixed the seal to this Deed. The Corporate Officer signed and delivered this Deed as and for the voluntary act and deed of the Corporation. All this was done in the presence of the Witness who signed this Deed as attesting witness. The Witness signs this proof to attest to the truth of these facts.

The Witness also acknowledges that the full and actual consideration paid or to be paid for the transfer of title to realty evidenced by this Deed, as such consideration is defined in P.L. 1968, c. 49, sec. 1(c), is \$ _____.

Sworn and signed before me on the date above written:

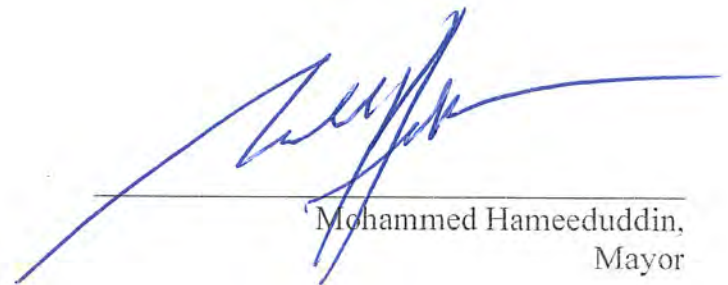
Witness: Sign above and print or type name below

Officer's signature: Sign above, and print stamp or type name below

ATTEST:



Doug Ruccione
Acting Township Clerk



Mohammed Hameeduddin,
Mayor

Appendix C. R-AHO Residential Affordable Housing Overlay Zone
Ordinance



Township Council

c/o Township Clerk
Teaneck, NJ 07666

Meeting: 03/26/19 01:00 PM

Department: Township Clerk

Category: Amend

DOC ID: 5243

ORDINANCE (ID # 5243)

Ordinance No. 6-2019 AN ORDINANCE AMENDING SECTIONS 33-22 AND 33-24 OF ARTICLE V, ZONING ORDINANCE, OF CHAPTER 33, DEVELOPMENT REGULATIONS, OF THE CODE OF THE TOWNSHIP OF TEANECK RESPECTING THE ESTABLISHMENT OF THE R-AHO RESIDENTIAL AFFORDABLE HOUSING OVERLAY ZONE BE IT RESOLVED by the Township Council of the Township of Teaneck that Ordinance #6-2019 pass upon second and final reading and that the Township Clerk is hereby authorized and directed to advertise the same according to law and to provide the appropriate notices in accordance with law.

AN ORDINANCE AMENDING SECTIONS 33-22 AND 33-24 OF ARTICLE V, ZONING ORDINANCE, OF CHAPTER 33, DEVELOPMENT REGULATIONS, OF THE CODE OF THE TOWNSHIP OF TEANECK RESPECTING THE ESTABLISHMENT OF THE R-AHO RESIDENTIAL AFFORDABLE HOUSING OVERLAY ZONE

BE IT RESOLVED by the Township Council of the Township of Teaneck that Ordinance #6-2019 pass upon second and final reading and that the Township Clerk is hereby authorized and directed to advertise the same according to law and to provide the appropriate notices in accordance with law.

HISTORY:

02/11/19 Township Council INTRODUCED

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Mohammed Hameeduddin, Mayor
SECONDER:	James Dunleavy, Councilman
AYES:	Dunleavy, Rice, Kaplan, Pruitt, Schwartz, Katz, Hameeduddin

TOWNSHIP OF TEANECK
BERGEN COUNTY, NJ

ORDINANCE NO. 6-2019 AN ORDINANCE AMENDING SECTIONS 33-22 AND 33-24 OF ARTICLE V, ZONING ORDINANCE, OF CHAPTER 33, DEVELOPMENT REGULATIONS, OF THE CODE OF THE TOWNSHIP OF TEANECK RESPECTING THE ESTABLISHMENT OF THE R-AHO RESIDENTIAL AFFORDABLE HOUSING OVERLAY ZONE BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TEANECK THAT ORDINANCE #6-2019 PASS UPON SECOND AND FINAL READING AND THAT THE TOWNSHIP CLERK IS HEREBY AUTHORIZED AND DIRECTED TO ADVERTISE THE SAME ACCORDING TO LAW AND TO PROVIDE THE APPROPRIATE NOTICES IN ACCORDANCE WITH LAW.

WHEREAS, on July 9, 2015, the Township of Teaneck had filed and served on all interested parties a Complaint for Declaratory Judgment with respect to the Township of Teaneck's affordable housing obligation; and

WHEREAS, the Township of Teaneck and Fair Share Housing Council, in consultation with the Court appointed Master and the Township's Planner, entered into a proposed settlement agreement last revised December 7, 2017; and

WHEREAS, following a fairness hearing on March 28, 2018, the Court approved the aforesaid proposed settlement agreement pursuant to an Order entered on May 31, 2018; and

WHEREAS, the within ordinance is intended to implement, in part, the aforesaid agreement;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Teaneck, Bergen County, New Jersey, as follows:

SECTION 1. Section 33-22 Establishment of Zoning Districts; Interpretation, of Article V, Zoning Ordinance, of Chapter 33, Development Regulations, of the Code of the Township of Teaneck is hereby amended to add the following zoning district to paragraph (a) thereof:

“R-AHO Residential Affordable Housing Overlay Zone”

SECTION 2. The Table of Zoning Map Amendments, as contained in Attachment 1 to Chapter 33, “Development Regulations,” of the Code of the Township of Teaneck, is hereby amended to add thereto the following:

<u>Ordinance No.</u>	<u>Adoption Date</u>	<u>Change</u>				
		The following Blocks and Lots now in the LI District are hereby also included within the R-AHO Residential Affordable Housing Overlay District				
		<table border="1"> <thead> <tr> <th><u>Block</u></th> <th><u>Lots</u></th> </tr> </thead> <tbody> <tr> <td>2402</td> <td>1</td> </tr> </tbody> </table>	<u>Block</u>	<u>Lots</u>	2402	1
<u>Block</u>	<u>Lots</u>					
2402	1					

SECTION 3. Section 33-24, Zone District Requirements, of Article V, Zoning Ordinance, of Chapter 33, Development Regulations, of the Code of the Township of Teaneck is hereby amended to add paragraph (cc) to read in full as follows:

(cc) R-AHO Residential Affordable Overlay Zone

(1) Intent

The intent of the overlay zone is to permit the development of an inclusionary multi-family residential development in which a certain proportion of the dwelling units are set aside for occupancy by low and moderate income households.

(2) Permitted principal uses.

a. Townhouses.

b. Apartments.

c. A mix of townhouse and apartments.

(3) Permitted accessory uses. Accessory uses and structures which are customary and incidental to the principal permitted uses on the lot.

(4) Dimensional, density and other bulk restrictions. For townhouses.

1. Minimums.

Lot area	1 ½ acres
Lot width	150 feet
Front yard setback	20 feet
Side yard width, end unit	10 feet
Rear yard depth	25 feet

2. Maximums.

Dwelling units per acre	8
Building coverage, per lot	40%
Lot coverage	70%
Building height, principal building	35 feet
Building height, accessory building	15 feet

b. For apartments.

1. Minimums.

Lot area	1 1/2 acres
Lot width	150 feet
Front yard setback	30 feet
Side and rear yard setback	30 feet
Distance between buildings, end-to-end	30 feet
Distance between buildings, all other	40 feet

2. <<https://ecode360.com/13628614>>Maximums.

Dwelling units per acre	12
Building coverage	20%
Lot coverage	65%
Building height, principal building	35 feet
Building height, accessory building	15 feet

c. Townhouses and Apartments. Where a combination of market rate townhouses and affordable apartment units are provided, the bulk standards set forth for townhouses in 4(a) above shall apply, except that the maximum overall density permitted shall be 12 units per acre.

d. Affordable Housing Requirements.

- i. In the case of a for-sale project, twenty percent (20%) of the units shall be set aside for low and moderate income households. In the case of a rental project, fifteen percent (15%) of the units shall be set aside for low and moderate income households
- ii. The affordable units shall have a minimum 30-year deed restriction.
- iii. Any such affordable units shall comply with the Uniform Housing Affordability Controls (UHAC), applicable COAH affordable housing regulations, the Fair Housing Act, any applicable order of the Court, and other applicable laws. The units shall meet the bedroom distribution required by UHAC. The units shall meet the low/moderate income split required by the Uniform Housing Affordability Controls and provide at least 13% of the units as very-low-income units as mandated by the Fair Housing Act.

SECTION 4. Section 33-18, Standards and Specifications, of Article III, Site Plan Design, of Chapter 33, Development Regulations, of the Code of the Township of Teaneck is hereby amended to add thereto paragraph (h) to read in full as follows:

(h) Site and building design requirements in the R-AHO Residential Affordable Housing Overlay District

In reviewing applications for Site Plan Review within the R-AHO District, the approving authority shall consider the criteria set forth in the following provisions. In reviewing such applications, the approving authority shall have the power to grant waivers from the following provisions as may be reasonable and within the general purposes and intent of this chapter, if the literal enforcement of one or more provisions of this subsection is impractical or will enact undue hardship because of peculiar condition pertaining to the land in question.

(1) Signs. See Section 33-18(c) of this chapter.

(2) Off-street parking. The minimum parking standards for both dimensions and number of spaces as well as driveways and other site improvements shall be in accordance with the New Jersey Residential Site Improvements Standards, NJAC 5:21-1 et seq.

(3) Mechanical equipment. Any rooftop mechanical equipment inclusive of solar panels shall be concealed within the roof of the building so it is not visible from adjacent public streets or public park. Any ground-mounted mechanical equipment shall be screened appropriately.

(4). Architectural Design Guidelines.

a. Primary materials for buildings shall be brick, wood, HardiePlank® panels or similar fiber cement siding, stone, precast and cast stone and manufactured stone, and glass.

b. No more than three different primary materials shall be used on each building façade. Within the primary materials, variations in colors, texture and pattern may be employed to further break up the mass or bulk of a building.

c. The architectural treatment of the front facade shall be continued in its major features around all visibly exposed sides of a building.

d. Fenestration shall be architecturally compatible with the style, materials, colors and details of the building. Windows shall be vertically proportioned.

e. All entrances to a building shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticoes, porches, overhangs, railings, etc.

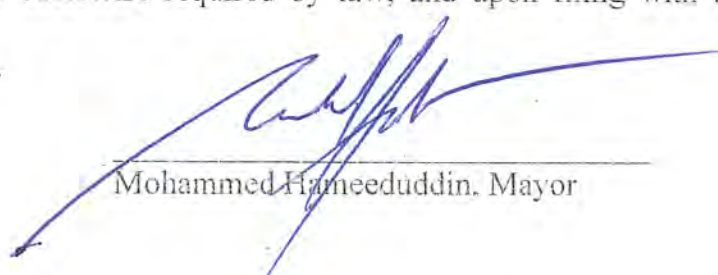
f. Buildings shall avoid long, monotonous, uninterrupted walls or roof planes. Building wall offsets, including projections such as canopies and recesses may also be used in order to add architectural interest and variety and to relieve the visual effect of a simple, long wall.

g. Similarly, in the case of a pitched roof, roofline offsets, dormers or gables shall be provided in order to provide architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof.

SECTION 5. Inconsistency. All ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 6. Severability. If any sentence, section, clause, or other portion of this ordinance, or the application thereof to any person or circumstance, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or repeal the remainder of this ordinance.

SECTION 7. Effective Date. This ordinance shall take effect twenty (20) days following passage and publication, or as otherwise required by law, and upon filing with the Planning Board of the County of Bergen.



Mohammed Hameeduddin, Mayor

ATTEST:

Issa Abbasi, Township Clerk

Introduced: _____

Adopted: _____

ATTEST:

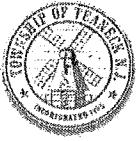


Doug Ruccione
Acting Township Clerk



Mohammed Hameeduddin,
Mayor

Appendix D. R-MO3 Residential-Multifamily 3 Overlay Zoning District Ordinance



Township Council

c/o Township Clerk
Teaneck, NJ 07666

Meeting: 03/26/19 01:00 PM
Department: Township Clerk
Category: Amend
DOC ID: 5242

ORDINANCE (ID # 5242)

Ordinance No. 5-2019 AN ORDINANCE TO AMEND AND REVISE SECTION 33-24 OF ARTICLE V, ZONING ORDINANCE, OF CHAPTER 33, DEVELOPMENT REGULATIONS, OF THE CODE OF THE TOWNSHIP OF TEANECK, RESPECTING THE R-MO3 RESIDENTIAL – MULTIFAMILY 3 OVERLY ZONING DISTRICT BE IT RESOLVED by the Township Council of the Township of Teaneck that Ordinance #5-2019 pass upon second and final reading and that the Township Clerk is hereby authorized and directed to advertise the same according to law and to provide the appropriate notices in accordance with law.

AN ORDINANCE TO AMEND AND REVISE SECTION 33-24 OF ARTICLE V, ZONING ORDINANCE, OF CHAPTER 33, DEVELOPMENT REGULATIONS, OF THE CODE OF THE TOWNSHIP OF TEANECK, RESPECTING THE R-MO3 RESIDENTIAL - MULTIFAMILY 3 OVERLY ZONING DISTRICT

BE IT RESOLVED by the Township Council of the Township of Teaneck that Ordinance #5-2019 pass upon second and final reading and that the Township Clerk is hereby authorized and directed to advertise the same according to law and to provide the appropriate notices in accordance with law.

HISTORY:

02/11/19 Township Council INTRODUCED

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Mohammed Hameeduddin, Mayor
SECONDER:	James Dunleavy, Councilman
AYES:	Dunleavy, Rice, Kaplan, Pruitt, Schwartz, Katz, Hameeduddin

TOWNSHIP OF TEANECK
BERGEN COUNTY, NJ

ORDINANCE NO. 5-2019 AN ORDINANCE TO AMEND AND REVISE SECTION 33-24 OF ARTICLE V, ZONING ORDINANCE, OF CHAPTER 33, DEVELOPMENT REGULATIONS, OF THE CODE OF THE TOWNSHIP OF TEANECK, RESPECTING THE R-MO3 RESIDENTIAL - MULTIFAMILY 3 OVERLY ZONING DISTRICT BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TEANECK THAT ORDINANCE #5-2019 PASS UPON SECOND AND FINAL READING AND THAT THE TOWNSHIP CLERK IS HEREBY AUTHORIZED AND DIRECTED TO ADVERTISE THE SAME ACCORDING TO LAW AND TO PROVIDE THE APPROPRIATE NOTICES IN ACCORDANCE WITH LAW.

WHEREAS, the Township of Teaneck has heretofore established the R-MO3 Residential - Multifamily 3 Overlay District; and

WHEREAS, on July 9, 2015, the Township of Teaneck had filed and served on all interested parties a Complaint for Declaratory Judgment with respect to the Township of Teaneck's affordable housing obligation; and

WHEREAS, the Township of Teaneck and Fair Share Housing Council, in consultation with the Court appointed Master and the Township's Planner, entered into a proposed settlement agreement last revised December 7, 2017; and

WHEREAS, following a fairness hearing on March 28, 2018, the Court approved the aforesaid proposed settlement agreement pursuant to an Order entered on May 31, 2018; and

WHEREAS, the within ordinance is intended to implement, in part, the aforesaid agreement;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Teaneck, Bergen County, New Jersey, as follows:

SECTION 1. Paragraph (z), R-MO3 Residential - Multifamily 3 Overlay District, of Section 33-

24, Zone District Requirements, of Article V, Zoning Ordinance, of Chapter 33, Development Regulations, of the Code of the Township of Teaneck, is hereby amended and revised to read in full as follows:

(z) R-MO3 Residential - Multifamily 3 Overlay District

1. Permitted principal uses
 - a. Multifamily dwellings
 - b. Hotels
2. Permitted accessory uses
 - a. Off-street parking facilities
 - b. Swimming pools installed and used in accordance with Chapter 34 of the Township Code and all other health, safety and development ordinances which relate to water filtration, circulation and treatment; fencing; noise control; and lighting.
 - c. Recreational amenities utilized by residents, including sport courts, fitness centers and game rooms.
 - d. Convenience retail establishments as an accessory use to multi-family dwellings providing that no more than ten percent (10%) of the total floor area is devoted to such a use, and provided that such use is located on the ground floor. No additional parking shall be required for such uses to encourage their provision.
 - e. Other accessory uses customarily associated with multifamily residential developments, provided that such uses are subordinate to the principal use, do not change the character of the principal use and serve only the principal use.
3. Dimensional, density and other bulk restrictions

TYPE	MINIMUM REQUIREMENTS
Lot size	1 acres
Lot width at the street line	200 feet
Building setbacks ^{*1}	
- Front	60 feet
- One side	25 feet
- Both sides	75 feet
- Rear	25 feet
Driveway setbacks	
- To property line	15 feet
- To building	10 feet
Parking setbacks (surface)	

- To property line	15 feet
- To building	10 feet
Open space	
- Surface	20% of lot area
- Total (including roof gardens)	40% of lot area
Parking ratios: for residential use (RSIS)	
- 1 bedroom	1.8 spaces per unit
- 2 bedroom	2 spaces per unit
- 3 bedroom	2.1 spaces per unit
Hotels	(see Design Standards Section 33-18(e)3b)
	MAXIMUM REQUIREMENTS
Building coverage	65% of lot area
Density	60 units/acre
Height (whichever is less)	
- Stories	5 stories ^{*2}
- Feet	70 feet

^{*2} Inclusive of floors above grade devoted to parking

4. Other provisions and requirements

- a. Signs. See Section 33-18(c) of this chapter.
- b. Off-street parking. See Section 33-28 of this chapter, except as otherwise set forth above in this paragraph z or Section 33-18(e)3 of this chapter.
- c. Open and extended parking of recreational vehicles. The same as specified in the R-S District.
- d. Commercial vehicles. The same as specified in the R-S District.
- e. Affordable housing. A minimum of 15% of rental units and 20% of for-sale units shall be designated for low- and moderate-income families in accordance with Uniform Housing Affordability Controls (UHAC).

SECTION 2. Inconsistency. All ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 3. Severability. If any sentence, section, clause, or other portion of this ordinance, or the application thereof to any person or circumstance, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or repeal the remainder of this ordinance.

SECTION 4. Effective Date. This ordinance shall take effect twenty (20) days following passage and publication, or as otherwise required by law, and upon filing with the Planning Board of the County of Bergen.

Mohammed Hameeduddin, Mayor

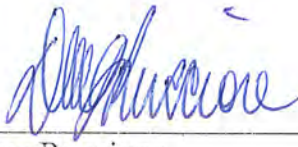
ATTEST:

Issa Abbasi, Township Clerk

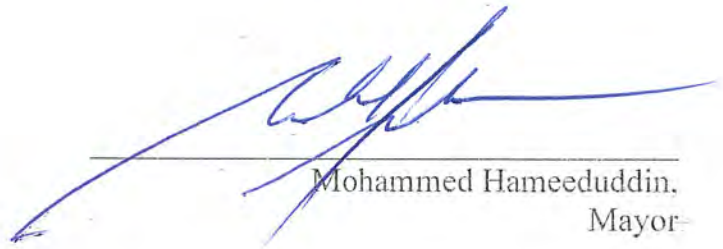
Introduced: _____

Adopted: _____

ATTEST:



Doug Ruccione
Acting Township Clerk



Mohammed Hameeduddin,
Mayor

Appendix E. Spending Plan dated August 28, 2019 and Resolution of Adoption of Same

TOWNSHIP OF TEANECK
BERGEN COUNTY, NJ**184-2019****APPROVING A TOWNSHIP OF TEANECK AFFORDABLE HOUSING
SPENDING PLAN FOR THE THIRD ROUND PLANNING PERIOD**

WHEREAS, In 1975 the Supreme Court of New Jersey in South Burlington County N.A.A.C.P. v. Township of Mount Laurel, 67 N.J. 151 (1975), ruled that the developing municipalities in the State of New Jersey exercising their zoning power, in general, had a constitutional obligation to provide a realistic opportunity for the construction of their fair share of the region's low and moderate income housing needs.

WHEREAS, In 1983, the Supreme Court refined that constitutional obligation in South Burlington County N.A.A.C.P. v. Township of Mount Laurel, 92 N.J. 158 (1983), to apply to those municipalities having any portion of their boundaries within the growth area as shown on the State Development Guide Plan.

WHEREAS, In 1985, the New Jersey Legislature adopted, and the Governor signed, the Fair Housing Act ("FHA") N.J.S.A. 52:2D-301 et seq. which transformed the judicial doctrine which became known as the "Mount Laurel doctrine" into a statutory one and provided an alternative administrative process in which municipalities could elect to participate in order to establish a Housing Element and Fair Share Plan ("HEFSP") that would satisfy its constitutional obligation by creating an administrative agency known as the Council on Affordable Housing ("COAH") to develop regulations to define the obligation and implement it.

WHEREAS, COAH proceeded to adopt regulations for first round obligations applicable from 1987 to 1993 and second round obligations that created a cumulative obligation from 1987 to 1999.

WHEREAS, The Planning Board of the Township of Teaneck adopted a Housing Element and Fair Share Plan on September 9, 2002. This document addressed the Township's 12-year cumulative obligation (i.e., from 1987 to 1999). The Township's Governing Body approved a resolution petitioning COAH for substantive certification on September 23, 2002. The Planning Board subsequently approved a resolution adopting the Housing Element and Fair Share Plan on October 10, 2002.

WHEREAS, On October 11, 2002, Teaneck filed a petition for substantive certification and its Housing Element and Fair Share Plan with COAH. COAH granted second round certification on December 15, 2004.

WHEREAS, COAH first proposed third round substantive and procedural rules in October, 2003. 35 N.J.R. 4636(a); 35 N.J.R. 4700(a). Those rules were not adopted but COAH re-proposed both the substantive and procedural third round rules (N.J.A.C. 5:94 and 5:95) in August of 2004 and adopted the same effective on December 20, 2004 (the "2004 Regulations").

WHEREAS, The Teaneck Planning Board adopted a Housing Element and Fair Share Plan on November 29, 2005. This document addressed the Township's third round COAH obligation as it existed at the time it was adopted. A development fee ordinance creating a dedicated revenue source for affordable housing was approved by COAH on June 16, 2006 and subsequently adopted by the Township.

WHEREAS, The 2004 Regulations were challenged and on January 25, 2007, the Appellate Division invalidated various aspects of those regulations and remanded considerable portions of the rules to COAH with direction to adopt revised rules. In the Matter of the Adoption of N.J.A.C. 5:94 and 5:95 by the New Jersey Council on Affordable Housing, 390 N.J. Super. 1 (App. Div.), certif. denied, 192 N.J. 72 (2007) (the “2007 Case”).

WHEREAS, On January 22, 2008, COAH proposed and published revised third round regulations in the New Jersey Register. 40 N.J.R. 237.

WHEREAS, On May 6, 2008, COAH adopted the revised third round regulations and advised that the new regulations would be published in the June 2, 2008 New Jersey Register, thereby becoming effective. On May 6, 2008, COAH simultaneously proposed amendments to the revised third round rules it had just adopted. Those amendments were published in the June 16, 2008 New Jersey Register, 40 N.J.R. 3373 (Procedural N.J.A.C. 5:96); 40 N.J.R. 3374 (Substantive N.J.A.C. 5:97). The amendments were adopted on September 22, 2008 and made effective on October 20, 2008.

WHEREAS, On December 30, 2008, the Township of Teaneck filed a petition for substantive certification and its Housing Element and Fair Share Plan with COAH which was adopted by the Teaneck Planning Board on December 18, 2008.

WHEREAS, On April 20, 2009, COAH deemed Teaneck’s petition for substantive certification complete whereupon a public comment period commenced, which concluded on June 8, 2009, without any objections being filed to Teaneck’s petition during the comment period.

WHEREAS, The Governing Body of the Township of Teaneck adopted an ordinance creating the position of Municipal Housing Liaison for the purposes of administering the affordable housing program on March 11, 2009. A Spending Plan was submitted to COAH with the 2008 Fair Share Plan.

WHEREAS, N.J.A.C. 5:96 and 5:97 as adopted in 2008 were challenged in an appeal entitled In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 416 N.J.Super. 462 (App. Div. 2010) (the “2010 Case”). In its October 8, 2010 decision, the Appellate Division determined, among other things, that the growth share methodology was invalid and that COAH should adopt regulations utilizing methodologies similar to the ones utilized in the first and second rounds, i.e. 1987-1999.

WHEREAS, On September 26, 2013, the Supreme Court of New Jersey affirmed the Appellate Division’s invalidation of the third iteration of the third round regulations, sustained their determination that the growth share methodology was invalid, and directed COAH to adopt new regulations based upon the methodology utilized in the first and second rounds. In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 215 N.J. 578 (2013) (the “2013 Case”).

WHEREAS, COAH proceeded to propose such regulations in accordance with the schedule and amended schedule established by the New Jersey Supreme Court in the 2013 Case.

WHEREAS, On October 20, 2014, COAH deadlocked with a 3-3 vote and failed to adopt the revised third round regulations.

WHEREAS, Due to COAH's failure to adopt the revised regulations and subsequent inaction, Fair Share Housing Center ("FSHC"), a party in the 2010 Case and the 2013 Case, filed a motion with the New Jersey Supreme Court to enforce litigant's rights.

WHEREAS, On March 10, 2015 the New Jersey Supreme Court issued its decision on FSHC's motion to enforce litigant's rights in which the Supreme Court found that the COAH administrative process had become non-functioning and, as a result, returned primary jurisdiction over affordable housing matters to the trial courts. (In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. (2015)

WHEREAS, on July 9, 2015, the Township of Teaneck had filed and served on all interested parties a Complaint for Declaratory Judgment with respect to the Township of Teaneck's affordable housing obligation.

WHEREAS, Pursuant to a Case Management Order dated September 2, 2015, the Court appointed Mary Beth Lonergan, PP, AICP, to serve as Special Master to review the Housing Element and Fair Share Plan of the Township of Teaneck, identify any concerns, and determine whether the Housing Element and Fair Share Plan creates a realistic opportunity for the municipality's fair share of low and moderate housing.

WHEREAS, the Township of Teaneck on November 20, 2015, served and filed a Proposed Housing Element and Fair Share Plan prepared by the Township of Teaneck's and Teaneck Planning Board's planner, Richard Preiss, of Philips Preiss Grygiel LLC, and a "Summary of Plan" with the Court, the Special Master and interested

parties together with a notice that same was being considered by the Planning Board at a public hearing to be held on December 1, 2015.

WHEREAS, following such public hearing, at which no party appeared before the Planning Board in opposition thereto, the Planning Board of the Township of Teaneck endorsed the aforesaid Housing Element and Fair Share Plan.

WHEREAS, The Township Council of the Township of Teaneck endorsed the aforesaid Housing Element and Fair Share Plan by resolution adopted December 2, 2015, and copies of the resolution and adopted Housing Element and Fair Share Plan were filed with the Court and served upon the Special Master and interested parties on December 3, 2015.

WHEREAS, the Township of Teaneck has diligently pursued completion and submission to the Court of a supplemental housing element. Which included a zoning approval and long term tax abatement agreement for a senior citizen project at 60 Bergen Street, approvals for multi-family development with affordable housing set-asides at 227 Teaneck Road, 1475 Palisade Avenue, 1775 Windsor Road, 1500 Teaneck Road and 140 State Street, the rezoning of a large industrial track for a multi-family overlay zoning district with affordable housing set-asides along Alfred Avenue, and the revision of the Master Plan and the adoption of an ordinance to provide inclusionary affordable housing on a municipally-owned parcel at 1425 Teaneck Road.

WHEREAS, the Court has entered Orders extending the immunity from builder's remedies suits to February 28, 2018.

WHEREAS, Attorneys for the Township and FSHC, in consultation with the Court appointed Master and Richard Preiss, the Township's Planner, have negotiated a proposed settlement agreement last revised December 7, 2017

WHEREAS, pursuant to Resolution No. 9-2018 adopted on January 11, 2018, the Township Council, approved the settlement agreement, subject to the approval of the Court following notice and the holding of a Fairness Hearing thereon; and

WHEREAS, following notice and publication, a fairness hearing on the proposed settlement was held before the Court on March 26, 2018; and

WHEREAS, following the fairness hearing on March 26, 2018, the Court approved the aforesaid proposed settlement agreement pursuant to an Order entered on May 31, 2018; and

WHEREAS, in order to implement the aforesaid settlement agreement, on March 26, 2019, the Township Council adopted Ordinance No. 4-2019 entitled "AN ORDINANCE REPEALING AND REPLACING ARTICLE VI "REQUIREMENTS FOR DEVELOPMENTS THAT INCREASE THE TOWNSHIP'S GROWTH SHARE OBLIGATION FOR AFFORDABLE HOUSING" OF CHAPTER 33, DEVELOPMENT REGULATIONS, OF THE CODE OF THE TOWNSHIP OF TEANECK, TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS (UHAC) REGARDING COMPLIANCE WITH THE TOWNSHIP'S AFFORDABLE HOUSING OBLIGATIONS," Ordinance No 5-2019 entitled "AN ORDINANCE TO AMEND AND REVISE SECTION 33-24 OF ARTICLE V, ZONING ORDINANCE, OF CHAPTER 33, DEVELOPMENT REGULATIONS, OF THE CODE OF THE TOWNSHIP OF TEANECK, RESPECTING THE R-MO3 RESIDENTIAL -

MULTIFAMILY 3 OVERLY ZONING DISTRICT;” and Ordinance 6-2019 entitled “AN ORDINANCE AMENDING SECTIONS 33-22 AND 33-24 OF ARTICLE V, ZONING ORDINANCE, OF CHAPTER 33, DEVELOPMENT REGULATIONS, OF THE CODE OF THE TOWNSHIP OF TEANECK RESPECTING THE ESTABLISHMENT OF THE R-AHO RESIDENTIAL AFFORDABLE HOUSING OVERLAY ZONE;” and

WHEREAS, following resolution of a lawsuit challenging Teaneck’s calculation on the non-residential development fee respecting premises located in Block vc4403, Lot 1, the Township’s Planner completed a proposed Township of Teaneck Affordable Housing Spending Plan for the Third Round Period;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Teaneck, Bergen County, New Jersey, that the Township of Teaneck Affordable Housing Spending Plan for the Third Round Period, dated August 28, 2019, a copy of which is on file in the office of the Township Clerk and is available for public inspection, is hereby approved, subject to the approval by the Court.

Township of Teaneck, Bergen County
Spending Plan for the Third Round Planning Period

August 28, 2019

Prepared for the Township Council
Township of Teaneck,
Bergen County, New Jersey

Prepared by:

Phillips Preiss Grygiel Leheny and Hughes LLC
Planning and Real Estate Consultants
33-41 Newark Street, 3rd Floor, Suite D
Hoboken, NJ 07030

INTRODUCTION

The Township of Teaneck, Bergen County has prepared a Housing Element and Fair Share Plan in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), the Fair Housing Act (N.J.S.A. 52:27D-301) and N.J.A.C. 5:93-5.1(c). A development fee ordinance creating a dedicated revenue source for affordable housing was approved by COAH on June 16, 2006. The ordinance establishes the Township of Teaneck affordable housing trust fund for which this spending plan is prepared.

1. REVENUES FOR CERTIFICATION PERIOD

As of March 31, 2019, the Township of Teaneck had collected \$1,373,626.39 and expended \$0, resulting in a balance of \$1,373,626.39. All development fees and interest generated by the fees are deposited in a separate interest-bearing affordable housing trust fund in PNC Bank for the purposes of affordable housing. These funds shall be spent in accordance with N.J.A.C. 5:93-8.16, as described in the sections that follow.

To calculate a projection of revenue anticipated during the period of third round substantive certification (i.e., 2019-2025), the Township of Teaneck considered the following:

(a) Development fees:

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

(b) Payment in lieu (PIL):

The Township does not anticipate collecting any actual and committed payments in lieu (PIL) of construction from developers.

(c) Other funding sources:

The Township reserves the right to seek potential donations and other monies from government sources to implement its Fair Share Plan.

(d) Projected interest:

Interest on the projected revenue in the municipal affordable housing trust fund at the current average interest rate of 0.25 percent.

SOURCE OF FUNDS	PROJECTED REVENUES – HOUSING TRUST FUND – 2019 THROUGH 2025							
	2019	2020	2021	2022	2023	2024	2025	Total
(a) Development Fees: Projected Development								
5 units/Year \$340,211 x 1.5% ¹	\$25,515.83	\$25,515.83	\$25,515.83	\$25,515.83	\$25,515.83	\$25,515.83	\$25,515.83	\$178,610.81
(b) Payment in Lieu of Construction	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
(c) Other Funds (Specify Source(s))	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
(d) Interest (0.25% interest rate compounded annually)	\$3,272.86	\$3,199.83	\$966.42	\$807.62	\$648.43	\$488.84	\$0	\$9,304.00
	\$28,788.69	\$28,635.66	\$26,482.25	\$26,323.45	\$26,164.26	\$26,004.67	\$25,515.83	\$187,914.81

¹ Teaneck projects the construction of five new homes per year over the compliance period, averaging an equalized assessed value of \$340,211. This is based on a median housing price of \$393,900 and an equalization ratio of 86.37 percent. To be conservative, Teaneck does not anticipate any non-residential development of significance over the compliance period.

The Township of Teaneck projects a total of \$178,610.81 in development fees to be collected between April 1, 2019 and December 31, 2025. This projected amount, when added to the Township of Teaneck's trust fund balance as of March 31, 2019 (i.e., \$1,373,626.39), plus interest earned on the incoming revenue of \$9,304, results in an anticipated total amount of \$1,561,541.20 available to fund and administer its affordable housing plan. All interest earned on the account shall 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 the Township of Teaneck:

(a) Collection of development fee revenues:

Collection of development fee revenues shall be consistent with Township of Teaneck's development fee ordinance for both residential and non-residential developments in accordance with the Department's rules 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:

The disbursement of monies in the Township of Teaneck's affordable housing trust fund is coordinated by its Municipal Housing Liaison in conjunction with the Township's Chief Financial Officer and the Township Committee. In some instances, funds will be provided to other entities, such as an entity responsible for administering a program, for eventual disbursement.

3. DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS

(a) Rehabilitation and new construction programs and projects (N.J.A.C. 5:93-8.16)

The Township of Teaneck will dedicate \$70,000 to its rehabilitation program.

The Township will reserve \$800,000 for the construction of a 40-unit, 100 percent affordable senior housing project at 1425 Teaneck Road, and the balance of \$131,540 for other future affordable housing projects.

(b) **Affordability Assistance (N.J.A.C. 5:93-8.16)**

Actual development fees thru 3/31/2019		\$1,371,955.68
Actual interest already earned	+	\$1,670.71
Development fees projected 4/01/2019-12/31/2025	+	\$178,611
Interest projected 4/01/2019-12/31/2025	+	\$9,304
Less housing activity expenditures through 3/31/2019	-	\$0.00
Total	=	\$1,561,541.20
Calculate 30 percent	x .30 =	\$468,462.36
Less Affordability assistance expenditures through 3/31/2019	-	\$0.00
PROJECTED MINIMUM Affordability Assistance Requirement 4/01/2019-12/31/2025	=	\$468,462.36
PROJECTED MINIMUM Very Low-Income Affordability Assistance Requirement 4/01/2019-12/31/2025	÷ 3 =	\$156,154.12

Per N.J.A.C. 5:93-8.16, the Township of Teaneck must dedicate at least 30 percent of all development fees collected and interest earned to provide affordability assistance to low- and moderate-income households. In addition, at least one-third of the affordability assistance shall be used to provide affordability assistance to very-low income households. The Township will reserve just over 30 percent of its total trust fund money (i.e., \$479,500) to render units more affordable, including \$159,833.33 to render units more affordable to households earning 30 percent or less of median income by region as follows:

- For sale units in the form of emergency repairs, down-payment assistance, homeowner assistance loans for condominium or homeowner association fees, and homeowner assistance loans for mortgage payments up to two months or less in arrears to forestall foreclosure.
- For rent units in the form of security deposit assistance and rental assistance.

(c) **Administrative Expenses (N.J.A.C. 5:97-8.9)**

Actual dev fees and interest thru 3/31/2019		\$1,373,626.39
Projected dev fees and interest 4/01/2019 thru 12/31/2025	+	\$187,914.81
Payments-in-lieu of construction and other deposits thru 7/17/2008	+	\$0
Less RCA expenditures thru 12/31/2019	-	\$0
Total	=	\$1,561,541.20
Calculate 20 percent	x .20 =	\$312,308.24
Less admin expenditures thru 3/31/2019	-	\$0
PROJECTED MAXIMUM available for administrative expenses 4/01/2019-12/31/2025	=	\$312,308.24

The Township of Teaneck projects that \$312,308.24 will be available from the affordable housing trust fund to be used for administrative purposes. The Township of Teaneck proposes to dedicate just over 5 percent of its total trust fund money (i.e., \$80,500) for administrative purposes. Projected administrative expenditures, subject to the 20 percent cap, are as follows:

- Provision of professional planning and legal services related to the planning for affordable housing.
- Fair Share Housing Center for assistance in plan formation.
- Administrative support for affirmative marketing.
- Administrative agent or in-house staff.

4. EXPENDITURE SCHEDULE

The Township of Teaneck intends to use affordable housing trust fund revenues for the creation and/or rehabilitation of housing units, affordability assistance, and administration.

PROJECTS/ PROGRAMS	# of Units	PROJECTED EXPENDITURE SCHEDULE 4/01/2019-12/31/2025							
		2019	2020	2021	2022	2023	2024	2025	Total
Rehabilitation ¹	4	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$70,000
New Construction - 1425 Teaneck Road	40	\$0	\$0	\$800,000	\$0	\$0	\$0	\$0	\$800,000
Future Housing Project	-	\$0	\$0	\$0	\$0	\$0	\$0	\$131,540	\$131,540
Affordability Assistance	-	\$68,500	\$68,500	\$68,500	\$68,500	\$68,500	\$68,500	\$68,500	\$479,500
Administration	-	\$11,500	\$11,500	\$11,500	\$11,500	\$11,500	\$11,500	\$11,500	\$80,500
Total Expenditures		\$90,000	\$90,000	\$890,000	\$90,000	\$90,000	\$90,000	\$221,540	\$1,561,540

¹ Teaneck will be relying primarily upon the BCHIP for rehabilitation, but will set aside some additional funds for the rehabilitation of units as well.

5. EXCESS OR SHORTFALL OF FUNDS

In the event of any expected or unexpected shortfall if the anticipated revenues are not sufficient to implement the plan, the Township of Teaneck will appropriate funds from general revenue to provide the necessary funds.

In the event of excess funds, any remaining funds above the amount necessary to satisfy the municipal affordable housing obligation will be used to provide affordability assistance or aid with the rehabilitation of units.

6. BARRIER FREE ESCROW

Collection and distribution of barrier free funds shall be consistent with the Township of Teaneck's Affordable Housing Ordinance in accordance with N.J.A.C. 5:93-8.13 and N.J.A.C. 5:93-8.16.

SUMMARY

The Township of Teaneck intends to spend affordable housing trust fund revenues pursuant to N.J.A.C. 5:93-8.13 through N.J.A.C. 5:93-8.16 and consistent with the housing programs outlined in the Housing Plan Element adopted in February 2019. To the extent that programs described herein are not described in the Housing Plan Element, the Township of Teaneck will submit an amendment to its Fair Share Plan.

The Township of Teaneck has a balance of \$1,373,626.39 as of March 31, 2019 and anticipates an additional \$178,610 in revenues and \$9,304 in interest through 2025, for a total of \$1,561,540. The Township will dedicate \$70,000 to the rehabilitation program, \$1,001,540 to new construction, \$479,500 to render units more affordable, and \$80,500 to administrative costs. In the event that there is a shortfall of funds, the Township will adopt an intent to bond. The municipality will dedicate any excess funds or remaining balance toward providing affordability assistance or aid with the rehabilitation of units.

SPENDING PLAN SUMMARY	
Balance as of March 31, 2019	\$1,373,626.39
PROJECTED REVENUE 04/01/2019-12/31/2025	
Development fees	+ \$178,610.00
Payments in lieu of construction or Other Funds	+ \$0
Interest	+ \$9,304.00
TOTAL REVENUE	= \$1,561,540.00
PROJECTED EXPENDITURES 04/01/2019-12/31/2025	
Funds used for Rehabilitation	- \$70,000.00
New Construction	- \$1,001,540.00
Affordability Assistance	- \$479,500.00
Administration	- \$80,500.00
TOTAL PROJECTED EXPENDITURES	= \$1,561,540.00
REMAINING BALANCE	= \$1.20

Appendix F. Minutes of the February 28, 2019 Township of Teaneck
Planning Board Meeting at Which the Board Approved the Housing
Element and Fair Share Plan

**TEANECK PLANNING BOARD
THURSDAY FEBRUARY 28, 2019
TEANECK MUNICIPAL CHAMBERS
REGULAR MEETING
8:00 P.M
MINUTES**

CALL TO ORDER

Mark Schwartz called the meeting to order at 8:00 PM. The Board and others present stood and recited the Pledge of Allegiance to the Flag.

OPEN PUBLIC MEETINGS ACT STATEMENT:

The following statement was made in accordance with Section 5A of the Open Public Meetings Act: “Adequate notice of this meeting has been provided by adoption of the appropriate resolution listing the 2019 meeting dates, by adoption of supplemental resolutions modifying the starting time, by mailing a copy of said resolutions to **The Record, The Teaneck Suburbanite, The Sun Bulletin, The Jewish Standard & The County Seat**, by filing a copy with the Township Clerk’s office, by posting it on the Municipal Building bulletin board and by directing that this statement be included in the minutes.”

ROLL CALL:Present: Mark Schwartz, Deputy Mayor

Howard Thompson, Secretary
Mark Zomick
Howard Rose
Robert Pagon
Captain Kenneth Croonquist
Karen Orgen

Absent: Joseph Bodner , Chairman

Angelae Wilkerson
Mark Zomick
Denise Belcher, Alternate #2

Yitz Stern, Vice Chairman

Also Present:

rian Eyerman, Board Attorney

B

GOOD & WELFARE: Chuck Powers address the planning board on direction that Planning Board is going; He passed out papers of goals and objectives of the master plan, spoke of properties owned by the are in need of redeveloped; spoke on meeting of 12/7/16 where Mr. Preis township planner gave presentation of DPW property.

AGENDA MOTIONS: Motion by Pagan second by Orgen to have Deputy Mayor Schwartz to chair meeting of 2/28/19. **Approve: Thompson, Croonquist, Zomick, Pagan, Rose, Orgen.,**
Appose: None: , Abstain: None, Motion passed.

Vice Chair Stern to move up presentation of sign PB-2018-23 Exxon (NJ Energy Group), 2nd by Thompson. All in favor. Motion Passed.

MINUTES- 2/14/19: Motion by Thompson second by Orgen to approve meeting minutes of 2/14/19. **Approve: Pagan, Croonquist, Rose, Zomick, Schwartz. Appose: None, Recuse: None, Abstain: None, Motion passed.**

MEMORIALIZATION OF RESOLUTIONS: None

SIGNS: None.

Old BUSINESS: None

NEW BUSINESS:

CORRESPONDENCE- REQUIRES BOARD ACTION

Prior to planner addressing the board Deputy Mayor Schwartz stated what this meeting was pertaining to and what the councils objectives are to look at Teaneck Road and River Road DPW sites and what are options are there for redevelopment, regarding River Road site there is nothing on agenda for redevelopment. Teaneck Road there is rezoning for senior citizens housing development.

Mr. Preiss was sworn in by **Brian Eyerman, Board Attorney.**

1. **P**
public hearing on the adoption of the proposed Housing Element and Fair Share Plan for the Township of Teaneck, prepared by Phillips Preiss, Grygiel, Leheny, Hughes LLC, dated 2/6/19. Mr. Preiss gave definition on what this meeting is about; Spoke on the history of the proposed plan, spoke of the low and moderate housing that exist in the community. Means of how Teaneck meets its obligation to rehabilitate housing. Means and methods of how Teaneck meets its housing obligations. Motion by Schwartz second by Rose to adoption of the proposed Housing Element and Fair Share Plan for the Township of Teaneck, prepared by Phillips Preiss Grygiel Leheny Hughes LLC, dated 2/6/19. **Approve: Rose, Croonquist, Schwartz, Pagan, Thompson, Orgen. Appose: Zomick. Abstain: None, Recuse: None. Motion passed**

2.

C

onsistency review of proposed ordinances with the Adopted Housing Element and Fair Share Plan of the Township of Teaneck for the following:

Mr. Preiss gave definition meaning and process of the Adopted Housing Element and Fair Share Plan of the Township of Teaneck.

A. Ordinance #4 -2019- An ordinance repealing & replacing Article VI “Requirements for developments that increase the Township’s growth share obligation for affordable housing” of Chapter 33, development regulations, of the code of the Township of Teaneck, to address the requirements of the Fair Housing Act & the uniform housing affordability controls (UHAC) regarding compliance with the township’s affordable housing obligations.

Mr. Preiss gave meaning of ordinance #4 and its process. Motion by Zomick second by Pagan that ordinance #4-2019 is consistent with the master plan. Approve: **Rose, Croonquist, Schwartz, Pagan, Thompson, Orgen, Zomick.** Oppose: None. Abstain: None, Recuse: None. Motion passed.

B. Ordinance #5 - 2019 An ordinance to amend and revise Section 33-24 of Article V, zoning ordinance, of Chapter 33, development regulations, of the code of the township of Teaneck, repeating the R-M03 Residential-Multifamily 3 Overlay Zoning District. Mr. Preiss spoke of changes to the ordinance and details. Schwartz spoke to history of this ordinance when it was voted on by council. Questions were raised by board and addressed by planner. Motion by Schwartz second by Zomick that ordinance #5 -2019 to amend and revise Section 33-24 of Article V, zoning ordinance, of Chapter 33, development regulations, of the code of the township of Teaneck, repeating the R-M03 Residential-Multifamily 3 Overlay Zoning District is consistent with the master plan. Approve: Rose, Croonquist, Schwartz, Pagan, Thompson, Orgen, Zomick. Oppose: None. Abstain: None, Recuse: None. Motion passed.

C. Ordinance #6-2019 -An ordinance amending sections 33-22 and 33-24 of article V zoning ordinance of chapter 33, development regulations, of the code of the township of Teaneck respecting the establishment of the R-AHO residential affordable housing overlay zone. Mr. Preiss speak to the definition on ordinance. Motion by Pagan second by Croonquist that ordinance #6-2019 -An ordinance amending sections 33-22 and 33-24 of article V zoning ordinance of chapter 33, development regulations, of the code of the township of Teaneck respecting the establishment of the R-AHO residential affordable housing overlay zone Is consistent with the master plan. Approve: Rose, Croonquist, Schwartz, Pagan, Thompson, Orgen, Zomick. Oppose: None. Abstain: None, Recuse: None. Motion passed.

3. A resolution directing Philips Preiss, Grygiel, Lehrny, Hughes LLC to prepare an investigation to determine whether 1600 River Rd. (block 1001, Lot 2) and 1421-1425 Teaneck Rd. (block 5703, Lot 11) in the Township of Teaneck, New Jersey should be designated as “Non-Condensation Areas in Need of Redevelopment” pursuant to NJSA: 12-5 and NJSA40A:12-6 as was authorized by the Mayor and Council of the Township of Teaneck per Resolution 222-2018on November 19, 2018. Mr. Preiss gave background

information, definition and the process being involved. Questions asked by planning board and address by Mr. Preiss. Attorney informed planning board that resolution was already voted on and that vote is not necessary at this time. Motion by Zomick second by Orgen to vote again on previously approved resolution. Approve: Rose, Croonquist, Schwartz, Pagan, Thompson, Orgen, Zomick. Appose: None. Abstain: None, Recuse: None. Motion passed.

Motion to adjourn by Zomick second by Orgen. All in Favor. 9:16PM

Correspondence-Require Board Action-None

Correspondence-No Board Action Required-None

Correspondence-That May Require Board Action-None

Adjournment: Motion to adjourn by Stern second by Rose. All in favor. 8:28PM

Appendix G. Agenda for January 9, 2020 Township of Teaneck Zoning Board of Adjustment Meeting in Which the Memorialization of Approval for the 100 State Street Project is Listed

**TOWNSHIP OF TEANECK
BOARD OF ADJUSTMENT
THURSDAY – JANUARY 9, 2020
COUNCIL CHAMBERS
MUNICIPAL BUILDING**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

OPEN PUBLIC MEETINGS ACT STATEMENT

PUBLIC SESSION - 7:00 P. M.,...

MINUTES: 12/5/19

MEMORIALIZATION OF RESOLUTIONS:

1. ZB2016-44 - Levine, Zalman & Gila – (Stephen P. Sinisi, Esq.) 195 Norma Road – Block #3005 – Lot 11.01 – R/S Zone

2. ZB2016-08 – 100 State Street, LLC – (Wendy Berger, Esq.) – 100 State Street – Block #5004 – Lot 5 – R/M, granted variances for a new 68 unit residential building & amenities. 100 onsite parking space & 44 parking spaces to be constructed a part of a new municipal parking lot.

3. ZB2019-27 – Torah Academy – Lisa, John-Basta, Esq. – 1600 Queen Anne Road - Block #5108 – Lot 1 – L/I Zone, granted variance for the expansion of an existing school, a 1 story and a 2nd floor addition, increase student attendance to 375, 108 car parking. . ZB2019-31 –

EXECUTIVE SESSION - None

OLD BUSINESS

CONTINUED HEARING

1. ZB2018-45 – Morales, Jose – (Alain Mulkay, Esq.) - 1184 Congress Avenue – Block #5904 – Lot 7 – R/S Zone

Applicant seeks a new two family home with a front balcony, 6 bedrooms, 5 car parking & 2 A/C's in the rear yard. Variances required: Use. Lot area, lot width, rear yard, driveway width building coverage & lot coverage.

Date of application: 10/23/17 – Plans deemed complete: 6/21/19 – 120 days:

Architect plan revised thru: 11/16/18

Applicant's attorney agreed to be carried to the meeting of 1/9/20

2. ZB2019-30 – Infante Victor & Jacqueline – 59 East Cedar Lane – Block #3914 – Lot 15 – R/S Zone

Applicant seeks an add a level above existing garage & enclosed porch. Variances required:

Side yard width & lot coverage.

Date of application: 7/9/19 – Plans deemed complete:

Applicant was carried to the meeting of 1/9/20

3. ZB2019-31 AUCC (Ray of Sunshine Foundation) – (Ferraro, Frank, Esq.) – 50 Oakdene Avenue – Block #3203 – Lot 1 – P Zone

Applicant seeks a mixed use building house for a prior approved House of Worship with a proposed community center, a day care and a new 7,650 square foot addition that includes an Olympic pool kiddie pool and Jacuzzi, a new outdoor play ground, new sports courts with a running track, retaining walls and other improvements/modifications. This property has 3 front yards & 1 side yard. Variances required: Use, buffers & screening, site plan, driveway distance, parking, fence & retaining walls

Date of application: 7/10/19 – Plans deemed complete: 7/19/19

Traffic Impact Study dated: 9/19/19 – Revised site plan dated: 11/8/19 – Architect plan dated: 11/22/19

Application was carried to this meeting of 1/9/19 to set a meeting date.

NEW BUSINESS:

1. ZB2019-16 – Park Hill Suites – (Matt Capizzi, Esq.) – 1387 Hill Street – Block #5003 – Lot 16 – R/S Zone

Applicant seeks a revised previously approved application (ZB2017-55) – for a 7 unit multi family dwelling. Variances required: Density (units per acre maximum & parking (residential & retail) as per RSIS.

Date of application: 3/12/19 – Plans deemed complete: 6/26/19 – 120 days: 10/24/19

Attorney agreed to be carried to the 1/9/20 meeting.

2. ZB2019-17 – 189 The Plaza (Jonathan Vogel), (Jason Tuvel, Esq.) – 189 State Street – Block #5005 – Lots 1 & 11

Applicant seeks 1 new 15 story building with 3 floors of parking, 12 residential stories above parking levels, commercial space on 2nd & 3rd floors. Variances required: Site plan approval, building setback to front property (State Street), building setback to front property line (The Plaza/Ayers Court), building setback to rear property line, building coverage, lot coverage, building height, parking stall size & COAH provisions.

Date of application: 6/13/19 - Plans deemed complete: 7/29/19 – 120 days: 10/26/19

Revised traffic impact study dated: 7/22/19 – revised survey dated: 11/25/18 – stormwater management report dated: 12/17/18 – stormwater management plan dated: 11/13/18 – revised site plans dated: 1/9/18

This application has asked to be carried to the meeting of 1/9/20 to set a location for the Special meeting of 2/20/20.

3. ZB2019-20 – Moskowitz, Aaron & Jaqueline – 1325 Hudson Road – Block #1718 – Lot 8 – R/S Zone

Applicant seeks a side yard variance as per an as built survey.

Date of application: 4/1/19

Survey dated: 11/19/18

4. ZB2019-28 – Verdugo, Abdres ETAL – (Rivera) – 97 Walnut Street – Block #3308 – Lot 15 – R/S Zone

Applicant built a sunroom without permits in the rear of the house, additional unpermitted lot coverage on site. Variances required: Building & lot coverage.

Date of application: 6/17/19 – Plans deemed complete: 6/25/19 – 120 days: 10/23/19

Survey dated: 8/13/17

Applicant renoticed for the 1/9/20 meeting date.

5. ZB2019-34 – Abbruzzese, Gergory M. – 521 Palisade Avenue – Block #2414 – Lot 2 – R/S Zone

Applicant seeks two air conditioning units location located in the front yard. Variance required: Accessory structures

Date of application: 8/16/19 – Plans deemed complete: 09/16/19 – 120 days: 01/14/20

6. ZB2019-35 – Walzman, Daniel & Sara – (Jason R. Tuel, Esq.) - 522 Winthrop Road – Block 1805 – Lot 23 – R/S Zone

Applicant seeks a new single family dwelling, 14 bedrooms, indoor pool, finished basement, partial finished attic & 3 car garage. Variances required: Front yard set back, building height, driveway maneuvering area width (parallel), driveway maneuvering area width (perpendicular), driveway maneuvering area set back, driveway width (side yard), driveway maneuvering area set back, combined fence & wall height, accessory structure (fountain) location, side yard paving limitations, walkway width limitations, rear yard set back (generator) & driveway width.

Date of application: 9/4/19 – Plans deemed complete: 12/24/19 – 120 days: 4/22/20

This application has asked to be carried to the 1/9/20 meeting as per attorney to set a meeting date.

7. ZB2019-37 – Mather, Theodore – 268 Grove Street – Block #2302 – Lot 13 – R/S Zone

Applicant seeks a second floor side addition. Variances required: Side yard width & lot coverage.

Date of application: 9/19/19 – Plans deemed complete: 11/20/19 – 120 days: 3/19/20

Survey dated: 3/3/19

8. ZB2019-38 – Schnell, Jeremy & Dena – (Lewis Reicher, Esq.) - 574 Maitland Avenue – Block #1809 – Lot 4 – R/S Zone

Applicant seeks new front entrance walks, open porch, 2 to 1 car garage, & 2 story addition, rear 2 story addition & patio & a 2 new AC's. Variances required: Front yard set back, side yard set back, combined side yard set back, building coverage & lot coverage.

Date of application: 9/23/19 – Plans deemed complete: 1/2/19 - 120 days: 5/1/20

Survey dated: 6/18/19 – architect plan date: 8/29/19

9. ZB2019-40 – KSP Enterprises, LLC – (Douglas M. Bern, Esq.) – 1510 Teaneck Road – Block #5002 – Lot 17 – B/R Zone

Applicant seeks replacement gas station, with convenience store, & 2nd floor office. Variances required: Conditional use, buffer width, site plan approval, front yard setback, building coverage, lot coverage, fuel pump setback, driveway setback from the intersection, driveway setbacks to property lines, multiple driveways & parking.

Letter of refusal deemed incomplete/average front yard setbacks are not submitted.
Signage by separate application.
This application has asked to be carried to the special meeting of 1/23/20.

APPEAL:

1. ZB2019-31 – (AUCC) – 50 Oakdene Avenue – Block #3203 – Lot 1 –

A letter from Gail L. Price, Esq. (opposition attorney) dated: 10/23/19 – Appeal from grant of Zoning permit #20190321.100 & temporary certificate of occupancy.

A letter from Gregory K. Asdurian, Esq. dated: 10/24/19

2. ZB2019-31 – (AUCC) – 50 Oakdene Avenue – Block #3203 – Lot 1 – P-Public Land District

A letter from Frank Ferraro, Esq. (attorney for applicant) – Notice of appeal per N.J.S.A. 40:55D-70A

3. ZB2019-31 – (AUCC) – 50 Oakdene Avenue – Block #3203 – Lot 1 –

A letter from Gail L. Price, Esq. (opposition attorney) dated: 12/16/19 – Denial of zoning permit #20190385 & actions related to same.

EXTENSION: None

INTERPRETATION:

ZONING OFFICER INTERPRETATION