

**RESOLUTION
BOROUGH OF PALISADES PARK
BERGEN COUNTY, NJ**

COUNCIL	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
DONOHUE			x			
KWAK			x			
LEE	x		x			
MIN						x
SHIN		x	x			
WON-YOON						x

NO. 2026-145

DATE: APRIL 28, 2026

APPROVED ON CONSENT AGENDA:

CARRIED:

DEFEATED:

TABLED:

THE BOROUGH OF PALISADES PARK ENDORSING THE BOROUGH'S AMENDED AND REVISED HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, the New Jersey Supreme Court declared that the discriminatory use of zoning powers was illegal and provided, as a matter of constitutional law, that each developing municipality “must, by its land use regulations, make realistically possible the opportunity for an appropriate variety and choice of housing for all categories of people who may desire to live there, of course including those of low and moderate income,” In Re Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1, 6 (2015) (“**Mount Laurel IV**”), citing S. Burlington County NAACP v. Township of Mount Laurel (“**Mount Laurel I**”), 67 N.J. 151, 179, 187, appeal dismissed and cert. denied, 423 U.S. 808, 96 S. Ct. 18, 46 L. Ed. 2d 28 (1975), and that this constitutional obligation requires municipalities provide “a realistic opportunity for the construction of [their] fair share of the present and prospective regional need for low and moderate income housing,” Id., citing S. Burlington County NAACP v. Township of Mount Laurel (“**Mount Laurel II**”), 92 N.J. 158, 205 (1983), (together with Mount Laurel I, the “**Mount Laurel Doctrine**”); and

WHEREAS, on March 20, 2024, Governor Murphy signed P.L.2024, c.2. (hereinafter “**A4**”) into law, amending the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 to -329 (the “**Act**”), and establishing a new framework for determining and enforcing municipalities’ affordable housing obligations under the Mount Laurel doctrine for the years 2025 – 2035 (the “**Fourth Round**”); and

WHEREAS, A4 required the New Jersey Department of Community Affairs (the “**DCA**”) to produce non-binding estimates of need for present and prospective need for very low-, low- and moderate- income housing in each municipality for the Fourth Round on or before October 20, 2024; and

WHEREAS, on October 18, 2024, in furtherance of such requirement, the DCA issued a report entitled “Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background” (the “**DCA Report**”), which report established the final calculations and obligations for each municipality in New Jersey, including the Borough; and

WHEREAS, in January of 2025, the Borough Council adopted a binding Resolution (the “**Binding Resolution**”), accepting the obligation numbers as set forth in the DCA Report; and

WHEREAS, pursuant to Administrative Directive #14-24, dated December 13, 2024 (the “**Directive**”), implementing the Affordable Housing Dispute Resolution Program (the “**Program**”), the Borough in January of 2025 filed a declaratory judgment action in the Superior Court of Bergen County, bearing Docket No. BER-L-825-25 (the “**Declaratory Judgment Action**”); and

WHEREAS, the filing of the Declaratory Judgment Action, in accordance with the Act and the Directive, gave the Borough continued immunity from builder’s remedy lawsuits in the Fourth Round, which continues to be in full force and effect as extended in the consolidated Third Round Action, as noted below; and

WHEREAS, the Borough engaged Michael D. Kauker of Kauker & Kauker (the “**Borough Planner**”), to prepare a Housing Element and Fair Share Plan (the “**HEFSP**”) consistent with the forgoing; and

WHEREAS, on or about December 31, 2025, the Fourth Round Program Judge, pursuant to and consistent with a certain Interim Mediation and Settlement Agreement, consolidated the Fourth Round Declaratory Judgment Action with the pending consolidated builder’s remedy actions already pending with respect to the Third Round, and pending under *Fan Associates, LLC v. Palisades Park, et al.*, Docket No. BER-L-566-23 (“**Third Round Action**” and together with the Fourth Round Declaratory Judgment Action, the “**Consolidated Action**”); and

WHEREAS, in connection with the Consolidated Action, the court-appointed Special Adjudicator, Frank Banisch, was directed to revise the HEFSP prepared by the Borough Planner to address both the combined Third and Fourth Round obligations, and to address other matters as set forth within the court’s October 24, 2025 orders (within time frames as set forth within the court’s respective December 2, 2025 and March 2, 2026 case management orders); and

WHEREAS, the HEFSP was so revised, and consensus thereon reached amongst the various parties; and

WHEREAS, pursuant to N.J.S.A. 40:55D-28, the Borough Planning Board is charged with the preparation and adoption of the Borough’s Master Plan, which includes the revised HEFSP; and

WHEREAS, on March 25, 2026, after providing notice in accordance with the Municipal Land Use Law, specifically N.J.S.A. 40:55D-13, the Planning Board held a public hearing to review the revised HEFSP, and in fact adopted the same on that date; and

WHEREAS, on March 25, 2026, after review and consideration of the revised HEFSP and presentation by the Borough Planner, the Planning Board in fact determined that the same as revised, was consistent with the goals and objectives of the Borough’s current Master Plan, and adopted the same; and

WHEREAS, the revised HESFP fully addresses all mechanisms agreed to and/or as ordered by the court as aforementioned, a true copy of which revised HEFSP is on file with the Borough Clerk and also appended hereto; and

WHEREAS, after review and consideration of the revised HEFSP, the Borough finds it is in the best interest of the Borough to endorse the revised HEFSP, as the said endorsement of the same will materially advance and support the court's eventual issuance of a Judgment of Compliance and Repose with the Fair Housing Act and all applicable statutes and regulations.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Palisades Park, in the County of Bergen, New Jersey, as follows:

Section 1. The foregoing recitals are hereby incorporated by reference as if fully set forth herein.

Section 2. The Borough Council endorses the revised HEFSP as prepared by the Borough Planner and adopted by the Planning Board.

Section 3. The Borough Council authorizes and directs its professionals to file a copy of this Resolution, as well as a copy of the endorsed revised HEFSP, with the court as necessary.

Section 4. This Resolution shall take effect immediately.

ATTEST:

Laura Borchers RMC

Sophia H. Jang, Borough Clerk

Chong Paul Kim

Chong Paul Kim, Mayor

It is hereby certified that this is a true copy of the resolution adopted by the Governing Body of the Borough of Palisades Park, County of Bergen on the 28th day of



Laura Borchers

Borough Clerk

**MASTER PLAN
HOUSING ELEMENT AND
FAIR SHARE PLAN

PALISADES PARK, NEW JERSEY**

**November 5, 2024
Revised December 7, 2024
Revised January 28, 2025
Revised February 18, 2025
Revised March 8, 2025
Revised April 22, 2025
ADJUDICATOR REVISION – February 27, 2026
Revised March 12, 2026
Revised March 25, 2026**

**Prepared for:
The Borough of Palisades Park**

Prepared by:

 **Kauker
& Kauker**, LLC
Town Planning and Development Consultants

**356 Franklin Avenue
Wyckoff, New Jersey 07481**

**201 847-2900 P
201 847-2424 F**

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Prepared by

Michael D. Kauker, AICP, PP

and

Michael F. Kauker, PP

This copy conforms to the original copy of this report which is stamped and signed by Michael D. Kauker, Professional Planner's License Number 5737 and Michael F. Kauker, Professional Planner's License Number 993, in accordance with N.J.S.A. 45:14A regulating the practice of Professional Planning in the State of New Jersey.



Michael D. Kauker



Michael F. Kauker

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Resolution and Executed Agreement with qualified Administrative Agent

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11-2-16

Appendix I: Route 5 Senior Housing Project Map

Appendix J: Intentionally left blank

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**Amendment to the April 22, 2025
Housing Element and Fair Share Plan
Borough of Palisades Park, Bergen County
As Required by Court Orders**

Introduction and Purpose

This amendment to the Borough of Palisades Park Housing Element and Fair Share Plan (HEFSP), adopted November 5, 2024, and subsequently revised through April 22, 2025, has been prepared in response to the December 2, 2025, Order of Superior Court in connection with the consolidated action Docket No. BER-L-566-23, related enforcement proceedings, and the Interim Mediation Agreement. In particular, the Court required the Borough's revised HEFSP to include (1) a revised Realistic Development Potential (RDP) supported by mapping and documentation consistent with the vacant land adjustment framework, (2) the inclusion of intervenors Tamares and Golden Value properties in the Borough's compliance strategy with defined project parameters, and (3) related clarifications necessary to ensure the plan is internally consistent and implementable through the Borough's land use controls. The purpose of the amendment is not to restate the full HEFSP, but to provide a specific amendment that aligns the adopted plan with the court-ordered land use framework and identifies where the adopted plan text, tables, and appendices are modified or superseded.

As such, this Amendment should be read together with, and cross-referenced to, the Borough's adopted HEFSP, including the sections addressing the Vacant Land Analysis and the Proposed Fair Share Plan, and the appendices that contain the mapping and site documentation supporting the RDP. For ease of review, the substantive amendments set forth herein correspond to:

- (1) the Vacant Land Analysis section which provides the vacant land inventory, suitability review, exclusions and RDP framework, and
- (2) the Proposed Fair Share Plan which presents the Borough's compliance mechanisms, summary obligation tables, and the RDP table identifying specific development sites.

The Amendment also cross-references the appendices that include the Affordable Housing Sites Map and related exhibits supporting the site-based RDP accounting and the implementing land use actions. Where the adopted plan includes narrative describing a municipal complex concept plan for the Tamares property (Appendix J), this Amendment clarifies the relationship of that concept plan to the Court's ordered parameters and supersedes any implication that the Borough's compliance strategy relies on condemnation as a planning premise.

RDP Documentation and Mapping

The February 10, 2025 Consent Order required that the Borough submit a revised HEFSP that could be evaluated under the vacant land adjustment rules and included, at a minimum, an updated RDP supported by the mapping and parcel-level documentation required by the regulations to demonstrate development and or redevelopment capacity and opportunities appropriately. Accordingly, this amendment must be read as incorporating a complete vacant land adjustment

support package comprised of an existing land use map drawn at appropriate scale, a land capacity map, adequate documentation for any parcel exclusions claimed under the vacant land adjustment criteria, and sufficient information for each redevelopable parcel included in the RDP calculation.

This requirement corresponds directly to the Vacant Land Analysis section of the adopted HEFSP, which provides the overall structure for the vacant land inventory and RDP methodology. To the extent that the adopted plan's appendices already contain the required mapping and parcel documentation, this Amendment is intended to confirm that those materials are controlling. To the extent any required mapping, parcel documentation, or redevelopable parcel descriptions were omitted or were not presented in an evaluable format, this Amendment functions as the directive to supplement the HEFSP appendices so that the record contains the complete, regulation-compliant RDP support package required by the Consent Order.

Vacant land screening criteria

The record indicates that a prior Borough submission excluded parcels based on 15 percent steep slopes without an adopted steep slope ordinance and that this approach was identified as inconsistent with the vacant land adjustment rules. This issue matters because the vacant land adjustment is a technical capacity analysis that must be anchored to adopted ordinances, mapped constraints, and the regulatory exclusion criteria. To ensure the revised HEFSP can be evaluated consistently, this Amendment clarifies that the Borough's vacant land screening criteria shall be applied based on the governing regulations and the Borough's adopted ordinances, and that slope information may be used as a supporting constraint factor only where it is grounded in adopted local standards or where it supports a net developable area analysis rather than serving as a standalone categorical exclusion in the absence of ordinance authority.

This clarification applies to the Vacant Land Analysis section, including the inventory and exclusion tables and the narrative describing why the Borough is substantially built-out and reliant on redevelopment opportunities. The revised HEFSP's vacant land exclusions are described as being based on minimum lot size and wetlands, rather than a standalone steep slope exclusion; this Amendment confirms that the plan's evaluable methodology should remain confined to those documented exclusion bases unless and until ordinance-supported slope standards are adopted and are incorporated into the HEFSP as part of a formally revised vacant land adjustment analysis.

Updated RDP

The Court's orders and related enforcement proceedings require that the Borough's revised HEFSP present a realistic development potential that is not abstract but grounded in the identification of specific sites and the mechanisms necessary to implement them. Consistent with that direction, the Borough's revised HEFSP includes a site-based RDP table (Table 17), which identifies a set of inclusionary developments and assigns a total unit yield and affordable unit yield to each site. For purposes of this Amendment, the site-based RDP presented in the revised HEFSP is confirmed as the Borough's operative land capacity framework for the Third and Fourth Round. As stated in the revised HEFSP's Table 17, the Borough's RDP relies on eight inclusionary developments totaling 1,733 units and 275 affordable units. These RDP sites, which include multiple builder's remedy and redevelopment candidate properties, are intended to provide the quantitative basis for the

Borough's requested adjustment and the compliance framework described in the Proposed Fair Share Plan. This amendment's role is not to re-litigate those assumptions, but to ensure the plan narrative makes explicit that the RDP is only credible to the extent the Borough's land use mechanisms, redevelopment actions, and approvals pathway are aligned with the unit yields and affordable yields shown in the RDP table and mapped in the Affordable Housing Sites Map contained in the appendices.

As a matter of plan clarity, this Amendment also confirms that the RDP sites identified in Table 17 include, among others, Fan Associates (15 Grand Avenue) at 175 units including 35 affordable units, and LEEMS Corporation (21 Grand Avenue) at 510 units including 102 affordable units, and that these two sites collectively represent a material share of the Borough's RDP. Because the Court's concern is the ability to implement these developments, the plan narrative should be read as requiring that the Borough's implementing ordinances, redevelopment plans, and agreements be prepared and adopted in a manner consistent with the assumed yields, and that any future changes to the assumed yields be reflected in a revised RDP accounting. This clarifying principle is intended to be applied in the Proposed Fair Share Plan section, including the compliance summary tables reflecting credits, reductions, and the remaining unmet need.

As part of implementing the site-based RDP, the Court has directed that the Governing Body designate the Fan and LEEMS properties as areas in need of redevelopment and authorize the Planning Board to prepare redevelopment plans for the projects proposed at each site, followed by adoption of ordinances approving those redevelopment plans. These redevelopment designations and plans are integral land use mechanisms for implementing the RDP yields assigned to Fan and LEEMS in Table 17 and shall be prepared and adopted consistent with the Court's April 10, 2025 Case Management Order and the Local Redevelopment and Housing Law.

Tamares Site parameters

The Court orders require that the Borough's revised HEFSP include the Tamares property as a compliance mechanism and that it do so by stating defined project parameters. This requires both a site-based RDP accounting, which materially affects the Borough's capacity calculation, and regulatory compliance because the plan must identify the mechanism through which the Borough will permit the project to occur, including minimum affordable set-aside controls.

Within the adopted plan, and as refined by Tamares' March 28, 2025 letter, the Court's April 10, 2025 and April 15, 2025 Case Management Orders, the December 2, 2025 Order, and subsequent communications submitted by Tamares and the Borough, the Tamares site is described in the Proposed Fair Share Plan narrative as an up to 20-story apartment building at 121 to 131 West Ruby Avenue and 20 to 40 Fairview Street (Block 504, Lots 1 through 5 and 10), on approximately 2.17 acres, consisting of 540 family rental units with 108 low and moderate income family rental units (20 percent set-aside). This amendment confirms that this description is the controlling baseline planning framework for the Tamares site for purposes of HEFSP compliance.

Since the December 2, 2025 Order, Tamares consented to the 540-unit project and the Borough stated that it does not require the land which was proposed to be donated. Accordingly, the

parameters for the project located at the Tamares property will be the 540-unit project detailed in Tamares' March 28th letter and the December 2nd Order, without the donation of 9,000 square feet to the Borough.

Therefore, the HEFSP is amended to the extent necessary to eliminate ambiguity: the Tamares compliance mechanism is not a general redevelopment concept, but a court-ordered inclusionary framework with defined maximum unit counts, affordable set-aside percentage, and an obligation to implement those parameters through adopted land use tools.

For reference, the modifications occur in the Proposed Fair Share Plan section and in the RDP site accounting presented in Table 17. The Borough's Affordable Housing Sites Map appendix should likewise be read as depicting Tamares as one of the RDP sites that must be supported by an implementable zoning or redevelopment mechanism.

Eminent domain and the municipal complex concept

The adopted HEFSP includes narrative indicating that the Borough created a concept plan for the Tamares site that includes 500 residential units, 200 affordable units, and a 95,000 square foot municipal complex, and that this concept plan is included in the appendices (Appendix J). The concept plan is not, by itself, an implementable compliance mechanism. The Court has summarized that condemnation would be precluded if Tamares rejected the Borough's offer and reconsideration was denied. In accordance with the March 14, 2025 Case Management Order, because Tamares rejected the Borough's offer, there shall be no municipal complex on the Intervenor site or any portion thereof, and the Borough will not purchase or condemn any portion of the Intervenor site for municipal complex improvements; the prohibition of condemnation remains in effect.

Accordingly, this amendment to the HEFSP clarifies that the former Appendix J is no longer part of the Borough's RDP or compliance accounting. The practical effect is that the Borough may not cite the municipal complex concept plan as a basis to alter, delay, or condition the implementation of the court-ordered Tamares inclusionary framework reflected in the adopted plan's 540-unit description and the RDP accounting. This clarification applies to the Proposed Fair Share Plan narrative and the appendices where the former municipal complex project and/or Appendix J concept plan is or was referenced.

Implementation and Adoption Schedule

Consistent with the Court's April 15, 2025, Case Management Order, the implementation of this Amendment and the underlying HEFSP shall proceed on the schedule established by the Court. The Planning Board shall notice and hold a hearing on the revised HEFSP, including this Amendment, pursuant to N.J.S.A. 40:55D-13 and related MLUL provisions, and the Governing Body shall endorse the HEFSP and introduce all ordinances required to implement it, including an ordinance adopting a redevelopment plan for the Tamares property pursuant to N.J.S.A. 40A:12A-1 et seq., together with any related financial agreement ordinances pursuant to N.J.S.A. 40A:20-1 et seq. The Planning Board shall conduct the required consistency review for all implementing

ordinances, and the Governing Body shall adopt those ordinances on second reading within the timeframes set forth in the April 15, 2025 Order.

Conclusion

This Amendment is intended provide a clear, court-aligned narrative that can be adopted and appended to the Borough's HEFSP. The Amendment confirms and clarifies the Court-ordered land use planning items by establishing the RDP as a site-based capacity framework supported by required mapping and documentation, confirming the Tamares property as a mandatory inclusionary compliance mechanism with defined parameters, superseding any inconsistent reliance on condemnation or the municipal complex concept plan as a compliance premise, and clarifying vacant land screening assumptions so that the Borough's capacity demonstration is tied to adopted ordinances and the regulatory framework.

INTRODUCTION

In its March 10, 2015, decision, the Supreme Court set forth a framework for the submission by a municipality and review by the courts of a municipality's plan to meet its constitutional affordable housing obligation. The Court determined that an action for a declaratory judgment seeking compliance with an affordable housing plan is necessary and "will be judged on the merits of the records developed in individual actions before the Courts." The Court also opined that municipalities should utilize the methodologies set forth in prior Round 1 and Round 2 regulations to establish need and determine a municipality's affordable housing obligation. Furthermore, the Court affirmed that many aspects of the two earlier versions of the Round 3 rules, which had been found valid by previous courts, could be used in preparing and assessing a plan for compliance.

Regarding the prior round obligations, the Court indicated that the March 10, 2015, decision did not eradicate these obligations, and municipalities are still expected to fulfill them. The unfulfilled prior round obligations should be the starting point for municipal compliance. The obligation established by COAH as the second-round obligations in 1993 shall be utilized as the basis for the prior round obligation.

In its March 15, 2015, decision, the Court emphasized that reviewing courts should be flexible in assessing a town's plan for compliance and may utilize prior Round 1 and Round 2 regulations, as well as Round 3 regulations that were not invalidated by the court.

Various court decisions, including those by the Supreme Court and Judge Mary Jacobson, have played a role in shaping affordable housing policies in the state. The Supreme Court, in *In re Declaratory Judgment Actions Filed By Various Municipalities*, 227 N.J. 508 (2017) ("Mount Laurel V"), held that municipalities are obligated to provide a realistic opportunity for their fair share of affordable housing for low- and moderate-income households during the period of 1999-2015, also known as the "Gap Period." Judge Jacobson's March 8, 2018, decision, which addresses the prospective fair share numbers for Mercer County municipalities from 2015 through 2025, has been recognized as the standard for determining a municipality's obligation by other courts in the state. The decision is structured into two sections: the first establishes the methodology for calculating each municipality's prospective need for affordable housing units, while the second outlines a methodology for calculating housing needs that emerged during the sixteen-year period when COAH's rules were not effective. The municipal obligation utilized in the report is based on the methodology adopted in the Jacobson case as contained in Econsult Solutions' March 28, 2018, report entitled "Statewide and Municipal Obligations Under Jacobson Opinion."

The Housing Element and Fair Share Plan presented in this report is responsive to these Court decisions and fulfills the requirements of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) and the Fair Housing Act (N.J.S.A. 52-27D-301 et seq.). The Fair Housing Act provides a framework for New Jersey's municipalities to address their constitutional obligation to provide a reasonable opportunity for the construction of affordable housing that meets the needs of citizens in the region where the community is located. Pursuant to the Supreme Court decision of March 10, 2015, the Superior Court is responsible for the review of a municipality's Housing Element and Fair Share Plan. It is now the Court's purview to ensure the municipality meets its affordable housing obligation in accordance with the Fair Housing Act.

The mechanisms proposed by the Borough of Palisades Park to address its obligation will promote the constitutional goal of creating a realistic opportunity for producing its fair share of the present and prospective need for low- and moderate-income housing.

This report includes the information contained in the *Fair Housing Act* and COAH's Rounds 1 and 2 regulations and Round 3 regulations that were not invalidated by the Court. These particular elements are outlined below:

"Content of a Housing Element"

The Housing Element submitted to the Court shall include the minimum requirements prescribed by N.J.S.A 52:27D-310 of the *Fair Housing Act*. These requirements are as follows:

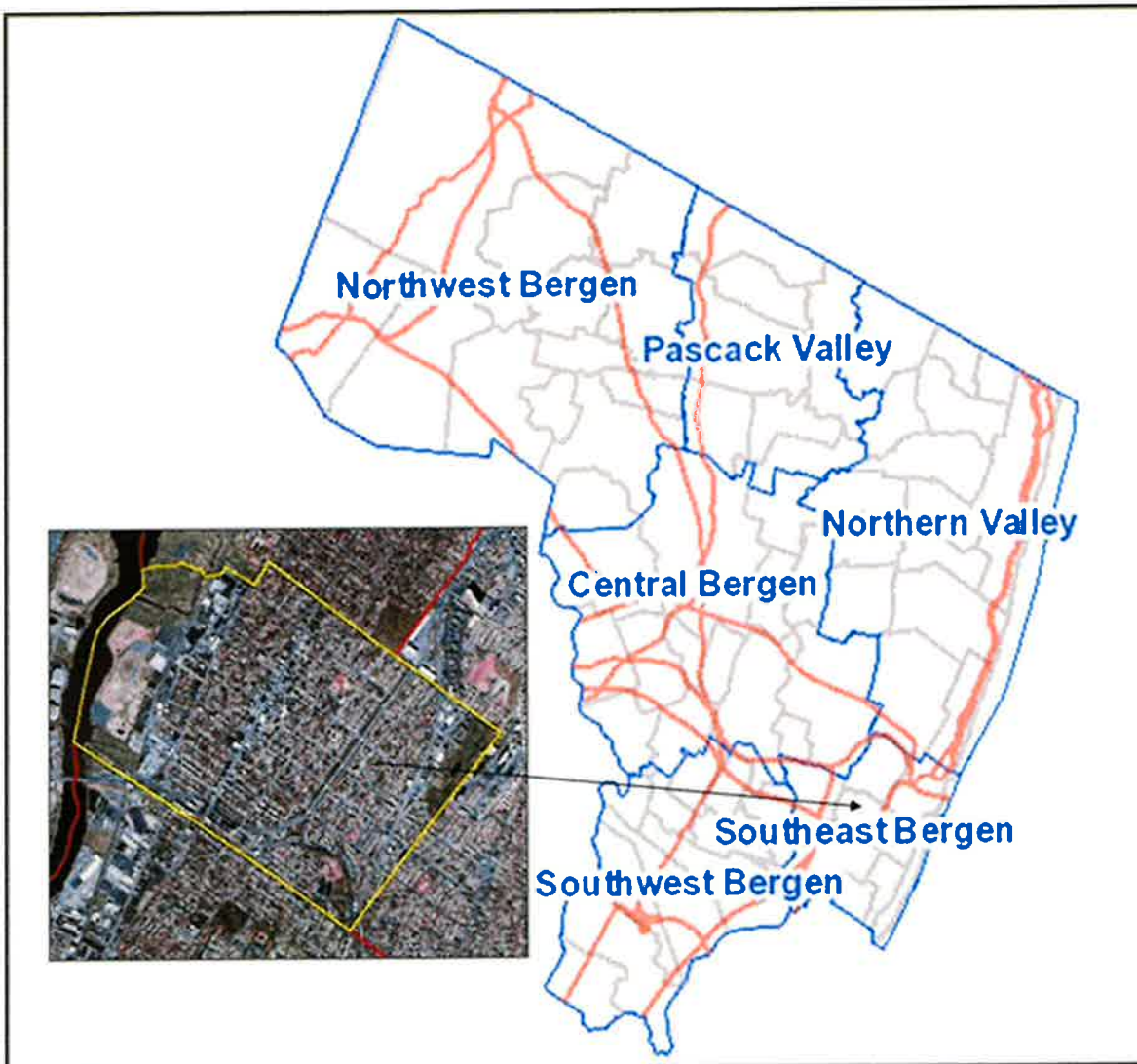
1. An inventory of the Borough's housing stock by age, condition, purchase or rental value, occupancy characteristics and type, including the number of units affordable to low- and moderate-income households and substandard housing capable of being rehabilitated.
2. A projection of the municipality's housing stock, including the probable future construction of low- and moderate-income housing, for the next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;
3. An analysis of the Borough's demographic characteristics including, but not limited to, household size, income level and age.
4. An analysis of the existing and probable future employment characteristics of the Borough.
5. A determination of the Borough's present and prospective fair share for low- and moderate-income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low- and moderate-income housing.
6. A consideration of the lands that are most appropriate for construction of low- and moderate-income housing and 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.

"Content of a Fair Share Plan"

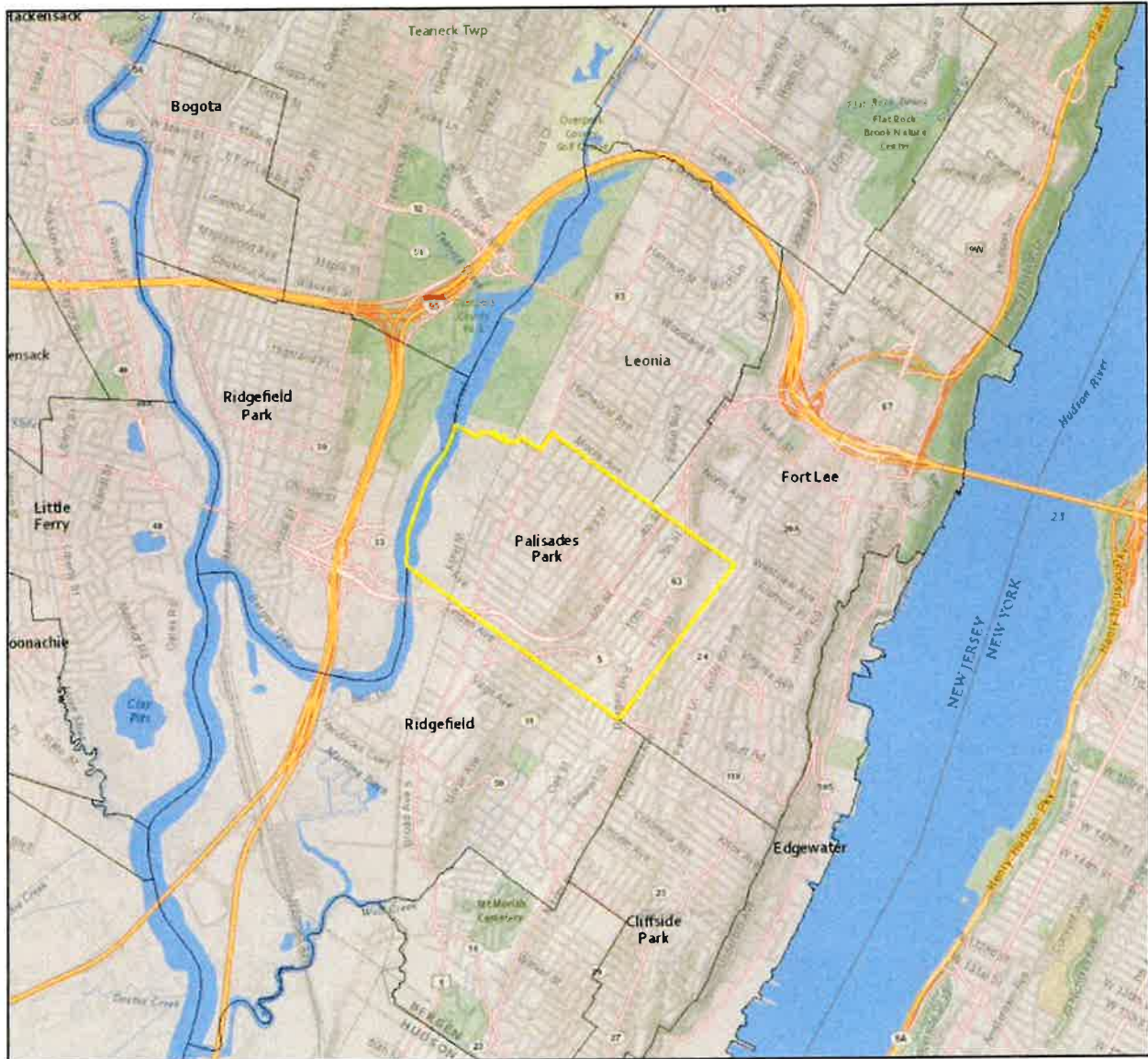
The Fair Share Plan describes the completed or proposed mechanisms and funding sources, if applicable, that will be utilized to address a municipality's affordable housing obligation as established in the Housing Element. More specifically, it will address the rehabilitation share, Prior Round Obligation (1987-1999 and fair share obligation (1999 to 2025). It shall also include if applicable draft ordinances necessary to implement that plan and other information that may be required by the Court or other reviewing agency.

HOUSING ELEMENT

The Borough of Palisades Park has an area of approximately 1.3 square miles and is located in the southern central section of Bergen County, New Jersey. Bergen County is part of Housing Region 1 as established by COAH consisting of Bergen, Passaic, Hudson and Sussex Counties. The following map depicts the regional location of the Borough of Palisades Park.



Source: NJ DEP i-map and County of Bergen Maps On-Line



Source: ESRI ARCGis-Map

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.

An inventory of the municipality’s housing stock including an analysis of housing characteristics is presented in the following section of this report.

The Borough of Palisades Park is primarily a fully developed community which offers a variety of housing choices. As of the 2020 U.S. Census there were a total of 7,668 housing units in the Borough of Palisades Park. There were 7,314 occupied housing units as compared to only 354 vacant housing units. Out of the 7,314 occupied housing units, 2,319 were owner-occupied as compared to 4,995 renter-occupied housing units. In addition, 74.6% or 5,457 of the occupied housing units were occupied by family households as compared to 25.4% or 1,857 non-family

households. The average household size of these units was 2.73 persons per household and the average family size was slightly higher at 3.20 persons per family.

Although the borough is fully developed with limited vacant land, there has been a significant amount of development activity in the Borough between 2000 and 2009. This trend is primarily due to the redevelopment of former single-family properties into two-family or duplexes, which has continued into 2010 and beyond, although it does seem that this trend is on the decline. This decline in housing construction is a result of a corresponding reduction in the amount of developable land. The age of the existing housing stock is depicted in the following table.

TABLE 1
Table 1: Age of Housing Unit, By Year Built

Year Structure Built	Number	Percent
Built 2020 or later	47	0.6%
Built 2010 to 2019	853	11.5%
Built 2000 to 2009	1,579	21.3%
Built 1990 to 1999	601	8.1%
Built 1980 to 1989	588	7.9%
Built 1970 to 1979	757	10.2%
Built 1960 to 1969	766	10.3%
Built 1950 to 1959	684	9.2%
Built 1940 to 1949	487	6.6%
Built 1939 or earlier	1,051	14.2%
Total	7,413	100.0%

Source: US Census, 2018-2022 American Community Survey 5-year Estimates

The condition of these units is generally good. According to the U.S. Census Bureau’s 2022 American Community Survey, as of 2022, an estimated 18 units (0.3%) lacked complete plumbing facilities, 71 units (1.0%) lacked complete kitchen facilities, and 154 units (2.2%) had no telephone service. Regarding heating, 5,526 units (77.6%) used gas as their primary fuel source; 393 units (5.5%) used bottled, tank, or LP gas; 1,109 units (14.3%) used electricity; 147 units (2.1%) used fuel oil or kerosene; 10 units (0.1%) used other fuel sources; and 24 units (0.3%) did not use fuel.

The data provided in Table 2 indicates the number of units in each structure. As mentioned above Palisades Park is primarily a fully developed one and two-family residential community as 62.1% of the housing units consist of 1-unit detached dwellings, 1-unit attached dwellings and 2-unit dwellings.

TABLE 2
Table 1: Number of Housing Units In Structure

Units in Structure	# of Housing	
	Units	Percent
1-unit, detached	977	13.2
1-unit, attached	1,614	21.8
2 units	2,006	27.1
3 or 4 units	488	6.6
5 to 9 units	394	5.3
10 to 19 units	603	8.1
20 to 49 units	736	9.9
50 or more units	564	7.6
Mobile home	31	0.4
Boat, RV, van, etc.	0	0.0
Total housing units	7,413	100.0

Source: US Census, 2018-2022 American Community Survey 5-year Estimates

The value of specified owner-occupied housing units as reported in the 2018-2022 American Community Survey is shown below.

TABLE 3
Owner-Occupied Housing Units by Value

Value	# of Housing Units	Percent
Less than \$ 50,000	32	1.2%
\$ 50,000 - \$ 99,999	34	1.3%
\$100,000 - \$149,999	7	0.3%
\$150,000 - \$199,999	9	0.3%
\$200,000 - \$299,999	76	2.8%
\$300,000 - \$499,999	524	19.6%
\$500,000 - \$999,999	1,731	64.9%
\$1,000,000 or more	256	9.6%
Total:	2,669	100.0%

Source: US Census, 2018-2022 American Community Survey 5-year Estimates

The majority of housing units were valued between \$500,000 and \$999,999. The median value of owner-occupied housing units was \$671,400. According to the 2018-2022 American Community Survey, the median monthly owner costs for housing units with a mortgage were \$3,567 and \$1,317 for housing units without a mortgage.

The cost of specified renter-occupied housing units as reported in the 2018-2022 American Community Survey is shown below.

TABLE 4
Gross Rent Per Unit

Gross Rent	# of Units	Percent
Less than \$200	0	0.0%
\$200 to \$299	30	3.0%
\$300 to \$499	47	4.6%
\$500 to \$749	45	4.4%
\$750 to \$999	88	8.7%
\$1,000 to \$1,499	585	57.7%
\$1,500 or more	219	21.6%
No rent paid	46	(x)
Total:	4,297	100.0%

Source: US Census, 2018-2022 American Community Survey 5-year Estimates

The majority of renters paid between \$1,000 and \$1,499 dollars per month on, while the median gross rent was \$1,203 per month.

As indicated in Tables 3 and 4, a notable trend emerges in Palisades Park, revealing a higher number of individuals choosing to rent homes rather than own them. The data shows the number of occupied housing units paying rent is 4,297 compared to the housing units owned of 2,622.

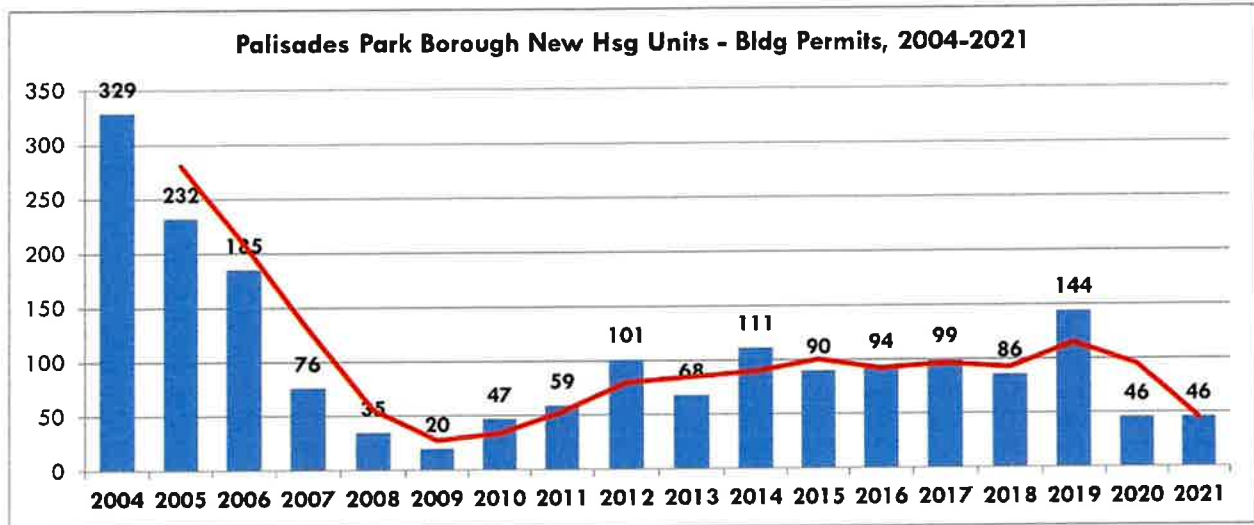
A projection of the municipality's housing stock, including the probable future construction of low- and moderate-income housing, for the next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands.

Although the borough is fully developed with limited vacant land, there has been a significant amount of development activity in the Borough between 2012 and 2021. This trend is primarily due to the redevelopment of former single-family properties into two-family or duplexes, although it does seem that this trend is on the decline in 2020 and 2021. Although this slowdown could be a result of the pandemic.

TABLE 5
RESIDENTIAL BUILDING PERMITS AND DEMOLITIONS - 2012 TO 2021

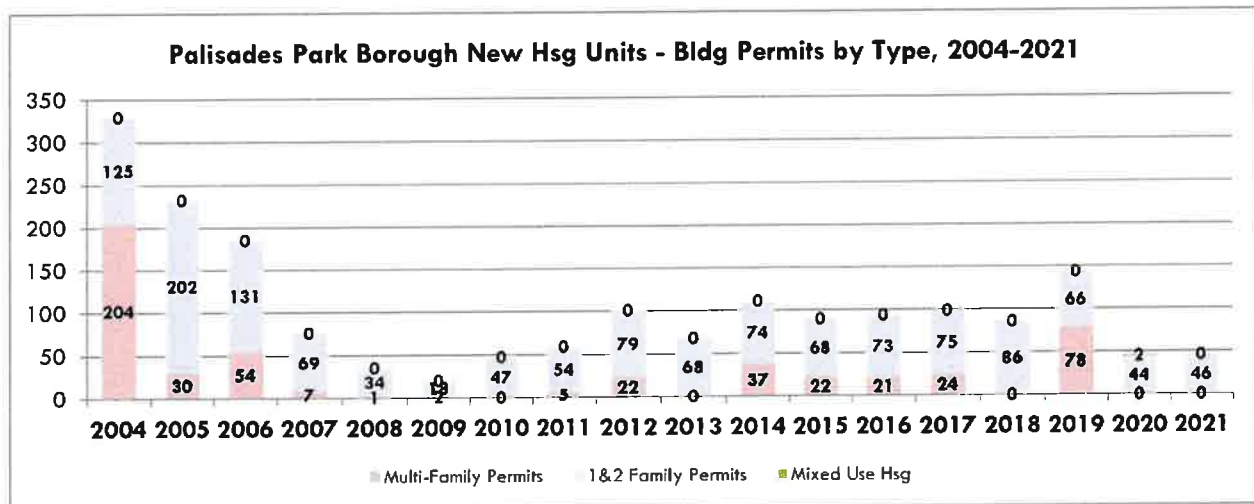
Year	Building Permits	Demolition Permits	Net Growth
2012	101	28	73
2013	68	34	34
2014	111	39	72
2015	90	29	61
2016	94	35	59
2017	99	41	58
2018	86	41	45
2019	144	34	110
2020	46	24	22
2021	46	22	24
Total:	885	327	558
10 Year Avg.	88.5	32.7	55.8

Chart 1: Building Permits 2004-2021



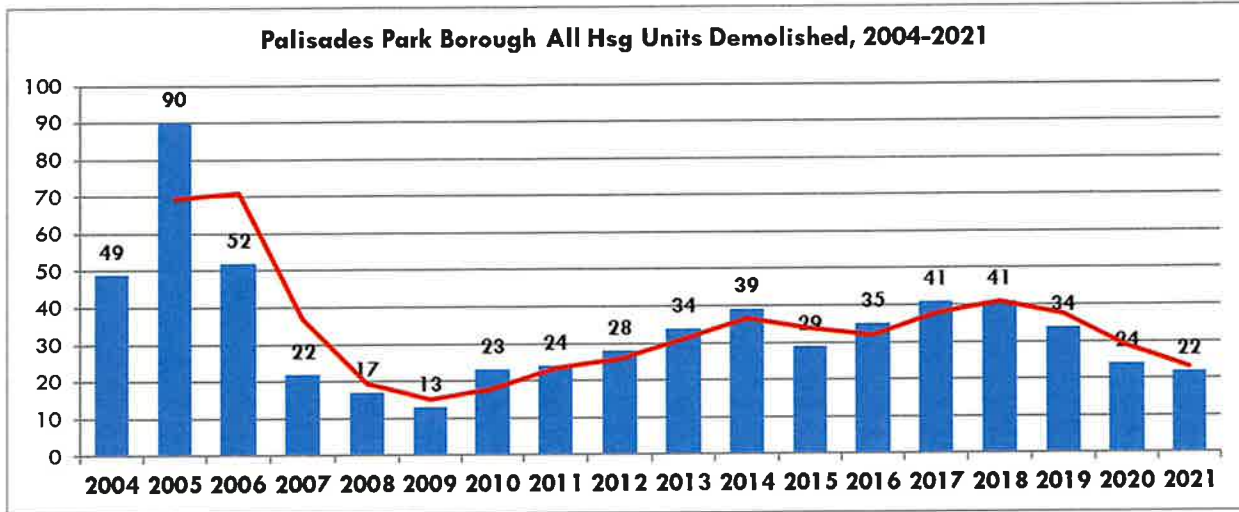
Source: NJ Department of Community Affairs

Chart 6: Building Permits by Type 2004-2021



Source: NJ Department of Community Affairs

Chart 6: Building Permits by Type 2004-2021



Based on the historical residential growth trends depicted in Table 5, it is anticipated that if growth were to continue at the same rate there would be an additional 55.8 units per year over the next 10 years for a net growth of 558 units. Including the units that are projected to be constructed as a result of additional development in this plan the total increase in the number of units at the end of the 10-year period would be 1,451 units inclusive of the 558 units of projected growth and 893 units resulting from development of the proposed inclusionary developments. The Borough of Palisades Park is a predominantly fully built out community with little to no vacant land available for new development with the exception of the properties identified in this report for redevelopment and potentially older underutilized properties in the manufacturing districts.

An analysis of the municipality’s demographic characteristics including, but not limited to, household size, income level and age.

Population Trends

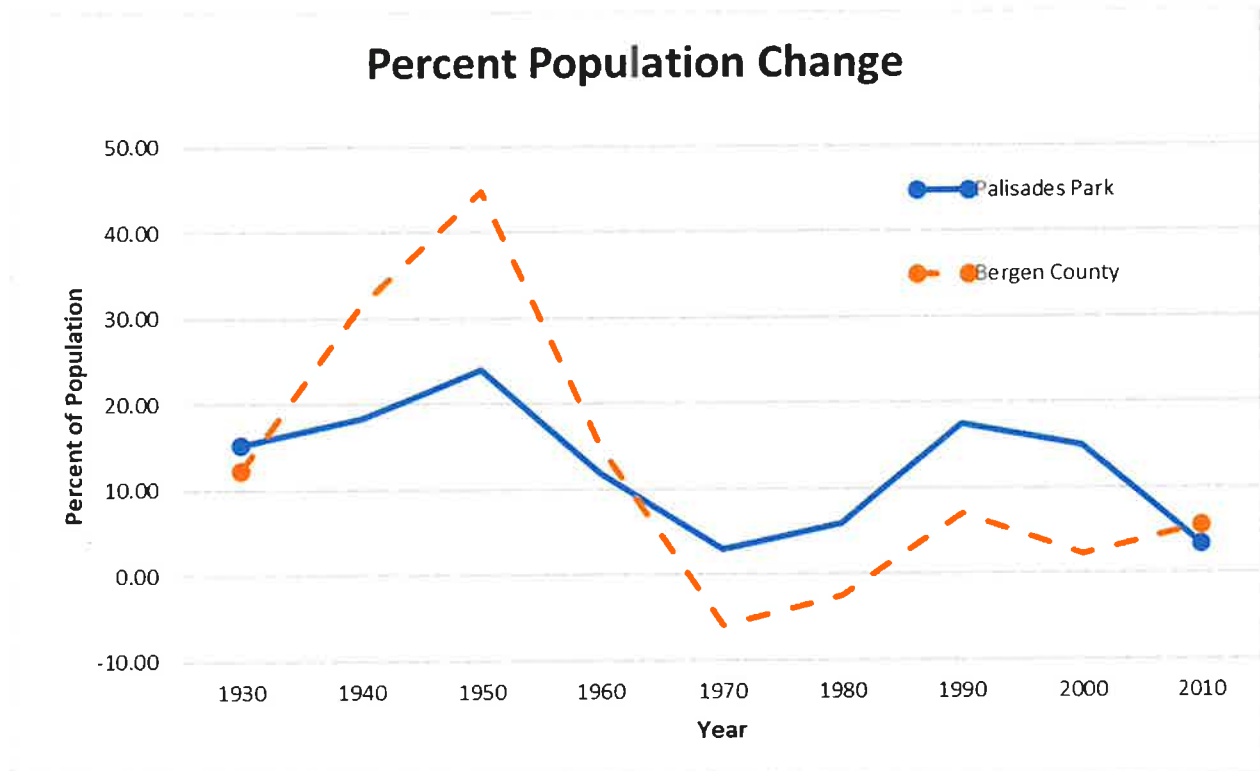
Over the last decade Palisades Park has experienced a small increase in its population. According to US Bureau Census Data in the year 2020 the Borough of Palisades Park had a total population of 20,292 persons. This represents an increase of 670 persons or 3.4% of the population in 2010 of 19,622 persons. The increase in population has slowed from the previous two decades in which the Borough saw an increase of 17.45% from 1990 to 2010 and a 14.93% increase from 2010 to 2020. As the Borough is primarily fully developed with limited vacant land available the increase in population can be correlated to the increase in the number of two-family homes that were constructed during that period. During this time there were a significant number of two-family homes constructed due to the redevelopment of properties which contained one-family homes. The following table documents the historical population growth pattern for Palisades Park from 1930 to 2020.

Table 2: Population Trend from 1930 to 2020

Palisades Park				Bergen County			
Year	Population	# Change	% Change	Year	Population	# Change	% Change
1930	7,065	---	---	1930	364,977	---	---
1940	8,141	1,076	15.23	1940	409,646	44,669	12.24
1950	9,635	1,494	18.35	1950	539,139	129,493	31.61
1960	11,943	2,308	23.95	1960	780,255	241,116	44.72
1970	13,351	1,408	11.79	1970	897,148	116,893	14.98
1980	13,732	381	2.85	1980	845,385	-51,763	-5.77
1990	14,536	804	5.85	1990	825,380	-20,005	-2.37
2000	17,073	2,537	17.45	2000	884,118	58,738	7.12
2010	19,622	2,549	14.93	2010	905,116	20,998	2.38
2020	20,292	670	3.41	2020	955,732	50,616	5.59

Source: U.S. Census Bureau, 1920-2020

Chart 2: Percent Population Change



Source: U.S. Census Bureau

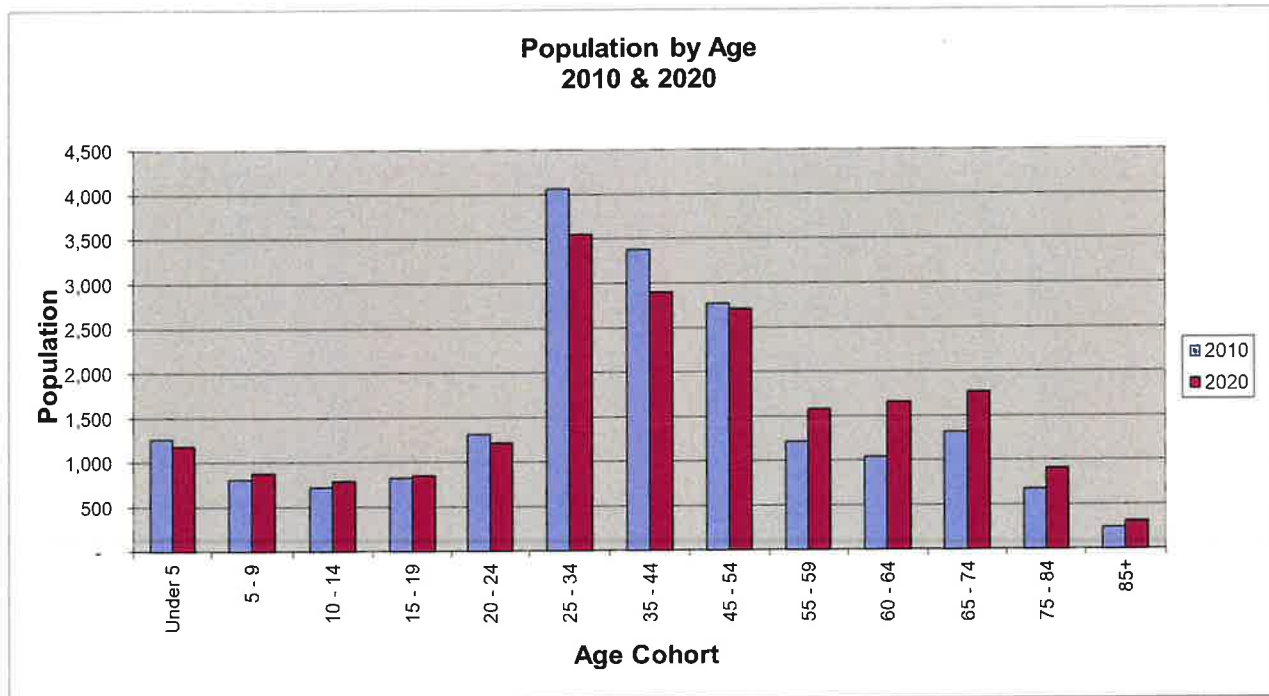
Population Composition by Age

The Borough’s population exhibits an interesting shift in age distribution. The most noteworthy increase in population between 2010 and 2020 was observed in the 60 to 64 age cohort, which experienced a significant growth of 59.8%. Conversely, two age cohorts saw the most substantial decreases: the 25 to 34 and 35 to 44 groups witnessed declines of 12.7% and 14%, respectively. In general, the data suggests a gradual aging trend among the Borough’s residents, with the majority of percentage increases occurring in the 55 and older age brackets. Although there are still more younger residents aged 20 to 54, this age cohort has experienced an overall population decrease. Detailed age group characteristics based on the 2010 and 2020 US Censuses can be found on page 12 in **Table 2**.

Table 3: Population Change - 2010 to 2020

Age	2010		2020		Change, 2010 - 2020	
	Number	Percent	Number	Percent	Number	Percent
Under 5 Years	1,257	6.4%	1,180	5.8%	-77	-6.1%
5 to 9 years	810	4.1%	879	4.3%	69	8.5%
10 to 14 years	719	3.7%	785	3.9%	66	9.2%
15 to 19 years	827	4.2%	853	4.2%	26	3.1%
20 to 24 years	1,307	6.7%	1,215	6.0%	-92	-7.0%
25 to 34 years	4,068	20.7%	3,552	17.5%	-516	-12.7%
35 to 44 years	3,375	17.2%	2,901	14.3%	-474	-14.0%
45 to 54 years	2,772	14.1%	2,706	13.3%	-66	-2.4%
55 to 59 years	1,218	6.2%	1,579	7.8%	361	29.6%
60 to 64 years	1,037	5.3%	1,657	8.2%	620	59.8%
65 to 74 years	1,315	6.7%	1,769	8.7%	454	34.5%
75 to 84 years	678	3.5%	907	4.5%	229	33.8%
85 years and over	239	1.2%	309	1.5%	70	29.3%
Totals	19,622	100.0%	20,292	100.0%	670	3.4%

Chart 3: Population by Age - 2010 & 2020



Source: US Census Bureau, 2010, 2020.

Population Composition by Sex

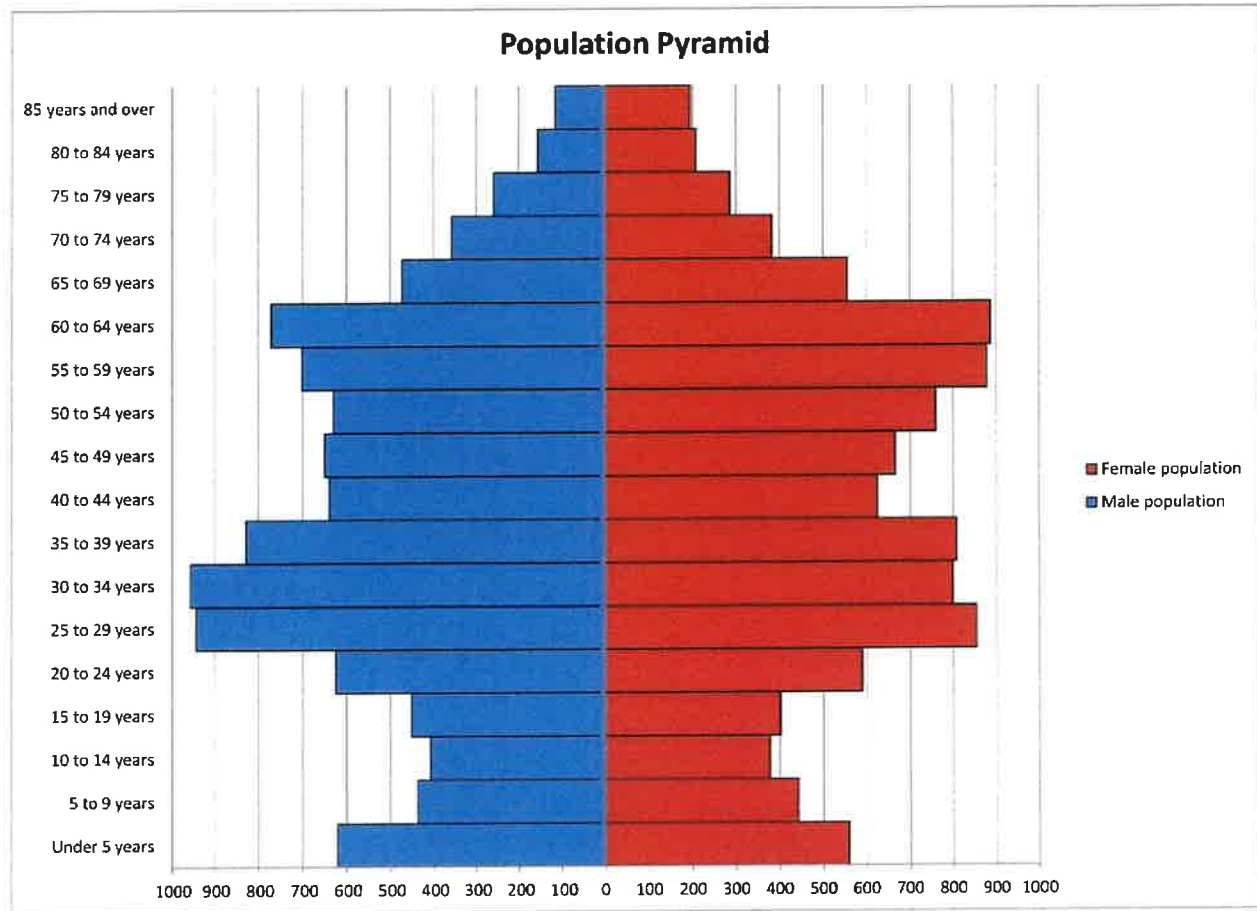
As depicted in **Table 3** below, the Borough of Palisades Park has an even distribution between males and females, with only a slightly larger percentage of females than males in 2020.

Table 4: Gender, 2010

Age	Male Population		Female Population	
	Number	Percent	Number	Percent
Under 5 years	620	6.2%	560	5.4%
5 to 9 years	436	4.4%	443	4.3%
10 to 14 years	407	4.1%	378	3.7%
15 to 19 years	451	4.5%	402	3.9%
20 to 24 years	624	6.2%	591	5.7%
25 to 29 years	942	9.4%	854	8.3%
30 to 34 years	956	9.6%	800	7.8%
35 to 39 years	828	8.3%	808	7.9%
40 to 44 years	639	6.4%	626	6.1%
45 to 49 years	649	6.5%	667	6.5%
50 to 54 years	630	6.3%	760	7.4%
55 to 59 years	701	7.0%	878	8.5%
60 to 64 years	770	7.7%	887	8.6%
65 to 69 years	472	4.7%	557	5.4%
70 to 74 years	357	3.6%	383	3.7%
75 to 79 years	258	2.6%	286	2.8%
80 to 84 years	155	1.5%	208	2.0%
85 years and over	115	1.1%	194	1.9%
	10,010	49.33	10,282	50.67

Source: U.S. Census Bureau, 2020

Chart 4: Population Pyramid



Source: U.S. Census Bureau, 2010

Population Composition by Race

The racial composition of Palisades Park population is predominantly Asian, accounting for 58.8% of Borough residents. The racial characteristics of Palisades Park’s residents are identified in Table 4.

Table 5: Racial Characteristics 2020

Race	Number	Percent
White alone	3,329	16.4%
Black or African American alone	334	1.6%
American Indian and Alaska Native alone	357	1.8%
Asian alone	11,929	58.8%
Native Hawaiian and Other Pacific Islander alone	8	0.03%
Some Other Race alone	3,131	15.4%
Two or More Races	1,204	5.9%
Total:	20,292	100%

Source: US Census Bureau, 2020.

Household Income

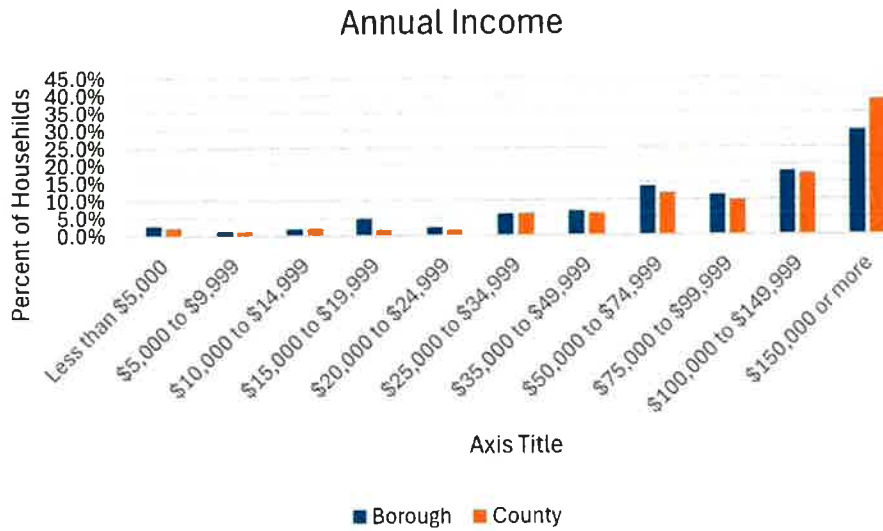
In 2022 the median household income in Palisades Park was \$93,250, which is a 33.3% increase over the 1999 household median income of \$62,113. The 2006 to 2010 breakdown of income categories is shown in Table 9.

Table 6: Household Incomes

Income	Borough of Palisades Park		Bergen County	
	# of Households	Percent	# of Households	Percent
Less than \$5,000	210	2.9%	8,500	2.4%
\$5,000 to \$9,999	92	1.3%	4,691	1.3%
\$10,000 to \$14,999	139	2.0%	7,906	2.2%
\$15,000 to \$19,999	350	4.9%	6,803	1.9%
\$20,000 to \$24,999	174	2.4%	5,972	1.7%
\$25,000 to \$34,999	441	6.2%	22,293	6.3%
\$35,000 to \$49,999	490	6.9%	22,496	6.3%
\$50,000 to \$74,999	990	13.9%	42,500	12.0%
\$75,000 to \$99,999	814	11.4%	35,148	9.9%
\$100,000 to \$149,999	1,297	18.2%	61,768	17.4%
\$150,000 or more	2,122	29.8%	136,860	38.6%
Total	7,119	100.0%	354,937	100.0%

Source: US Census, 2018-2022 American Community Survey 5-year Estimates

Chart 5: Household Income Distribution



Source: US Census, 2018-2022 American Community Survey 5-year Estimates

Employment

A general analysis of Palisades Park’s adult labor force is included in Table 11. Palisades Park has followed the larger economic trends of New Jersey and the Northeast, with moderate unemployment rates in 2013 and decreasing to lower unemployment levels by 2016, which were typical of the region as a whole. As seen in the following tables and chart below, unemployment has decreased from 2013 to 2019. In 2020 during the pandemic there was a spike in unemployment rate, and it gradually decreased in the following years. Palisades Park’s residents have experienced a decrease in the unemployment rate over a 10-year period from 4.6 in 2013 to 2.6 in 2022. The unemployment rate in 2022 is lower than Bergen County (6.8%) and is lower than the State (8.4%).

Table 7: Labor Force Characteristics

Year	Labor Force	Employment	Unemployment	Unemployment Rate %
2013	11,364	10,837	527	4.6
2014	11,413	10,983	430	3.8
2015	11,557	11,199	358	3.1
2016	11,601	11,267	334	2.9
2017	11,912	11,607	305	2.6
2018	11,992	11,726	266	2.2
2019	12,230	11,993	237	1.9
2020	12,468	11,192	1,276	10.2
2021	12,154	11,521	633	5.2
2022	12,447	12,125	322	2.6

Source: NJ Department of Labor, 2013-2022

Table 8: Unemployment Rate Comparison

Year	Unemployment Rate %		
	Palisades Park	Bergen County	State of NJ
2013	4.6	6.8	8.4
2022	2.6	3.4	5.6

Source: NJ Department of Labor, 2013-2022

Tables 13 and 14 indicates the civilian employed population 16 years and over by industry and occupation, respectively, for the Borough of Palisades Park.

Table 9: Civilian Employed Population by Industry – 2022

Industry	Number	Percent
Agriculture, forestry, fishing and hunting, and mining	14	0.12%
Construction	774	6.85%
Manufacturing	829	7.33%
Wholesale trade	689	6.10%
Retail trade	1,389	12.29%
Transportation and warehousing, and utilities	471	4.17%
Information	189	1.67%
Finance and insurance, and real estate and rental and leasing	1,066	9.43%
Professional, scientific, and management, and administrative and waste management services	1,652	14.61%
Educational services, and health care and social assistance	2,514	22.24%
Arts, entertainment, and recreation, and accommodation and food services	566	5.01%
Other services, except public administration	903	7.99%
Public administration	248	2.19%
Total	11,304	100.00%

Source: US Census, 2018-2022 American Community Survey 5-year Estimates

Table 14: Civilian Employed Population by Occupation – 2022

Occupation	Number	Percent
Management, business, science, and arts occupations	4,929	43.60%
Service occupations	1,776	15.71%
Sales and office occupations	2,824	24.98%
Natural resources, construction, and maintenance occupations	662	5.86%
Production, transportation, and material moving occupations	1,113	9.85%
Total	11,304	100.00%

Source: US Census, 2018-2022 American Community Survey 5-year Estimates

A determination of the municipality’s present and prospective fair share for low- and moderate-income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low- and moderate-income housing.

The Borough’s present and prospective fair share for low and moderate-income housing is presented below and consists of the Rehabilitation Share (Present Need), the Prior Round Obligation (1987-1999), the Third Round Obligation (1999-2025), which includes the Gap Period (1999-2015) the Fourth Round Rehabilitation Share and the Fourth Round Prospective Need (2025-2035). In this report we are relying on the methodology from the Jacobson case as contained in the Econsult Solutions March 28, 2018 report entitled “Statewide and Municipal Obligations Under Jacobson Opinion” for the Third Round. The combined Prospective Need for the third and Fourth Round is 668.

TABLE 14
FAIR SHARE OBLIGATION: 1999-2025

Prior Round Obligation (1987-1999)	+	0
Present Need (Rehabilitation Share) (2015)	+	136
Third Round Prospective Need(1999-2025)	+	447
Fourth Round Present Need (Rehabilitation)	+	333
Fourth Round Prospective Need		221
Total Fair Share Obligation (1999-2014)	=	1,137

The Borough of Palisades Park has adequate infrastructure capacity to accommodate its present and prospective housing need. As previously mentioned, it is a fully developed community and has no plans for expanding its existing infrastructure.

There is no anticipated additional infrastructure demand for the types of uses permitted in the zoning ordinance based on the existing and projected demographic characteristics of the Borough. The uses permitted in the zoning ordinance are reflected by existing uses within the town for the most part. As mentioned, the predominant land use in the community is the single-family home followed by the two-family and multiple-family development to help balance the residential land uses within the community.

Since Palisades Park is a fully developed community with established land use patterns, it is not anticipated that the existing land use patterns within the Borough would change.

As mentioned the majority of land within the Borough is already developed. Most of the remaining vacant parcels of land are vacant because of environmental constraints that hinder development of the properties or because of the size of the properties being too small to develop.

A consideration of the lands that are most appropriate for construction of low- and moderate-income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low- and moderate-income housing, including a consideration of lands of developers who have expressed a commitment to provide low- and moderate-income housing.

The Borough is a predominantly fully developed community with little opportunity for continued growth, except for limited infill development and redevelopment. As shown in Table 16, most of the vacant lands that exist within the Borough are not appropriate for development because they are either too small, landlocked or environmentally constrained.

In order to fulfill the Borough of Palisades Park's affordable housing obligation, the sites listed in Table 17 have been identified as being most appropriate for the provision of low- and moderate-income housing units through the construction of on-site inclusionary development. The selection of these sites as the most appropriate for multi-family housing was based on the Vacant Land Analysis presented below.

VACANT LAND ANALYSIS

The Borough of Palisades Park is a fully developed community with very little vacant, suitable, and developable land. To provide the Court with the required documentation in accordance with the Vacant Land Adjustment requirements contained in COAH's Round 2 Substantive Regulations, we have procured and evaluated an official list of vacant lands from the Borough, as contained in the Borough's official Tax Assessment records. In addition to the lands identified in the list provided by the Tax Assessor, we took a comprehensive look at aerial imagery¹ of the Borough to determine if other sites were vacant and potentially developable for affordable housing that were not included in the list. We also went out into the field to document the conditions shown in the aerial photographs. A complete listing of these lands is provided in Table 15, Vacant Land Inventory. The purpose of this analysis is to document the fully developed nature of the Borough of Palisades Park and its limited ability to accommodate additional housing opportunities. This Vacant Land Analysis is prepared in accordance with N.J.A.C. 5:93-4.2. The vacant land adjustment procedure consists of three (3) steps.

Step 1

In step 1, the municipality must provide an existing land use plan map, including all vacant land within the municipality. If requesting an exclusion based on environmentally sensitive lands the map must also show existing environmental constraints. In addition, an inventory of all vacant land must be provided identifying the vacant parcels by block and lot and including the acreage and ownership of each vacant parcel. The required maps are attached hereto as Appendix A and the vacant land inventory list is provided in Table 15.

¹ Aerial imaging consulted included Google Earth, Nearmap, and Bergen County Parcel Viewer.

Step 2

In the second step the municipality must analyze each parcel to determine its suitability for development. Reasons for exclusion of a site are found in N.J.A.C. 5:93-4.2(c), (e) and (f). This information is also contained in the vacant land inventory list described in Table 16.

Step 3

In the third and final step, the municipality shall calculate the Realistic Development Potential (RDP) based on the remaining vacant parcels that have been determined suitable and developable. Consistent with the vacant land adjustment methodology and the Court’s directive that the RDP be presented on a site basis tied to implementable planning actions, the Borough’s RDP includes certain parcels that represent realistic redevelopment or inclusionary development opportunities and are therefore evaluated and summarized in Table 17, including parcels associated with pending Builder’s Remedy litigation and other identified redevelopment candidate sites. These sites are included for capacity and planning purposes as part of a site-based RDP presentation; actual unit yields remain subject to site control, approvals, and applicable implementing actions.

TABLE 15
VACANT LAND INVENTORY

Site #	Block	Lot	Acreage	Owner
1	104	16	0.207	100 Grand Av Inc.
2	104	17	0.322	100 Grand Avenue Inc
3	428	3	0.115	Borough of Palisades Park
4	433	1	0.115	Borough of Palisades Park
5	432	4	3.875	Berkeley Pal. Pk. c/o Limestone Hill
6	433	2, 4, 5	2.686	Berkeley Pal. Pk. c/o Limestone Hill
7	433	3	0.115	Veteramo, Raffaele & Giuseppina
8	724	14	1.273	Borough of Palisades Park
9	734	1	0.322	Boro Hall
10	502	10	0.14	Choi, Kyungkon
11	502	9	0.17	Choi, Kyungkon
12	502	8	0.10	Choi, Kyungkon
13	716	22	0.13	Golden Value, LLC
14	716	21	0.15	Golden Value, LLC
15	716	20	0.14	Golden Value, LLC
16	416	3	0.31	Dong Nam NY, LLC c/o Woo & Assoc. CPA
17	615	10	0.12	State of NJ Dept. of Trans.
18	614	23	0.28	Icon 50 Broad LLC
19	428	1	3.65	Multiple owners
20	419	12	0.14	Prettypaul, Michael
21	725	1	0.42	Borough of Palisades Park
22	726	1	0.58	Borough of Palisades Park

23	203	10.02	0.13	Borough of Palisades Park
24	416	1	2.38	Blvd. East Assoc. Ltd. c/o Marotta
25	505	3, 5	2.88	Fan Associates
26	505	1	6.18	LEEMS Corp
27	617	21-23	0.37	DRC Dev. Corp.
28	420	16	0.39	Hillcrest Builders, LLC
29	613	18	0.22	Broad & Edsall, LLC
30	617	16	0.17	HJ Lee Holdings, LLC
31	504	1-5, 10	2.17	Tamares Management, LLC
		Total:	31.16	

As shown in Table 16 below and the vacant land inventory map (attached as Appendix A), there are a total of 31 parcels listed as vacant in the tax data obtained from the Borough and additional sites identified as previously described. Of these 31 vacant parcels in this list 8 of the sites can be excluded because they are either too small to generate at least one low and moderate-income unit pursuant to N.J.A.C. 5:93-4.2(c)2 or because they contain environmental constraints in the form of wetlands pursuant to N.J.A.C. 5:93-4.2(e)2.ii.

The vacant lands exclusion analysis is documented in Table 16 below.

TABLE 16
VACANT LAND EXCLUSIONS

Site #	Block	Lot	Acreage	Constrained Acreage	Developable Acreage	Exclusion Reason
1	104	16	0.207		0.207	Sites 1 and 2 are adjacent properties under the same ownership, with a combined area exceeding 0.37 acres.
2	104	17	0.322		0.322	Sites 1 and 2 are adjacent properties under the same ownership, with a combined area exceeding 0.37 acres.
3	428	3	0.115		0	The site is not developable due to the presence of wetlands and as a result the developable acreage of 0.115-acres is too small and is under the 0.37 threshold to accommodate 1 affordable unit.
4	433	1	0.115		0	The site is not developable due to the presence of wetlands and as a result the developable acreage of 0.115-acres is too small and is under the 0.37 threshold to accommodate 1 affordable unit.

5	432	4	3.875	2.816	1.059	Only a portion of the site is developable due to the presence of wetlands. Developable acreage is shown on the Boswell Site Plan in Appendix H.
6	433	2, 4, 5	2.686		2.125	Only a portion of the site is developable due to the presence of wetlands. Developable acreage is shown on the Boswell Site Plan in Appendix H.
7	433	3	0.115		0	The site is not developable due to the presence of wetlands and as a result the developable acreage of 0.115-acres is too small and is under the 0.37 threshold to accommodate 1 affordable unit.
8	724	14	1.273	0.873	0.40	The site is mostly not developable due to the presence of wetlands. The remaining 0.40 acres is developable as it is greater than the 0.37-acre requirement agreed upon with the FSHC.
9	734	1	0.322	0.082	0.24	The site is not developable due to the presence of wetlands and as a result the developable acreage of 0.24-acres is too small and is under the 0.37 threshold to accommodate 1 affordable unit.
10	502	10	0.14		0.14	Sites 10, 11 and 12 are adjacent properties under the same ownership, with a combined area exceeding 0.37 acres.
11	502	9	0.17		0.17	Sites 10, 11 and 12 are adjacent properties under the same ownership, with a combined area exceeding 0.37 acres.
12	502	8	0.10		0.10	Sites 10, 11 and 12 are adjacent properties under the same ownership, with a combined area exceeding 0.37 acres.
13	716	22	0.13		0.13	Sites 13, 14 and 15 are adjacent properties under the same ownership, with a combined area exceeding

						0.37 acres.
14	716	21	0.15		0.15	Sites 13, 14 and 15 are adjacent properties under the same ownership, with a combined area exceeding 0.37 acres.
15	716	20	0.14		0.14	Sites 13, 14 and 15 are adjacent properties under the same ownership, with a combined area exceeding 0.37 acres.
16	416	3	0.31		0	The 0.31-acre parcel is too small and is under the 0.37 threshold to accommodate 1 affordable unit.
17	615	10	0.12		0	The 0.12-acre parcel is too small and is under the 0.37 threshold to accommodate 1 affordable unit.
18	614	23	0.28		0	The 0.28-acre parcel is too small and is under the 0.37 threshold to accommodate 1 affordable unit.
19	428	1	3.65		0	This site is not vacant as it is part of a site that is fully developed with the Trio apartment building.
20	419	12	0.14		0	The 0.14-acre parcel is too small and is under the 0.37 threshold to accommodate 1 affordable unit.
21	725	1	0.42		0.42	
22	726	1	0.58		0.58	
23	203	10.02	0.13		0.13	The Borough of Palisades Park has developed this site for an eight-unit, age-restricted rental project.
24	416	1	2.38		2.38	A private developer has developed this site for a 24-unit, age-restricted rental project.
25	505	3, 5	2.88		2.88	Builder's remedy lawsuit site
26	505	1	6.18		6.18	Builder's remedy lawsuit site
27	617	21-23	0.37		0.37	Builder's remedy lawsuit site
28	420	16	0.39		0.39	Builder's remedy lawsuit site
29	613	18	0.22		0.22	Builder's remedy lawsuit site
30	617	16	0.17		0.17	Builder's remedy lawsuit site
31	504	1-5, 10	2.17		2.17	Builder's remedy lawsuit site
		Total:	31.16		21.07	

Out of the 31 sites analyzed above 8 sites can be excluded because they are either too small to generate at least one low- or moderate-income unit pursuant to N.J.A.C. 5:93-4.2(c)2, or because they are constrained by environmental factors, such as wetlands, pursuant to N.J.A.C. 5:93-4.2(e)2.ii. According to §5:93-4.2(c)2, a municipality shall exclude from the vacant land inventory any contiguous parcels of privately owned land that are too small to accommodate at least five dwelling units. Additionally, under N.J.A.C. 5:93-4.2(e)2.ii, a municipality may exclude sites with environmental constraints, including wetlands, which are present on eight of the sites listed in the table above. For further details, please refer to the letter and maps prepared by Pennoni Associates in Appendix A.

TABLE 17
THIRD & FOURTH ROUND REALISTIC DEVELOPMENT POTENTIAL (RDP)

1. The Borough’s combined Third Round and Fourth Round realistic development potential is 357 and calculated as follows:

Site	Block	Lot	Owner	Developable Acres	Density	Total Units	Affordable Units
1	104	16	100 Grand Ave Inc.	0.207	40	8	2
2	104	17	100 Grand Ave Inc.	0.322	40	13	3
3	203	10.02	Borough of Palisades Park	0.13	61.5	8	2
4	416	1	Blvd. East Assoc. ltd. c/o Marotta	2.38	16	40	8
5	416	3	550 Bergen Blvd LLC	0.31	129	40	8
6	420	16	Hillcrest Builders, LLC	0.39	115.4	45	9
7	432 433	2- 4,6,9 2,4,5	Berkeley Pal. Park c/o Limestone Hill	1.059 0.12	152.7	180	36
8	502	8	Choi, Kyungkon	0.10	40	4	1
9	502	9	Choi, Kyungkon	0.17	40	7	1
10	502	10	Choi, Kyungkon	0.14	40	6	1
11	504	1-5, 10	Tamares Properties, LLC	2.17	248.8	540	108
12	505	1	Leem’s Corp	6.18	82.25	510	102
13	505	3, 5	Fan Associates	2.88	60.8	175	35
14	613	18	Broad & Edsall	0.22	136.4	30	6
15	617	16	HJ Lee Holdings, LLC	0.17	29.4	5	1
16	617	21-23	DRC Dev. Corp.	0.37	89.2	33	7

17	716	20-22	Golden Value, LCC	0.42	83	35	7
18	724	14	Borough of Palisades Park	0.40	54.87	26	5
19	725	1	Borough of Palisades Park	0.42	54.87	27	5
20	726	1	Borough of Palisades Park	0.58	54.87	37	7
21	734	1	Borough of Palisades Park	0.24	54.87	15	3
Total						1,644	357

Based upon the information presented above, the vacant developable lands and the additional lands identified as potential candidates for the development of affordable housing can accommodate a total of 1,644 dwelling units which would result in 357 new build low- and moderate-income housing units. Therefore, the Borough requests an adjustment of the Borough of Palisades Park’s combined Third and Fourth Round fair share obligation from 668 to 357 low- and moderate-income units. This would result in an RDP (Realistic Development Potential) of 357 units and an unmet need of 311 units for the Third and Fourth Rounds.

The Borough’s RDP is presented as a site-based accounting in Table 17 to document the Borough’s limited remaining vacant land and the discrete redevelopment opportunities that could reasonably contribute to affordable housing production. Inclusion of a site in the RDP does not constitute approval of a specific development plan; rather, it documents potential capacity for planning and compliance purposes, and implementation will proceed through the applicable land use and redevelopment processes.

PROPOSED FAIR SHARE PLAN

This section of the report addresses the municipality's total 1987 through 2025 fair share obligation and describes how the municipality will meet its overall obligation. This period included the Prior Round Obligation (1987-1999) and Third Round Obligation (1999-2025), inclusive of the Gap Period (1999-2015). The Fair Share Plan will be adopted by the Planning Board and endorsed by the governing body. The Borough will, as part of this process, adopt a non-residential development fee ordinance and start collecting funds to put toward the rehabilitation of existing deficient housing units, and will also prepare a Trust Fund spending plan for eventual submittal to the special master and the court for approval.

Mechanisms Addressing Affordable Housing Obligation

The following section shall describe the mechanisms the Borough of Palisades Park will utilize to address its cumulative affordable housing obligation.

Rehabilitation Share

Deficient housing units occupied by low- and moderate-income households are referred to as the rehabilitation share. The Rehabilitation Share for the Borough of Palisades Park per the Jacobson decision is 136 units. There have been 4 units rehabilitated in the Third Round so far resulting in a rehabilitation share of 132 units.

The Borough has a shared services agreement with the Borough of Paramus to be the Administrative Agent that will assist with the administration of the Rehabilitation Program. The Borough of Paramus on behalf of the Borough of Palisades Park has prepared an Affirmative Marketing Plan and Operating Manual for the Rehabilitation program. According to the Operating Manual program financing a Home Improvement Grant may be available for necessary home improvements to eligible owner-occupied and renter-occupied units. The minimum average per unit rehabilitation costs shall be \$10,000 in accordance with N.J.A.C. 5:93-5.2, unless the Borough approves a higher amount.

The Borough proposes to use funds collected from the Development Fee Ordinance to fund the Borough of Palisades Park Housing rehabilitation program.

An operating manual for the Borough's Rehabilitation program may be found in Appendix B.

Prior Round Obligation Compliance Plan

The Borough of Palisades Park had a 28-unit indigenous need (Rehabilitation Obligation) and a 0-unit prior round obligation. The 0-unit prior round obligation was confirmed in the Jacobson decision. The indigenous need was partially met by rehabilitating 5 units through the Bergen County Home Improvement Program, with the remaining 23 units addressed through a 1995 development known as "The Trio" resulting from litigation.

The Borough was involved in the builder's remedy lawsuit, Rosenshein Associates v. Borough of Palisades Park, et al., which led to a settlement agreement requiring the Borough to rezone specific parcels for multi-family housing with a low- and moderate-income component. The

Long Swamp area, located in the northeast corner of Palisades Park, was designated for inclusionary development as a result. This area, totaling 16.45 acres, contained three primary parcels: a wetland running north to south and two upland parcels on either side of the wetland.

The first upland site (Site A) consisted of 2.58 acres in the southwest corner of the tract, zoned to allow 140 dwelling units with a net density of slightly over 54 units per upland acre. The second site (Site B), located in the northeast corner, covered 1.06 acres and was zoned for a density of 60.4 units per upland acre, allowing 64 dwelling units. Both sites permitted a maximum building height of eight stories.

Rezoning of these properties allowed for up to 204 dwelling units. The developer was required to satisfy the affordable housing obligation either by setting aside 20% of units for low- and moderate-income housing or by making a cash contribution of \$10,000 per affordable unit.

The Rosenshein Tract, encompassing 16.45 acres, was divided by a central freshwater wetland into three parcels as follows:

1. **Wetland Parcel:** Covering 9.95 acres (excluding unimproved roads), this wetland ran along the site’s length, dividing it into two upland portions.
2. **Two Upland Sites:**
 - o **Site A:** A 2.58-acre upland area in the southwest corner, bounded by unimproved Twelfth and Thirteenth Streets and Edsall and Palisades Boulevards. This site was zoned for a net density of slightly over 54 units per upland acre, with a maximum building height of eight stories, totaling 140 housing units.
 - o **Site B:** A 1.06-acre upland area in the northeast corner, bounded by unimproved Thirteenth and Fourteenth Streets and Edsall and Palisades Boulevards, zoned for a density of 60.4 units per upland acre and a maximum height of eight stories, totaling 64 housing units.

Site A was developed as "The Trio," with two buildings and a total of 140 units; the developer opted to fulfill the affordable housing requirement through a \$10,000 per unit cash contribution. Site B remained undeveloped, although in 2017, the Zoning Board of Adjustment approved a proposal to construct an additional 90 units, bringing the site’s potential total to 154 units. However, development has been delayed due to ongoing litigation with an objector.

TABLE 18
SATISFYING THIRD & FOURTH ROUND RDP

2. The Borough’s combined Third Round and Fourth Round realistic development potential is 357 and shall be addressed with the following mechanisms:

MECHANISM	TYPE	UNITS	BONUS	TENURES	STATUS
Fan Associates 15 Grand Avenue (Inclusionary)	Family	35	17*	Rental	Proposed

Leem's Corp. 21 Grand Avenue (Inclusionary)	Family and Age-re- stricted	38 Family & 64 Age- restricted	26*	Rental	Proposed
DRC Develop- ment Corp. 35-39 W. Colum- bia Avenue (Inclusionary)	Family	7		TBD	Proposed
Hillcrest Builders, LLC 450 East Edsall Boulevard (Inclusionary)	Family	9		TBD	Proposed
Broad & Edsall, LLC 59 Broad Avenue (Inclusionary)	Family	6 (including 1 affordable unit from HJ Lee Holdings)		For-Sale	Proposed
HJ Lee Holdings, LLC	Family	1 (included at Broad & Edsall)			
Tamares, LLC (Inclusionary)	Family	108	46*	Rental	Proposed
Golden Value, LLC (Inclusionary)	Family	7		Rental	Proposed
Berkeley Pal. Pk. c/o Limestone Hill (14 th Street)	Family	23		TBD	Proposed
Total		297	89		

*A municipality may receive one unit of credit and one-half bonus credit for each unit of low- or moderate- income housing constructed on land that is or was previously developed and utilized for retail, office, or commercial space.

As shown in Tables 18 above, the proposed plan addresses the Borough's combined RDP for the Third and Fourth Round of 357 units through 297 credits from nine inclusionary developments, and 89 bonus credits.

In summary, as shown in Table 20 below, the total housing obligation for both the Prior Round, Third and Fourth rounds amounts to 668 units. This obligation will be addressed by 297 credits through units that are proposed and 89 bonus credits bringing the total to 386 credits. As a result, the Borough has a surplus of 29 credits towards its combined RDP, which can be credited towards the Borough's unmet need.

TABLE 20
SUMMARY OF MECHANISMS ADDRESSING THIRD-FOURTH TOTAL PROSPECTIVE
OBLIGATION

Credits	297
Bonus Credits	89
Total Obligation	668
Surplus RDP Credits	29

Below is a more detailed description of each of the projects/developments that will satisfy the Borough's RDP.

Fan Associates (15 Grand Avenue)

Fan Associates, LLC proposes to construct a 5- to 6-story apartment building at 15 Grand Avenue. Commercial space totaling 20,150 square feet, located in a 7-story building located on the front portion of the site will remain. The property, identified as Block 505, Lots 3 and 4 in the borough's tax records, has a lot area of 2.88 acres (125,715 square feet). The subject property is bordered by 21 Grand Avenue to the north (also included in the builder's remedy lawsuit), which is proposed to be developed with a mixed-use development consisting of two high rise multifamily buildings with 510 residential units, approximately 183,709 square feet of commercial space, and accessory parking. To the east, the site faces Grand Avenue and a neighborhood of one- and two-family homes. Route 46 is to the south, and to the west are railroad tracks and various commercial uses, including a driving range. The aerial photograph below shows the subject property and the immediate surrounding area.



Aerial Map

Source: NJ Geographic Information Network



The proposed development includes a total of 175 family rental units, of which 35 are designated as low- and moderate-income family rental units. The proposed density for this development is 60.8 units per acre. The bedroom distribution of the affordable units includes 7 one-bedroom units, 21 two-bedroom units, and 7 three-bedroom units. Additionally, 329 parking spaces are provided to serve the development. The affordability distribution includes 18 low-income units, 5 of which will be designated as very low-income, and 17 moderate-income units. The proposed income and bedroom distribution is detailed below.

Fan Associates Proposed Income-Bedroom Distribution					
	Very Low-Income	Low-Income	Moderate-Income	Total	Percent of Total
1BR	2	2	3	7	≤ 20%
2BR	3	7	10	21	≥ 30%
3BR		4	3	7	≥ 20%
Total	5	13	17	35	
Percent of total	≥ 13%	≥ 37%	≤ 50%		

The HEFSP calls for municipal designation of this property as an area in need of redevelopment and authorize preparation and adoption of a redevelopment plan and implementing ordinance(s), consistent with the unit yields assumed in the RDP.

LEEMS Corp. (21 Grand Avenue)

LEEMS Corp. proposes a mixed-use development at 21 Grand Avenue, featuring two high rise multifamily buildings with 510 residential units, approximately 183,709 square feet of commercial space, and accessory parking. The buildings will be arranged around public open space, enhancing community access and aesthetics. The property, identified as Block 505, Lot 1 in the borough's tax records, encompasses 6.02 acres (262,442 square feet). The site is bordered by West Ruby Avenue to the north, facing an older industrial area. To the east is Grand Avenue, across from a neighborhood of one- and two-family homes, along with newer 3-story and 5-story multifamily buildings. To the south, at 15 Grand Avenue, is another site included in the builder's remedy lawsuit, proposed for a mixed-use development featuring a 5- to 6-story building with 175 residential units and 20,150 square feet of commercial space. To the west are railroad tracks and an older industrial area, consisting of warehouse distribution buildings with associated truck parking. The aerial photograph below illustrates the subject property and the surrounding area.



Aerial Map

Source: NJ Geographic Information Network

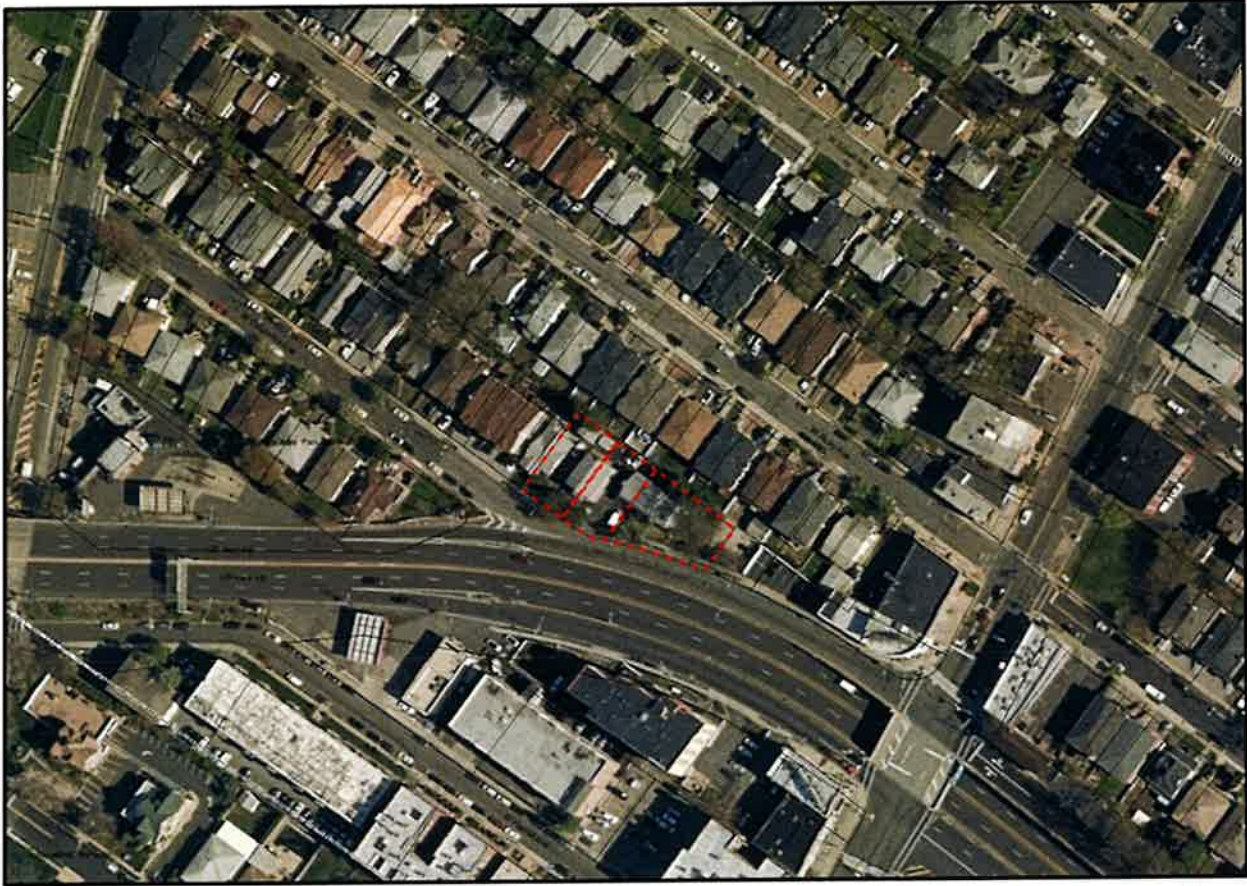


The proposed development will contain 183,709 square feet of retail space and 510 units of which 102 units will be set aside for low- and moderate-income households. Of the 102 affordable housing units 64 will be age-restricted rental units and the remaining 38 rental units would be available to families. Pursuant to N.J.A.C. 5:80-26.3(c) of the Uniform Housing Affordability Controls (UHAC), the developer is entitled to a modified bedroom distribution for the age-restricted units. The proposed density for this development is 84.7 units per acre. The bedroom distribution of the affordable units includes 72 one-bedroom units (64 age-restricted units and 8 family units), 23 two-bedroom units (all family units), and 7 three-bedroom units (all family units). The affordability distribution includes 51 low-income units (32 age-restricted units and 19 family units), 10 of which will be designated as very low-income (6 age-restricted units and 4 family units), and 51 moderate-income units (32 age-restricted units and 19 family units). Additionally, 916 parking spaces are provided to serve the development. The proposed income and bedroom distribution is detailed below.

LEEMS Corp. Proposed Income-Bedroom Distribution					
	Very Low-Income	Low-Income	Moderate-Income	Total	Percent of Total
1BR				72	≤ 20%
2BR				23	≥ 30%
3BR				7	≥ 20%
Total	13	38	51	102	
Percent of total	≤ 13%	≥ 37%	≤ 50%		

DRC Development Corp. (35-39 West Columbia Avenue)

DRC Development Corp. proposes to construct a 5-story apartment building (3 residential stories over 2 stories of parking) at 35-39 West Columbia Avenue. The property, identified as Block 617, Lots 21, 22 and 23 in the borough's tax records, has a lot area of 0.37 acres (16,208 square feet). The subject property is bordered by one- and two-family homes along West Ruby Avenue to the north. To the east is a property that is also part of the Builders Remedy lawsuit and will be developed with a 5-unit development. To the south, the site faces West Columbia Avenue and the on-ramp to Route 46. To the west is a neighborhood of one- and two-family homes. The aerial photograph below shows the subject property and the immediate surrounding area.



Aerial Map

Source: NJ Geographic Information Network



The proposed development includes a total of 33 residential units, of which 7 are designated as low- and moderate-income family units. It is not known at this time if the units will be for sale or rental units. The proposed density for this development is 89.2 units per acre. The bedroom distribution includes 1 one-bedroom units, 3 two-bedroom units, and 2 three-bedroom units. The affordability distribution includes 3 low-income units, 1 of which will be designated as very low-income, and 3 moderate-income units. Additionally, 42 parking spaces are provided to serve the development. The proposed income and bedroom distribution is detailed below.

DRC Development Corp. Proposed Income-Bedroom Distribution					
	Very Low-Income	Low-Income	Moderate-Income	Total	Percent of Total
1BR	1			1	≤ 20%
2BR		2	2	4	≥ 30%
3BR		1	1	2	≥ 20%
Total	1	3	3	7	
Percent of total	≥ 13%	≥ 37%	≤ 50%		

Hillcrest Builders, LLC (450 East Edsall Boulevard)

Hillcrest Builders, LLC proposes to construct a 6-story apartment building (4 residential stories over 2 stories of parking) at 450 East Edsall Boulevard. The property, identified as Block 420, Lot 16 in the borough's tax records, has a lot area of 0.39 acres (17,273 square feet). The subject property is bordered to the north by East Edsall Avenue and Windsor Square, a multifamily development. To the east lies the Long Swamp, an environmentally constrained area with wetlands. To the south are office and industrial uses, while to the west are one-story industrial buildings. The aerial photograph below shows the subject property and the immediate surrounding area.



Aerial Map

Source: NJ Geographic Information Network

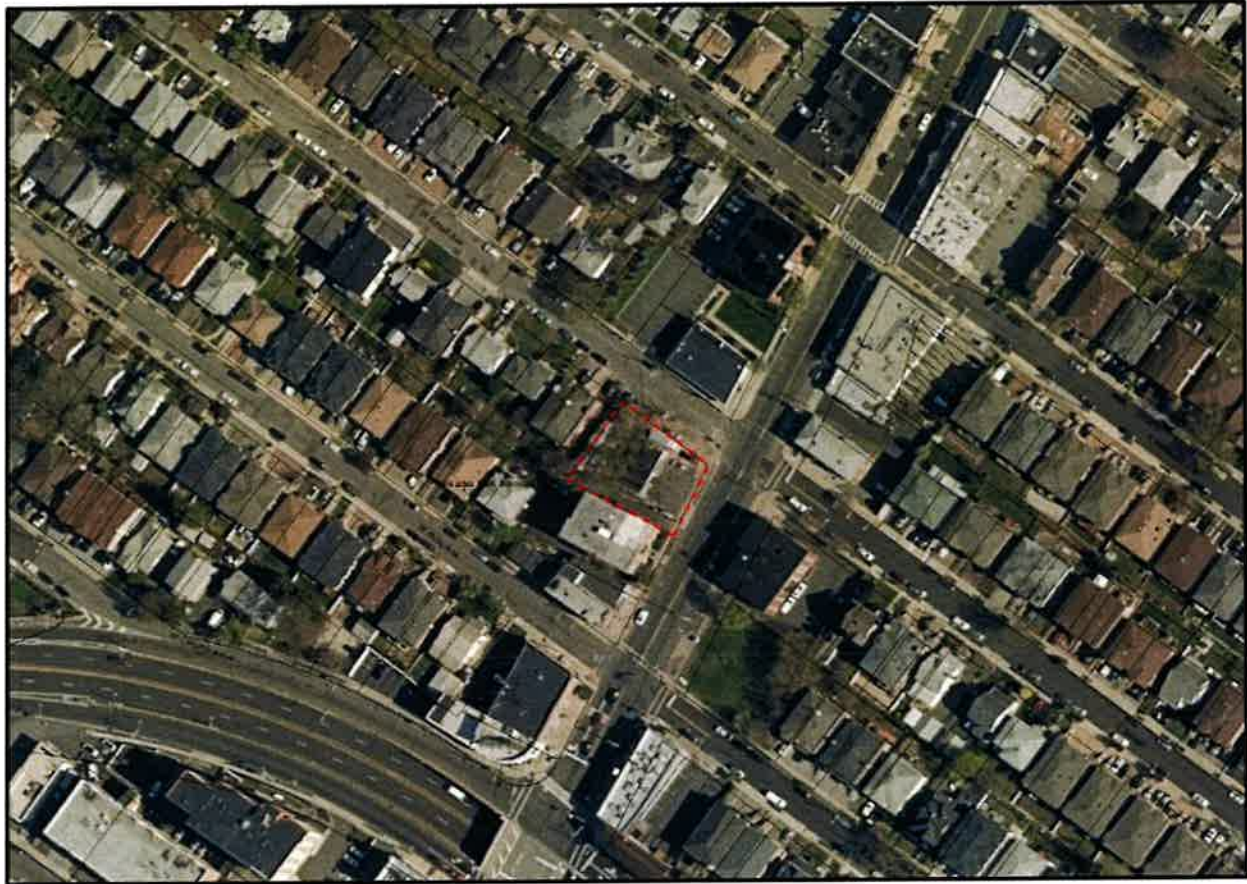


The proposed development includes a total of 45 residential units, of which 9 are designated as low- and moderate-income family units. It is not known at this time if the units will be for sale or rental units. The proposed density for this development is 113.6 units per acre. The bedroom distribution includes 1 one-bedroom units, 6 two-bedroom units, and 2 three-bedroom units. The affordability distribution includes 5 low-income units, 2 of which will be designated as very low-income, and 4 moderate-income units. Additionally, 53 parking spaces are provided to serve the development. The proposed income and bedroom distribution is detailed below.

Hillcrest Builders, LLC Proposed Income-Bedroom Distribution					
	Very Low-Income	Low-Income	Moderate-Income	Total	Percent of Total
1BR	1			1	≤ 20%
2BR	1	2	3	6	≥ 30%
3BR		1	1	2	≥ 20%
Total	2	3	4	9	
Percent of total	≥ 13%	≥ 37%	≤ 50%		

Broad & Edsall, LLC (59 Broad Avenue)

Broad & Edsall, LLC proposes to construct a 5-story apartment building (4 residential stories over 1 story of parking above grade and 1 story of parking partially below grade) at 59 Broad Avenue. The property, identified as Block 613, Lot 18 in the borough’s tax records, has a lot area of 0.21 acres (9,011 square feet). The subject property is bordered to the north by West Edsall Avenue and a one-story office. To the east is Grand Avenue and an older four-story multi-family residential building. To the south is another older four-story multi-family residential building followed by commercial uses. To the east is a one- and two-family residential neighborhood. The aerial photograph below shows the subject property and the immediate surrounding area.



Aerial Map

Source: NJ Geographic Information Network



The proposed development includes a total of 30 residential units, of which 7² are designated as low- and moderate-income family units. All units will be family rental units. The proposed density for this development is 142.8 units per acre. The bedroom distribution includes 1 one-bedroom unit, 4 two-bedroom units, and 2 three-bedroom units. The affordability distribution includes 4 low-income units, 1 of which will be designated as very low-income, and 3 moderate-income units. Additionally, 30 parking spaces are provided to serve the development. The proposed income and bedroom distribution is detailed below.

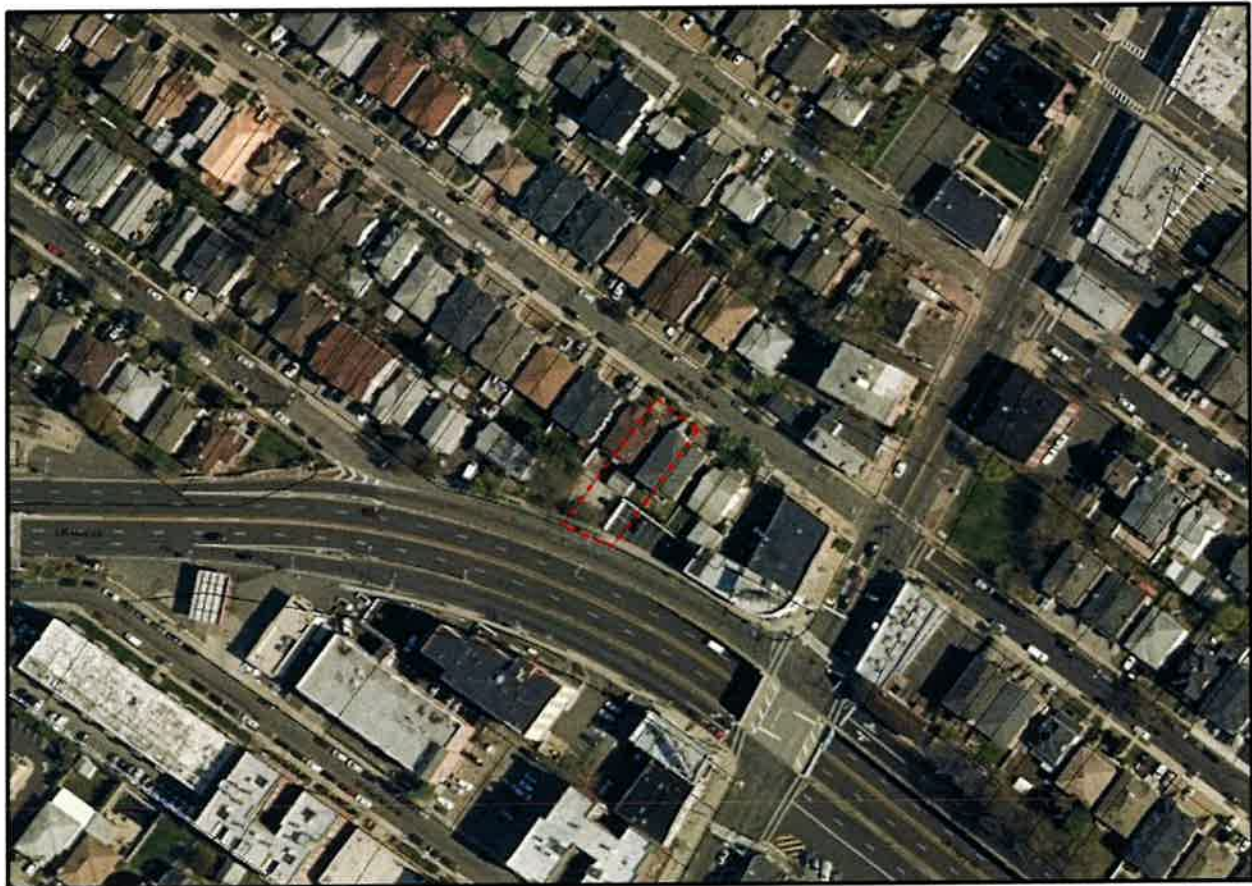
Broad & Edsall, LLC Proposed Income-Bedroom Distribution					
	Very Low-Income	Low-Income	Moderate-Income	Total	Percent of Total
1BR	1			1	≤ 20%
2BR		2	2	4	≥ 30%
3BR		1	1	2	≥ 20%

² The developer is providing one additional affordable unit on this site instead of providing an affordable unit at 18-20 West Ruby.

Total	1	3	3	6	
Percent of total	≥13%	≥37%	≤50%		

HJ Lee Holdings, LLC (18-20 West Ruby Avenue)

HJ Lee Holdings, LLC proposes to construct a 4-story apartment building (3 residential stories over 1 story of parking) at 18-20 West Ruby Avenue. The property, identified as Block 617, Lot 16 in the borough’s tax records, has a lot area of 0.16 acres (7,144 square feet). The subject property is bordered to the north by West Ruby Avenue and a neighborhood of one- and two-family homes. To the east is a two-family home and the parking lot of an office building. To the south, the site faces West Columbia Avenue and the on-ramp to Route 46. To the west, along West Ruby Avenue, is a neighborhood of one- and two-family homes as well as a property included in the builder’s remedy lawsuit, which is planned for a 30-unit development along West Columbia Avenue. The aerial photograph below shows the subject property and the immediate surrounding area.



Aerial Map

Source: NJ Geographic Information Network



The proposed development includes a total of five residential units. Although the development would require one affordable housing unit to be constructed on-site, the developer plans to build

this unit at the 59 Broad Avenue project instead. All five units will be for sale. The proposed density for this development is 31.3 units per acre.

Tamares Management, LLC (121–131 West Ruby Avenue and 20–40 Fairview Street) – Court-Ordered Parameters

The subject property, located at 121–131 West Ruby Avenue and 20–40 Fairview Street, is identified in the Borough’s tax records as Block 504, Lots 1–5 and 10. The site comprises approximately 2.17 acres (94,657 square feet) and is bounded by Fairview Street to the north, light industrial uses to the east, West Ruby Avenue to the south, and railroad tracks and additional light industrial uses to the west. An aerial photograph below illustrates the property and its immediate surroundings.



Aerial Map

Source: Nearmap 10/11/24



To implement the Court’s directives, the HEFSP identifies the Tamares property as an intervenor compliance mechanism and defines the project parameters that govern how the site is credited and implemented.

The baseline compliance framework for the site is a mixed-use apartment building on approximately 2.17 acres (Block 504, Lots 1 through 5 and 10), consisting of up to 540 rental units and

up to 20 stories. The project shall provide a mandatory 20 percent affordable housing set-aside, yielding 108 low- and moderate-income family rental units, and may include approximately 9,000 square feet of retail space.

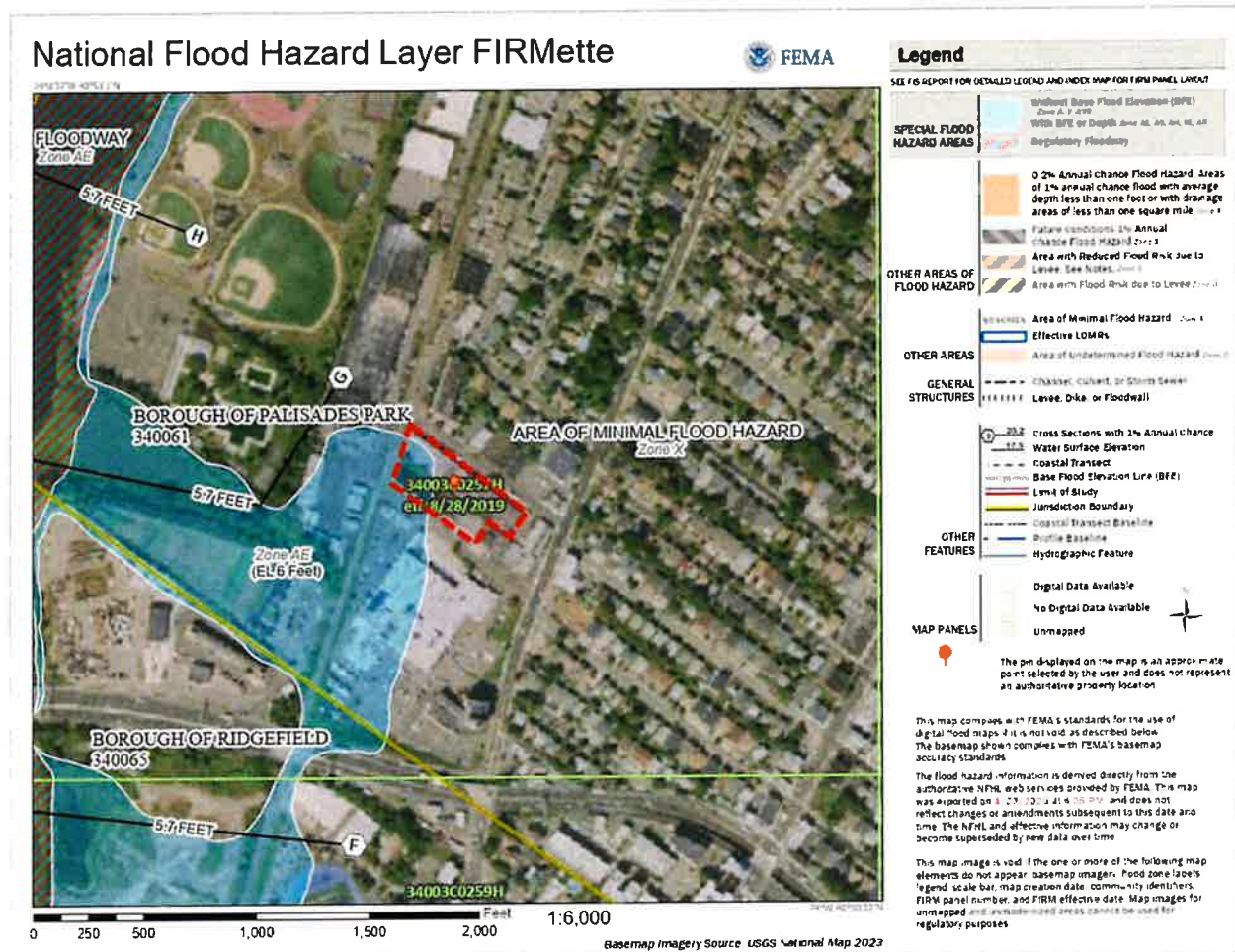
Any municipal complex component, if pursued by the Borough, shall be located on another property, shall be treated as a distinct element, and shall not reduce, offset, or otherwise diminish the affordability obligations applicable to the Tamares residential project.

This amendment further clarifies that the Borough's compliance strategy for the Tamares site is not premised on condemnation or the exercise of eminent domain.

Tamares demonstrated site control and feasibility for the project as a contract purchaser. The site is suitable for the proposed use and is strategically located along West Ruby Avenue and Fairview Street, both public streets improved to Borough standards, providing adequate vehicular and pedestrian access for the proposed residential and municipal components. Surrounding land uses are compatible with a mixed-use development: to the north are Fairview Street and a mix of commercial and multiple-family uses; to the east are commercial and office uses; to the south are West Ruby Avenue and two additional properties planned for mixed-use development; and to the west are railroad tracks and office, warehouse, and distribution uses. The site is located within Planning Area 1 (PA1) under the State Development and Redevelopment Plan (SDRP), reflecting an area designated for urban growth and supporting compact, mixed-use, transit-accessible development.

The proposal is consistent with the SDRP and advances state and local objectives by expanding affordable housing opportunities, enhancing community services, and promoting sustainable growth. The site is located within a designated sewer service area and public water service area, and will-serve letters from the relevant utility providers will be provided during the site plan approval process. The project is also approvable from a regulatory standpoint: it is intended to comply with the Residential Site Improvement Standards (RSIS), N.J.A.C. 5:21-1 et seq., including design standards for parking, circulation, and supporting infrastructure, and it is not subject to additional regional planning jurisdictions such as CAFRA or the Highlands Preservation Area.

Finally, environmental conditions do not present material constraints to development. An environmental assessment confirms the site is not constrained by wetlands, steep slopes, or flood hazard areas that would limit high-density residential development. While the westernmost portion of the property lies within a flood hazard area, that area is already fully developed and is not expected to affect the proposed project. The developer will obtain any required NJDEP verifications, authorizations, or permits as applicable.



The affordable housing units include a mix of one-, two-, and three-bedroom apartments. The proposed residential density for the development is 248.85 units per acre. The bedroom distribution of the affordable units must align with the UHAC standards and provide for studio and one-bedroom units no greater than 20%, at least 30% must be two-bedroom units and at least 20% must be three-bedroom units. The remainder of any units may be allocated at the discretion of the developer. At least 50 percent of the affordable units within each bedroom distribution shall be low-income units and the remainder may be moderate-income units. Furthermore, at least 13% of the total number of low- and moderate-income units shall be made available to very-low income individuals. For illustrative purposes only the proposed income and bedroom distribution are shown below.

Tamares Proposed Income-Bedroom Distribution					
	Very Low-Income	Low-Income	Moderate-Income	Total	Percent of Total
Studio/ 1BR	3	8	10	21	≤ 20%
2BR	8	24	33	65	≥ 30%

3BR	3	8	11	22	≥20%
Total	14	40	54	108	
Percent of total	≥13%	≥37%	≤50%		

Golden Value, LLC (129–141 Bergen Boulevard)

The Borough is considering a settlement agreement with Golden Value, LLC concerning property located at 129–141 Bergen Boulevard (Block 716, Lots 20, 21 and 22). The settlement provides for an inclusionary rental development of up to 35 units with a 20% affordable housing set-aside (7 affordable family rental units), including one (1) very low-income units, three (3) low-income units, and three (3) moderate-income units, with a minimum forty (40) year deed restriction period.

To implement the tentative settlement, the Borough has prepared an ordinance establishing an affordable housing district for Block 716, Lots 20, 21 and 22, permitting multi-family residential development and setting bulk and parking standards intended to facilitate the production of the affordable units contemplated by the settlement and crediting under UHAC, subject to Court approval and the Borough’s standard land use review process

Berkeley Pal. Pk. c/o Limestone Hill (14th Street)

The Borough will amend the existing zoning for Block 432, Lots 2, 3, 4, 6, and 9, and Block 433, Lots 2, 4, and 5 to permit development of a 180-unit inclusionary multifamily project. This site was part of a prior Settlement Agreement with Rosenshein Developers during Round 2. Identified as Site B, it includes a developable area of 1.059 acres in the northeast corner, bounded by the unimproved rights-of-way of Thirteenth and Fourteenth Streets, as well as Edsall and Palisades Boulevards. The prior site development plan for this project is attached as Appendix H.

The site was originally zoned for a density of 60.4 units per upland acre, with a maximum building height of eight stories, allowing for a total of 64 housing units. The proposed amendment would permit development of 180 units, with the additional 116 units requiring a set-aside of 23.2 affordable units. The resulting project density would increase to 152.7 units per acre, based on the total developable area.

The bedroom distribution of the affordable units includes 4 one-bedroom units, 15 two-bedroom units, and 4 three-bedroom units. The affordability distribution includes 12 low-income units, 2 of which will be designated as very low-income, and 11 moderate-income units. The proposed income and bedroom distribution is detailed below.

	Very Low-Income	Low-Income	Moderate-Income	Total	Percent of Total
1BR		2	2	4	≤ 20%
2BR	1	7	7	15	≥30%
3BR	1	1	2	4	≥20%
Total	2	10	11	23	

Percent of total	≥13%	≥37%	≤50%
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Site Suitability Analysis

As required by N.J.A.C. 5:93-5.3, affordable housing sites must be available, suitable, developable, and approvable, as defined in N.J.A.C. 5:93-1.3, for the production of low- and moderate-income housing. Site suitability analyses for each of the mechanisms addressing the RDP are provided in Appendix D.

Administrative Entity: The Borough of Palisades Park will require that the residential developer engage an administrative agent acceptable to the Borough to administer and affirmatively market the units at the development, income qualify applicants place minimum 40 year affordability controls on the units, and provide long term administration of the units in accordance with the rules at N.J.A.C. 5:93-1 et seq and N.J.A.C.5:80-26.1 et seq.

Very Low-, Low- and Moderate-Income Distribution: At least half of the affordable units will be affordable to low-income households, with at least 13% affordable to very low-income households.

Affirmative Marketing: The affordable units will be affirmatively marketed in accordance with N.J.A.C. 5:93-1 et seq and N.J.A.C. 5:80-26.1 e seq.

Controls on Affordability: The affordable units will have a minimum 40-year affordability control.

Bedroom Distribution: The distribution of the number of bedrooms will follow UHAC regulations.

Rental Requirement

For a municipality that receives an adjustment pursuant to N.J.A.C. 5:93-4.2, the rental obligation shall equal 25 percent of the RDP. As the Unmet Need is addressed, the number of required rental units increases, as does the permitted number of rental bonus credits.

$$\text{Rental Requirement} = 25 \text{ percent (RDP)}$$

$$\text{Rental Requirement} = .25 (357 \text{ units}) = 89 \text{ units}$$

Based on the above referenced formula, the rental obligation for the Third Round RDP is 89 units. Pursuant to N.J.A.C. 5:93-5.15(d)2, no rental bonus shall be granted for rental units in excess of the rental obligation. Therefore, the Borough has a cap of 89 rental bonus credits. Half of the rental units or 45 units shall be rental units that are available to families. These units will be distributed among the eight proposed developments as detailed further in this report.

Pursuant to N.J.A.C. 5:93-5.15(d),

The Council shall grant a rental bonus for rental units that are constructed and conform to the standards contained in N.J.A.C. 5:93-5.8(d) and 5.9(d) and 5:93-7. The Council may also grant the rental bonus prior to construction when it determines that the municipality has provided or received a firm commitment for the construction of rental units. A municipality may lose the benefit of the rental bonus granted in advance of the actual construction of the rental units if the municipality has not constructed the rental units within the time periods established as a condition of substantive certification; or granted preliminary or final approval for the construction of the rental units (where a developer agreed to construct the rental units). A municipality may also lose the benefit of a rental bonus if the preliminary or final approval is no longer valid or if the developer has abandoned the development.

Based on N.J.A.C. 5:93-5.15(d), the Borough is eligible to receive up to 69 rental bonus credits. It is clear that these bonus credits can be granted before the construction of the rental units, provided there is a firm commitment to their development. The settlement agreements with the developers of the builder’s remedy sites serve as such a commitment and ensure the construction of the rental units. The regulations do not require that the units be completed before the expiration of the applicable round. However, the court has the authority to establish a timeframe for their construction as a condition of substantive certification.

Age-Restricted Units

A municipality may not satisfy more than 30 percent of the affordable housing units, exclusive of any bonus credits, to address its prospective need affordable housing obligation through the creation of age-restricted housing. N.J.S.A. 52:27D-311(I). For municipalities that received or are receiving a vacant land adjustment, no more than 30 percent of the RDP may be addressed with age restricted units.

357 RDP – 89 bonus credits = 268. 268x.25 = 67.

The Borough would be permitted to age-restrict 67 units for the combined Third and Fourth Round RDP, where a total of 64 units have either been constructed or are proposed.

TABLE 21
AGE-RESTRICTED AFFORDBALE UNITS

Development	Status	# of units
LEEMS Corp.	Proposed	64
		64

Very Low-Income Housing Requirement

An amendment to the Fair Housing Act in 2008 (A-500) requires that at least 13% of all affordable housing units approved and constructed since July 1, 2008 be made available to very low-income individuals. Very low-income housing is housing made available for persons with a household income equal to 30% or less of the median gross income for households of the same size within the housing region in which the housing unit is located. Based on the development of 297

affordable housing units the very low-income requirement would be 13% of 297 units or 38.61 rounded up to 39 units. These units will be distributed among the nine proposed developments as detailed further in this report.

Low-Income Requirements

At least 50% of the units addressing the Third Round Prospective Need shall be affordable to very low-income and low-income households with the remainder affordable to moderate income households. Based upon a total of 297 units being credited toward the Borough's Third Round RDP, at least 149 units shall be affordable to very low-income and low-income households. The remaining 148 units may be affordable to moderate-income households. These units will be distributed among the eight proposed developments as detailed further in this report.

Family Requirement

Pursuant to the Settlement Agreement at least half of the units addressing the Third Round Prospective Need in total must be available to families. Based upon a total of 297 units being credited toward Third Round RDP, 149 units would be required to be made available for families. These units will be distributed among the eight proposed developments as detailed further in this report.

Mechanisms Addressing the Remaining 311-Unit Unmet Need

The Boroughs combined Third Round and Fourth Round RDP of 357 results in a combined Third and Fourth Round Unmet Need of 311 units. The Borough shall address its Unmet Need, including the requirement that it identified sites likely to redevelop and adopt realistic zoning to address at least 25% of its Unmet Need as follows:

A. Surplus Credits

The total housing obligation for both the Prior Round, Third and Fourth rounds amounts to 668 units. This obligation will be addressed by 297 credits through units that are proposed and 89 bonus credits bringing the total to 386 credits. As a result, the Borough has a surplus of 29 credits towards its combined RDP, which can be credited towards the Borough's unmet need.

B. Realistic Zoning for Sites Likely to Redevelop

Route 5 Senior Housing Project.

The Borough shall adopt overlay zoning on Block 724 Lot 14, Block 725 Lot 1, Block 726 Lot 1 to permit 90 units with a twenty-percent affordable housing set-aside, or 18, affordable units.³

Bellview Place

The Borough shall adopt overlay zoning at Block 217, Lot 23 to permit 20 units with a twenty-percent affordable housing set-aside, or 4, affordable units.

³ A map is included as Appendix I which shows the sites that are proposed for inclusion in the overlay zone. The approximate area is 3.12 acres, which includes a portion of the Grantwood Boulevard ROW.

Affordable Housing Overlay Zones

To facilitate the creation of affordable housing opportunities while encouraging appropriate redevelopment along the Bergen Boulevard corridor, the Borough proposes the establishment of three Affordable Housing Overlay Zones. These overlay districts are intended to permit higher-density residential and mixed-use development in appropriate locations while ensuring the provision of affordable housing in compliance with the Borough's constitutional obligations. Because the Bergen Boulevard corridor consists largely of small and fragmented parcels, the Borough also recognizes the importance of enabling coordinated redevelopment that can achieve the scale necessary to support inclusionary development. Accordingly, the zoning framework for the Affordable Housing Mixed-Use Districts will allow and encourage lot consolidation and site assembly. The ordinance will include mechanisms that facilitate the aggregation of parcels and allow redevelopment projects to utilize the full development potential of assembled sites, thereby improving the feasibility of mixed-use and inclusionary housing development along the corridor.

AHMUD-1 Affordable Housing Mixed-Use Development Overlay Zone

The AHMUD-1 Zone is located along the Bergen Boulevard corridor and encompasses the following properties:

- Block 420, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 17, 17.01, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 27; and Block 424, Lot 5.

The combined lot area of the AHMUD-1 zone is approximately 6.61 acres. The zone is intended to support mixed-use redevelopment along Bergen Boulevard that includes residential development with ground floor retail uses.

Development within the AHMUD-1 zone is anticipated to occur at a maximum density of approximately 70 dwelling units per acre, which could yield approximately 460 dwelling units. Buildings within the district are anticipated to be developed at a maximum height of five stories.

All residential development within the zone would be required to provide a minimum affordable housing set-aside of 20 percent of the total number of dwelling units, consistent with the Borough's affordable housing compliance strategy. Based on the anticipated development yield, the AHMUD-1 zone could generate approximately 92 affordable housing units.

The AHMUD-1 zone is intended to encourage compact, walkable mixed-use development that strengthens the Bergen Boulevard corridor while producing a significant number of affordable housing units.

AHMUD-2 Affordable Housing Mixed-Use Development Overlay Zone

The AHMUD-2 Zone consists of the following property:

- Block 416, Lot 1

The site contains approximately 2.38 acres and is located along Bergen Boulevard adjacent to an existing multi-family residential development.

The zone is intended to permit mixed-use development with ground floor retail and residential units above, consistent with the character of development along Bergen Boulevard. Development in the AHMUD-2 zone is anticipated to occur at a maximum density of approximately 70 dwelling units per acre, which could yield approximately 167 dwelling units, subject to site planning and ordinance requirements.

Building height within the AHMUD-2 zone would be limited to a maximum of four stories, reflecting the scale of the existing multi-family residential development immediately adjacent to the site.

All residential development would be required to include a minimum 20 percent affordable housing set-aside in accordance with the Borough's affordable housing obligations. Based on the anticipated development yield, the AHMUD-2 zone could generate approximately 33 affordable housing units.

AHD-1 Affordable Housing Development Overlay Zone

The AHD-1 Zone consists of the following properties:

- Block 421, Lots 1, 2, 3, 4, 5, and 6; and Block 421, Lot 8.02.

The combined lot area of the properties within the AHD-1 zone is approximately 1.87 acres. This overlay zone is intended to facilitate residential-only development designed to provide additional affordable housing opportunities within the Borough.

Development within the AHD-1 zone is proposed at a density of approximately 45 dwelling units per acre. Based on the total site area of 1.87 acres, the zone could yield approximately 84 dwelling units.

Development within the zone is anticipated to consist of three- to four-story residential buildings, with building heights designed to remain compatible with the existing condominium development located immediately east of the subject properties.

Assuming a 20 percent affordable housing set-aside, the AHD-1 zone could generate approximately 17 affordable housing units.

C. Remaining Unmet Need (118 units)

550 Bergen Boulevard (7 affordable units)

An application has been submitted to the Zoning Board of Adjustment to construct a multifamily residential development consisting of 34 total units at a density of 109 units per acre, including a 20% affordable housing set-aside, or 7 affordable units.

555 10th Street & 83 Centre Place

The Borough may receive credit for these units in the Fourth Round or in a subsequent round, provided that:

- (1) The owner(s) consent to the Borough's recording of deed restrictions in accordance with the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq., with the affordability control period commencing upon the initial occupancy of the unity by an income-qualified household selected through an affirmative marketing process;
- (2) Any rehabilitation required pursuant to N.J.A.C. 5:93-6.13 is completed prior to such initial occupancy by an income-qualified household; and
- (3) The unit is affirmatively marketed and occupied by an income-qualified household in compliance with UHAC.

The Borough will also adopt a Mandatory Set-Aside ordinance.

AFFIRMATIVE MARKETING PLAN

This Affirmative Marketing Plan applies to all developments that contain low- and moderate-income units.

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, municipality and/or designated administrative agency of affordable housing. The plan addresses the requirements of N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26. In addition, the plan prohibits discrimination in the sale, rental, financing or other services related to housing on the basis of race, color, sex, affectional or sexual orientation, religion, handicap, age, familial status/size or national origin.

Palisades Park is in COAH Housing Region 1 consisting of Bergen, Hudson, Passaic and Sussex Counties.

Palisades Park is ultimately responsible for administering the affordability controls and the Affirmative Marketing Plan.

Palisades Park has established the position of a Municipal Liaison and has delegated this responsibility to a municipal employee, who shall administer the affordable housing program, including administering and enforcing the affordability controls and this Affirmative Marketing Plan, in accordance with the provisions of the ordinance creating the position of the Municipal Liaison, the regulations of the Council of Affordable Housing pursuant to N.J.A.C. 5:97 et. seq. and the New Jersey Uniform Housing Affordability Controls pursuant to N.J.A.C. 5:80-26 et. seq.

Subject to approval of COAH, Palisades Park may contract with one or more administrative agents to administer some or all of the affordability controls and/or the Affirmative Marketing Plan in accordance with the provisions of Palisades Park's Code, the regulations of the Council on Affordable Housing pursuant to N.J.A.C. 5:94 et. seq. and the New Jersey Uniform Housing Affordability Controls pursuant to N.J.A.C. 5:80-26 et. seq. If Palisades Park enters into such a contract, the Municipal Liaison shall supervise the contracting administrative agent(s) and shall serve as liaison to the contracting administrative agent(s). The Borough of Palisades Park has contracted with the Borough of Paramus to be their Administrative Agent. The Borough of Paramus on behalf of the Borough of Palisades Park has prepared an Affirmative Marketing Plan which is appended to this document.

Developers of low- and moderate-income units may assist in the marketing of the affordable units in their respective developments if so designated by the Governing Body of the Palisades Park in accordance with the provisions of Palisades Park's Code, the regulations of the Council on Affordable Housing pursuant to N.J.A.C. 5:94 et. seq. and the New Jersey Uniform Housing Affordability Controls pursuant to N.J.A.C. 5:80-26 et. seq. If Palisades Park enters into such a contract, the Municipal Liaison shall supervise the contracting administrative agent(s) and shall serve as liaison to the contracting administrative agent(s).

The Borough's Affirmative Marketing Plan, resolution appointing a Municipal Housing Liaison, and resolution and executed agreement with a qualified Administrative Agent may all be found in Appendix G.