

VILLAGE OF RIDGEFIELD PARK

County of Bergen – Region 1

AFFORDABLE HOUSING MIDPOINT REVIEW

Pursuant to N.J.S.A. 52:27D-313

and

**Paragraph 20.i of the Settlement Agreement between the
Village and Fair Share Housing Center**

INTRODUCTION

The Village of Ridgefield Park is submitting this Midpoint Review pursuant to N.J.S.A. 52:27D-313 and paragraph 20.i of the Settlement Agreement between the Village of Ridgefield Park (the “Village”) and Fair Share Housing Center (“FSHC”). The Village

The Village has completed the Monitoring Form as per the request of FSHC, a copy of which is attached hereto.

Any interested party is invited to submit comments to the Village, with a copy to Fair Share Housing Center, 510 Park Boulevard, Cherry Hill, New Jersey, 08002, regarding whether any sites no longer present a realistic opportunity and should be replaced. Any interested party may by motion request a hearing before the Superior Court regarding these issues in the matter Docket No. BER-L-6143-15.

Conditions of Compliance

1. What conditions from the court’s approval of the municipal housing element and fair share plan and judgment of compliance and repose (or whatever standard terms is being used), if any, have not yet been satisfied? Explain the reasons for any delay and the steps the municipality is taking to satisfy the condition(s).

Village Response: There were 28 conditions set forth in the Special Master’s Compliance Report, which report was adopted by reference in the Order of Judgment of Compliance and Repose entered by Hon. Gregg Padovano, J.S.C. on February 4, 2020. The vast majority of those conditions have been satisfied. The following items remain outstanding:

Condition 1 – Execution of a Shared Services Agreement with the County of Bergen for its Rehabilitation Program. Due to delays at the County level (due in large part to understaffing as a result of COVID-19), the County has not yet issued a new form of SSA for execution by the Village. Village representatives have been in contact with Rob Esposito, Director of Bergen County Division of Community Development (BCDCD). He has advised the Village that we will have a copy of the SSA as soon as it is finalized by the County.

Conditions 9 through 14, and 25 – These concern amendments to the Village’s Spending Plan. The Spending Plan has been amended in accordance with the direction provided by the Special Master, with the exception of Condition 14 (and the related Condition 25). The Village is not proposing any municipally-sponsored developments and therefore does not intend to adopt a Resolution of Intent to Fund any existing mechanisms. It is the Village’s position that applicable regulations do not require a Resolution of Intent to Fund under these circumstances.

All other remaining conditions have been addressed through either adopted resolutions, ordinances or agreements, or draft documents that will be adopted upon approval by the Special Master and/or the Court.

Developments that Are Not Completed

2. For each court-approved inclusionary development project that is not yet constructed, please provide a narrative as to its status and any progress towards construction.

Village Response: The following updates concern proposed inclusionary development projects:

Sturm/60 Challenger: The application for this Project has been deemed complete by the Planning Board and should be approved within the next few months. The total number of units in this project has increased to 552, of which 56 of these will be affordable.

Skymark: This Project has stalled and its status is uncertain due to the stated intention of NJ Transit to condemn all or a portion of the property for a bus garage and maintenance facility. Discussions have begun with NJ Transit and a property owner within the Redevelopment Area to determine how best to move forward at this time.

9-13 Lincoln Avenue: The applicant has submitted an application for amended site plan and variance approval to increase the total number of units in the project and to include a total of four (4) affordable units. This proposal was negotiated with the assistance of the Special Master.

3. Have any non-inclusionary development projects (including 100% affordable projects, group homes, accessory apartments, market-to-affordable, extensions of affordability controls, etc.) included in the court-approved plan not yet been built/converted to affordable housing/controls extended? If yes, explain how many units, if any, have been built for each non-inclusionary project or mechanism and when construction is expected to be completed on the remaining units.

Village Response: All non-inclusionary development projects in the Village's Housing Element and Fair Share Plan have already been constructed and occupied for many years.

4. Are there any projects that have missed any construction deadline established in the court-approved Settlement Agreement, or other mechanisms (e.g. market-to-affordable, accessory

apartments, extensions of affordability controls) that have not met the completion schedule set forth in the Settlement Agreement or Housing Element and Fair Share Plan? If yes, what steps is the municipality taking to complete construction and what is the current timetable?

Village response: Not applicable.

5. Are all unbuilt developments currently in a sewer service area, and if not what has the municipality done to incorporate the site into a sewer service area? Are there any barriers to obtaining water or sewer for any unbuilt site? Are there any other regulatory conditions (e.g. changes to DEP permits or conditions) that make it not possible to complete any site as originally contemplated?

Village Response: Not applicable.

Rehabilitation Obligation

6. Is the rehabilitation program being administered by a municipality, county, or both? Do the program(s) include rental rehabilitation? If the municipality has not met at least half of its rehabilitation obligation by this midpoint review, what affirmative steps is the municipality taking to meet the obligation and to facilitate participation by homeowners and/or landlords?

Village Response: The Village's rehabilitation obligation is being met through participation in a County-administered program. The County of Bergen has been delayed in the implementation of the program due in large part to COVID-19. The Village is in close contact with the County to ensure that participation will commence as soon as practicable after the County program is implemented.

For Municipalities with a Prior Round and/or Third Round Vacant Land Adjustment (note please make sure any development referenced in the answers to these questions that includes or will include affordable housing is also in the monitoring spreadsheet):

7. If the municipality's court-approved Prior and/or Third Round plan includes Unmet Need:

a. Has there been any development, proposal for development received by the municipality (even if ultimately rejected), adoption of rezoning or a redevelopment plan for of any parcel larger than 0.5 acres since the settlement was approved by the court on a parcel that was neither previously identified in calculating the municipality's RDP nor included in an inclusionary overlay zone? If so:

i. Please describe the development(s), development proposal(s), rezoning(s) or redevelopment plans(s)?

ii. Is any affordable housing included in any of the development(s) proposals(s), and/or rezoning(s) or redevelopment plan(s) referenced?

iii. If the municipality has a mandatory set-aside ordinance, was that applied to the development(s) and/or rezoning(s) or redevelopment plan(s)?

b. Has any development occurred or been proposed to occur within any inclusionary overlay zone or for which a mandatory set-aside ordinance, if required to be adopted by the municipality, would apply since the settlement? If so:

i. What is that development or developments?

ii. Does that proposed or actual development include any affordable housing? What percentage of the development is affordable?

c. Have any changed circumstances occurred that result in additional parcels becoming available for development that were neither previously identified in calculating the municipality's RDP nor included in an inclusionary overlay zone? If yes, please identify the parcel(s) and describe how the municipality plans to address the changed circumstances.

Village Response: Not applicable.

For Municipalities with a Prior Round and/or Third Round Durational Adjustment:

8. If the municipality's court-approved plan had a durational adjustment, have there been any changed circumstances with regards to limited sewer and/or water capacity? If yes, please describe the changes and when and where additional infrastructure capacity will become available.

Village Response: Not applicable.

9. What steps has the municipality taken, if any, to address limited water and/or sewer capacity, and to facilitate the extension of public water and/or sewer to any site identified in the settlement agreement?

Village Response: Not applicable.

10. Has any property owner or developer contacted the municipality to extend public water and/or sewer to a site not identified in the settlement agreement? If so, how did the municipality respond to the request?

Village Response: Not applicable.