

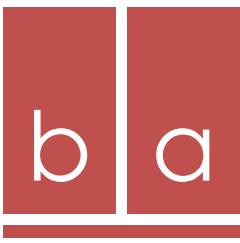
**MASTER PLAN AMENDMENT TO  
2020 HOUSING ELEMENT & FAIR SHARE PLAN:  
SITE SUITABILITY ANALYSIS**

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**Borough of River Edge  
BERGEN COUNTY, NEW JERSEY**

September 24, 2020





COMMUNITY PLANNING  
LAND DEVELOPMENT AND DESIGN  
LANDSCAPE ARCHITECTURE

**B U R G I S**  
A S S O C I A T E S , I N C .

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# MASTER PLAN AMENDMENT TO 2020 HOUSING ELEMENT AND FAIR SHARE PLAN: SITE SUITABILITY ANALYSIS

**Borough of River Edge  
Bergen County, New Jersey**

**BA# 3129.00**

The original document was appropriately signed and sealed on September 24, 2020 in accordance with the State Board of Professional Planners.

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CONTENTS

I.	Purpose and Scope.....	1
II.	Fair Share Plan .....	2
III.	Findings and Conclusions .....	6

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## I. PURPOSE AND SCOPE

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The Municipal Land Use Law (MLUL), N.J.S.A. 40:55D-62a, requires every municipality with a zoning ordinance to adopt a master plan containing, at a minimum, a land use plan element and housing plan element. In addition to this statutory requirement, the Borough adopted its most recent Housing Element and Fair Share Plan ("HE&FSP") to address its Third Round affordable housing obligation pursuant to the Borough June 24, 2019 Settlement Agreement with Fair Share Housing Center. The Borough's Third Round Fair Share Plan was approved at the Borough's September 2019 fairness hearing on the matter. Following the fairness hearing, the Borough's Court appointed Special Master has identified a number of compliance requirements that must be fulfilled in advance of the Borough's compliance hearing.

This 2020 Amendment to River Edge's February 6, 2020 adopted Housing Element and Fair Share Plan ("HE&FSP") has been prepared to address one the Borough's Third Round compliance requirements in providing supplemental information required by the Court. Specifically, this Master Plan Amendment contains a site suitability analysis for the Borough's several Third Round Plan mechanisms.

Once the Borough has fulfilled its various compliance obligations, the Borough will be eligible to receive a judgment of compliance and repose by the Court essentially certifying the Borough's Third Round HE&FSP. It will also ensure the Borough's immunity from builder's remedy or exclusionary zoning lawsuits until the end of the Third Round in July 2025.

## II. FAIR SHARE PLAN

Section II, Fair Share Obligation, of the Borough's February 6, 2020 HE&FSP sets forth the Borough's various Third Round Affordable Housing obligations, including a rehabilitation (present need) obligation of 6 units, Prior Round (1987-1999) obligation of 73 units and a Third (Prospective) Round (1999-2025) obligation of 197 units. As detailed in this section of the 2020 HE&FSP, the Borough prepared and was entitled to a vacant land adjustment in recognition of the municipality's lack of vacant and developable land. As such, it was determined that the Borough has a Third Round Realistic Development Potential ("RDP") of 0 units. The difference between the Borough's Third Round obligation and its RDP constitutes its unmet need, which in this case is 197 units (Third Round obligation of 197 units – 0-unit RDP = 197-unit unmet need).

Municipalities are not required to address the entirety of their unmet need numbers but are required to demonstrate a good faith effort in satisfying at least a portion of them. The Borough's June 2019 Settlement Agreement with Fair Share Housing Center prescribes several mechanisms by the which the Borough will address a portion of its unmet need as further detailed in Section III, Fair Share Plan, of the 2020 HE&FSP. Section III of the HE&FSP further outlines how the Borough will address the entirety of its Prior Round obligation.

In addition to existing development and credits applied toward the Borough's Prior Round obligation and unmet need, the Borough's Fair Share Plan includes the following plan mechanisms yielding their respective affordable housing credits:

Mechanism	Number of Units	Bonus Credits	Total Credits
<u>Prior Round Plan Mechanisms</u>			
New Bridge Landing Station Redevelopment Area	19	19	38
Kinderkamack Road Redevelopment Area	5	-	5
<b><i>Subtotal</i></b>	<b>24</b>	<b>19</b>	<b>43</b>
<u>Unmet Need</u>			
New Bridge Road Overlay Zone	13	-	13
<b>Total</b>	<b>37</b>	<b>19</b>	<b>56</b>

All site's included in the Borough's Fair Share Plan must meet the site suitability criteria set forth in N.J.A.C. 5:93-1.3 list below. While a site suitability analysis is not technically required for plan mechanisms addressing unmet need, this analysis includes a review of the Borough's New Bridge Road Overlay Zone as it relates to the statutory site suitability criteria.

- Approvable Site:** a site that may be developed for low and moderate-income housing in a manner consistent with the rules or regulations of all agencies with jurisdiction over the site. A site may be approvable although not currently zoned for low and moderate-income housing.
- Available Site:** a site with clear title, free of encumbrances which preclude development for low and moderate-income housing.
- Developable Site:** a site that has access to appropriate water and sewer infrastructure, and is consistent with the applicable areawide water quality management plan (including the wastewater management plan) or is included in an amendment to the areawide water quality management plan submitted to and under review by DEP.
- Suitable Site:** a site that is adjacent to compatible land uses, has access to appropriate streets and is consistent with the environmental policies delineated in N.J.A.C. 5:93-4.

1. **New Bridge Landing Station Redevelopment Plan**

The River Edge Council introduced its September 17, 2020 New Bridge Landing Station Redevelopment Plan on September 21, 2020 and anticipates its adoption in October 2020 following the Planning Board's Master Plan consistency review of the Plan on October 7, 2020. In accordance with the Borough's 2019 Settlement Agreement with Fair Share Housing Center, the Plan provides the development regulations for the New Bridge Landing Station Redevelopment Area intended to facilitate development of the site as a mixed-use transit-oriented development containing a residential component with a maximum density of 25 units per acre, allows for a mix of nonresidential uses and includes a public parking and train station facility. The New Bridge Landing Station Redevelopment Area encompasses the following parcels:

**Table 1: Redevelopment Area Parcels**

Block	Lot	Owner	Land Area
1411	1.01	NJ Transit Corp.	0.15 ac
1411	1.02	Borough of River Edge	0.77 ac
1412	1	NJ Transit Corp.	1.53 ac
1412	2	NJ Transit Corp.	0.33 ac
1412	3	Borough of River Edge	0.39 ac
Total			3.17 ac

The New Bridge Landing Station Redevelopment Plan is an approval development opportunity for the creation of low and moderate-income housing in that the plan will ultimately be adopted by the Borough Council. The prospective developer of the redevelopment area will be required to submit a site plan application to the Land Use Board in accordance with the Redevelopment Plan requirements.

All five parcels of the redevelopment area available as they are government owned. New Jersey Transit has indicated it will cooperate with the Borough in the redevelopment of the site.

The site is developable as it is generally developed with paved surface commuter parking facilities associated with the New Bridge Landing Station. Though the site is partially impacted by a 100-year floodplain and wetlands area, the site has been deemed to be developable.

The New Bridge Landing Station Redevelopment Area represents a suitable site for the development of the contemplated mixed-use transit-oriented development with an affordable housing component as it immediately surrounds the New Bridge Landing Station facilities providing direct access to NJ Transit's Pasack Valley line with connections to Secaucus Junction and Hoboken. In addition, there are several public bus routes with stops within close walking distance to the redevelopment area and several regional roadways in near proximity. The site is surrounded by a mix of uses including retail, restaurant, service and office uses that will complement the proposed redevelopment.

## 2. Kinderkamack Road Redevelopment Plan

The River Edge Council introduced its September 17, 2020 Kinderkamack Road Redevelopment Plan on September 21, 2020 and anticipates its adoption in October 2020 following the Planning Board's Master Plan consistency review of the Plan on October 7, 2020. In accordance with the Borough's 2019 Settlement Agreement with Fair Share Housing Center, the Plan provides the development regulations for the Kinderkamack Road Redevelopment Area intended to facilitate development of the site as a mixed-use or multifamily transit-oriented development containing a residential component with a maximum density of 20 units per acre. The Kinderkamack Road Redevelopment Area encompasses the following parcels:

**Table 1: Redevelopment Area Parcels**

Block	Lot	Owner	Land Area
1413	1	R.O.S. Realty Associates	0.15 ac
1413	2.01 (& 4)	Shake Down Street, LLC	0.28 ac
1413	5	55 Kinderkamack Road, LLC	0.16 ac
Total			0.59 ac



The Kinderkamack Road Redevelopment Plan presents an approvable development option for the redevelopment as the Borough anticipates the adoption of the Plan in October 2020. The prospective redeveloper will then be able to submit a site plan application to the Land Use Board in accordance with the Redevelopment Plan.

All of the redevelopment area parcels are available as they are developed sites that are privately owned with no known title issues. A private entity is able to submit a redevelopment plan to the Borough at their discretion.

The site is developable as it is developed and occupied with a several uses including a landscape contractors office and garage with associated site improvements and a laundromat with related improvements. The site remains developable though a 100-year floodplain impacts a portion of the site.

The site is suitable for the contemplated mixed-use or multifamily development of the site with an affordable housing component as it is currently developed and occupied, is across the street from the New Bridge Landing Station and within walking distance to several public bus route stops and is surrounded by compatible land uses.

### 3. New Bridge Road Overlay (AH-1) Zone

The Borough adopted Ordinance No. 20-10 in July 2020 implementing the New Bridge Road Overlay Zone which is intended to facilitate the development of mixed-use project consisting of nonresidential uses on the first floor with residential units above the first floor. The Overlay Zone permits a maximum residential density of 20 units per acre and requires a 20% affordable housing set-aside. The AH-1 Zone encompasses Block 1303 Lots 3, 4 and 5 totaling approximately 2.5 acres.

The Overlay Zone is approvable as the Borough has adopted its implementing ordinance. Prospective development in accordance with the Overlay Zone requires a minimum tract area of 2 acres. A site plan application may be submitted by a developer as such opportunities present themselves.

Parcels in the AH-1 Overlay Zone are available as the parcels are privately owned with Lots 3 and 4 held in common ownership with no known title issues.

The AH-1 Overlay Zone is developable as it is currently developed with a number of uses including a gas station, sports instruction facility and vacant retail building with associated site improvements. The majority of the Overlay Zone is characterized by impervious coverage. Portions of the site are impacted by a 100-year floodplain and area of wetlands associated with the Hackensack River but do not limit the site's development potential as prescribed by the Overlay Zone standards.

The site is suitable as it is developable and within walking distance to the New Bridge Landing Station, public bus service and nearby commercial and service uses. The site presents a unique development opportunity with

views of the Hackensack River and Historic New Bridge Landing Site located directly across New Bridge Road to the east.

### III. FINDINGS AND CONCLUSIONS

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The Land Use Board finds and concludes that the Master Plan Amendments detailed herein will fulfill the conditions of the Borough's Settlement Agreement with Fair Share Housing Center and Court Order approving the Settlement Agreement. As noted above, the development ordinances for several site's discussed herein have been or are in the process of being implemented in advance of the Borough's Third Round compliance hearing.

The Borough's various affordable housing sites were selected based a comprehensive range of factors including proximity to public and regional transportation, location within developed areas and surrounding development patterns. In addition, the sites are located within or adjacent to existing water and sewer utilities allowing for future connectivity as may be required to accommodate the developments. It is noted the availability of water and sewer capacity is adequate to provide for all of the residential development contemplated in the 2020 HE&FSP. Ultimately, the 2020 HE&FSP continues to provide a realistic opportunity to satisfy the Borough's constitutional affordable housing obligation for the Third Round.