

**BOROUGH OF RIVER EDGE MUNICIPAL LAND USE BOARD**

**RESOLUTION OF THE BOROUGH OF RIVER EDGE  
MUNICIPAL LAND USE BOARD**

**REVIEW OF REDEVELOPMENT PLAN FOR THE KINDERKAMACK ROAD  
REDEVELOPMENT AREA LOCATED AT BLOCK 1413, LOTS 1, 2.01, 4 AND 5  
(ORDINANCE NO. 20-16) PURSUANT TO N.J.S.A. 40A:12A-7(e)**

**WHEREAS**, on September 8, 2020, the Mayor and Council of the Borough of River Edge introduced Ordinance No. 20-16 entitled "An Ordinance to Adopt a Redevelopment Plan for the Kinderkamack Road Redevelopment Area"; and

**WHEREAS**, on September 21, 2020, the Mayor and Council of the Borough of River Edge amended and re-introduced Ordinance No. 20-16, as amended, to correct the required minimum affordable housing set-aside percentage; and

**WHEREAS**, said Ordinance, when adopted, will facilitate the redevelopment of the Redevelopment Area located at Block 1413, Lots 1, 2.01, 4 and 5 into high-quality mixed-use transit-oriented development as a component of the Borough's Housing Element and Fair Share Plan; and

**WHEREAS**, as required by N.J.S.A. 40A:12A-7(e), the Mayor and Council referred Ordinance No. 20-16 to the Municipal Land Use Board (the "Board") for review; and

**WHEREAS**, Ordinance No. 20-16 was considered and reviewed by the Board at a regularly scheduled public meeting on October 7, 2020.

**NOW THEREFORE, BE IT RESOLVED** that the Municipal Land Use Board of the Borough of River Edge does hereby make the following findings:

1. At a public hearing on April 15, 2020, the Board adopted an amended Housing Element and Fair Share Plan ("HEFSP") prepared by Burgis Associates to address

the Borough's present and prospective housing needs, with particular attention to low- and moderate-income housing.

2. On September 21, 2020, the Mayor and Council introduced and passed on first reading Ordinance No. 20-16, as amended, which, when adopted, will create the RA-2 Kinderkamack Road Redevelopment Area, which constitutes Block 1413, Lots 1, 2.01, 4 and 5. The RA-2 zone shall function as an overlay zone in that the underlying C-2 Zone designation shall otherwise remain in effect. The RA-2 zone will facilitate the redevelopment of high-quality mixed-use transit-oriented development as a component of the Borough's HEFSP.
3. Ordinance No. 20-16 will provide a reasonable means to facilitate the construction of affordable housing units within the Borough of River Edge in order to effectuate the terms of the Settlement Agreement entered into between the Borough of River Edge and Fair Share Housing Center (FSHC) on June 24, 2019.
4. In order to effectuate its purpose in facilitating the construction of affordable housing within the Borough, Ordinance No. 20-16 will require a mandatory affordable housing set-aside for the RA-2 Kinderkamack Road Redevelopment Area in accordance with the Borough's HEFSP and applicable Council on Affordable Housing and other prevailing regulations. The residential component of the development shall have an affordable housing set-aside of at least 20% of the total units. At least 13% of the required affordable housing units shall be designated for very-low income households.
5. The New Jersey Redevelopment and Housing Law, N.J.S.A. 40A:12A-7(e), provides that, prior to the adoption of a redevelopment plan, the governing body

shall refer the redevelopment plan to the land use board for review. N.J.S.A. 40A:12A-7(e) provides that, the land use board shall identify any provisions in the proposed redevelopment plan which are inconsistent with the master plan and recommendations concerning these inconsistencies and any other matters as the board deems appropriate.

6. Pursuant to N.J.S.A. 40A:12A-7(e), the Mayor and Council referred Ordinance No. 20-16 to the Municipal Land Use Board for review.
7. Ordinance No. 20-16 was considered and reviewed by the Board at a regularly scheduled public meeting on October 7, 2020. At that time the Board determined that, insofar as Ordinance No. 20-16 will facilitate the construction of affordable housing units within the Borough of River Edge, the Ordinance not inconsistent with the Borough Master Plan.

**BE IT FURTHER RESOLVED** that, for all the reasons set forth herein, the Municipal Land Use Board finds that Ordinance No. 20-16 is not inconsistent with the Borough Master Plan.

**BE IT FURTHER RESOLVED** that the Municipal Land Use Board Clerk shall forward a copy of this signed Resolution to the Mayor and Council for its consideration.

Motion Finding that RA-2 Zone Is Not Inconsistent with the Borough's Master Plan

Name	Motion	Second	Yes	No	Absent	Abstain
Mayor Thomas Papaleo						
James Arakelian, Chairman						
Eileen Boland						
Richard Mehrman, Vice Chairman						
Lou Grasso						
Chris Caslin						
Alphonse Bartelloni						
Councilman Chinigo						
Michael Krey						
Ryan Gibbons (alternate)						
Gary Esposito (alternate)						

Motion for Memorialization of the Resolution

Name	Motion	Second	Yes	No	Absent	Abstain
Mayor Thomas Papaleo						
James Arakelian, Chairman						
Eileen Boland						
Richard Mehrman, Vice Chairman						
Lou Grasso						
Chris Caslin						
Alphonse Bartelloni						
Councilman Chinigo						
Michael Krey						
Ryan Gibbons (alternate)						
Gary Esposito (alternate)						

**BE IT FURTHER RESOLVED**, that the Resolution adopted on this 7th day of October, 2020 memorialized the action taken by the Board in accordance with N.J.S.A. 40:55D-10(g), as set forth above, at its October 7, 2020 meeting, and that a copy of this Resolution be provided to the Borough Clerk and the Borough Attorney, and a notice of this decision shall be published in the official newspaper of the Borough of River Edge.

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James Arakelian, Chairman

**CERTIFICATION**

I, Lou Grasso, Secretary of the Board, do hereby certify that the above Resolution was adopted by the Board at its meeting held on October 7, 2020. This Resolution memorializes the Board's approval of this matter at its meeting held on October 7, 2020.

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Lou Grasso, Secretary  
Borough of River Edge  
Municipal Land Use Board