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HOUSING ELEMENT AND FAIR SHARE PLAN

BOROUGH OF ORADELL
BERGEN COUNTY, NEW JERSEY

PREPARED FOR:

BOROUGH OF ORADELL PLANNING BOARD
BA# 3045.01

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INTRODUCTION

Historic Overview of the Courts and COAH

In 1975, the New Jersey Supreme Court decided So. Burl. Cty. N.A.A.C.P. v. Tp. Of Mt. Laurel, 67 N.J. 151 (1975) (“Mount Laurel I”), in which it held that every developing municipality in the state had an affirmative constitutional obligation to provide for its fair share of affordable housing. After there was little movement by municipalities to produce affordable housing, the Supreme Court issued a second decision known as So. Burlington Ct. N.A.A.C.P. v. Mount Laurel Tp., 92 N.J. 158 (1983) (“Mount Laurel II”), in which it created the builder’s remedy lawsuit in an effort to get municipalities to comply with their constitutional affordable housing obligations. The Supreme Court also refined the constitutional obligation to focus primarily on those municipalities with portions of their boundaries within the growth area as shown on the State Development and Redevelopment Plan, and called for the state legislature to enact legislation that would save municipalities from the burden of having the courts determine their affordable housing needs. As a result, the state legislature adopted the Fair Housing Act in 1985, and this was followed by the establishment of the New Jersey Council on Affordable Housing (COAH), the State agency responsible for overseeing the manner in which the State’s municipalities address their low and moderate income housing needs.

COAH adopted regulations establishing housing need numbers for the First Round obligation covering the years 1987 to 1993, and established Second Round housing-need numbers that cumulatively covered the years 1987 through 1999. Under both the First and Second housing rounds COAH utilized what is commonly referred to as the “fair share” methodology.

COAH utilized a different methodology, called “growth share,” to prepare Third Round housing-need numbers. COAH first adopted Third Round substantive and procedural rules in 2004. These regulations were challenged, and in January of 2007, the Appellate Division invalidated various aspects of the regulations and remanded considerable portions of the rules to COAH with the directive to adopt revised rules.

In May 2008, COAH proposed revised Third Round regulations, which became effective on June 2, 2008. On the same day, COAH proposed amendments to the rules it just adopted, and said amendments went into effect in October 2008.

The rules and regulations adopted in 2008 were also challenged, and in October 2010, the Appellate Division concluded that COAH’s revised 2008 regulations suffered from many of the same deficiencies as the first iteration of COAH’s Third Round rules, and it therefore invalidated substantial portions of the 2008 Third Round regulations, including all regulations that dealt with the growth share methodology. See In re Adoption of N.J.A.C. 5:96 & 5:97, 416 N.J. Super. 462 (App. Div. 2010). The Supreme Court affirmed this decision in September 2013, and on March 14,

2014, issued an order which required COAH to adopt new Round 3 regulations by October 22, 2014.

Unfortunately, COAH failed to adopt their newly revised Third Round regulations, deadlocking with a 3-3 vote in October of 2014. Fair Share Housing Center ("FSHC"), who was a party in both the 2010 and 2013 cases, responded by filing a motion in aid of litigants rights with the New Jersey Supreme Court. The Supreme Court heard the motion in January 2015, and on March 10, 2015 issued In the Matter of the adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) ("Mount Laurel IV"). In this decision, the Supreme Court held that COAH was effectively dysfunctional, and consequently, returned jurisdiction of affordable housing issues back to the trial courts, where it had been prior to the creation of COAH in 1986.

The Mount Laurel IV decision also created a process for municipalities, like Oradell, that have endeavored to address their fair share obligations in the past, but could not obtain Third Round substantive certification of their Housing Element and Fair Share Plan (HE&FSP) because of COAH's inaction, to instead work towards getting its plan approved via a Third Round Judgment of Compliance and Repose. These municipalities were entitled to file declaratory judgment actions seeking to declare their affordable housing plans constitutionally compliant, and were also entitled to apply for temporary immunity from all Mount Laurel lawsuits, including builder's remedy lawsuits, while they prepared a new or revised affordable housing plan.

In response to the Mount Laurel IV decision, the Borough of Oradell filed a Declaratory Judgment Complaint, along with a simultaneous motion for temporary immunity, on or about July 2, 2015. The Court granted temporary immunity to the Borough on or about September 21, 2015, which has been subsequently extended via the entry of a series of court orders through the present date.

The Borough's Historic Response to Its Affordable Housing Obligations

The Borough of Oradell has moved affirmatively to satisfy its affordable housing obligation over the years and successfully constructed affordable units in the community. The Borough has prepared Housing Element and Fair Share Plan documents in 2004, 2008 and 2015, but the Borough has not yet received second or third round certification from COAH. Oradell's past compliance with its affordable housing obligations is summarized as follows.

The Borough sought a vacant land adjustment in a petition for second round certification submitted to COAH on February 11, 2004. The vacant land adjustment determined the Borough's prior round "realistic development potential" to be 2 units. COAH requested additional information to formalize the Borough's request for vacant land adjustment, pursuant to COAH rules in effect at the time.

In December 2004, COAH adopted new substantive (N.J.A.C. 5:94) and procedural (N.J.A.C. 5:95) rules to address the Third Round period. The Borough adopted a resolution dated January 25, 2005, committing to submit a revised plan with petition for third round certification.

Subsequently, in October 2008, COAH issued revised procedural (N.J.A.C. 5:96) and substantive (N.J.A.C. 5:97) rules for the Third Round period. The Borough then adopted and endorsed a Third Round Housing Element and Fair Share Plan, and petitioned COAH for approval of this plan on December 30, 2008. The petition was deemed complete by COAH on June 17, 2009. However, as detailed above, the Third Round methodology based upon growth share was subsequently invalidated, necessitating a new plan based upon COAH's prior round fair share methodology.

In 2014, the Borough fulfilled its commitment to build 4 affordable units within a 100% affordable development, as set forth in the Borough's prior housing plan documents. These 4 units, which were constructed by Habitat for Humanity and are located on Westervelt Place, have all been sold and occupied by low- and moderate-income households.

In addition, between 1994 and 2009, the Borough successfully funded and completed the rehabilitation of 7 units in Oradell through participation in the Bergen County Home Improvement Program, thus satisfying the Borough's prior round rehabilitation obligation of 6 units.

Finally, in response to In re Adoption of N.J.A.C. 5:96 & 5:97 ex rel. New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) ("Mount Laurel IV"), the Borough filed a Declaratory Judgment action on or about July 2, 2015, along with a simultaneous motion for temporary immunity, which was granted by the Court on or about September 21, 2015. Subsequently, in November 2015, the Borough adopted a new Third Round HE&FSP based upon the prior rounds' fair share methodology. This 2018 HE&FSP updates and revises that 2015 HE&FSP pursuant to a settlement agreement entered into by the Borough and FSHC on June 18, 2018.

Third Round Affordable Housing Obligation and the Borough's Response

The state of the Third Round affordable housing obligations for municipalities throughout New Jersey at present remains a fluid one, given the fact that neither the Courts, COAH, nor the legislature has come up with a definitive set of housing-need numbers that has been universally accepted. Two sets of numbers have been promulgated. These include numbers prepared by Econsult Solutions on behalf of a consortium of municipalities known as the Municipal Joint Defense Group, of which Oradell is a part, and numbers prepared by Dr. David Kinsey on behalf of FSHC. The statewide affordable housing-need numbers vary dramatically.

On March 8, 2018, an opinion was entered by the Honorable Mary C. Jacobson, A.J.S.C., in the consolidated declaratory judgment proceedings: *In the Matter of the Municipality of Princeton*, Docket No. MER-L-1550-15 and *In the Matter of West Windsor Township*, Docket No. MER-L-

1561-15, Superior Court of New Jersey, Law Division, Mercer County (collectively, the “Mercer Proceeding”). The opinion rendered in the Mercer Proceeding is titled: Opinion on Fair Share Methodology to Implement the Mount Laurel Affordable Housing Doctrine for the Third Round (the “Jacobson Opinion”). The Jacobson Opinion considered, analyzed and, ultimately, determined the appropriateness of the competing methodologies advocated by Econsult Solutions and Dr. Kinsey to determine New Jersey state-wide, regional and municipal present need rehabilitation and present need Gap + Prospective Need (1999-2015) affordable housing obligations. On March 28, 2018, state-wide and municipal obligations using the methodology found to be most appropriate by Judge Jacobson in the Jacobson Opinion (the “Jacobson Methodology”) were released.

The following table compares the latest Econsult report’s fair share obligation numbers for Oradell (dated April 2017) against those assigned to Oradell in FSHC’s July 2016 report and the affordable housing obligations for Oradell as calculated in the March 2018 report using the Jacobson Methodology:

	<u>Econsult</u>	<u>FSHC</u>	<u>Jacobson</u>
1. Rehabilitation Obligation:	14	4	14
2. Prior Round Obligation (1987-1999):	89	89	89
3. Gap + Prospective Need Obligation (1999-2025):	73	308	139

Since the Borough lacks vacant land, it decided to attempt to globally settle with FSHC, rather than engage in a trial with FSHC to determine fair share numbers. Under the supervision of the Court Master, the Borough and FSHC entered into a Settlement Agreement on June 18, 2018. Under the terms of the Settlement Agreement, FSHC and the Borough agreed that the Borough would accept, for settlement purposes only, the following affordable housing obligations:

1. Rehabilitation Obligation: 4
2. Prior Round (1987-1999) Obligation: 89
3. Gap (1999-2015) + Prospective Need (2015-2025) Obligation: 308

The Settlement Agreement also affirms, irrespective of the above, that the Borough’s combined Prior and Third Round realistic development potential (RDP) is 7, which is based upon the Prior and Third Round Vacant Land Adjustment (“VLA”) analyses, and that its remaining Unmet Need is 390. In addition, the Settlement Agreement details the manner in which the Borough will address its affordable housing obligations, which can be summarized as follows.

The Borough will address its affordable housing need through the identification of existing affordable housing units and credits, inclusionary housing zones and overlay zones, and the creation of a Borough-wide mandatory set-aside ordinance. To address its RDP, the Borough seeks 4 credits from existing affordable housing units, 2 credits from a proposed inclusionary family rental development, and 1 rental bonus credit. To address its Unmet Need, the Plan

provides a realistic opportunity for the development of affordable housing through the adoption of zoning or overlay zoning for inclusionary development. Furthermore, the Plan outlines a proposal for a Borough-wide mandatory set-aside ordinance, which will facilitate the creation of additional affordable units to be applied to Unmet Need. All of this is described in much greater detail below.

In addition, the Borough intends to address its 4-unit rehabilitation obligation through participation in the Bergen County Home Improvement Program, with funding from the Borough's affordable housing trust fund, consistent with COAH's Second Round rules. This is also discussed in more detail herein.

This HE&FSP is organized into three sections. The first part, the Housing Element, contains background data on the Borough's population, housing, and employment characteristics. The second part, the Fair Share Obligation, describes the Borough's obligation for the provision of affordable housing. The Borough's plan for meeting its affordable housing obligations is detailed in the final part, the Fair Share Plan.

SECTION I: HOUSING ELEMENT

A. COMMUNITY OVERVIEW

The Borough of Oradell is located in central Bergen County. It is bordered by six other Bergen County municipalities, including Emerson to the north, Haworth and Dumont to the east, New Milford and River Edge to the southeast and south and Paramus to the west. Oradell is the 38th largest municipality in Bergen County in terms of land area occupying 1,637 acres, or 2.55 square miles.

Regional access is provided through the Borough via major roadways, including Kinderkamack Road (County Route 503), which runs north-south through the center of the Borough, and Oradell Avenue (County Route 80), which runs east-west through the center of the Borough. State Highway 17 and the Garden State Parkway are located directly west of Oradell within the Borough of Paramus, providing additional regional access to the Borough.

Oradell is essentially a fully developed community, with only approximately 5 acres of remaining vacant land. The Borough is primarily characterized as low-density (one- to four-family) residential development, with 720.6 acres, or 44 percent of the Borough's total land area, devoted to such uses. Oradell's eight multi-family residential developments occupy a total of 5.51 acres, or just 0.3 percent of the Borough's total land area.

Golf course uses comprise the second largest land use category in Oradell, accounting for 13 percent of the Borough's total land area. Oradell's golf courses are located along the Borough's northern border with Emerson (Hackensack and Emerson Golf Clubs), and along the Borough's eastern border with Haworth (White Beeches Golf and Country Club).

Public lands, facilities and public school uses occupy approximately 12.8 percent of the Borough's total acreage, representing the municipality's third largest land use category.

Utility uses are the fourth most prevalent land use category, encompassing a total of 145 acres. Oradell's utility uses consist of three separate lots, including the Oradell Reservoir off of Veldran Avenue which is managed by SUEZ Water New Jersey, and two Public Service Electric & Gas Company facilities off of New Milford Avenue in the southern portion of the Borough. Together, these utility uses represent approximately 9 percent of the Borough's total land area.

Commercial uses occupy only 68 acres within the Borough, accounting for 4.1 percent of the Borough's total acreage. The Borough's commercial uses are primarily concentrated along Kinderkamack Road. Whereas the Kinderkamack Road corridor is typified by large office developments north of the Soldier Hill Road, commercial uses along the rest of the corridor are a mix of retail, office, banks, restaurants, personal service establishments, auto related uses, instructional studios, and other business uses.

The Borough's existing land uses are illustrated on the accompanying Existing Land Use Map.

B. INVENTORY OF MUNICIPAL HOUSING STOCK

This section of the Housing Element provides an inventory of the Borough's housing stock, as required by the MLUL. The inventory details housing characteristics such as age, condition, purchase/rental value, and occupancy. It also details the number of affordable units available to low- and moderate-income households and the number of substandard housing units capable of being rehabilitated.

1. Number of Dwelling Units. It is estimated that Oradell contained 2,709 dwelling units in 2016. As shown in the table below, the Borough's housing stock grew at a considerable rate between 1960 and 1970, but slowed considerably from 1980 onward. Notably, in the 1990s and 2000's, the number of housing units actually decreased from 2,836 units in 1990 to 2,709 units in 2016.

TABLE 1: DWELLING UNITS (1960-2016)

ORADELL, NJ

Year	Dwelling Units	Change (#)	Change (%)
1960	2,131	---	---
1970	2,547	416	19.5
1980	2,808	261	10.2
1990	2,836	28	1.0
2000	2,833	-3	-0.1
2016	2,709	-124	-4.4

Sources: 2003 Bergen County Data Book; American Community Survey (2012-16)

Approximately 86 percent of housing units in Oradell were owner-occupied in 2016. Since 2000, the percentage of renter occupied units has remained relatively steady, increasing from 10 percent of the total in 2000 to slightly higher at 11.1 percent in 2016. In contrast, since 2000, the percentage of vacant housing units nearly doubled from 1.5 percent (44 units) in 2000 to 3.1 percent (83 units) in 2016. This is shown in the table below.

TABLE 2: HOUSING UNITS BY TENURE AND OCCUPANCY STATUS (2000 AND 2016)

ORADELL, NJ

Characteristics	2000		2016	
	Number	Percent	Number	Percent
Owner-occupied	2,507	88.5	2,325	85.8
Renter-occupied	282	10.0	301	11.1
Vacant units	44	1.5	83	3.1
Total	2,833	100	2,709	100

Source: 2000 U.S. Census, American Community Survey (2012-16)

2. Housing Characteristics. This section provides additional information on the characteristics of the Borough's housing stock, including the number of units in structure (Table 3) and

the number of bedrooms per dwelling unit (Table 4). Single family detached units account for slightly less than 90 percent of the Borough's housing stock. Dwellings tend to have three and four bedrooms in the Borough.

TABLE 3: UNITS IN STRUCTURE (1990, 2000 AND 2016)

ORADELL, NJ

Units in Structure	1990		2000		2016	
	Number	Percent	Number	Percent	Number	Percent
Single Family, detached	2,551	90.0	2,553	90.0	2403	88.7
Single Family, attached	44	1.6	31	1.1	18	0.7
2	90	3.2	105	3.7	72	2.7
3 or 4	24	0.8	42	1.5	77	2.8
5 to 9	24	0.8	31	1.1	7	0.3
10-19	46	1.6	18	0.6	34	1.3
20 or more	50	1.8	53	1.9	89	3.3
Other	7	.2	0	0	9	0.3
Total	2,836	100.0	2,833	100.0	2,709	100.0

Source: U.S. Census, 1990 & 2000; American Community Survey (2012-16)

TABLE 4: NUMBER OF BEDROOMS IN HOUSING UNITS (2000 AND 2016)

ORADELL, NJ

Bedrooms	2000		2016	
	Number	Percent	Number	Percent
None	8	0.2	28	1.0
One	163	5.8	190	7.0
Two	281	9.9	91	3.4
Three	1,278	45.1	1,084	40.0
Four	830	29.3	1,043	38.5
Five or More	273	9.6	273	10.1
Total	2,833	99.9	2,709	100.0

Source: 2000 U.S. Census, American Community Survey (2012-16)

3. Housing Age. Table 5 shows that two-thirds of the Borough's housing units were built prior to 1960 and more than 75 percent were built prior to 1970. Relatively few of Oradell's housing units (81 units) were constructed in the years since 1990.

TABLE 5: YEAR STRUCTURE BUILT (2016)

ORADELL, NJ

Year Units Built	Number	Percent
2014 or Later	0	0.0
2010 to 2013	14	0.5
2000 to 2009	36	1.3
1990 to 1999	31	1.1
1980 to 1989	47	1.7
1970 to 1979	457	16.9
1960 to 1969	439	16.2
1950 to 1959	935	34.5
1940 to 1949	171	6.3
1939 or earlier	579	21.4
Total	2,709	100.0

Source: US Census American Community Survey (2012-16)

4. Housing Conditions. Table 6 provides an indication of overcrowded housing units, represented by units containing more than one occupant per room. This table indicates that the vast majority of dwellings in Oradell are not overcrowded, though the number of units considered to be overcrowded more than doubled between 2000 and 2016.

TABLE 6: OCCUPANTS PER ROOM (2000 AND 2016)

ORADELL, NJ

Occupants Per Room	2000		2016	
	Number	Percent	Number	Percent
0.50 to 1.00	2,769	99.3	2,580	98.2
1.01 to 1.50	20	0.7	46	1.8
1.51 to 2.00	0	0.0	0	0.0
2.01 or more	0	0.0	0	0.0
Total Occupied Units	2,789	100.0	2,626	100.0

Source: 2000 U.S. Census; American Community Survey (2012-16)

Table 7 presents additional detail regarding housing conditions, including the presence of complete plumbing and kitchen facilities and the type of heating equipment used. As shown below, all housing units in the Borough currently have complete plumbing, complete kitchen and standard heating facilities.

TABLE 7: EQUIPMENT AND PLUMBING FACILITIES (2000 AND 2016)
ORADELL, NJ

Facilities	2000		2016	
	Number	Percent	Number	Percent
<u>Kitchen:</u>				
With Complete Facilities	2,823	99.6	2,626	100.0
Lacking Complete Facilities	10	0.4	0	0.0
<u>Plumbing:</u>				
With Complete Facilities	2,833	100.0	2,626	100.0
Lacking Complete Facilities	0	0.0	0	0.0
<u>Heating Equipment (Occupied Units):</u>				
Standard Heating Facilities	2,789	100.0	2,626	100.0
Other Means, No Fuel Used	0	0.0	0	0.0

Source: 2000 U.S. Census, American Community Survey (2012-16)

5. Purchase and Rental Values. Rental values have continued to increase over time with the median gross rent increasing from \$910 in 1990 to \$1,323 in 2016. Median gross rent increased by 38.2 percent between 2000 and the 2016 ACS 5-year estimate.

TABLE 8: GROSS RENT OF SPECIFIED RENTER-OCCUPIED UNITS (1990, 2000 AND 2016)
ORADELL, NJ

Rent	1990		2000		2016	
	Number	Percent	Number	Percent	Number	Percent
Less than \$250	0	0	0	0	0	0
\$250 to \$499	5	1.7	10	3.5	0	0
\$500 to \$749	71	24.3	18	6.4	0	0
\$750 to \$999	93	31.8	132	46.8	10	3.3
\$1,000 to \$1,499	102	34.9	48	17.0	150	49.8
\$1,500 or more	--	0.0	48	17.0	81	26.9
No cash rent	21	7.2	26	9.2	70	23.3
Total	292	100	282	100	301	100
Median Gross Rent	\$910		\$957		\$1,323	

Source: U.S. Census, 1990 & 2000, American Community Survey (2012-16)

Similarly, as shown on Table 9, the median value of owner-occupied units increased between 1990 and 2016, from \$291,200 to \$560,100. Median value increased substantially – by 69 percent – between 2000 and the 2016 ACS 5-year estimate.

TABLE 9: VALUE OF SPECIFIED OWNER-OCCUPIED HOUSING UNITS (1990, 2000 AND 2016)

ORADELL, NJ

Value Range	1990	2000	2016
Less than \$100,000	0	12	38
\$100,000 to \$149,999	26	17	16
\$150,000 to \$199,999	228	180	24
\$200,000 to \$299,999	968	750	12
\$300,000 to \$499,999	870	1229	802
\$500,000 or more	179	241	1433
TOTAL	2,271	2,429	2,325
Median Value	\$291,200	\$330,900	\$560,100

Source: U.S. Census, 1990 & 2000; American Community Survey (2012-16)

6. Number of Units Affordable to Low- and Moderate-Income Households. Based on COAH's 2017 regional income limits, the median household income for a three-person household in COAH Region 1, Oradell's housing region comprised of Bergen, Hudson Passaic and Sussex Counties, is \$77,492. A three-person moderate-income household, established at no more than 80 percent of the median income, would have an income not exceeding \$61,993. A three-person low-income household, established at no more than 50 percent of the median income, would have an income not exceeding \$38,746.

An affordable sales price for a three-person moderate-income household earning 80 percent of the median income is estimated at approximately \$260,000. An affordable sales price for a three-person low-income household earning 50 percent of the median income is estimated at approximately \$155,000. These estimates are based on the UHAC affordability controls outlined in N.J.A.C. 5:80-26.1 et seq. Approximately four percent of Oradell's owner-occupied housing units are valued at less than \$300,000 or less, and approximately two percent are valued at less than \$150,000, according to the 2016 ACS data.

For renter-occupied housing, an affordable monthly rent for a three-person moderate-income household is estimated at approximately \$1,550. An affordable monthly rent for a three-person low-income household is estimated at approximately \$970. According to the 2016 5-year estimate data, approximately 53 percent of Oradell's rental units have a gross rent less than \$1,500, and approximately three percent of the rental units have a gross rent less than \$1,000.

7. Substandard Housing Capable of Being Rehabilitated. COAH provides the formula for calculating the number of units in a community that are in need of rehabilitation and are not likely to experience "spontaneous rehabilitation." Oradell's rehabilitation share is determined to be four units. The Borough's rehabilitation share is further explored in the Fair Share Plan section of this document.

C. PROJECTION OF MUNICIPAL HOUSING STOCK

The COAH regulations require a projection of the community's housing stock, including the probable future construction of low- and moderate-income housing, for the ten years subsequent to the adoption of the Housing Element. This projection shall be based upon an assessment of data which minimally must include the number of residential construction permits issued, approvals of applications for residential development, and probable residential development of lands. Each of these items are identified and outlined below.

1. Housing Units Constructed During the Last Ten Years. The table below provides data concerning residential building permits issued for new construction during the past ten years. During this period, a total of 53 residential building permits were issued for new construction, all of which were issued for one- and two-family residences. As such, the Borough of Oradell has issued, on average, approximately 5.3 residential building permits per year since 2008.

TABLE 10: NUMBER OF RESIDENTIAL BUILDING PERMITS ISSUED FOR NEW CONSTRUCTION (2008-2017)
ORADELL, NJ

Year Issued	One & Two Family	Multi-Family	Mixed-Use	Total
2008	4	0	0	4
2009	4	0	0	4
2010	2	0	0	2
2011	2	0	0	2
2012	9	0	0	9
2013	0	0	0	0
2014	9	0	0	9
2015	9	0	0	9
2016	12	0	0	12
2017	2	0	0	2
Total	53	0	0	53

Source: New Jersey Construction Reporter

2. Probable Residential Development of Lands. Considering the rate of residential growth experienced in Oradell over the past decade, the continuing economic stagnation following the Great Recession, and the fact that there are a limited amount of developable parcels remaining in the Borough, it is anticipated that Oradell will continue to see only modest growth in one- and two-family residential development over the next decade. The Borough does, however, does anticipate more multi-family residential development than Oradell has experienced over the past decade due to modified zoning which will allow for inclusionary residential development, as discussed in more detail in the Fair Share Plan section of this document.

D. POPULATION ANALYSIS

The MLUL requires that the Housing Element of this plan provide data on the municipality's population, including population size, age and income characteristics.

1. Population Size. As seen in the table below, the Borough's population grew significantly each decade until 1980, after which the Borough's population was in decline for the next 20 years. Since 2000, Oradell's population has remained fairly steady, fluctuating only slightly each decade. The 2016 population estimate of 8,160 represents a 2.3 percent increase from the 2010 census figure of 7,978.

TABLE 11: POPULATION GROWTH (1920-2016)
ORADELL, NJ

Year	Population	Change (#)	Change (%)
1920	1,286	--	--
1930	2,360	1074	83.5
1940	2,802	442	18.7
1950	3,665	863	30.8
1960	7,487	3822	104.2
1970	8,903	1416	18.9
1980	8,658	-245	-2.7
1990	8,024	-634	-7.3
2000	8,047	23	0.2
2007	7,847	-200	-2.5
2010	7,978	131	1.6
2016	8,160	182	2.3

Source: U.S. Census Bureau; American Community Survey (2012-16),
NJ Dept of Labor and Workforce Development Estimates

2. Age Characteristics. The Borough's age characteristics are represented in Table 12, below. The largest population decline since 2010 occurred in the age cohort 75 to 84 years of age. There were also significant declines in residents under age 9 as well as 35-44 and 60-64. The Borough's largest increases occurred in the 10 to 14 year old and 55 to 59 year old cohorts. The median age of Borough residents increased from 41.3 years in 2000 to 43.8 in 2016.

TABLE 12: AGE CHARACTERISTICS (2000, 2010 AND 2016)

ORADELL, NJ

	2000		2010		2016		2010-2016
Age Group	Total	% Total	Total	% Total	Total	% Total	% change
Under 5	509	6.3	404	5.1	336	4.1	-19.6
5-9	567	7.1	627	7.9	485	5.9	-25.3
10-14	631	7.8	662	8.3	888	10.9	31.3
15-19	435	5.4	544	6.8	657	8.1	19.1
20-24	287	3.6	293	3.7	309	3.8	2.7
25-34	770	9.6	485	6.1	614	7.5	23.0
35-44	1,344	16.7	1,092	13.7	929	11.4	-16.8
45-54	1,272	15.8	1,440	18.1	1,390	17.0	-6.1
55-59	505	6.3	590	7.4	801	9.8	32.4
60-64	390	4.8	518	6.5	437	5.4	-16.9
65-74	676	8.4	665	8.4	770	9.4	11.9
75-84	479	5.9	440	5.5	318	3.9	-29.1
85 and over	182	2.3	218	2.7	226	2.8	3.7
Total	8,047	100.0	7,978	100.0	8,036	100.0	
Median Age	41.3		44.1		43.8		

Source: 2000 and 2010 U.S. Census, American Community Survey (2012-16)

3. Average Household Size. The average size of Borough households decreased each decade between 1980 and 2000, as indicated in the table below. However, the average households size has been steadily increasing since 2000, up to 3.04 persons per household in 2016.

TABLE 13: AVERAGE HOUSEHOLD SIZE (1980-2016)

ORADELL, NJ

Year	Average Household Size
1980	3.12
1990	2.89
2000	2.83
2010	2.87
2016	3.04

Source: 1980, 1990, 2000 & 2010 U.S. Census;
American Community Survey (2012-16)

4. Household Income. The median household income for Oradell households increased by 60 percent between 1999 and 2016, rising from \$91,014 to \$145,761. Detailed household income figures are shown in the table below.

TABLE 14: HOUSEHOLD INCOME DISTRIBUTION (1989, 1999 AND 2016)
ORADELL, NJ

Income Category	1989		1999		2016	
	Number	Percent	Number	Percent	Number	Percent
Less than \$10,000	46	1.6	60	2.1	9	0.3
\$10,000 to \$14,999	78	2.8	79	2.8	42	1.6
\$15,000 to \$24,999	170	6.0	121	4.3	88	3.4
\$25,000 to \$34,999	197	7.0	159	5.7	97	3.7
\$35,000 to \$49,999	323	11.6	298	10.7	142	5.4
\$50,000 to \$74,999	576	20.5	399	14.2	220	8.4
\$75,000 to \$99,999	632	22.5	397	14.1	328	12.5
\$100,000 to \$149,999	429	15.3	601	21.4	422	16.1
\$150,000 or more	354	12.6	695	24.7	1278	48.7
Total	2,805	99.9	2,809	100.0	2,626	100.0
Median	\$75,324		\$91,014		\$145,761	

Source: U.S. Census, 1990 & 2000, American Community Survey 2009-2013

E. EMPLOYMENT ANALYSIS

The MLUL requires that a Housing Element include data on employment levels in the community. The following tables present information on the Borough's employment characteristics.

1. Employment Status. Table 15 provides information on employment status in the Borough for the segment of the population 16 and over. Approximately, 63 percent of the Borough's population in the labor force in 2016 was employed, with approximately 4 percent unemployed. Between 2000 and 2016, the proportion of the Borough's population that was unemployed more than doubled.

TABLE 15: EMPLOYMENT STATUS- POPULATION 16 & OVER (2000 AND 2016)
ORADELL, NJ

Employment Status	2000		2016	
	Number	Percent	Number	Percent
In labor force	3,980	63.6	4,206	66.6
Civilian labor force	3,980	63.6	4,206	66.6
Employed	3,865	61.8	3,953	62.6
Unemployed	115	1.8	253	4
Armed Forces	0	0.0	0	0.0
Not in labor force	2,279	36.4	2,109	33.4
Total Population 16 and Over	6,259	100.0	6,315	100.0

Source: 2000 U.S Census, American Community Survey (2012-16)

2. Employment Characteristics of Employed Residents. The following two tables detail information on the employment characteristics of Oradell residents. Table 16 details

employment by occupation and Table 17 details employment by industry. The largest percentage of residents in the Borough is employed in the management, professional and related occupations sector, followed by sales and office occupations. The largest decline by occupation was seen within the service occupations sector. Additionally, the largest percentage of residents are employed in the education, health and social services industry, the same industry that saw the largest increase from 2000 to 2016. The largest declines by industry were in construction, manufacturing and other services.

TABLE 16: EMPLOYED RESIDENTS AGE 16 AND OVER, BY OCCUPATION (2000 AND 2016)

ORADELL, NJ

Occupation	2000		2016		% change
	Number	Percent	Number	Percent	
Management, professional, and related	2,189	56.6	2,347	59.4	6.7
Service	234	6.1	172	4.4	-36.0
Sales and office	1,124	29.1	1,085	27.4	-3.6
Farming, fishing, and forestry	0	0.0	0	0.0	0.0
Construction, extraction, and maintenance	124	3.2	142	3.6	12.7
Production, transportation, and material moving	194	5.0	207	5.2	6.3
Total	3,865	100.0	3,953	100.0	

Source: 2000 U.S. Census; American Community Survey (2012-16)

TABLE 17: EMPLOYED RESIDENTS AGE 16 AND OVER, BY INDUSTRY (2000 AND 2016)

ORADELL, NJ

Industry	2000		2016		% change
	Number	Percent	Number	Percent	
Agriculture, Forestry, Fisheries & Mining	0	0.0	0	0.0%	0.0
Construction	89	2.3	59	1.5%	-33.7
Manufacturing	289	7.5	193	4.9%	-33.2
Transportation, Warehousing, and Utilities	138	3.6	177	4.5%	28.3
Wholesale Trade	295	7.6	251	6.3%	-14.9
Retail Trade	431	11.2	490	12.4%	13.7
Information	263	6.8	179	4.5%	-31.9
Finance, Insurance & Real Estate	579	15.0	555	14.0%	-4.1
Education, Health and Social Services	842	21.8	1,158	29.3%	37.5
Arts, Entertainment & Recreational Services	160	4.1	153	3.9%	-4.4
Professional & Related Services	494	12.8	600	15.2%	21.5
Public Administration	148	3.8	60	1.5%	-59.5
Other Services	137	3.5	78	2.0%	-43.1
Total	3,865	100.0	3,953	100.0	

Source: 2000 U.S. Census; American Community Survey (2012-16)

3. Employment Projections. A projection of the Borough's probable future employment characteristics is based on an assessment of historic employment trends, the number of non-residential construction permits issued, and probable non-residential development of lands. Each of these items are identified and outlined below.

a. Historic Employment Trends. Employment in Oradell has fluctuated quite a bit since 2004, with significant declines occurring between 2004-2005, 2010-2012, and 2014-2016, and significant growth occurring between 2006 and 2009. Since the Great Recession, the only year in which Oradell has experienced job growth was in 2013. Assuming the current economic climate continues, and recognizing the limited availability of vacant land for new non-residential development, only minor changes in employment characteristics are anticipated over the next decade.

TABLE 18: AVERAGE COVERED EMPLOYMENT TRENDS (2004-2016)
ORADELL, NJ

Year	Number of Jobs	Change in Number of Jobs	Percent Change
2004	3,269	--	--
2005	3,042	-227	-6.9
2006	3,112	70	2.3
2007	3,382	270	8.7
2008	3,499	117	3.5
2009	3,542	43	1.2
2010	3,500	-42	-1.2
2011	3,404	-96	-2.7
2012	3,239	-165	-4.8
2013	3,329	90	2.8
2014	3,277	-52	-1.6
2015	3,096	-181	-5.5
2016	2,858	-238	-7.7

Sources: Department of Labor and Workforce Development

b. Non-Residential Square Footage Constructed During the Last Ten Years. The table below provides data concerning the amount of non-residential square footage authorized by building permits from 2007 through 2016. During this period, building permits were issued for 26,680 square feet of non-residential space, the majority of which (approximately 24,000 square feet) were for office space. Approximately 2,400 square feet of educational space was permitted during this period.

TABLE 19: NON-RESIDENTIAL SPACE AUTHORIZED BY BUILDING PERMITS (2007-2016)

ORADELL, NJ

Year Issued	Office (sq.ft.)	Education (sq.ft.)	Total (sq.ft.)
2007	17,430	0	17,430
2008	2,154	0	2,154
2009	0	2,438	2,438
2010	0	0	0
2011	0	0	0
2012	1,551	0	1,551
2013	0	0	0
2014	0	0	0
2015	3,107	0	3,107
2016	0	0	0
Total (sq.ft.)	24,242	2,438	26,680

Source: New Jersey Construction Reporter

- c. Probable Non-Residential Development of Lands. The Borough experienced an average of 2,668 square feet of new non-residential space per year over the past decade. However, as shown in Table 19 above, most of this growth occurred prior to 2010. Given the weak office market, fall-out from the recession, and limited developable land, the Borough anticipates more modest non-residential growth to occur over the next ten-year period.
- d. Probable Future Employment Characteristics. As detailed in Table 18 above, Oradell's employment has fluctuated throughout the decade since 2004, but has mostly declined since 2009. This trend combined with modest expectations for new non-residential development suggests that future employment within the Borough will not increase appreciably over the next ten years, but rather will continue to fluctuate throughout the decade.

SECTION II: FAIR SHARE OBLIGATION

A. SUMMARY OF FAIR SHARE OBLIGATION

The state of the Third Round affordable housing obligations for municipalities throughout New Jersey continues to be in flux, given the fact that neither the Courts, COAH, nor the legislature has come up with a definitive set of housing-need numbers that has been universally accepted. Thus far, two sets of numbers have been promulgated and widely discussed. These include numbers prepared by Econsult Solutions on behalf of a consortium of municipalities known as the Municipal Joint Defense Group, of which Oradell is a part, and numbers prepared by Dr. David Kinsey on behalf of the Fair Share Housing Center (FSHC). In addition, state-wide and municipal obligations for the present need rehabilitation obligation, as well as the Gap + Prospective Need obligation (1999-2015) have been calculated using the Jacobson Methodology. These housing-need numbers for the Borough of Oradell are as follows:

	<u>Econsult (April 2017)</u>	<u>FSHC (July 2016)</u>	<u>Jacobson (March 2018)</u>
1. Rehabilitation Obligation:	14	4	14
2. Prior Round Obligation (1987-1999):	89	89	89
3. Gap + Prospective Need Obligation (1999-2025):	73	308	139

Ultimately, a Settlement Agreement, which was executed by the Borough and FSHC on June 18, 2018, sets forth the extent of Oradell's rehabilitation, prior round and gap + prospective need obligations. The parties have agreed upon the following obligations for the Borough for the period from 1987 through July 1, 2025:

	<u>Obligation per Settlement</u>
1. Rehabilitation Obligation:	4
2. Prior Round Obligation (1987-1999):	89
3. Gap + Prospective Need Obligation (1999-2025):	308

Since the Borough is essentially fully developed, it is entitled to adjust its Prior Round (1987-1999) and Gap + Prospective Need (1999-2025) obligations in accordance with the procedures set forth in COAH's Second Round rules. As provided therein, a Realistic Development Potential ("RDP") Analysis is intended to determine which sites in a municipality are the most likely sites to develop for low- and moderate-income housing. Accordingly, the FSHC Settlement Agreement establishes the Borough's combined Prior Round and Third Round RDP at 7, inclusive of an RDP of 2 for the Prior Round and an RDP of 5 for the Third Round. The calculation of the Borough's RDP is discussed in more detail below.

B. VACANT LAND ADJUSTMENT

The Borough's Prior Round (1999-2025) and Third Round Gap + Prospective Need (1999-2025) affordable housing obligations have been adjusted by a Vacant Land Adjustment (VLA), which

includes an RDP analysis. The VLA was prepared pursuant to COAH's Second Round rules. The bottom line result is that for Oradell's combined Prior Round and Third Round obligations (1987-2025), the Borough's RDP is 7 and its remaining "unmet need" is 390.

A calculation of the Borough's Prior Round RDP was based on the VLA analysis prepared as part of Oradell's prior round housing plan petition. That VLA reviewed all vacant parcels in the Borough of minimally 0.83-acre in size (based on a presumptive minimum density of 6 units per acre) and subtracted out environmentally constrained land (wetlands, steep slopes, riparian zones, and flood plains) pursuant to the applicable regulations at N.J.A.C. 5:93-4.2. The sole parcel that was determined to have development potential at that time was the Oradell Avenue site at Block 1206 Lot 2, which encompasses 1.5 acres. Based on a presumed density of 6 units per acre and a 20 percent set-aside for affordable units as applied to this site, an RDP of 2 units was established for the Prior Round.

The Borough's Third Round RDP was calculated by following the same methodology. The VLA first identified all vacant sites in the Borough, totaling just over 5 acres, then evaluated these parcels for size (a minimum threshold of 0.83-acre was applied, based on a presumptive minimum density of 6 units per acre) and environmental constraints (wetlands, steep slopes, riparian zones, and flood plains) pursuant to the applicable regulations at N.J.A.C. 5:93-4.2. The remaining 1.44 acres of developable land was then calculated to determine the Borough's Third Round RDP.

In an effort to be as inclusive as possible, the Borough then added to this developable acreage two additional properties that the Borough identifies as having the potential to redevelop. These properties are as follows:

1. Block 805 Lot 1: This is a 3.44-acre parcel located at 705 Kinderkamack Road and owned by Blauvelt Demarest Foundation Inc. The site is occupied by a museum and is partially constrained by steep slopes, but the remaining undeveloped and unconstrained area (approximately 1.27 acres) is considered developable with the adjacent Lot 2 to the south.
2. Block 805 Lot 2: This is a 4.20-acre parcel located at 699 Kinderkamack Road and owned by Blauvelt Associates LLC. The site is occupied by a vacant mansion known as the Blauvelt Estate and is partially constrained by steep slopes, but the remaining undeveloped and unconstrained area (approximately 1.39 acres) is considered developable with the adjacent Lot 1 to the north.

With the addition of these two properties, the total developable acreage was determined to be 4.10 acres. Pursuant to the applicable regulations, a minimum presumptive density of six dwelling units per acre were imposed on these 4.10 acres, and then a 20 percent set-aside was imposed on that calculation. This formula resulted in a Third Round RDP of 5. The Borough's Third Round VLA is presented in the accompanying map and table on the following pages.

**TABLE 20: THIRD ROUND VACANT LAND ASSESSMENT
ORADELL, NJ**

ID	Block	Lot	Location	Owner	Comments	Area (ac)	Developable Area (ac)	Developable?
1	313	3	787 HOWARD COURT E	MATE, JONATHAN L.	Lot too small to qualify for RDP Analysis. Steep slope constraints.	0.241	0.16	No
2	1210	12	BERGEN BLVD	EVANS, DAVID G & KATHARINE E	Lot too small to qualify for RDP Analysis	0.018	0.018	No
3	904	2	SHADOW LANE	GERVER, IRA & HOWARD	Lot too small to qualify for RDP Analysis. Steep slope constraints	0.013	0	No
4	119	9.03	6 FEY PL.	WEEDO, CALVIN	Qualifies for RDP Analysis. Proposed for inclusionary development with adjacent lots (9.01-9.06).	0.236	0.236	Yes
5	1102	5	KINDERKAMAC K ROAD	PMG NEW JERSEY LLC	Lot too small to qualify for RDP Analysis	0.034	0.034	No
6	904	7	SHADOW LANE	NUTMAN, NORMAN N.	Lot too small to qualify for RDP Analysis. Steep slope constraints	0.496	0.020	No
7	504	38	RIDGEWOOD AVE	MURPHY, MATTHEW A	Lot too small to qualify for RDP Analysis	0.078	0.078	No
8	904	6	721 KINDERKAMAC K RD	MYUNG, JAE H	Qualifies for RDP Analysis. Site previously occupied by a dwelling, which was destroyed by fire. Partially constrained by steep slopes, but remaining unconstrained area is developable with adjoining Block 805 Lots 1 & 2 to the south.	0.551	0.220	Yes
9	119	9.04	8 FEY PLACE	WEEDO, CALVIN	Qualifies for RDP Analysis. Proposed for inclusionary development with adjacent lots (9.01-9.06).	0.196	0.196	Yes
10	119	9.01	2 FEY PLACE	WEEDO, CALVIN	Qualifies for RDP Analysis. Proposed for inclusionary development with adjacent lots (9.01-9.06).	0.191	0.191	Yes
11	119	9.05	10 FEY PL.	WEEDO, CALVIN	Qualifies for RDP Analysis. Proposed for inclusionary development with adjacent lots (9.01-9.06).	0.218	0.218	Yes
12	716	28	448 PROSPECT AVE	TANNER, JAN & SHARON S.	Lot too small to qualify for RDP Analysis	0.219	0.219	No
13	405	15	ORADELL AVE	ARNOLD HOMES INC	Lot too small to qualify for RDP Analysis. Wetland constraints	0.222	0	No
14	119	9.06	12 FEY PLACE	WEEDO, CALVIN	Qualifies for RDP Analysis. Proposed for inclusionary development with adjacent lots (9.01-9.06).	0.193	0.193	Yes
15	504	45	WANAMAKER AVE	TRAPHAGEN, V. PETER & ELISABETH	Lot too small to qualify for RDP Analysis	0.139	0.139	No
16	708	19	505-515 KINDERKAMAC K ROAD	TRIPLE A REALTY CO INC.	Lot too small to qualify for RDP Analysis. Observed that the site is developed with surface parking.	0.284	0.284	No
17	904	4	SHADOW LANE	GERVER, IRA & HOWARD	Lot too small to qualify for RDP Analysis. Steep slope constraints	0.081	0	No
18	119	9.02	4 FEY PL.	WEEDO, CALVIN	Qualifies for RDP Analysis. Proposed for inclusionary development with adjacent lots (9.01-9.06).	0.187	0.187	Yes
19	109	11	282 GARDEN PLACE	GERVER, IRA & HOWARD	Lot too small to qualify for RDP Analysis	0.091	0.091	No
20	1210	11	PERSHING AVE	CAPATI, ALFONSO & JULIET	Lot too small to qualify for RDP Analysis	0.045	0.045	No
21	607	13.01	946 AMARYLLIS AVENUE	SHALHOUB, ROBERT	Lot too small to qualify for RDP Analysis	0.230	0.230	No
22	607	13.02	946 AMARYLLIS AVENUE	SHALHOUB, ROBERT	Lot too small to qualify for RDP Analysis	0.340	0.340	No

ID	Block	Lot	Location	Owner	Comments	Area (ac)	Developable Area (ac)	Developable?
23	806	32.01	650 SOLDIER HILL ROAD	SOLDIER HILL DVLPMNT PTNRS, LLC	Lot too small to qualify for RDP Analysis	0.768	0.768	No
24	805	1	705 KINDERKAMAC K RD	BLAUVELT-DEMAREST FOUNDATION INC.	Qualifies for RDP Analysis. Occupied by a museum and partially constrained by steep slopes, but remaining undeveloped and unconstrained area is developable with adjoining Lot 2 to the south.	3.44	1.27	Yes
25	805	2	699 KINDERKAMAC K RD	BLAUVELT ASSOCIATES LLC	Qualifies for RDP Analysis. Occupied by a vacant mansion known as the Blauvelt Estate and partially constrained by steep slopes, but remaining undeveloped and unconstrained area is developable with adjoining Lot 1 to the north.	4.20	1.39	Yes

Land Categorization	Acreage
Total Vacant/Redevelopable Land	12.71 ac.
Total Developable Area Qualifying for RDP Analysis	4.10 ac.
Development Capacity @ 6 du/ac Density	24.6 units
Total RDP @ 20% Set-Aside	5 units

SECTION III: FAIR SHARE PLAN

A. PLAN SUMMARY

The Fair Share Plan identifies the manner in which the Borough's fair share affordable housing obligations – inclusive of a Rehabilitation obligation of 4, a Prior Round obligation of 89, and a Gap + Prospective Need obligation of 308 – are to be addressed. This is summarized below.

1. Rehabilitation Obligation. The Borough intends to satisfy its 4-unit Rehabilitation obligation through continued participation in the Bergen County Home Improvement Program, or the Borough will hire a separate entity to rehabilitate at least 4 units in the Borough. This will be discussed in more detail later in this section.
2. Prior Round Obligation (1987-1999) and Gap + Prospective Need Obligation (1999-2025). Pursuant to the Borough's Settlement Agreement with FSHC, the Borough has a combined Prior Round and Third Round obligation of 397 units. This figure is comprised of a 7-unit combined Prior Round and Third Round RDP and a remaining Unmet Need of 390 units. The Borough proposes to address its RDP and Unmet Need with existing affordable housing units, a proposed inclusionary family rental development, rental bonus credits permitted in accordance with COAH's Second Round rules, the adoption of new zoning and overlay zoning for inclusionary development, and the creation of a Borough-wide mandatory set-aside ordinance. These mechanisms are detailed later in this section.

As detailed above, the Housing Element and Fair Share Plan can accommodate the entirety of the community's affordable housing obligation through 2025 in a manner that affirmatively addresses need, while at the same time maintaining the overall character of the community.

B. MINIMUMS/MAXIMUMS TO BE ADDRESSED

This plan seeks to address the Borough's affordable housing obligation by application of COAH's Round 2 rules. The Supreme Court in its 2015 Mount Laurel IV decision endorsed the use of COAH's Round 2 rules. As such, the following minimum requirements and maximum limitations, as set forth in COAH's Round 2 rules, will be addressed within the plan:

1. RDP Obligation:
 - a. Age-Restricted Units. Pursuant to N.J.A.C. 5:93-5.14(a)2, the Borough is permitted to age-restrict up to 25 percent of its 7-unit RDP obligation, which equates to a maximum of 1 age-restricted unit.
 - b. Rental Units. Pursuant to N.J.A.C. 5:93-5.15(a), the Borough is required to address at least 25 percent of its 7-unit RDP obligation with rental housing. This equates to a minimum of 2 rental units.

- c. Rental Bonus Credits. Pursuant to N.J.A.C. 5:93-5.15(d), the Borough shall receive a 2:1 rental bonus credit for rental units made available to the general public, up to the 2-unit rental obligation. Age-restricted rental units may be eligible for rental bonus credits at a ratio of 1.33:1; however, no more than 50 percent of the rental obligation (or 1 unit) shall receive a bonus for age restricted rental units.

The table below summarizes the above parameters for both the Prior Round and RDP obligations.

TABLE 21: PLAN MINIMUMS AND MAXIMUMS
ORADELL, NJ

Requirement	RDP Obligation
Max. Age-Restricted Units	1
Min. Rental Units	2
Max. Rental Bonus Credits (Total, Including Age-Restricted)	2
Max. Rental Bonus Credits (Age-Restricted)	0.33

C. PLAN COMPONENTS

This section of the plan details the projects, mechanisms and funding sources which will be used to meet the Borough's affordable housing obligations, as discussed above. The Plan Components Map included at the end of this document illustrates the location of all existing and proposed developments identified herein.

1. Rehabilitation Obligation. The Borough has a Rehabilitation obligation of 4 units. The Borough plans to address this obligation through continued participation in the Bergen County Home Improvement Program (BCHIP) – or by hiring a separate entity – and will utilize funds from the Borough's affordable housing trust fund to help fund these programs. The Borough will commit an average of \$10,000 per unit, consistent with COAH's Round 2 rules. This will require a total contribution of approximately \$40,000.

Pursuant to COAH's rules that allow municipalities to utilize money collected from development fees for this purpose, the Borough shall set aside the required \$40,000 from its affordable housing trust fund account to be made available to income-qualified households to participate in the program. Although that account contains only \$20,249, as of September 30, 2018, the Borough anticipates that it will collect enough development fees before the end of the Third Round to make up the shortfall in funds.

2. RDP Obligation. As established in Section II of this plan, Oradell has a combined Prior Round and Third Round RDP of 7 for the period extending from 1987 to 2025. The Borough proposes to address this obligation with a combination of 4 credits from existing

affordable housing units, 2 credits from a proposed inclusionary family rental development, and 1 rental bonus credit permitted in accordance with COAH's Round 2 rules. These components are identified in the table below.

TABLE 22: PLAN COMPONENTS SATISFYING RDP OBLIGATION
ORADELL, NJ

Plan Component	# of Units/ Bedrooms	Rental Bonus Credits	Total Credits	Status
<i>100% Affordable Developments:</i>				
Habitat for Humanity – Westervelt Place	4	-	4	Completed
<i>Inclusionary Developments:</i>				
New Milford Avenue (family rentals)	2	1	3	Proposed
Total	6	1	7	

As demonstrated in the table below, all of the plan components proposed to address the RDP obligation fully satisfy the minimum/maximum requirements identified in COAH's Round 2 rules.

TABLE 23: SATISFACTION OF MINIMUMS AND MAXIMUMS
ORADELL, NJ

Requirement	Required	Proposed
Max. Age-Restricted Units	1	0
Min. Rental Units	2	2
Max. Rental Bonus Credits (Total, Including Age-Restricted)	2	1
Max. Rental Bonus Credits (Age-Restricted)	0.33	0

Both of the existing and proposed development sites set forth above to satisfy the Borough's RDP obligation are discussed in more detail below:

- a. *Habitat for Humanity – Westervelt Place.* The Habitat for Humanity project is a 100 percent affordable development located at 209 and 211 Westervelt Place. The development, which was constructed by Habitat for Humanity and completed in 2014, consists of 4 owner-occupied units. These are identified as 211A Westervelt Place (Block 220 Lot 7.01), 211B Westervelt Place (Block 220 Lot 7.02), 209A Westervelt Place (Block 220 Lot 8.01) and 209B Westervelt Place (Block 220 Lot 8.02). Thirty-year affordability controls on the units extend until 2044. As detailed above, the Borough assigns credit for all 4 units toward the Borough's RDP obligation.

The Habitat for Humanity site is depicted in the aerial map below.

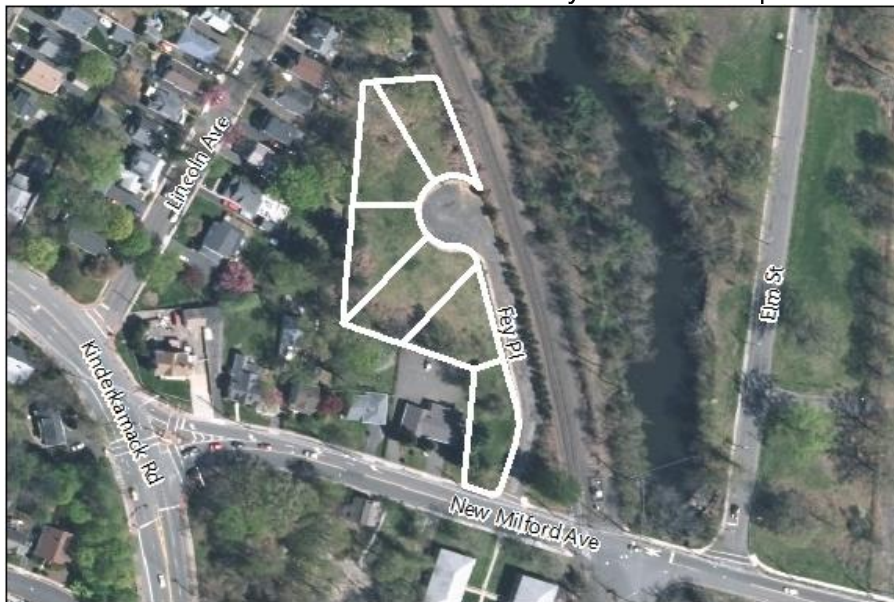
Aerial 1: Habitat for Humanity – Westervelt Pl



Source: NJGIN Information Warehouse, 2015.

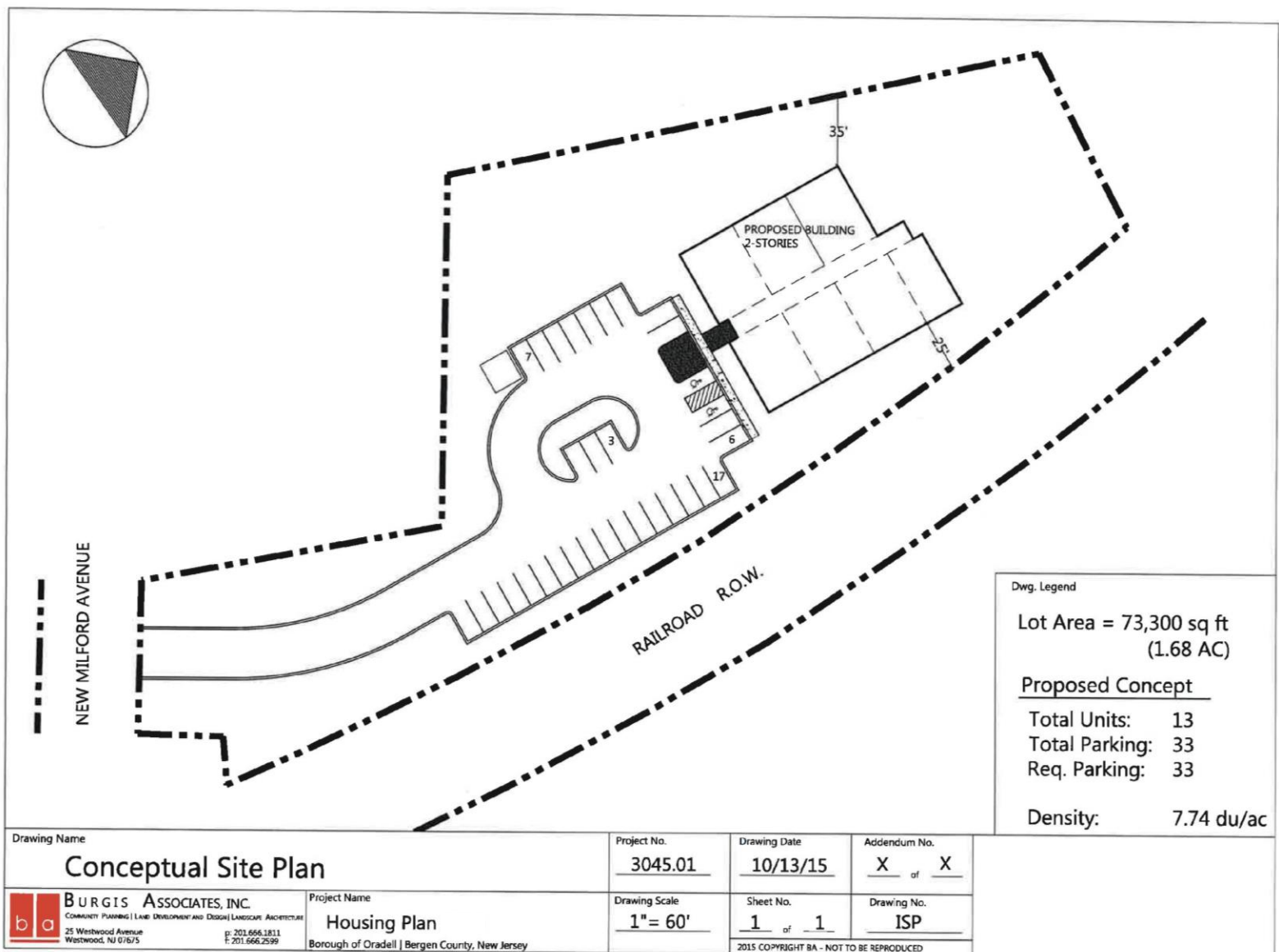
- b. *New Milford Avenue Inclusionary Rental Development.* The Fair Share Plan calls for 2 units of affordable housing to be built as part of an inclusionary rental development along the north side of New Milford Avenue, west of Fey Place and the railroad line. This will be facilitated through the rezoning of six contiguous parcels on Fey Place identified as Block 119 Lots 9.01 through 9.06. These six parcels comprise an area of 1.22 acres and are currently vacant and under common ownership. They are currently zoned R-4 Single-Family Residential. The site is free of environmental constraints and has access to both water and sewer. The site is depicted in the aerial map below.

Aerial 2: New Milford Avenue Inclusionary Rental Development



Source: NJGIN Information Warehouse, 2015.

In accordance with the Settlement Agreement with FSHC, the Borough will rezone the site (as well as the adjoining Fey Place right-of-way, encompassing 0.46 acre) for inclusionary multi-family residential development at a density of 8 units per acre. The zoning will require a 15 percent set-aside for affordable rental units. As shown in the proposed concept plan below, it is anticipated that development of this site will yield a total of 13 total rental units, inclusive of 11 market-rate rental units and 2 affordable rental units. As detailed above, the Borough assigns credit for both affordable units toward the Borough's RDP obligation. In addition, the Borough claims 1 rental bonus credit from this development to be applied toward the Borough's RDP obligation, pursuant to NJAC 5:93-5.15(d) of COAH's Round 2 rules. As such, this site contributes a total of 3 credits toward the Borough's RDP obligation.



3. Unmet Need. The difference between the Borough's combined Prior Round and Third Round need number and its RDP obligation is what is known as Unmet Need. Whereas the RDP obligation must be affirmatively addressed by the Borough (as outlined above), addressing Unmet Need involves a lower standard, as the entire Unmet Need obligation does not have to be fully satisfied by 2025. Pursuant to the Borough's Settlement Agreement with FSHC, Oradell has an Unmet Need of 390 units. The Borough proposes to address Unmet Need as follows:

- a. *New Milford Avenue Rezoning*. The Borough proposes to rezone six parcels located along New Milford Avenue, between Kinderkamack Road and the railroad line, for inclusionary residential development. These six parcels are identified as Block 118 Lot 2 and Block 119 Lots 1, 10, 11, 12, and 13. While Block 118 Lot 2 occupies an area of 0.584 acre and is located along the south side of New Milford Avenue, the other five parcels are contiguously located along the north side of New Milford and comprise a total area of 1.416 acres. The current zoning designation for these parcels is R-4 Single-Family Residential. The parcels are all currently developed with either residential or commercial uses and none are under common ownership. All have access to water and sewer and none are impacted by environmental constraints. The area is entirely located within the PA1 – Metropolitan state plan area.

The properties are depicted in the aerial map below.

Aerial 3: New Milford Avenue Rezoning



Source: NJGIN Information Warehouse, 2015.

In accordance with the Settlement Agreement with FSHC, the Borough will rezone these six parcels for inclusionary multi-family residential development at a density of 8 units per acre. The zoning will require a 15 percent set-aside for affordable rental units or 20 percent set-aside for affordable sale units. It is anticipated that development of these properties will yield 2-3 additional affordable units, depending on whether the units are sales or rentals. The 2-3 affordable units anticipated to be produced on these properties will be applied toward the Borough's Unmet Need.

- b. *Central Business District (CBD) Overlay Zone.* The Borough will create a new overlay zone district over the Central Business District along Kinderkamack Road, extending from the vicinity of Brookside and Westervelt Place northward to Saw Mill Lane. The subject area encompasses an area of approximately 24 acres and is comprised of 68 tax parcels, as illustrated on the Central Business District Overlay Zone Map on the following page.

The area is currently designated for the B-1 Business Zone and is developed with a mix of commercial uses. The area contains no environmental constraints and is entirely located within the PA1 – Metropolitan state plan area and the Borough's sewer service area. Surrounding land uses include office to the north, moderate density residential to the south and east, and moderate and high density residential to the west.

The new Central Business District (CBD) Overlay Zone will permit uses currently permitted in the underlying B-1 Zone, as well as inclusionary residential above the ground floor. Building heights will be limited to the following:

- A maximum of two stories of inclusionary residential development over one story of commercial on the west side of Kinderkamack Road and on the east side of Kinderkamack Road north of Oradell Avenue; and
- A maximum of one story of inclusionary residential development over one story of commercial on the east side of Kinderkamack Road south of Oradell Avenue.

The CBD Overlay Zone will require a 15 percent set-aside for affordable rental units or 20 percent set-aside for affordable sale units. All of the affordable units that will be produced by development in the CBD Overlay Zone will be applied toward the Borough's Unmet Need.



Overlay Zone:



Project No.	3045.01	Date	09.05.18	Drawn	RW/AF
Scale	1" = 350'	Scale		Map No.	cbd zone
2018 COVDIST-01-107 TO BE DEDICATED					

Central Business District Overlay Zone Map

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2018 Housing Plan
 2018 COVDIST-01-107 TO BE DEDICATED

- c. *Affordable Housing Overlay Zone – White Beeches Golf Course.* The Borough, as part of its Prior Round affordable housing efforts, had adopted overlay zoning for inclusionary development on the White Beeches Golf Course property in order to create a realistic opportunity for the development of affordable units in the event that this member-owned golf course was redeveloped. However, the overlay zoning that was adopted lacked specific regulations for the zone, including density and area and bulk requirements. As such, the Borough proposes to adopt an ordinance for the White Beeches Golf Course which clearly designates the base zoning as the CR Conservation/Recreation Zone and the overlay zoning as the AHO Affordable Housing Overlay District, and firmly establishes the regulatory parameters for the overlay zoning.

The White Beeches Golf Course comprises 52.65 acres and is identified as Block 1401 Lot 1. It is located in the easternmost portion of Oradell, adjacent to the Borough's municipal borders with Haworth and Dumont. It is developed with an active member-owned golf course and is surrounded by detached residential uses. Approximately 7 acres along the northern boundary of the site appear to be impacted by wetland transition buffers and Category One stream buffers; however, the site is otherwise unencumbered by constraints. The site is entirely located within the PA1 – Metropolitan state plan area and the Borough's sewer service area.

The golf course is depicted in the aerial map below.

Aerial 4: White Beeches Golf Course



Source: NJGIN Information Warehouse, 2015.

The AHO Affordable Housing Overlay Zone will permit uses currently permitted in the underlying CR Zone, as well as inclusionary residential at a maximum density of 6 dwelling units per acre. The overlay will require a 15 percent set-aside for affordable rental units or 20 percent set-aside for affordable sale units. All of the affordable units that will be produced by development in the AHO Affordable Housing Overlay Zone will be applied toward the Borough's Unmet Need.

- d. Mandatory Set-Aside Ordinance.* To address Unmet Need, the Borough will also adopt an ordinance which requires that any site that benefits from a subdivision or site plan approval, rezoning, use variance, redevelopment plan or rehabilitation plan approved by the Borough or a Borough land use board which results in multi-family residential development containing five or more new dwelling units shall provide an affordable housing set-aside at a rate of 15 percent, where affordable units will be for rent, or 20 percent, where affordable units will be for sale. This requirement will ensure that new multi-family residential development in the Borough will provide its fair share of affordable units and assist with the Borough's continuous efforts to address its affordable housing obligation. The Borough will not, however, be under any obligation to grant subdivision and site plan approvals, rezonings, use variances, or redevelopment/ rehabilitation designations for any such construction and development applications will be required to otherwise conform to the Borough's zoning requirements.

D. DEVELOPMENT FEES

The Borough proposes to amend its development fee ordinance, which, as provided by COAH's Round 2 rules, permits the Borough to impose such fees on new development. The Borough will increase its existing residential development fee from 1.0 percent to 1.5 percent of the equalized assessed value for all residential development wherein new dwelling units will be created. In addition, the Borough will amend its ordinance to increase the non-residential development fee from 2.0 percent to 2.5 percent of the equalized assessed value of all non-residential development, with the exception of those types of developments specifically exempted, as required per the Statewide Non-Residential Development Fee Act. The funds generated by the collection of development fees will be applied directly toward implementation of Oradell's Housing Element and Fair Share Plan.

