

# Housing Element and Fair Share Plan

Borough of Tenafly  
Bergen County, New Jersey

PREPARED FOR:

Borough of Tenafly Planning Board

BA: 2890.04 II

September 29, 2015

Adopted October 14, 2015



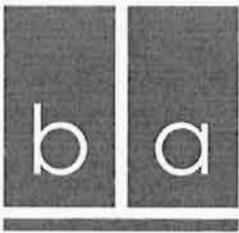


**Housing Element and**  
**Fair Share Plan**

**Borough of Tenafly**  
**Bergen County, New Jersey**

**BA#: 2890.04**

September 29, 2015  
Adopted October 14, 2015



COMMUNITY PLANNING  
LAND DEVELOPMENT AND DESIGN  
LANDSCAPE ARCHITECTURE

**B U R G I S**  
ASSOCIATES, INC.

PRINCIPALS:

*Joseph H. Burgis PP, AICP*  
*Edward Snieckus, Jr. PP, LLA, ASLA*

## Housing Element and Fair Share Plan

Borough of Tenafly  
Bergen County, New Jersey

Prepared for Borough of Tenafly Planning Board  
BA #2890.04

The original document was appropriately signed and sealed on September 29 in accordance with Chapter 41 of Title 13 of the State Board of Professional Planners

Joseph H. Burgis, AICP, PP  
Professional Planner #2450

David Novak, AICP, PP  
Professional Planner #6269

## Members of the Borough of Tenafly Planning Board

Mary Beth Wilmit, Chairperson  
Byron "Gus" Allen, Vice Chairperson  
Peter Rustin, Mayor  
Jon Warms  
Kevin Tremble  
Eugene Marcantonio  
Marc Harrison  
Theodore Kagy  
Sheryl Gaines, Alternate #1  
Eugene Kwon, Alternate #2  
Mark Zinna, Council Member

### **MLUL Officer/Planning Board Secretary**

Valerie B. Nicolosi

### **Planning Board Attorney**

Jeffrey A. Zenn, Esq.  
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### **Borough Attorney**

William R. McClure, Esq.

### **Borough Planning Consultant**

Joseph H. Burgis PP, AICP  
David Novak PP, AICP  
Burgis Associates, Inc.

**RESOLUTION**  
**TENAFLY PLANNING BOARD**

**OFFERED BY: Mr. Marcantonio**

**SECONDED BY: Mr. Tremble**

**at a special meeting of the Tenafly Planning Board held on Wednesday, October 14, 2015**

**WHEREAS**, the Planning Board of the Borough of Tenafly (the "Planning Board") adopted its current Master Plan on June 17, 1992 and has subsequently amended it from time to time; and

**WHEREAS**, the Planning Board intends to amend and update the Housing Element and Fair Share Plan of the Borough's Master Plan in order to comply with changes in the law; and

**WHEREAS**, the Planning Board has reviewed the Housing Element and Fair Share Plan prepared for the Planning Board by Burgis Associates, Inc. dated September 29, 2015; and

**WHEREAS**, upon proper notice, the Planning Board of the Borough of Tenafly held a public hearing on this date concerning the Housing Element and Fair Share Plan which included the testimony of its planner, Joseph H. Burgis, AICP, PP; and

**WHEREAS**, the Planning Board has carefully considered any and all comments made by members of the public at said hearing; and

**WHEREAS**, the Planning Board has determined that the Housing Element and Fair Share Plan attached hereto has addressed the Borough's fair share obligation and its capacity to accommodate the present and prospective affordable housing needs in accordance with proper land use planning.

**NOW, THEREFORE**, be it resolved that the Master Plan of the Borough of Tenafly be amended to include the updated Housing Element and Fair Share Plan prepared by Burgis Associates, Inc. BA:2890.04II dated September 29, 2015;

**BE IT FURTHER RESOLVED**, that a copy of this Resolution and the Housing Element and Fair Share Plan be filed with the Bergen County Planning Board; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution and the Housing Element and Fair Share Plan be sent to the municipal clerk of each adjoining municipality who requests a copy of same; and

**BE IT FURTHER RESOLVED**, that it is the recommended that the Mayor and Council endorse the plan and submit to the court for its approval.

Vote Recorded as follows;

**FOR: Mr. Wilmit, Mr. Allen, Mr. Tremble, Mr. Warms, Mr. Marcantonio, Mr. Kagy,  
Councilman Zinna and Mayor Rustin**

**AGAINST: None**

**ADOPTED: October 14, 2015**

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Board of the Borough of Tenafly, New Jersey on October 14, 2015.

*Christine Attanasio*

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Christine Attanasio, Acting Planning Board Secretary

**NOTICE OF ADOPTION  
BOROUGH OF TENAFLY  
TENAFLY PLANNING BOARD**

**Please take notice at a Special Public Meeting of the Tenafly Planning Board held on October 14, 2015, the following action was taken:**

**Upon careful consideration the Housing Element and Fair Share Plan of the Master Plan prepared by Burgis Associates, Inc., BA:2890.04II dated September 29, 2015 was adopted.**

**A copy of the memorializing Resolution along with the Housing Element and Fair Share Plan of the Master Plan prepared by Burgis Associates, Inc., BA:2890.04II dated September 29, 2015 are on file in the Office of the Tenafly Planning Board and is available for public inspection at the Municipal Center, 100 Riveredge Road, Tenafly, NJ, Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.**

**Christine Attanasio  
Acting Planning Board Secretary**

**Date Sent: Tuesday, October 20, 2015**

**To be published: The Bergen Record on October 22, 2015**



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## Executive Summary

The following 2015 Housing Plan and Fair Share Element of the Master Plan outlines the manner in which the Borough of Tenafly will address its affordable housing obligation. Ultimately, the analysis contained herein establishes that the Borough has a total affordable housing obligation of eighteen (18) units. This consists of an unmet prior round obligation of thirteen (13) units and, as determined through vacant land adjustment, a prospective need obligation of five (5) units.

The Borough will address its obligation as follows:

<b>Plan Component</b>	<b>Units</b>	<b>Applicable Rental Bonus</b>	<b>Total Units /Credits</b>
Prior Round Assisted Living/Age Restricted	1	1	2
Dean Drive Site	5	0	5
Piermont Road Site	7	0	7
Highwood Avenue Site	4	0	4
<b>Total</b>	<b>17</b>	<b>1</b>	<b>18</b>

Specific details as to how this obligation was calculated, as well as a background of the affordable housing process and an overview of the community, are contained within the body of the report.

## Introduction

The following section provides a brief introduction for the 2015 Housing Plan and Fair Share Element for the Borough of Tenafly, and includes: a historic overview of the courts and COAH; the Borough's historic response to its affordable housing obligations, and; the Third Round affordable housing obligation and the Borough's response to it.

### HISTORIC OVERVIEW OF THE COURTS AND COAH

The history of affordable housing in New Jersey can be traced back to 1975, when the Supreme Court first decided in *So. Burlington Cty. NAACP v. Borough of Mount Laurel* (known as Mount Laurel I) that every developing municipality throughout the state had an affirmative obligation to provide for its fair share of affordable housing. In a subsequent decision in 1983 (known as Mount Laurel II), the Court acknowledged that the vast majority of municipalities had ignored their constitutional obligation to provide affordable housing. As such, the Court refined this obligation to focus primarily on those municipalities that had portions of their boundaries within the growth area as delineated by the State Development and Redevelopment Plan. The Court also called for the state legislature to enact legislation that would save municipalities from the burden of having the courts determine their affordable housing needs. The result of this decision was the adoption of the Fair Housing Act in 1985 as well as the New Jersey Council on Affordable Housing (COAH), which became the state agency responsible for overseeing the manner in which New Jersey's municipalities address their low and moderate income housing needs.

COAH proceeded to adopt regulations for the First Round obligation, which covered the years 1987 to 1993. It also established the Second Round housing-need numbers that cumulatively covered the years 1987 through 1999. Under

both the First and Second Rounds, COAH utilized what is commonly referred to as the “fair share” methodology. COAH utilized a different methodology, known as “growth share,” beginning with its efforts to prepare Third Round housing-need numbers. The Third Round substantive and procedural rules were first adopted in 2004. These regulations were challenged and in January 2007, the Appellate Division invalidated various aspects of them and remanded considerable portions of the rules to COAH with the directive to adopt revised rules.

In May 2008, COAH adopted revised Third Round regulations which were published and became effective on June 2, 2008. Coincident to this adoption, COAH proposed amendments to the rules they had just adopted, which subsequently went into effect in October 2008. These 2008 rules and regulations were subsequently challenged, and in an October 2008 decision the Appellate Division invalidated the Growth Share methodology, and also indicated that COAH should adopt regulations pursuant to the Fair Share methodology utilized in Rounds One and Two. The Supreme Court affirmed this decision in September 2013, which invalidated the third iteration of the Third Round regulations and sustained the invalidation of growth share. As a result, the Court directed COAH to adopt new regulations pursuant to the methodology utilized in Rounds One and Two.

Deadlocked with a 3-3 vote, COAH failed to adopt its newly revised Third Round regulations in October 2008. The Fair Share Housing Center, 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 Court heard the motion in January 2015, and issued its ruling on March 20, 2015. The Court ruled that COAH was effectively dysfunctional, and consequently returned jurisdiction of affordable housing issues back to the trial courts where it had originally been prior to the creation of COAH in 1985.

For communities like Tenafly that had previously participated in the affordable housing process but, due to the inertia of COAH, never received Third Round substantive certification of their Housing Element and Fair Share Plan (HE&FSP), this Court decision has now effectively created a process in which municipalities must file a declaratory judgment seeking to declare their HE&FSP constitutionally compliant and receive temporary immunity from affordable housing builders’ remedy lawsuits while preparing a new or revised HE&FSP to ensure their plan continues to affirmatively address their local housing need as may be adjusted by new housing-need numbers promulgated by the Court or COAH.

### **THE BOROUGH’S HISTORIC REPOSES TO ITS AFFORDABLE HOUSING OBLIGATION**

The Borough of Tenafly has prepared a number of Housing Elements and Fair Share Plans over the years to address its affordable housing obligations. As noted above, COAH had originally adopted a ‘fair share’ methodology to determine housing-need numbers for all municipalities in the state in 1987 and again in 1994. The adopted, combined first and second round housing need numbers for Tenafly covering the years 1987-1999 initially indicated that the Borough had a 181 unit affordable housing obligation. This number was subsequently modified a number of times by COAH, and was ultimately reduced to 126 through a judgment of repose.

In December 2004, COAH adopted new substantive (N.J.A.C. 5:94) and procedural (N.J.A.C. 5:95) rules for the period beginning on December 20, 2004. At the same time, COAH re-adjusted all municipal first and second round housing-need construction numbers and rehabilitation numbers. Tenafly’s previously published 181 unit new-construction was

reduced to 84 units, while the Borough's rehabilitation component was 62 units. However, as noted above, the vacant land adjustment continues to be applicable irrespective of the COAH-adjusted calculation.

**THE THIRD ROUND AFFORDABLE HOUSING OBLIGATION AND THE BOROUGH'S RESPONSE**

The state of the Third Round affordable housing obligations for municipalities throughout New Jersey is presently a fluid one, given the fact that the Courts, COAH, and/or the legislature have yet to develop a definitive set of housing-need numbers which have been universally accepted. Thus far, two sets of numbers have been promulgated and widely discussed. These include numbers prepared by Dr. Robert Burchell on behalf of COAH, and numbers prepared by David Kinsey on behalf of the Fair Share Housing Center. Their statewide numbers vary dramatically, and are as follows:

	<b>Approximate # of Affordable Housing Units</b>
Burchell:	52,000
Kinsey:	201,000

Similarly, the numbers for Tenafly are markedly divergent, as noted below:

	<b>Burchell</b>	<b>Kinsey</b>
1. Rehabilitation Obligation:	41	41
2. Unanswered Prior Round Obligation	202	---
3. Prior Round Obligation	---	159
4. Prospective Need Obligation	80	453

As evidenced by the table above, the Burchell numbers, while high, are more reflective of the Borough's fully developed character in contrast to the Kinsey numbers, recognizing that given the fully developed character of the municipality a vacant land adjustment shall further reduce the realistic development potential and affordable housing need number for Tenafly. This is detailed elsewhere in this report. It is recognized that these figures may be adjusted in the future, and may necessitate future revisions to the plan.

The HE&FSP set forth herein includes an assessment of vacant land in the Borough pursuant to the prescribed vacant land adjustment (VLA) process in order to determine the Borough's realistic development potential (RDP) and adjusted prospective round affordable housing obligation. This analysis reveals that there are only 4.05 acres of vacant developable land (i.e. excluding vacant lands encumbered by wetlands, steep slopes, and flood plain delineations). This translates to an RDP of five (5) affordable housing units pursuant to the COAH methodology set forth in the Second Round regulations. These five (5) units constitute the Borough's prospective need obligation. In addition, the Borough must also address its remaining unmet prior round obligation, which consists of thirteen (13) units. Altogether, the Borough has a total affordable housing obligation of eighteen (18) units.

The manner in which the Borough addresses this obligation, as well as its remaining prior round obligation, is as follows:

**2015 Third Round  
Housing Element and Fair Share Plan Components**

<b>Plan Component</b>	<b>Units</b>	<b>Rental Units</b>	<b>Applicable Rental Bonus</b>	<b>Unused Credits</b>	<b>Total Units /Credits</b>
Prior Round Assisted Living/Age Restricted	1	1	1	0	2
Dean Drive Site	5	5	0	5	5
Piermont Road Site	7	7	0	7	7
Highwood Avenue Site	4	4	0	4	4
<b>Total</b>	<b>17</b>	<b>17</b>	<b>1</b>	<b>16</b>	<b>18*</b>

*\* Rental bonus can only account for 25% (1 units) towards the third round obligation*

The above noted Plan components are elaborated upon in greater detail in the body of this HE&FSP. Additionally, the vacant land adjustment and realistic development potential calculations are also set forth in the body of this report.

The following Plan is organized into three sections. Section 1: Housing Element contains background data on the Borough's population and housing characteristics. Section 2: Fair Share Obligation describes the Borough's obligation for the provision of affordable housing. Section 3: Fair Share Plan contains the Borough's Plan for meeting its affordable housing obligation. As noted above, the process followed in this Plan is a fluid one. As such, it is recognized that this Plan may require future adjustments as the Courts respond to the myriad of issues that still need to be addressed.

**Section I: Housing Element**

## A. COMMUNITY OVERVIEW

The Borough of Tenafly is located along the eastern border of Bergen County, immediately adjacent to the Hudson River. It is bounded by the Boroughs of Alpine and Cresskill to the north, the Borough of Bergenfield to the west, and the City of Englewood and the Borough of Englewood Cliffs to the south.

Tenafly has a land area of approximately 4.5 square miles, making it the 15<sup>th</sup> largest municipality in Bergen County. As demonstrated by the following table, Tenafly is essentially a fully developed community with very little vacant land remaining for development. The majority of the Borough is primarily characterized by residential development, as one- and two-family dwellings account for nearly fifty-one (51%) of the Borough's total land use area. Conversely, commercial uses account for approximately only four (4%) percent of the Borough's total land area. These uses are largely concentrated in the Borough's central business district, which is characterized by small retail and service establishments which cater to the needs of the local populace. There are also over 650 acres in the Borough dedicated to open space purposes, which is largely divided between the Tenafly Nature Center (which comprises nearly 400 acres of woodlands) and the Palisades Interstate Parkway. The majority of the Borough's open space is located within the easterly portion of the municipality.

**Table 1: Existing Land Use  
Borough of Tenafly, New Jersey**

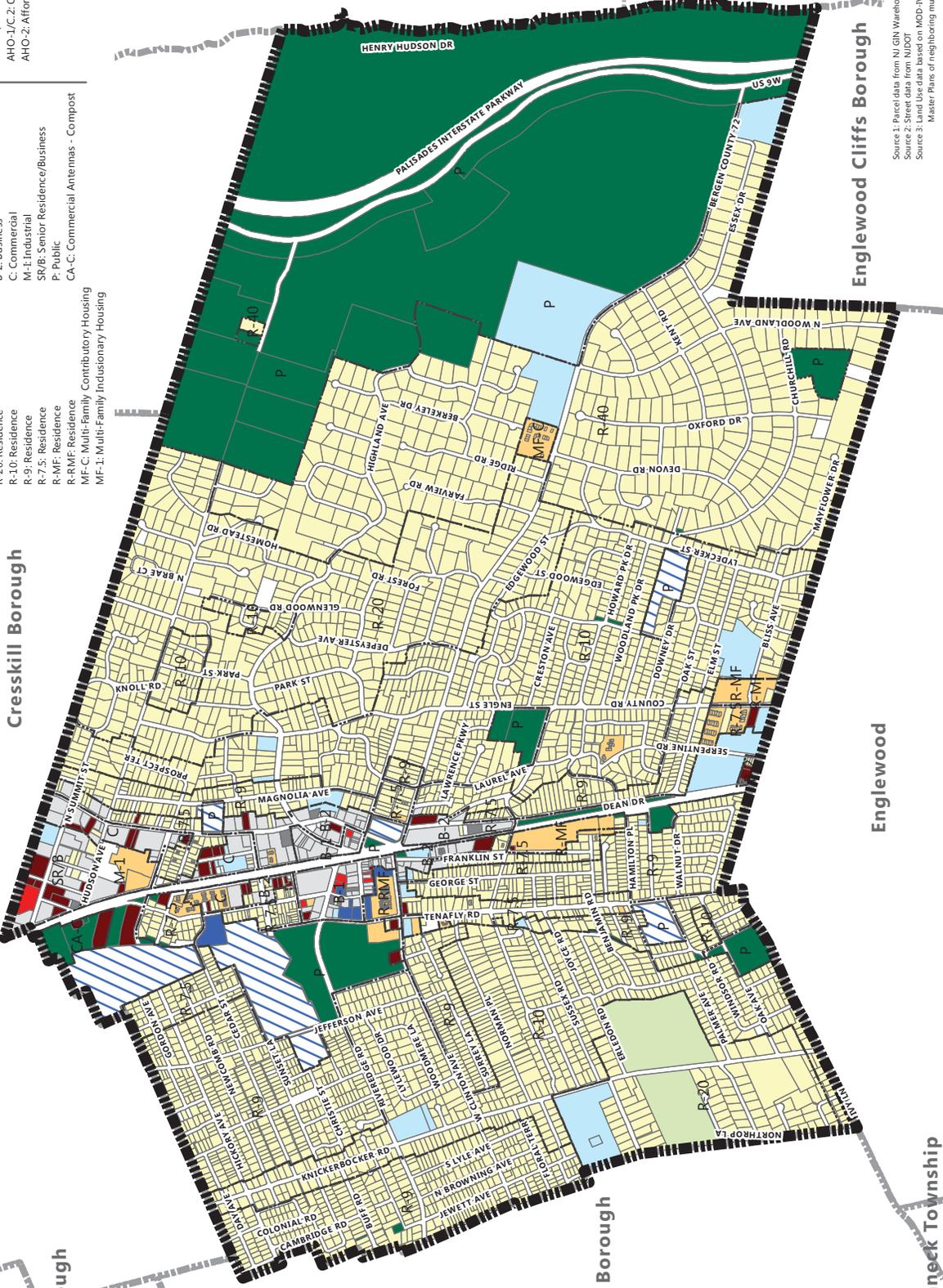
<b>Land Use</b>		<b>Acres</b>	<b>% Acres</b>	<b>Parcels</b>	<b>% Parcels</b>
Residential	1 and 2 Family	1,476.8	50.6%	4163	91.3%
	Multifamily	41.0	1.4%	20	0.4%
	<b>Total</b>	<b>1,517.8</b>	<b>52.1%</b>	<b>4183</b>	<b>91.8%</b>
Commercial	Automotive Services	13.0	0.4%	24	0.5%
	Business and Light Manu.	19.4	0.7%	52	1.1%
	Food Establishment	3.0	0.1%	10	0.2%
	Golf Course	40.1	1.4%	2	0.0%
	Hotel	3.6	0.1%	1	0.0%
	Mixed Use	14.0	0.5%	58	1.3%
	Professional/Medical Office	8.2	0.3%	19	0.4%
	Private Parking Lot	2.0	0.1%	7	0.2%
	Retail/Service	15.8	0.5%	25	0.5%
	<b>Total</b>	<b>119.1</b>	<b>4.1%</b>	<b>198</b>	<b>4.3%</b>
Public/Semi-Public	Municipal Property	5.3	0.2%	7	0.2%
	Open Space	651.0	22.3%	58	1.3%
	Public Parking Lot	0.5	0.0%	1	0.0%
	Public School	69.7	2.4%	8	0.2%
	Semi-Public	92.5	3.2%	29	0.6%
<b>Total</b>	<b>819.1</b>	<b>28.1%</b>	<b>103</b>	<b>2.3%</b>	
Other	Vacant	15.3	0.5%	74	1.6%
	Right-of-Way	429.3	14.7%	--	--
	Water	15.3	0.5%	--	--
<b>Totals</b>		<b>2,915.8</b>	<b>100.0%</b>	<b>4558</b>	<b>100.0%</b>

*(Source: 2013 Land Use Element of the Master Plan)*



Dumont Borough

Cresskill Borough



Overlay Districts:

- AHO-1/R: Affordable Housing Overlay, No. 1
- AHO-1/C.1: Commercial Overlay, No. 1
- AHO-1/C.2: Commercial Overlay, No. 2
- AHO-2: Affordable Housing Overlay, No. 2

Zone Districts:

- R-40: Residence
- R-20: Residence
- R-10: Residence
- R-9: Residence
- R-7.5: Residence
- R-WF: Residence
- R-RMF: Residence
- MF-C: Multi-Family
- MF-1: Multi-Family
- B-1: Business
- B-2: Business
- C: Commercial
- M-1: Industrial
- SR/6: Senior Residence/Business
- P: Public
- CA-C: Commercial Antennas - Compost
- Contributory Housing
- Indusionary Housing

Source 1: Parcel data from NJ GN Warehouse, Bergen County  
 Source 2: Street data from NJDOT  
 Source 3: Land Use data based on MOD-IV Tax Data, County Tax Records,  
 Master Plans of neighboring municipalities.

Doc. Title

Existing Land Use (2013 Land Use Element)



**BURGIS ASSOCIATES, INC.**  
 COMMUNITY PLANNING | LAND DEVELOPMENT AND DESIGN | LANDSCAPE ARCHITECTURE  
 p: 201.666.1811  
 25 Westwood Avenue  
 Westwood, New Jersey 07675

Project Title  
**2015 Housing Plan**  
 BOROUGH OF TENAFELY | BERGEN COUNTY, NEW JERSEY

Project No.	2890.04	Date	09.18.15	Drawn	DN
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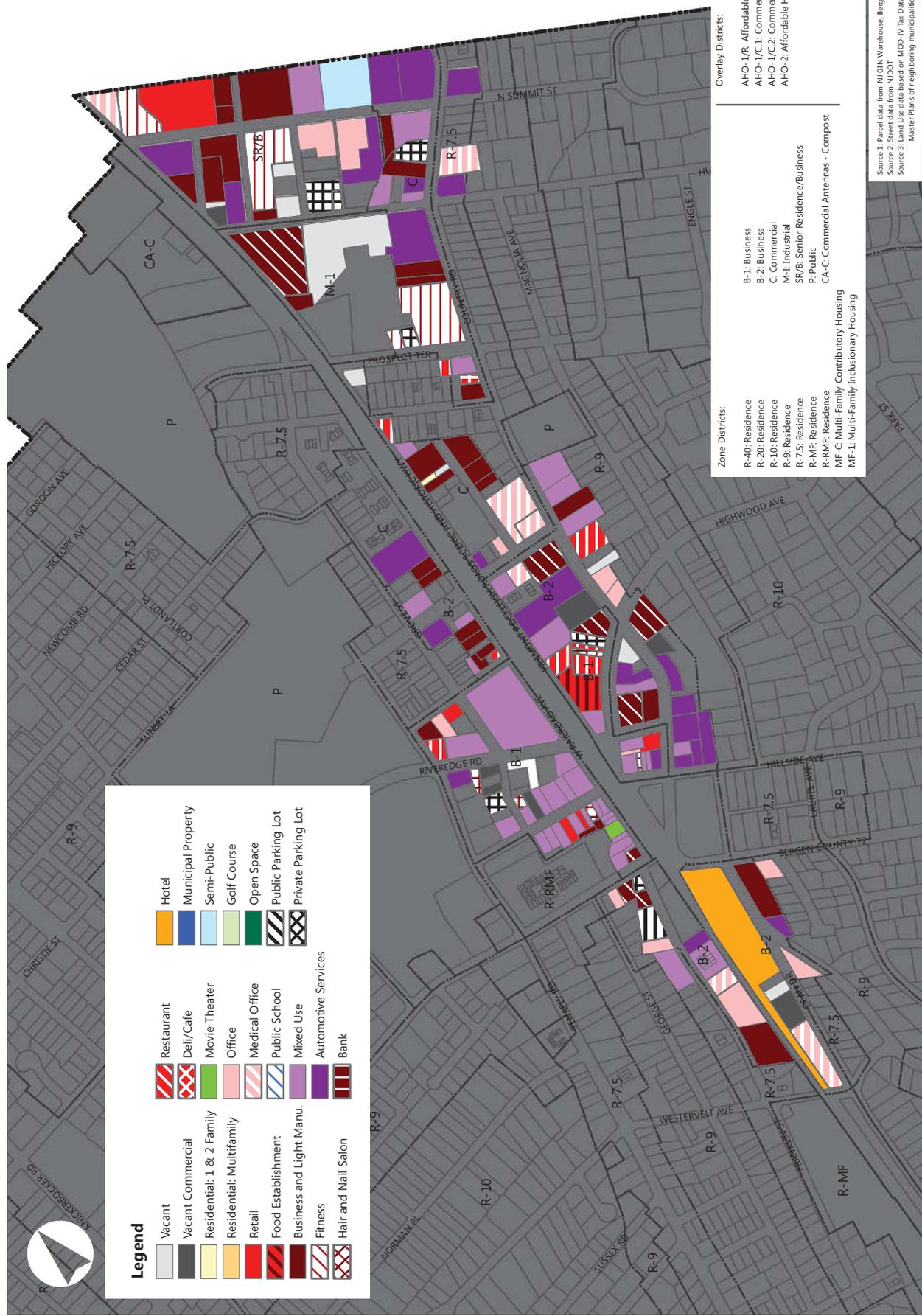
**Legend**

Existing Land Uses	
	Vacant
	Vacant Commercial
	Residential: 1 & 2 Family
	Residential: Multifamily
	Retail
	Business and Light Manu.
	Municipal Property
	Public School
	Semi-Public
	Golf Course
	Open Space
	See BID LU Map



**Legend**

	Vacant		Restaurant		Hotel
	Vacant Commercial		Deli/Cafe		Municipal Property
	Residential: 1 & 2 Family		Movie Theater		Semi-Public
	Residential: Multifamily		Office		Golf Course
	Retail		Medical Office		Open Space
	Food Establishment		Public School		Public Parking Lot
	Business and Light Manu.		Mixed Use		Private Parking Lot
	Fitness		Automotive Services		
	Hair and Nail Salon		Bank		



**Zone Districts:**

- R-40: Residence
- R-20: Residence
- R-10: Residence
- R-9: Residence
- R-7.5: Residence
- R-MF: Residence
- R-BMF: Residence
- MF-C: Multi-Family Contributory Housing
- MF-I: Multi-Family Inclusionary Housing

**Overlay Districts:**

- AHO-1/R: Affordable Housing Overlay, No. 1
- AHO-1/C1: Commercial Overlay, No. 1
- AHO-1/C2: Commercial Overlay, No. 2
- AHO-2: Affordable Housing Overlay, No. 2

**Zone Districts:**

- B-1: Business
- B-2: Business
- C: Commercial
- M-1: Industrial
- SR/B: Senior Residence/Business
- P: Public
- CA-C: Commercial Antennas - Compost

Source 1: Parcel data from NJ GIS Warehouse, Bergen County  
 Source 2: Street data from NJDOT  
 Source 3: Land Use data based on MOD-IV Tax Data, County Tax Records, Master Plans of neighboring municipalities.

Project No.	2639.01	Date	03.29.13	Drawn	DN
Scale	1" = 200'	Doc. No.	BID		
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**Legend**

- Municipal Boundary
- Parcels
- Existing Zoning

**Existing BID Land Uses**

**BURGIS ASSOCIATES, INC.**  
 COMMUNITY PLANNING | LAND DEVELOPMENT AND DESIGN | LANDSCAPE ARCHITECTURE  
 25 Westwood Avenue  
 Westwood, New Jersey 07675  
 p: 201.666.1811  
 f: 201.666.2599

Project Title  
**2013 Land Use Element**  
 BOROUGH OF TENAFLY | BERGEN COUNTY, NEW JERSEY

## B. INVENTORY OF MUNICIPAL HOUSING STOCK

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

1. Number of Dwelling Units. As demonstrated in the table below, the Borough's housing stock experienced its greatest level of recent growth between 1960 and 1970. This rate of growth effectively curtailed in the 1990s due to the limited number of development sites as well as broader economic constraints. In 2012, the Borough contained an estimated 4,980 dwelling units, which represents only a 1.7% increase since 2000.

Table 2: Dwelling Units (1960-2012)  
Borough of Tenafly, New Jersey

<b>Year</b>	<b>Total Dwelling Units</b>	<b>Numerical Change</b>	<b>Percentage Change</b>
1960	4,284	-	-
1970	4,619	335	7.8%
1980	4,753	134	2.9%
1990	4,898	145	3.1%
2000	4,897	-1	0.0%
2010	4,980	83	1.7%
2012	4,980	0	0.0%

*Source: U.S. Census 1990, 2000, American Community Survey 2006-2012*

The following table provides additional details regarding the tenure and occupancy of the Borough's housing stock. As shown below, nearly 70 percent of the Borough's 2010 housing stock was estimated to be owner occupied, which is down from 78.6 percent in 2000. This reduction has largely been a function of multi-family rentals which have been built in the community since 2000. The number of rentals increased from 927 in 2000 to 1,397 in 2012, representing an increase of approximately 50 percent. Vacancy rates have remained relatively stable over the past twenty years, varying only about 1 percent, or approximately 50 units.

Table 3: Housing Units by Tenure and Occupancy Status (1990-2010)  
Borough of Tenafly, Jersey

<b>Category</b>	<b>1990</b>		<b>2000</b>		<b>2010</b>	
	<b>No. Units</b>	<b>Percent</b>	<b>No. Units</b>	<b>Percent</b>	<b>No. Units</b>	<b>Percent</b>
Owner-Occupied Units	3,800	77.6%	3,847	78.6%	3,432	68.9%
Renter-Occupied Units	924	18.9%	927	18.9%	1,397	28.1%
Vacant Units	174	3.6%	123	2.5%	151	3.0%
<b>Total Units</b>	<b>4,898</b>	<b>100.0%</b>	<b>4,897</b>	<b>100.0%</b>	<b>4,980</b>	<b>100.0%</b>

*Source: U.S. Census 1990, 2000, American Community Survey 2006-2010*

2. Housing Characteristics. The following table provides additional information on the Borough's housing stock, including data on the number of units in structures and the number of bedrooms. As shown below, Tenafly's housing stock is predominantly characterized by single-family detached units, which represent nearly 75 percent of all dwelling units in 2012. This is a decrease from both 1990 and 2000, and reflects the creation of additional multi-family units in varied housing types since 2000.

**Table 4: Units in Structures (1990-2012)**  
Borough of Tenafly, New Jersey

Units in Structure	1990		2000		2012	
	Number	Percent	Number	Percent	Number	Percent
1-unit, detached	3,856	80.9%	3,966	81.0%	3,731	74.9%
1-unit, attached	103	2.2%	140	2.9%	225	4.5%
2 units	363	7.6%	332	6.8%	418	8.4%
3 or 4 units	81	1.7%	88	1.8%	195	3.9%
5 to 9 units	64	1.3%	98	2.0%	137	2.8%
10 to 19 units	171	3.6%	110	2.2%	198	4.0%
20 or more units	128	2.7%	146	3.0%	76	1.5%
Mobile home	0	0.0%	17	0.3%	0	0.0%
Boat, RV, van, etc.	0	0.0%	0	0.0%	0	0.0%
<b>Total</b>	<b>4,766</b>	<b>100.0%</b>	<b>4,897</b>	<b>100.0%</b>	<b>4,980</b>	<b>100.0%</b>

(Source: U.S. Census 1990, 2000, American Community Survey 2006-2010)

**Table 5: Number of Bedrooms in Housing Units (1990-2012)**  
Borough of Tenafly, New Jersey

Bedrooms	1990		2000		2012	
	Number	Percent	Number	Percent	Number	Percent
Zero	17	0.3%	31	0.6%	0	0.0%
One	540	11.0%	477	9.7%	353	7.1%
Two	603	12.3%	579	11.8%	793	15.9%
Three	1,916	39.1%	1,888	38.6%	1,752	35.2%
Four	1,247	25.5%	1,224	25.0%	1,559	31.3%
Five or More	575	11.7%	698	14.3%	523	10.5%
<b>Total</b>	<b>4,898</b>	<b>100.0%</b>	<b>4,897</b>	<b>100.0%</b>	<b>4,980</b>	<b>100.0%</b>

(Source: U.S. Census 1990, 2000, American Community Survey 2006-2010)

3. Housing Age. The following table details the ages of the Borough's housing stock. As shown, approximately 80 percent of the Borough's dwelling units were constructed prior to 1970, while one-third of its housing stock was constructed prior to 1939. When considered with Table 2 on the previous page., this table suggests that new construction is not producing an increase in housing units. Rather, this is indicative of the significant teardown/rebuild phenomenon that has occurred over the past twenty years in Tenafly and similar communities with limited vacant land and expensive land costs. Indeed, while the number of new residential structures in Tenafly increased by more than 400 units between 2000 and 2010, there was only a net yield of 83 new dwellings.

Table 6: Year Structure Built  
Borough of Tenafly, New Jersey

<b>Year Units Built</b>	<b># of Units</b>	<b>Percent</b>
2010 or later	12	0.2%
2000 to 2009	407	8.2%
1990 to 1999	105	2.1%
1980 to 1989	240	4.8%
1970 to 1979	97	1.9%
1960 to 1969	657	13.2%
1950 to 1959	1,246	25.0%
1940 to 1949	833	16.7%
1939 or earlier	1,383	27.8%
<b>Total</b>	<b>4,980</b>	<b>100.0%</b>

(Source: U.S. Census 1990, 2000, American Community Survey 2006-2012)

4. Housing Conditions. An inventory of the Borough's housing conditions is presented in Tables 7 and 8. The first table identifies the extent of over-crowding in the Borough, which is defined as housing units with more than one occupant per room. As shown, the number of occupied housing units considered to be overcrowded has historically been negligible, and has decreased since 2000.

Table 7: Occupants Per Room (1990-2012)  
Borough of Tenafly, New Jersey

<b>Occupants Per Room</b>	<b>1990</b>		<b>2000</b>		<b>2012</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
1.00 or less	4,716	98.0%	4,588	96.1%	4,759	98.6%
1.01 to 1.50	62	1.3%	117	2.5%	70	1.4%
1.51 or more	35	0.7%	69	1.4%	0	0.0%
<b>Total</b>	<b>4,813</b>	<b>100.0%</b>	<b>4,774</b>	<b>100.0%</b>	<b>4,829</b>	<b>100.0%</b>

(Source: U.S. Census 1990, 2000, American Community Survey 2006-2012)

The following table presents additional details regarding housing conditions, including the presence of complete plumbing and kitchen facilities as well as the type of heating equipment used. As shown, the percentage of units with complete plumbing facilities has remained consistent at 100 percent since 2000, while the percentage of units containing complete kitchen facilities has been increasing since 1990. This suggests that a very insignificant number of the Borough's dwelling units are substandard, which is another indication that existing units are continually being substantially renovated or completely rebuilt.

Table 8: Equipment and Plumbing Facilities (1990-2012)  
Borough of Tenafly, New Jersey

Facilities	1990		2000		2012	
	Number	Percent	Number	Percent	Number	Percent
<b>Kitchen:</b>						
With Complete Facilities	4,870	99.4%	4,747	99.4%	4,815	99.7%
Lacking Complete Facilities	28	0.6%	27	0.6%	14	0.3%
<b>Plumbing:</b>						
With Complete Facilities	4,869	99.4%	4,774	100.0%	4,829	100.0%
Lacking Complete Facilities	29	0.6%	0	0.0%	0	0.0%
<b>Heating Equipment:</b>						
Standard Heating Facilities	4,704	99.6%	4,764	99.8%	4,816	99.7%
Other Means, No Fuel Used	20	0.4%	10	0.2%	13	0.3%

(Source: U.S. Census 1990, 2000, American Community Survey 2006-2012)

5. Purchase and Rental Values. As shown in the Tables 9 and 10, the Borough has historically experienced rental values higher than the County median. Between 2000 and 2012, the Borough's median gross rent increased approximately 69 percent, compared to a 48 percent increase in the County's median gross rent. By 2012, the median gross rent in the Borough was reported at \$2,000 (the Census survey caps the figure at \$2,000), whereas the County's median rental value was reported at \$1,295. Nearly 80 percent of the Borough's rent values exceeded the County's median by 2012.

Table 9: Gross Rent of Specified Renter-Occupied Housing Units (1990-2012)  
Borough of Tenafly, New Jersey

Rent	1990		2000		2012	
	Number	Percent	Number	Percent	Number	Percent
Less than \$200	40	4.3%	13	1.4%	0	0.0%
\$200 to \$299	10	1.1%	21	2.3%	27	1.9%
\$300 to \$499	8	0.9%	18	1.9%	0	0.0%
\$500 to \$749	177	19.2%	122	13.2%	0	0.0%
\$750 to \$999	254	27.5%	125	13.5%	0	0.0%
\$1,000 to \$1,499	410	44.4%	248	26.8%	224	16.0%
\$1,500 or More	--	--	304	32.8%	1,080	77.3%
No Cash Rent	25	2.7%	75	8.1%	66	4.7%
<b>Total</b>	<b>924</b>	<b>100.0%</b>	<b>926</b>	<b>100.0%</b>	<b>1,397</b>	<b>100.0%</b>
<b>Median Gross Rent</b>	<b>\$961</b>		<b>\$1,186</b>		<b>\$2,000</b>	
<b>Bergen County Median Gross Rent</b>	<b>\$627</b>		<b>\$872</b>		<b>\$1,295</b>	

(Source: U.S. Census 1990, 2000, American Community Survey 2006-2012)

Similarly, the values of owner-occupied units have remained significantly higher than the County median. In 2000, approximately one-quarter of the Borough's owner-occupied units were valued to be equal to or less than the County median. By 2012, this percentage decreased to less than 2 percent. The median value of an owner-occupied housing unit in Tenafly is nearly 70 percent greater than the County's median value.

**Table 10: Value of Specified Owner-Occupied Housing Units (1990-2012)**  
**Borough of Tenafly, New Jersey**

<b>Value Range</b>	<b>1990</b>		<b>2000</b>		<b>2012</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
Less than \$50,000	27	0.8%	26	0.7%	0	0.0%
\$50,000 to \$99,999	32	1.0%	9	0.3%	0	0.0%
\$100,000 to \$149,999	68	2.0%	17	0.5%	13	0.4%
\$150,000 to \$199,999	238	7.1%	145	4.1%	14	0.4%
\$200,000 to \$299,999	951	28.5%	769	21.7%	25	0.7%
\$300,000 to \$499,999	1,077	32.3%	1,352	38.2%	584	17.0%
\$500,000 to \$999,999	940	28.2%	938	26.5%	2,096	61.1%
\$1,000,000 or More		0.0%	283	8.0%	700	20.4%
<b>Total</b>	<b>3,333</b>	<b>100.0%</b>	<b>3,539</b>	<b>100.0%</b>	<b>3,432</b>	<b>100.0%</b>
<b>Median Value</b>		<b>\$353,200</b>		<b>\$403,600</b>		<b>\$732,600</b>
<b>Bergen County Median Value</b>		<b>\$227,700</b>		<b>\$250,300</b>		<b>\$433,000</b>

*Source: U.S. Census 1990, 2000, American Community Survey 2006-2010*

6. Number of Units Affordable to Low- and Moderate-Income Households. Tenafly is placed in COAH Region 1, which is comprised of Bergen, Passaic, Hudson, and Sussex counties. Based on the most current COAH regional income limits, the median household income for a three-person household is \$75,980. A three-person moderate-income household, which is defined as a household earning no more than 80 percent of the median income of the region, would have an income not exceeding \$60,784.

An affordable sales price for a three-person moderate-income household earning 80 percent of the median income is estimated at approximately \$150,000. This estimate is based upon the UHAC affordability controls outlined in N.J.A.C. 5:80-26.3. In 2012, the percentage of housing units in the Borough valued at less than \$150,000 was .4%.

For renter-occupied housing, an affordable monthly rent for a three-person household is estimated at approximately \$1,890. According to the most recent US Census data, approximately 20 percent of the Borough's rental units had a gross rent less than \$1,500.

7. Substandard Housing Capable of Being Rehabilitated. The number of units in a community that are in need of rehabilitation and are not likely to experience "spontaneous rehabilitation" has been provided, as detailed in other sections of this report. For Tenafly, this figure is forty-one (41) units. This item is further explained in the Fair Share Plan section of this document.

## C. POPULATION ANALYSIS

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

1. Population Size. As seen in the following table, the Borough's population has been relatively stable since the dramatic increase that occurred during the 1940s and 1950s. Since 1960, the Borough's population has ranged from a high of 14,827 in 1970 to a low of 13,326 in 1990. The 2012 ACS indicates that the Borough has a population of 14,473, which represents a 4 percent increase since 2000.

**Table 11: Population Growth**  
Tenafly, New Jersey

<b>Year</b>	<b>Population</b>	<b>Population Change</b>	<b>Percent Change</b>
1930	5,669	-	-
1940	7,413	1,744	30.8%
1950	9,651	2,238	30.2%
1960	14,264	4,613	47.8%
1970	14,827	563	3.9%
1980	13,552	-1,275	-8.6%
1990	13,326	-226	-1.7%
2000	13,806	480	3.6%
2010	14,488	682	4.9%
2012*	14,473	-15	-0.1%

*Source: U.S. Census 1990, 2000, American Community Survey 2006-2012*

2. Age Characteristics. The Borough's age characteristics are outlined in the table below. As shown, the Borough's population is growing slightly older, which is consistent with suburban national trends. Tenafly's median age has increased from 40.9 in 2000 to 41.8 in 2010. As of 2010, 33 percent of the Borough's population was under 19 years of age, while 13.5% of the population was 65 years or older.

**Table 12: Age Characteristics (1990-2010)**  
Tenafly, New Jersey

<b>Age</b>	<b>1990</b>		<b>2000</b>		<b>2010</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
Under 5 years	681	5.1%	904	6.5%	728	5.0%
5 to 19 years	2,829	21.2%	3,275	23.7%	4,086	28.2%
20 to 24 years	617	4.6%	371	2.7%	424	2.9%
25 to 34 years	1,241	9.3%	1,000	7.2%	711	4.9%
35 to 44 years	2,262	17.0%	2,513	18.2%	2,209	15.2%
45 to 54 years	1,869	14.0%	2,232	16.2%	2,743	18.9%
55 to 64 years	1,574	11.8%	1,419	10.3%	1,634	11.3%
65 to 74 years	1,216	9.1%	1,064	7.7%	959	6.6%
75 to 84 years	1,033	7.8%	734	5.3%	678	4.7%
85 years and over		0.0%	294	2.1%	316	2.2%
<b>Total</b>		<b>13,322</b>		<b>13,806</b>		<b>14,488</b>
<b>Median Age</b>		<b>40.9</b>		<b>40.9</b>		<b>41.8</b>

*Source: U.S. Census 1990, 2000, American Community Survey 2006-2010*

3. Average Household Size. From 1980 to 2000, the average household size for the Borough remained relatively stable at approximately 2.8 people per household. In 2010, it increased to 3.07 people per household.

**Table 13: Average Household Size (1980-2010)**  
Tenafly, New Jersey

<b>Year</b>	<b>Total Population</b>	<b>Number of Households</b>	<b>Average Household Size</b>
1980	13,552	4,677	2.87
1990	13,326	4,724	2.79
2000	13,806	4,774	2.86
2010	14,488	4,766	3.07

*Source: U.S. Census 1990, 2000, American Community Survey 2006-2010*

4. Household Income. Detailed household income figures are shown in Table 14 below. As it can be seen, the median income for Tenafly's households has increased by more than 30 percent each decade since 1989. By 2012, nearly two-thirds of the Borough has an income that is equal to or greater than the County median.

**Table 14: Household Income Distribution (1989-2012)**  
Tenafly, New Jersey

<b>Income Category</b>	<b>1989</b>		<b>1999</b>		<b>2012</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
Less than \$10,000	235	4.9%	198	4.1%	224	4.6%
\$10,000 to \$14,999	182	3.8%	116	2.4%	92	1.9%
\$15,000 to \$24,999	255	5.3%	244	5.1%	121	2.5%
\$25,000 to \$34,999	352	7.4%	258	5.4%	136	2.8%
\$35,000 to \$49,999	585	12.3%	392	8.2%	306	6.3%
\$50,000 to \$74,999	990	20.8%	722	15.1%	725	15.0%
\$75,000 to \$99,999	589	12.4%	599	12.5%	311	6.4%
\$100,000 to \$149,999	744	15.6%	815	17.0%	867	18.0%
\$150,000 to \$199,999	836	17.5%	375	7.8%	446	9.2%
\$200,000 or more		0.0%	1,062	22.2%	1,601	33.2%
<b>Total</b>	<b>4,768</b>	<b>100.0%</b>	<b>4,781</b>	<b>100.0%</b>	<b>4,829</b>	<b>100.0%</b>
<b>Median Household Income</b>		<b>\$68,742</b>		<b>\$90,931</b>		<b>\$119,399</b>
<b>Bergen County Median</b>		<b>\$63,934</b>		<b>\$65,241</b>		<b>\$84,255</b>

*Source: U.S. Census 1990, 2000, American Community Survey 2006-2012*

5. Housing cost-burden. Households that pay more than 30 percent of their income for housing are considered cost burdened, and may have difficulty affording basic necessities such as food, clothing, transportation, and medical care. Despite the relative affluence of Tenafly, the 2012 ACS reveals that approximately 40 percent of owner-occupied and 54 percent of renter-occupied housing units have housing costs greater than 30 percent of their incomes.

Table 15: Housing Cost as Percentage of Income (2012)  
Borough of Tenafly, New Jersey

Percentage of Income	Owner-occupied		Renter	
	Number	Percent	Number	Percent
Less than 20 percent	1,341	39.6%	315	25.4%
20 to 29 percent	708	20.9%	252	20.4%
30 percent or more	1341	39.6%	671	54.2%
<b>Occupied Units</b>	<b>3,390</b>	<b>100.0%</b>	<b>1238</b>	<b>100.0%</b>

Sources: U.S. Census – 2000, American Community Survey 5-Year Estimates.

#### D. EMPLOYMENT ANALYSIS

The MLUL requires that the housing plan include data on employment levels in the community. As such, the following tables present information on the Borough's employment characteristics.

1. Employment Status. Table 16 provides information on the employment status of Borough residents age 16 and over. Historically, more than 60 percent of the Borough's population over the age of 16 has made up the civilian labor force. Of those in the civilian labor force in 2012, 7.7 percent were unemployed, which represents an increase from 3.7 percent in 2000. Nevertheless, the Borough's current unemployment rate is consistent with the County's and is lower than the state's overall unemployment rate, which are 7.7% and 9.5% respectively.

Table 16: Employment Status- Population 16 & Over (1990-2012)  
Borough of Tenafly, New Jersey

Employment Status	1990		2000		2012	
	Number	Percent	Number	Percent	Number	Percent
<b>In labor force</b>	6,471	61.6%	6,559	62.4%	6,520	61.7%
Civilian labor force	6,471	61.6%	6,559	62.4%	6,520	61.7%
Employed	6,297	59.9%	6,321	60.2%	6,049	57.2%
Unemployed	174	1.7%	238	2.3%	471	4.5%
Armed Forces	0	0.0%	0	0.0%	0	0.0%
<b>Not in labor force</b>	4,034	38.4%	3,835	36.5%	4,050	38.3%
<b>Total Population 16 and Over</b>		<b>10,505</b>		<b>10,394</b>		<b>10,570</b>

Source: U.S. Census 1990, 2000, American Community Survey 2006-2012

2. Employment Characteristics of Employed Residents. The following two tables detail information on the employment characters of employed Tenafly residents. Table 17 details occupation characteristics, while Table 18 details industry characteristics.

Table 17: Employed Residents Age 16 and Over, By Occupation (1990-2012)  
Borough of Tenafly, New Jersey

Occupation	1990		2000		2012	
	Number	Percent	Number	Percent	Number	Percent
Management, Professional and related occupations	3,551	56.4%	3,690	58.4%	3,781	62.5%
Service Occupation	322	5.1%	487	7.7%	454	7.5%
Sales and Office Occupations	1,850	29.4%	1,650	26.1%	1,454	24.0%
Farming, fishing and forestry occupations	47	0.7%	8	0.1%	18	0.3%
Construction, extraction and maintenance	326	5.2%	172	2.7%	87	1.4%
Production, transportation and material moving occupations	201	3.2%	314	5.0%	255	4.2%
<b>Total</b>	<b>6,297</b>	<b>100.0%</b>	<b>6,321</b>	<b>100.0%</b>	<b>6,049</b>	<b>100.0%</b>

Source: U.S. Census 1990, 2000, American Community Survey 2006-2012

Table 18: Employed Residents Age 16 and Over, By Industry (1990-2012)  
Borough of Tenafly, New Jersey

Industry	1990		2000		2012	
	Number	Percent	Number	Percent	Number	Percent
Agriculture, forestry, fishing, hunting and mining	56	0.9%	0	0.0%	18	0.3%
Construction	295	4.7%	142	2.2%	132	2.2%
Manufacturing	840	13.3%	503	8.0%	613	10.1%
Wholesale trade	405	6.4%	467	7.4%	588	9.7%
Retail trade	559	8.9%	570	9.0%	492	8.1%
Transportation and warehousing, and utilities	397	6.3%	194	3.1%	142	2.3%
Information	0	0.0%	302	4.8%	292	4.8%
Finance, insurance, real estate and rental and leasing	736	11.7%	708	11.2%	696	11.5%
Professional, scientific, management, administrative and waste management services	634	10.1%	1,049	16.6%	921	15.2%
Educational, health and social services	1,646	26.1%	1,645	26.0%	1,424	23.5%
Arts, entertainment, recreation, accommodation and food services	134	2.1%	238	3.8%	249	4.1%
Other services	464	7.4%	352	5.6%	375	6.2%
Public administration	131	2.1%	151	2.4%	107	1.8%
<b>Total</b>	<b>6,297</b>	<b>100.0%</b>	<b>6,321</b>	<b>100.0%</b>	<b>6,049</b>	<b>100.0%</b>

Source: U.S. Census 1990, 2000, American Community Survey 2006-2012

## E. HOUSING AND EMPLOYMENT PROJECTIONS

The following section identifies the extent to which recent development has occurred in the community, which will assist in the determination of future residential and employment projections.

1. Probable Future Employment and Regional or Community Factors Impacting Upon Future Municipal Employment. Employment in the Borough has fluctuated over the past decade between a low of 3,644 jobs in 2006 and a high of 4,516 jobs in 2014. Assuming the current economic climate continues and recognizing the limited availability of vacant land for new non-residential developments, only minor changes in employment characteristics are anticipated. Based upon the fully developed character of the community's non-residentially zoned areas which leaves few sites available for development, few additional jobs are anticipated to be created locally.

Table 19: Covered Employment Trends 2004-2014  
Borough of Tenafly, New Jersey

<b>Year</b>	<b>Number of Jobs</b>	<b>Change in Number of Jobs</b>	<b>Percent Change</b>
2004	4,189		
2005	3,869	-320	-7.6%
2006	3,644	-225	-5.8%
2007	3,673	29	0.8%
2008	3,773	100	2.7%
2009	4,223	450	11.9%
2010	4,184	-39	-0.9%
2011	4,159	-25	-0.6%
2012	4,283	124	3.0%
2013	4,404	121	2.8%
2014	4,516	112	2.5%

*Sources: Department of Labor and Workforce Development*

2. Projection of the Municipality's Housing Stock. Since 2000, the Borough has issued 461 Certificates of Occupancy (CO's) and 355 demolition permits. With limited acreage remaining in the municipality which may be developed for residential use, it is anticipated that the Borough's residential growth shall remain modest, as reflected in the recent annual data shown below.

Table 20: Trend in Residential Development  
 Analysis of Certificates of Occupancy and Demolition Permits, 2000-2014  
 Borough of Tenafly, New Jersey

<b>Year</b>	<b>COs Issued</b>	<b>Demo Permits Issued</b>	<b>Difference</b>
2000	20	24	-4
2001	22	20	2
2002	30	26	4
2003	33	18	15
2004	35	20	15
2005	33	36	-3
2006	41	26	15
2007	43	26	17
2008	43	14	29
2009	41	19	22
2010	19	20	-1
2011	35	27	8
2012	24	18	6
2013	23	26	-3
2014	19	35	-16
<b>15 YR Total</b>	<b>461</b>	<b>355</b>	<b>106</b>
<b>15 YR Avg.</b>	<b>31</b>	<b>24</b>	
<b>Yearly Average</b>			<b>7</b>

*Source: New Jersey Department of Community Affairs*

3. Probable Future Construction of Housing Affordable to Low and Moderate Income Households (2015-2025).  
 Please see the following section for information regarding the probable future construction of housing affordable to low and moderate income households.

**Section II: Fair Share Obligation**

## SUMMARY OF FAIR SHARE OBLIGATION

The state of the Third Round affordable housing obligations for municipalities throughout New Jersey presently remains a fluid one, given the fact that at the time, neither the Courts, COAH, nor the legislature have established a definite set of housing-need numbers that have been universally accepted. Thus far, two sets of numbers have been promulgated and widely discussed. These include housing numbers prepared by Dr. Robert Burchell on behalf of COAH, and numbers prepared by David Kinsey on behalf of the Fair Share Housing Center. As shown, their statewide numbers vary dramatically, and are currently as follows:

	<b>Approximate # of Affordable Housing Units</b>
Burchell:	52,000
Kinsey:	201,000

Similarly, the numbers for Tenafly are markedly divergent, as noted below:

	<b>Burchell</b>	<b>Kinsey</b>
1. Rehabilitation Obligation:	41	41
2. Unanswered Prior Round Obligation	202	---
3. Prior Round Obligation	---	159
4. Prospective Need Obligation	80	453

As evidenced by the table above, the Burchell numbers, while high, are more reflective of the Borough's fully developed character in contrast to the Kinsey numbers, recognizing that given the fully developed character of the municipality a vacant land adjustment shall further reduce the realistic development potential and affordable housing need number for Tenafly. This is detailed below. It is recognized that these figures may be adjusted in the future, and may necessitate future revisions to the plan. The Borough of Tenafly would respond accordingly to any such adjustments.

## VACANT LAND ADJUSTMENT

The Borough's affordable housing obligation is also calculated by a vacant land adjustment (VLA) and the imposition of a realistic development potential (RDP) analysis, which was undertaken pursuant to the Second Round regulations. As noted by these regulations, an RDP analysis is intended to determine which sites are most likely to develop for low and moderate income housing. Municipalities may present documentation that eliminates a site or part of a site from its inventory of vacant land. Such eliminating factors include: agricultural lands; environmental sensitive lands; historic and architecturally important sites; active recreational lands; conservation, parklands, and open space lands, and; individual sites not suitable for low and moderate income housing.

The VLA conducted for Tenafly first identified all vacant sites of minimally .83 acres in size. Next, it applied wetland, steep slope, and flood plain information pursuant to the applicable regulations. The remaining acreage that is to be utilized to determine the Borough's RDP was then calculated.

The analysis revealed that there are 6.37 acres of vacant land in the Borough. A total of 4.05 acres are comprised of vacant sites that are minimally .83 acres, all of which are devoid of the aforementioned environmentally sensitive features. Pursuant to the applicable regulations, a minimum presumptive density of six (6) dwelling units were imposed on these 4.05 acres, and then a twenty (20%) percent set-aside was imposed on that calculation. This formula resulted in a need of five (5) affordable housing units.



Dumont Borough

Cresskill Borough

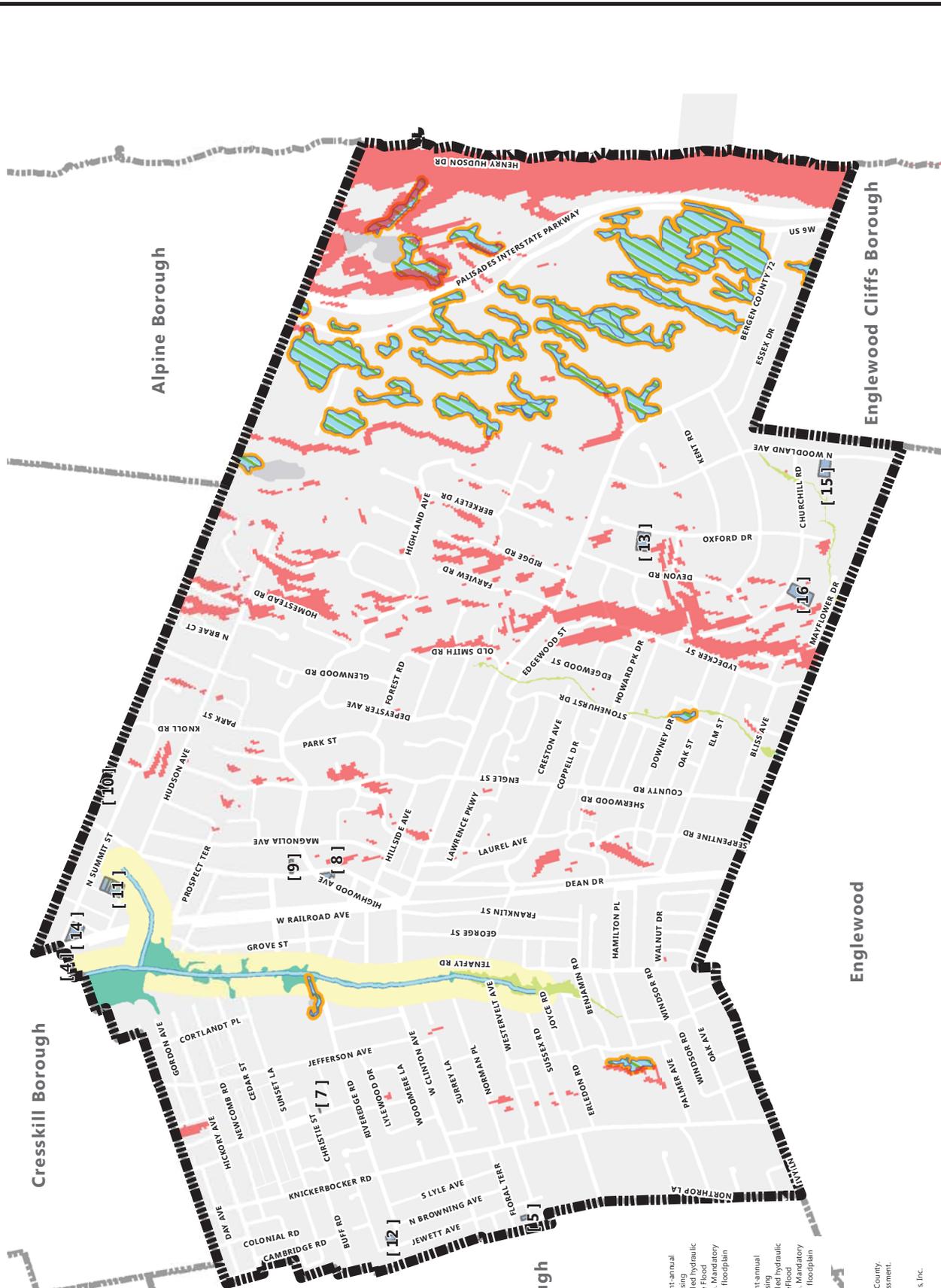
Alpine Borough

Bergenfield Borough

Englewood

Englewood Cliffs Borough

- Description of Preliminary Flood Plains:
- Zone AE: Areas subject to inundation by the 1-percent-annual-chance flood event generally determined using approximate methodologies. Because detailed hydraulic analyses have not been performed, no Base Flood Elevations (BFEs) or flood depths are shown. Mandatory flood insurance purchase requirements and floodplain management standards apply.
  - Zone A: Areas subject to inundation by the 1-percent-annual-chance flood event generally determined using approximate methodologies. Because detailed hydraulic analyses have not been performed, no Base Flood Elevations (BFEs) or flood depths are shown. Mandatory flood insurance purchase requirements and floodplain management standards apply.
- Sources: 1. Municipal boundary data from NJDEP.  
 2. Street centerline data from NJDEP.  
 3. Parcel data from NGIN Warehouse, Bergen County.  
 4. Vacant land data from Mod IV Tax data assessment.  
 5. Wetlands data from NJDEP dated 2012.  
 6. C1 Stream data from NJDEP dated 2009.  
 7. C1 Stream buffer data from Burgis-Associates, Inc.  
 8. Preliminary DPRM data from FEMA, 2015.



Legend	
	Vacant Parcels
	Wetlands
	Wetland Buffer
	C1 Stream
	C1 Buffer
	Steep Slopes
	Flood Zones A
	Flood Zones AE

Project No.	2890.04	Date	09.18.15	Drawn	DN
Scale:	1" = 2,000'		Drawn No.:	via	
2015 COPYRIGHT BA - NOT TO BE REPRODUCED					

Project Title	
2015 Housing Plan	
BOROUGH OF TENAFLY   BERGEN COUNTY, NEW JERSEY	

Vacant Land Adjustment

**BURGIS ASSOCIATES, INC.**  
 COMMUNITY PLANNING | LAND DEVELOPMENT AND DESIGN | LANDSCAPE ARCHITECTURE  
 25 Westwood Avenue  
 Westwood, New Jersey 07675  
 P: 201.666.1811  
 F: 201.666.2599

**Table 21: Vacant Land Adjustment  
Borough of Tenafly, New Jersey**

<b>ID</b>	<b>Block</b>	<b>Lot</b>	<b>Location</b>	<b>Owner</b>	<b>Area (ac)</b>	<b>Comments</b>	<b>Developable Area (ac)</b>	<b>Qualifies for RDP?</b>
1	1006	1	71 COUNTY RD	EAST EDGE, LLC	0.22	Does not qualify for RDP Analysis. Lot size is too small.	N/A	No
2	1307	6	65 HUDSON AVE	DIASPARRA, ALFONSO & SANDRA	0.12	Does not qualify for RDP Analysis. Lot size is too small. Utilized as a car lot.	N/A	No
3	1307	4	52 MADISON AVE	DIASPARRA, ALFONSO & SANDRA	0.21	Does not qualify for RDP Analysis. Lot size is too small. Utilized as a car lot.	N/A	No
4	1303	1	PIERMONT RD	CRESSKILL COMMONS CONDO ASSOC, INC	0.06	Does not qualify for RDP Analysis. Lot size is too small. Utilized as parking island for adjoining multifamily development in Cresskill.	N/A	No
5	408	9	PLEASANT AVE	VERMILLION ENTERPRISE LLC%GREG YEE	0.11	Does not qualify for RDP Analysis. Lot size is too small.	N/A	No
6	1307	3	56 MADISON AVE	DIASPARRA, ALFONSO & SANDRA	0.32	Does not qualify for RDP Analysis. Lot size is too small. Utilized as a car lot.	N/A	No
7	207	26	ESMOND PL	CLARKE, WM C	0.01	Does not qualify for RDP Analysis. Lot size is too small. Appears to be an easement.	N/A	No
8	1006	2	63 COUNTY RD	PAPPAS, GREGORY	0.08	Does not qualify for RDP Analysis. Lot size is too small.	N/A	No
9	1601	28	104 COUNTY RD	COUNTY ROAD MGMT ASSOC, LLC	0.19	Does not qualify for RDP Analysis. Lot size is too small.	N/A	No
10	1401	16	N SUMMIT ST	ARCHER, MARGARET M	0.16	Does not qualify for RDP Analysis. Lot size is too small.	N/A	No
11	1307	5	42 MADISON AVE	DIASPARRA, ALFONSO & SANDRA	0.62	Does not qualify for RDP Analysis. Lot size is too small. Utilized as a car lot.	N/A	No
12	209	24	277 RIVEREDGE RD	BOEHM, M. % PAUL WOOD	0.22	Does not qualify for RDP Analysis. Lot size is too small.	N/A	No
13	2306	6	76 OXFORD DR	BERGER, H. TONY	0.96	Qualifies for RDP Analysis.	0.96	Yes
14	1304	2	PIERMONT RD	JND, LLC	0.90	Qualifies for RDP Analysis	0.90	Yes
15	3102	7	80 WOODLAND ST	YANG, YOONKON	0.93	Qualifies for RDP Analysis.	0.93	Yes
16	2102	11	134 CHURCHILL RD	CHASREL ASSOC LLC	1.26	Qualifies for RDP Analysis.	1.26	Yes

*\* As of September 23, 2015*

**Section III: Fair Share Plan**

## A. PLAN SUMMARY

The HE&FSP details the existing and proposed developments and proposed mechanisms which may be used to meet the Borough's affordable housing obligation. As noted in the introductory section, the Borough was granted a 126 unit prior round obligation through a judgment of repose. In regards to the tentative Third Round numbers, the Borough was assigned a rehabilitation obligation of 41 units and a prospective need obligation of 80 units, which has been reduced to five (5) units through the VLA discussed in Section II. The manner in which this obligation will be addressed is detailed below.

1. Prior Round Obligation. The Borough has a prior round obligation of 126 units, which was established through a court judgement of repose. This obligation is being addressed through a variety of mechanisms, which are detailed in the accompanying table.

**Table 22: Plan to Address Prior Round Obligation  
Borough of Tenafly, New Jersey**

<b>Plan Component</b>	<b>Status</b>	<b>Units</b>	<b>Rental Units</b>	<b>Applicable Rental Bonus</b>	<b>Unused Unit/Rental Credits</b>	<b>Total Units /Credits</b>
Accessory Apartments	Ongoing	10	10	10	0	20
Arc Group Home	Completed	5	5	5	0	10
Brightview Tenafly Assisted Living	Completed	9	9	9	**0	18
Tenafly Senior Housing	Completed	34	10	7	**15	29
Tenafly Special Needs Housing (Markay Commons, Kim Site)	Under Construction	10	10	0	10	10
The Plaza at Tenafly (JMP Tenafly, Shopwell)	Completed	17	0	0	0	17
The Crossings at Tenafly (Grove Street)	Completed	9	5	0	5	9
The Heights at Tenafly	<i>Made monetary contribution in lieu of affordable units.</i>					
<b>Total</b>		<b>94</b>	<b>49</b>	<b>31</b>	<b>30</b>	<b>*113</b>

\* Rental bonus can only account for 25% (31 units) towards the prior round obligation.

\*\* Assisted living and age restricted housing can also only account for 25% (31 units) towards the prior round obligation. As such, 12 age restricted and assisted living units were not included.

Note: All information as of September 3, 2015

Please note the following in regards to the table above:

- a. The Plan includes the minimum thirty-two (32) rental units which are designed to meet COAH's requirement that twenty-five (25%) percent of the Borough's affordable housing obligation is addressed through rental units.

- b. As indicated above, rental bonus units may only account for twenty-five (25%) percent towards the prior round obligation. As such, only thirty-one (31) credits may be counted for the prior round obligation.
  - c. As also indicated above, assisted living and age restricted housing may only account for a maximum of twenty-five percent (25%) of the total prior round obligation. As such, only thirty-one (31) units of the Borough's forty-three (43) age restricted and assisted living units may be counted for the prior round obligation. A portion (1) of the remaining twelve (12) units will be utilized towards the 2015-2025 Fair Share Obligation.
  - d. The Borough has a remaining prior obligation of thirteen (13) units, which are addressed in the 2015-2025 Obligation section below.
2. 2015-2025 Obligation. The Borough has an adjusted 2015-2025 obligation of five (5) units, which was calculated based upon the vacant land adjustment detailed in Section II of this report. In addition, it has a remaining prior round obligation of thirteen (13) units which needs to be addressed. Thus, altogether the Borough has an obligation of eighteen (18) units, which will be addressed as follows:

**Table 23: 2015-2025 Obligation Fair Share Plan Components**  
Borough of Tenafly, New Jersey

<b>Plan Component</b>	<b>Units</b>	<b>Rental Units</b>	<b>Applicable Rental Bonus</b>	<b>Unused Credits</b>	<b>Total Units /Credits</b>
Prior Round Assisted Living/Age Restricted	1	1	1	0	2
Dean Drive Site	5	5	0	5	5
Piermont Road Site	7	7	0	7	7
Highwood Avenue Site	4	4	0	4	4
<b>Total</b>	<b>17</b>	<b>17</b>	<b>1</b>	<b>16</b>	<b>18*</b>

*\* Rental bonus can only account for 25% (1 unit) towards the 2015-2025 Obligation.*

*Note: If a group home is identified for the table above, the densities described in Section 3B (Plan Components) can be reduced.*

As noted in the above table, the HE&FSP can accommodate the entirety of the community's housing obligation in a manner that affirmatively addresses need while at the same time maintaining the overall character of the community. Each of these sites is identified in the following section. Please note that the Borough shall apply one (1) surplus assisted living/age restricted unit from the prior round obligation to the 2015-2025 obligation.

As noted above, the process being followed is a fluid one. As the Courts respond to the myriad of issues that still need to be addressed, it is recognized that this plan may require adjustment.

Finally, the following is noted:

- a. Rental Component. COAH regulations stipulate that at least 25 percent of a municipality's third round obligation must be addressed with rental housing. As such, the Borough is obligated to provide at least two (2) rental units.
- b. Development Fees. The Borough will impose development fees as permitted by COAH's prior round rules. The funds generated by the collection of development fees will be applied directly towards any activity approved by the Council for addressing the municipal fair share. It is recognized that the Borough must devote at least 30 percent of the revenues collected from development fees to render units more affordable, as per N.J.A.C. 5:93-8.16.

Development fees of one and one-half (1.5%) percent of the equalized assessed value will be collected on residential development. For non-residential development, development fees of two and one-half (2.5%) percent of the equalized assessed value will be collected.

- c. Existing Housing Trust Fund. As of August 11, 2015, the Borough has \$1,877,399.40 in its existing Housing Trust Fund. It is offered for consideration that the Borough could utilize a portion of this fund to collaborate in a public/private partnership with the developer of a group home/assisted living facility to realize affordable units. It is noted that each bedroom in such a facility counts as a rental unit, thereby offering two credits for each one bedroom.
3. Rehabilitation Share. The Borough will continue to implement its rehabilitation program to address its 41-unit rehabilitation share in accordance with the rules established in prior rounds. Specifically, COAH regulations establish the following:

"Municipalities shall provide sufficient dollars to fund one-third of the municipal rehabilitation component within one year of substantive certification. In each subsequent year of the substantive certification period, the municipality shall provide sufficient dollars to fund one-sixth of the municipal rehabilitation component.

The regulations further establish that a total of \$10,000 shall be assigned per each unit of a municipality's rehabilitation component. In order to provide additional funding for rehabilitation purposes and better serve the needs of the community, the Borough has assigned \$25,000 towards each rehabilitation unit.

At a minimum, the Borough must set aside a total of \$410,000 for its rehabilitation program, of which \$136,666.67 is to be set aside for the first year of substantive certification, while an additional \$68,333.34 will be provided for each subsequent year of the substantive certification period. Funds will be made available to income-qualified households who participate in the program.

The following table provides three different funding scenarios. Scenario A assumes that the Borough will provide the required minimum \$10,000 per rehabilitation unit. Scenario B raises this amount to \$15,000 per unit, while Scenario C maintains the current funding level of \$25,000 per unit.

**Table 24: Rehabilitation Component Funding Scenarios  
Borough of Tenafly, New Jersey**

	<b>Scenario A: \$10,000 Per Unit</b>	<b>Scenario B: \$15,000 Per Unit</b>	<b>Scenario C: \$25,000 Per Unit</b>
Year 1: Minimum funding required	\$136,666.67	\$205,000.00	\$341,666.67
Subsequent Years: Minimum funding required	\$68,333.33	\$102,500.00	\$170,833.33
<b>Total Required:</b>	<b>\$410,000.00</b>	<b>\$615,000.00</b>	<b>\$1,025,000.00</b>

As seen in Scenario B, if the Borough was to provide \$15,000 per unit, its total obligation would increase to \$615,000. Finally, if the Borough should continue to provide \$25,000 per rehabilitation unit, its total obligation would be \$1,025,000.

## B. PLAN COMPONENTS

The Borough of Tenafly proposes to achieve its affordable housing obligation via the eight (8) components identified by Table 22, as well as the five (5) components identified by Table 23.

The components identified by Table 23 are as follows:

1. **Assisted Living/Age Restricted Housing:** As previously noted in the prior round obligation section, the Borough has an additional twelve (12) assisted living and age restricted housing units that were not utilized for the prior round obligation. One (1) of these units shall be counted towards the 2015–2025 Fair Share Obligation.

Image 1: Brightview Tenafly Assisted Living



Source: <http://tenaflynj.brightviewseniorliving.com/CommunityHome.aspx>

2. **Group Home:** As indicated under Table 23, the density for each component described below may be reduced if a group home site is identified by the Borough for affordable housing purposes.
3. **Dean Drive Site:** Identified by municipal tax records as Block 906 Lots 4, 3, and 2, this property is located at 123 Dean Drive in the B-2 Business District. The site fronts along Dean Drive for approximately 180 feet, has a depth of approximately 109 feet, and a lot area of 21,450 square feet. The site is currently developed with a restaurant as well as an associated parking area which surrounds it. The restaurant has long since been abandoned. This property was included as a potential affordable housing site in the Borough's 2008 Housing Element and Fair Share Plan. However, it has yet to be developed.

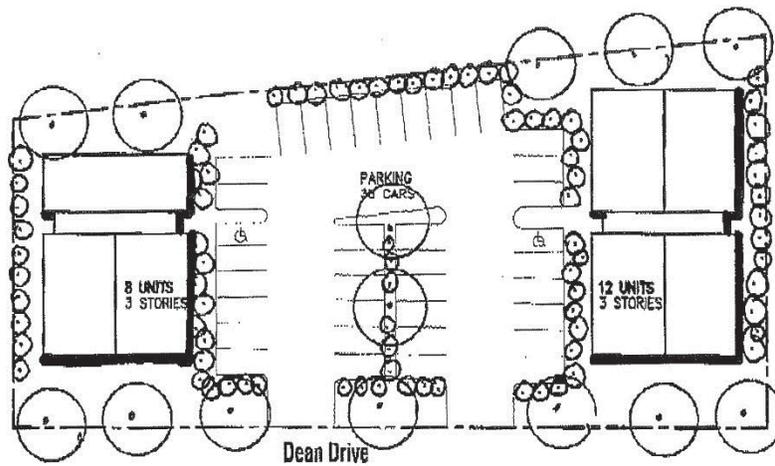
The site continues to be an optimal location for an affordable housing development due to its location near the Borough's downtown, the lack of any significant environmental constraints, and the numerous NJ Transit bus stops which exist in the surrounding area.

### Aerial 1: Dean Drive Site



*Source: Bing Maps (Note: Lot Lines Approximate)*

A concept plan was prepared by Virgona and Virgona Architects for the 2008 Housing Element and Fair Share Plan. This concept plan indicated that the site could potentially be developed at a density of 28.3 units per acre. Two (2) three-story buildings were proposed, which contained twenty (20) units, including five (5) affordable units



### site plan

easement must be eliminated

#### Statistics

DWELLING UNITS - 20 including 5 affordable  
 SITE AREA - +-35,000 sf/1.78 ac  
 DENSITY - 28.3 units/ac  
 PARKING - 30 cars  
 BUILDING HEIGHT - 3 stories

1  
SK1  
Concept 1 - Dean Drive  
1" = 40'

**Tenafly  
Affordable  
Housing**

Virgona & Virgona Architects  
115 River Road Suite 1031  
Edgewater, NJ 07020

12/3/08

Drwg No.

## SK-3

4. **Piermont Road Site.** Identified by municipal tax records as Block 1304 Lot 2, this property is located at the intersection of Piermont Road and North Summit Street in the SR/B Senior Residence/Business District. The property fronts along Piermont Road and North Summit Street for approximately 210 feet and 280 feet, respectively. It has an area of approximately 39,388 square feet. The site is presently developed as a car lot for a nearby car dealership.

This site is an appropriate location for an affordable housing development due to its location near existing multifamily developments including the Plaza at Tenafly, the lack of any recorded environmental constraints, its relative location to the Borough's downtown area, and the location of nearby NJ Transit bus stops.

Aerial 2: Piermont Road Site



Source: Bing Maps (Note: Lot Lines Approximate)

A mixed-use design is recommended for this site, consisting of retail and/or office uses at the ground floor and multifamily units on the upper stories. If developed at a slightly higher density as the Plaza at Tenafly (approximately 35 units per acre), this site could accommodate thirty-two (32) units, including seven (7) affordable housing units.

5. **Highwood Avenue Site.** Identified by municipal tax records as Block 1006 Lots 1, 2, and 3, this property is located at the intersection of Highwood Ave and County Road in the B-2 Business District. The property fronts along Highwood Avenue and County Road for approximately 262 feet and 270 feet, respectively. It has a total area of approximately .66 acres. Lots 1 and 2 are currently vacant, while lot 3 is developed with a retail building with a footprint of approximately 8,800 square feet.

### Aerial 3: Highwood Avenue Site



*Source: Bing Maps (Note: Lot Lines Approximate)*

These lots represent an appropriate location for affordable housing due to their location within the Borough's downtown, the location of nearby NJ Transit stops, and the lack of any significant environmental constraints.

A mixed-use design is recommended for this site, consisting of retail and/or office uses at the ground floor and multifamily units on the upper stories. Since the site is a corner lot and as such has a more constricted developable area, it may be unable to support the densities of the Dean Drive or Piermont Road sites. As such, a density of twenty-five (25) units per the acre is proposed for this site. Such a density could accommodate approximately seventeen (17) units, including four (4) affordable housing units.



Dumont Borough

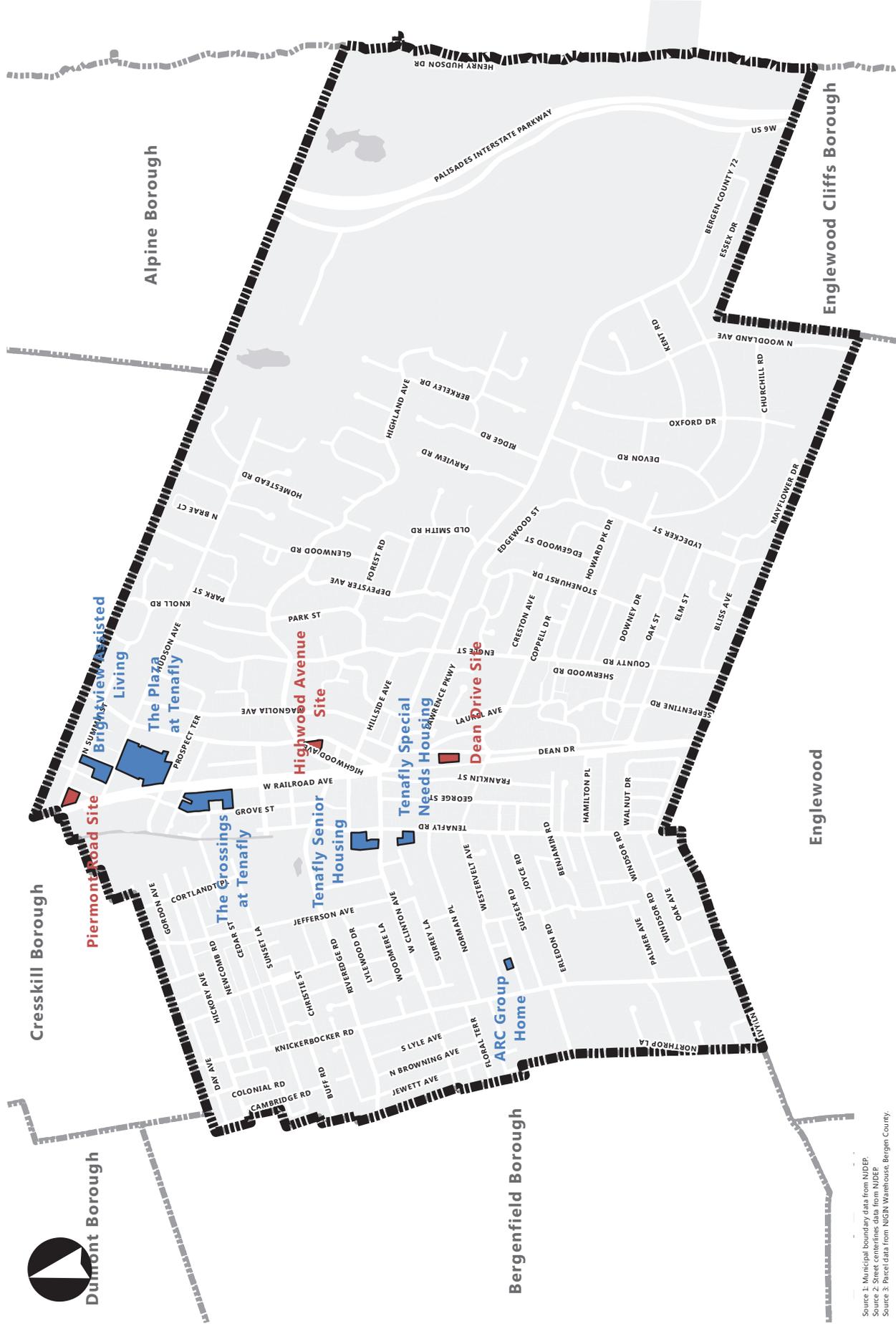
Cresskill Borough

Alpine Borough

Bergenfield Borough

Englewood

Englewood Cliffs Borough



Source 1: Municipal boundary data from NJDEP.  
Source 2: Street centerline data from NJDEP.  
Source 3: Parcel data from NGIN Warehouse, Bergen County.

Dwg. Title

### Prior and Prospective Round Sites



**BURGIS ASSOCIATES, INC.**  
COMMUNITY PLANNING | LAND DEVELOPMENT AND DESIGN | LANDSCAPE ARCHITECTURE  
p: 201.666.1811  
25 Westwood Avenue  
Westwood, New Jersey 07675  
f: 201.666.2599

Project Title  
**2015 Housing Plan**  
BOROUGH OF TENAFLY | BERGEN COUNTY, NEW JERSEY

Project No.	2890.04	Date	09.18.15	Drawn	DN
Scale:	1" = 2,000'		Dwg. No.:	ps	
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**Legend**

- Municipal Boundary
- Prior Round Sites
- Parcels
- Potential Sites

# Appendices

**A-1: Fair Share Ordinance**

## Article XI Affordable Housing Ordinance Provisions\*

*\*Editor's Note: For administrative provisions for affordable housing see Section 35-1301, Municipal Housing Liaisons.*

### 35-1101 PURPOSE.

- a. The purpose of this Article is to comply with the "Substantive Rules" of the New Jersey Council on Affordable Housing (COAH) regarding the Borough of Tenafly and its efforts to satisfy its "Mt. Laurel II" housing obligations.
- b. This Article sets forth regulations regarding "low" and "moderate" income housing units in the Borough of Tenafly that are consistent with the provisions of N.J.A.C. 5:93 et. seq. as effective on June 6, 1994 and as amended thereafter. These rules are pursuant to the Fair Housing Act of 1985 and the Borough of Tenafly's constitutional obligation to provide for its "fair share" of "low" and "moderate" income housing.

(Ord. No. 02-21 § 1101)

### 35-1102 DEFINITIONS.

Any term pertaining to affordable housing referenced in these ordinance provisions is intended to have the meaning as defined in the New Jersey Fair Housing Act (N.J.S.A. 52:270-301, et seq.) or the "Procedural Rules Of The New Jersey Council On Affordable Housing" (N.J.A.C. 5:91) or the "Substantive Rules Of The New Jersey Council On Affordable Housing" (N.J.A.C. 5:92 or N.J.A.C. 5:93), as appropriate. (Ord. No. 02-21 § 1102)

### 35-1103 INCLUSIONARY DEVELOPMENTS.

- a. The Borough of Tenafly's "New Construction" or "inclusionary" component shall be divided equally between "low" and "moderate" income households as per N.J.A.C. 5:93-2.20.
- b. Except for "inclusionary" developments constructed pursuant to "low" income tax credit regulations:
  1. At least one-half (1/2) all units within each "inclusionary" development shall be affordable to "low" income households; and
  2. At least one-half (1/2) of all rental units shall be affordable to "low" income households; and
  3. At least one-third (1/3) of all units in each bedroom distribution pursuant to N.J.A.C. 5:93-7.3 shall be affordable to "low" income households.
- c. "Inclusionary" developments that are not restricted to "Age-Restricted" housing units shall be structured in conjunction with realistic market demands so that:
  1. The combination of efficiency and one (1) bedroom units is at least ten (10%) percent and no greater than twenty (20%) percent of the total "low" and "moderate" income units; and
  2. At least thirty (30%) percent of all "low" and "moderate" income units are two (2) bedroom units; and
  3. At least twenty (20%) percent of all "low" and "moderate" income units are three (3) bedroom units; and
  4. "Low" and "moderate" income units that are age-restricted may utilize a modified bedroom distribution. At a minimum, the number of bedrooms shall equal the number of age-restricted "low" and "moderate" income units within the "inclusionary" development.
- d. In conjunction with realistic market information, the following criteria shall be used in determining maximum rents and sale prices:
  1. Efficiency units shall be affordable to 1.0 person households; and
  2. One (1) bedroom units shall be affordable to 1.5 person households; and
  3. Two (2) bedroom units shall be affordable to 3.0 person households; and

4. Three (3) bedroom units shall be affordable to 4.5 person households; and
5. Median income by household size shall be established by a regional weighted average of the uncapped Section 8 income limits published by the Federal Department of Housing and Urban Development (HUD) as per N.J.A.C. 5:93-7.4(b); and
6. The maximum sales price of "low" and "moderate" income units within each "inclusionary" development shall be affordable to households earning no more than seventy (70%) percent of median income. In averaging an affordability range of fifty-five (55%) percent for the sales units, "moderate" income sales units shall be made available for at least two (2) different prices and "low" income sales units also shall be made available for at least two (2) different prices; and
7. For both owner-occupied and rental units, the "low" and "moderate" income units shall utilize the same heating source as the market units within an "inclusionary" development; and
8. "Low" income units shall be reserved for households with a gross household income less than or equal to fifty (50%) percent of the median income approved by COAH; "moderate" income units shall be reserved for households with a gross household income less than eighty (80%) percent of the median income approved by COAH as per N.J.A.C. 5:93-7.4; and
9. The regulations outlined in N.J.A.C. 5:93-9.15 and 9.16 shall be applicable to all affordable units.

e. For rental units, the following conditions shall apply:

1. Developers may establish one (1) rent for a "low" income unit and one (1) rent for a "moderate" income unit for each bedroom distribution; and
2. Gross rents, including an allowance for tenant-paid utilities, shall be established so as not to exceed thirty percent (30%) of the gross monthly income of the appropriate household size as per N.J.A.C. 5:93-7.4(h). The tenant-paid utility allowance shall be consistent with the utility allowance approved by HUD for use in New Jersey; and
3. The maximum rents of "low" and "moderate" income units within each "inclusionary" development shall be affordable to households earning not more than sixty (60%) percent of median income. In averaging an affordability range of fifty-two (52%) percent for rental units, developers and/or municipal sponsors of rental units may establish one (1) rent for a "low" income unit and one (1) rent for a "moderate" income unit for each bedroom distribution.

f. For sale units the following conditions shall apply:

1. The initial price of a "low" and "moderate" income owner-occupied for-sales housing unit shall be established so that after a downpayment of five (5%) percent, the monthly principal, interest, homeowner and private mortgage insurance, property taxes (based on the restricted value of the "low" and "moderate" income unit) and condominium or homeowner association fees do not exceed twenty-eight (28%) percent of the eligible gross monthly income; and
2. Master deeds of "inclusionary" developments shall regulate condominium or homeowner association fees or special assessments of "low" and "moderate" income purchasers at seventy-five (75%) percent of those paid by market purchasers. This seventy-five (75%) percent percentage is consistent with the requirement of N.J.A.C. 5:93-7.4. Once established within the master deed, the seventy-five (75%) percent percentage shall not be amended without prior approval from COAH; and
3. The Borough of Tenafly shall follow the general provisions concerning uniform deed restriction liens and enforcement through certificates of occupancy or reoccupancy on sale units as per N.J.A.C. 5:93-9.3; and
4. The Borough of Tenafly shall require a certificate of reoccupancy for any occupancy of a "low" or "moderate" income sales unit resulting from a resale as per N.J.A.C. 5:93-9.3(c); and
5. Municipal, State, nonprofit and seller options regarding sale units shall be consistent with N.J.A.C. 5:93-9.5 through 9.8. Municipal rejection of repayment options for sale units shall be consistent with N.J.A.C. 5:93-9.9; and
6. The continued application of options to create, rehabilitate or maintain "low" and "moderate" income sale units shall be consistent with N.J.A.C. 5:93-9.10; and
7. Eligible capital improvements prior to the expiration of controls on sale units shall be consistent with N.J.A.C. 5:93-9.11; and
8. The regulations detailed in N.J.A.C. 5:93-9.12 through 9.14 shall be applicable to "low" and "moderate" income units that are for sale units.

- g. For "inclusionary" developments, the following conditions shall apply:
1. "Low" and "moderate" income units within an "inclusionary" development shall be built in accordance with N.J.A.C. 5:93-5.6(d) as follows:

<i>Minimum % of "Low"/"Moderate" Income Units Completed</i>	<i>% of Market Housing Units Completed</i>
0	25
10	25 + 1 unit
50	50
75	75
100%	<u>90</u>
	100%
  2. The design of an "inclusionary" development shall integrate the "low" and "moderate" income units with the market units in accordance with N.J.A.C. 5:93-5.6(f).
- h. "Development Fees For Affordable Housing" ordinance provisions have been prepared and adopted in accordance with N.J.A.C. 5:93-8.10 through 8.16 and appear as Section 35-606 of this chapter.
- i. To provide assurances that "low" and "moderate" income units are created with controls on affordability over time and that "low" and "moderate" income households occupy these units, the Borough of Tenafly shall designate an Administrative Agency, to be named by resolution, which shall have the responsibility of ensuring the affordability of sales and rental units. The Administrative Agency shall be responsible for those activities detailed in N.J.A.C. 5:93-9.1(a).
1. In addition, the Administrative Agency shall be responsible for utilizing the verification and certification procedures outlined in N.J.A.C. 5:93-9.1(b) in placing households in "low" and "moderate" income units; and
  2. Newly constructed "low" and "moderate" income sales units shall remain affordable to "low" and "moderate" income households for at least thirty (30) years and the Administrative Agency shall require all conveyances of newly constructed units to contain the deed restriction and mortgage lien adopted by COAH and referred to as "Technical Appendix E" as found in N.J.A.C. 5:93; and
  3. Housing units created through the conversion of a nonresidential structure shall be considered a new housing unit and shall be subject to thirty (30) year controls on affordability. The Administrative Agency shall require COAH's appropriate deed restriction and mortgage lien.
- j. The following durations of affordability controls shall apply to rehabilitated units:
1. Rehabilitated owner-occupied single-family housing units that are improved to code standard will be subject to affordability controls for at least six (6) years; and
  2. Rehabilitated renter-occupied housing units that are improved to code standard shall be subject to affordability controls for at least ten (10) years.
- k. The following durations of affordability controls shall apply to rental units:
1. Newly constructed "low" and "moderate" income rental units shall remain affordable to "low" and "moderate" income households for at least thirty (30) years. The Administrative Agency shall require the deed restriction and lien and deed of easement referred to as "Technical Appendix H" as found in N.J.A.C. 5:93; and
  2. Affordability controls on accessory apartments shall be for a period of at least ten (10) years, except if the apartment is to receive a rental bonus credit pursuant to N.J.A.C. 5:93-5.15, then the controls on affordability shall extend for thirty (30) years in accordance with N.J.A.C. 5:93-5.9; and

3. Alternate living arrangements shall be controlled in a manner suitable to COAH, that provides assurances that such a facility will house "low" and "moderate" income households for at least ten (10) years, except that if the alternative living arrangement is to receive a rental bonus credit pursuant to N.J.A.C. 5:93-5.15, then the controls on affordability shall extend for thirty (30) years in accordance with N.J.A.C. 5:93-5.8.
  
- I. Section 14(b) of the Fair Housing Act N.J.S.A. 52:27D-301 et seq. incorporates the need to eliminate unnecessary cost generating features from the Borough of Tenafly's Land Use Ordinances. Accordingly, the Borough of Tenafly shall eliminate development standards that are not essential to protect the public welfare and to expedite or fast track municipal approvals/denials on "inclusionary" development applications. The Borough of Tenafly shall adhere to the components of N.J.A.C. 5:93-10.1 through 10.3.

(Ord. No. 02-21 § 1103)

**A-2: Development Fee Ordinance**

## 35-606 DEVELOPMENT FEES FOR AFFORDABLE HOUSING.\*

### 35-606.1 Purpose.

- a. In *Holmdel Builders Association v. Holmdel Township*, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985 (the Act), N.J.S.A. 52:27d-301 et seq., and the State Constitution, subject to the Council on Affordable Housing's ("COAH's") adoption of rules.
- b. Pursuant to P.L. 2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), COAH is authorized to adopt and promulgate regulations necessary for the establishment, implementation, review, monitoring, and enforcement of municipal affordable housing trust funds and corresponding spending plans. Municipalities that are under the jurisdiction of the Council or Court of competent jurisdiction and have a COAH-approved spending plan may retain fees collected from nonresidential development.
- c. This section establishes standards for the collection, maintenance, and expenditure of development fees pursuant to COAH's regulations and in accordance with P.L. 2008, c.46, Sections 8 and 32-38. Fees collected pursuant to this section shall be used for the sole purpose of providing low- and moderate-income housing. This section shall be interpreted within the framework of COAH's rules on development fees, codified at N.J.A.C. 5:97-8.
- d. *Basic Requirements.*
  1. This section shall not be effective until approved by COAH pursuant to N.J.A.C. 5:96-5.1.
  2. The Borough of Tenafly shall not spend development fees until COAH has approved a plan for spending such fees in conformance with N.J.A.C. 5:97-8.10 and N.J.A.C. 5:96-5.3.
- e. *Definitions.* The following terms, as used in this section, shall have the following meanings:

*Affordable housing development* shall mean a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project, or a one hundred (100%) percent affordable development.

*Council on affordable housing* shall mean the New Jersey Council on Affordable Housing established under the Fair Share Housing Act, which has primary jurisdiction for the administration of housing obligations in accordance with sound regional planning consideration in the State.

*Demolished* shall mean any act or process that renders more than fifty (50%) percent of a structure or building unsafe for human occupancy or use shall be considered demolished for the purposes of this section.

*Developer* shall mean the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.

*Development fee* shall mean funds paid by any person for the improvement of property as permitted in N.J.A.C. 5:97-8.3.

*Equalized assessed value* shall mean the assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with sections 1, 5, and 6 of P.L. 1973, c.123 (C.54:1-35a through C.54:1-35c).

*Green building strategies* shall mean those strategies that minimize the impact of development on the environment, and enhance the health, safety, and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

*Living space* shall mean all internal areas of a dwelling with a floor to ceiling height of greater than six (6) feet, exclusive of garages which are not to be considered as living space.

*Natural disaster* shall mean a catastrophic event, such as a hurricane, flood, earthquake, volcanic eruption, landslide, blizzard, or other natural phenomena that causes extensive human casualties, property damage, or both.

(Ord. No. 08-29 § 1)

### 35-606.2 Residential Development Fees.

a. *Imposed Fees.*

1. For all residential developments, residential developers shall pay a fee of one and one-half (1.5%) percent of the equalized assessed value for residential development, provided no increased density is permitted.
2. When an increase in residential density pursuant to N.J.S.A. 40:55D-70d(5) (known as a "d" variance) has been permitted, developers may be required to pay a development fee of six (6%) percent of the equalized assessed value for each additional unit that may be realized. However, if the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.

Example: If an approval allows four (4) units to be constructed on a site that was zoned for two (2) units, the fees could equal one and a half (1 1/2%) percent of the equalized assessed value on the first two (2) units; and the specified higher percentage up to six (6%) percent of the equalized assessed value for the two (2) additional units, provided zoning on the site has not changed during the two-year period preceding the filing of such a variance application.

b. *Eligible Exactions, Ineligible Exactions, and Exemptions for Residential Development.*

1. Affordable housing developments and developments where the developer has made a payment in lieu of on-site construction of affordable units shall be exempt from development fees.
2. Developments that have received preliminary or final site plan approval prior to the adoption of a Municipal Development Fee Ordinance shall be exempt from development fees, unless the developer seeks a substantial change in the approval. Where a site plan approval does not apply, a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for this purpose. The fee percentage shall be vested on the date that the building permit is issued.
3. Development fees shall be imposed and collected when an existing structure undergoes a change to a more intense use, is demolished and replaced, or is expanded, except that expansion of an existing residential structure which increases the living space by less than twenty (20%) percent and/or the volume of the existing structure by less than twenty (20%) percent shall be exempt from paying a development fee. The development fee shall be calculated on the increase in the equalized assessed value of the improved structure.
4. A dwelling that is constructed as a replacement for a dwelling that was demolished as a result of a fire, flood or natural disaster shall be exempt from paying a development fee. The dwelling that is constructed as a replacement dwelling must be constructed on the same site as the dwelling that was demolished as a result of a natural disaster.

(Ord. No. 08-29 § 1; Ord. No. 11-16 § 1)

### 35-606.3 Nonresidential Development Fees.

a. *Imposed Fees.*

1. Within all zoning districts, nonresidential developers, except for developers of the types of development specifically exempted, shall pay a fee equal to two and one-half (2.5%) percent of the equalized assessed value of the land and improvements, for all new nonresidential construction on an unimproved lot or lots.

2. Nonresidential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to two and one-half (2.5%) percent of the increase in equalized assessed value resulting from any additions to existing structures to be used for nonresidential purposes.
3. Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of two and one-half (2.5%) percent shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvement and the equalized assessed value of the newly improved structure, i.e. land and improvement, at the time final Certificate of Occupancy is issued. If the calculation required under this section results in a negative number, the nonresidential development fee shall be zero.

(Ord. No. 08-29 § 1)

#### **35-606.4 Eligible Exactions, Ineligible Exactions, and Exemptions for Nonresidential Development.**

- a. The nonresidential portion of a mixed-use inclusionary or market rate development shall be subject to the two and one-half (2.5%) percent development fee, unless otherwise exempted below.
- b. The two and one-half (2.5%) percent fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations, and repairs.
- c. Nonresidential developments shall be exempt from the payment of non-residential development fees in accordance with the exemptions required pursuant to P.L. 2008, c.46, as specified in the Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" Form. Any exemption claimed by a developer shall be substantiated by that developer.
- d. A developer of a nonresidential development exempted from the nonresidential development fee pursuant to P.L. 2008, c.46 shall be subject to it at such time the basis for the exemption no longer applies, and shall make the payment of the nonresidential development fee, in that event, within three (3) years after that event or after the issuance of the final Certificate of Occupancy of the nonresidential development, whichever is later.
- e. If a property which was exempted from the collection of a nonresidential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within forty-five (45) days of the termination of the property tax exemption. Unpaid nonresidential development fees under these circumstances may be enforceable by the Borough as a lien against the real property of the owner.

(Ord. No. 08-29 § 1)

#### **35-606.5 Collection Procedures.**

- a. Upon the granting of a preliminary, final or other applicable approval, for a development, the applicable approving authority shall direct its staff to notify the Construction Official responsible for the issuance of a building permit.
- b. For nonresidential developments only, the developer shall also be provided with a copy of Form N-RDF" State of New Jersey Non-Residential Development Certification/Exemption" to be completed as per the instructions provided. The developer of a nonresidential development shall complete Form N-RDF as per the instructions provided. The Construction Official shall verify the information submitted by the nonresidential developer as per the instructions provide in the Form N-RDF. The Tax Assessor shall verify exemptions and prepare estimated final assessments as per the instructions provided in Form N-RDF.
- c. The Construction Official responsible for the issuance of a building permit shall notify the local Tax Assessor of the issuance of the first building permit for a development which is subject to a development fee.

- d. Within ninety (90) days of receipt of that notice, the Municipal Tax Assessor, based on the plans filed, shall provide an estimate of the equalized assessed value of the development.
- e. The Construction Official responsible for the issuance of a final Certificate of Occupancy notifies the local assessor of any and all requests for the scheduling of a final inspection on property which is subject to a development fee.
- f. Within ten (10) business days of a request for the scheduling of a final inspection, the Municipal Assessor shall confirm or modify the previously estimated equalized assessed value of the improvements of the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
- g. Should the Borough fail to determine or notify the developer of the amount of the development fee within ten (10) business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in subsection b. of section 37 of P.L. 2008, c.46 (C.40:55D-8.6).
- h. Fifty (50%) percent of the development fee shall be collected at the time of issuance of the building permit. The remaining portion shall be collected at the issuance of the Certificate of Occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at issuance of Certificate of Occupancy.
- i. *Appeal of Development Fees.*
  - 1. A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, collected fees shall be placed in an interest bearing escrow account by the Borough. Appeals from a determination of the Board may be made to the Tax Court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S. 54:48-1 et seq., within ninety (90) days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.
  - 2. A developer may challenge nonresidential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within forty-five (45) days of receipt of the challenge, collected fees shall be placed in an interest bearing escrow account by the Borough. Appeals from a determination of the Director may be made to the Tax Court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within ninety (90) days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

(Ord. No. 08-29 § 1)

### **35-606.6 Affordable Housing Trust Fund.**

- a. There is hereby created a separate, interest-bearing Housing Trust Fund to be maintained by the Chief Financial Officer for the purpose of depositing development fees collected from residential and nonresidential developers and proceeds from the sale of units with extinguished controls.
- b. The following additional funds shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:
  - 1. Payments in lieu of on-site construction of affordable units;
  - 2. Developer contributed funds to make ten (10%) percent of the adaptable entrances in a townhouse or other multistory attached development accessible;
  - 3. Rental income from municipally operated units;
  - 4. Repayments from affordable housing program loans;
  - 5. Recapture funds;
  - 6. Proceeds from the sale of affordable units; and

- 7. Any other funds collected in connection with the Borough's affordable housing program.
- c. Within seven (7) days from the opening of the trust fund account, the Borough shall provide COAH with written authorization, in the form of a three-party escrow agreement between the municipality, the bank, and COAH to permit COAH to direct the disbursement of the funds as provided for in N.J.A.C. 5:97-8.13(b).
- d. All interest accrued in the Housing Trust Fund shall only be used on eligible affordable housing activities approved by COAH.

(Ord. No. 08-29 § 1)

**35-606.7 Use of Funds.**

- a. The expenditure of all funds shall conform to a spending plan approved by COAH. Funds deposited in the Housing Trust Fund may be used for any activity approved by COAH to address the Borough's fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls, rehabilitation, new construction of affordable housing units and related costs, accessory apartment, market to affordable, or regional housing partnership programs, conversion of existing nonresidential buildings to create new affordable units, green building strategies designed to be cost saving and in accordance with accepted national or State standards, purchase of land for affordable housing, improvement of land to be used for affordable housing, extensions or improvements of roads and infrastructure to affordable housing sites, financial assistance designed to increase affordability, administration necessary for implementation of the Housing Element and Fair Share Plan, or any other activity as permitted pursuant to N.J.A.C. 5:97-8-7 through 8.9 and specified in the approved spending plan.
- b. Funds shall not be expended to reimburse the Borough for past housing activities.
- c. At least thirty (30%) percent of all development fees collected and interest earned shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipal Fair Share Plan. One-third (1/3) of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning thirty (30%) percent or less of median income by region.
  - 1. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowners' association or condominium fees and special assessments, and assistance with emergency repairs.
  - 2. Affordability assistance to households earning thirty (30%) percent or less of median income may include buying down the cost of low- or moderate-income units in the municipal Fair Share Plan to make them affordable to households earning thirty (30%) percent or less of median income.
  - 3. Payments in lieu of constructing affordable units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.
- d. The Borough may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including the requirement for affordability assistance, in accordance with N.J.A.C. 5:96-18.
- e. No more than twenty (20%) percent of all revenues collected from development fees may be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to develop or implement a new construction program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program. In the case of a rehabilitation program, no more than twenty (20%) percent of the revenues collected from development fees shall be expended for such administrative expenses. Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with COAH's monitoring requirements. Legal or other fees related to litigation opposing affordable housing sites or objecting to the Council's regulations and/or action are not eligible uses of the Affordable Housing Trust Fund.

(Ord. No. 08-29 § 1; Ord. No. 11-16 § 2)

**35-606.8 Monitoring.**

The Borough shall complete and return to COAH all monitoring forms included in the annual monitoring report related to the collection of development fees from residential and nonresidential developers, payments in lieu of constructing affordable units on site, and funds from the sale of units with extinguished controls, barrier free escrow funds, rental income, repayments from affordable housing program loans, and any other funds collected in connection with the Borough's housing program, as well as to the expenditure of revenues and implementation of the plan certified by COAH. All monitoring reports shall be completed on forms designed by COAH. (Ord. No. 08-29 § 1)

**35-606.9 Ongoing Collection of Fees.**

The ability for the Borough to impose, collect, and expend development fees shall expire with its substantive certification on the date of expiration of substantive certification unless the Borough has filed an adopted Housing Element and Fair Share Plan with COAH, has petitioned for substantive certification, and has received COAH's approval of its Development Fee Ordinance. If the Borough fails to renew its ability to impose and collect development fees prior to the date of expiration of substantive certification, it may be subject to forfeiture of any or all funds remaining within its municipal trust fund. Any funds so forfeited shall be deposited into the "New Jersey Affordable Housing Trust Fund" established pursuant to section 20 of P.L. 1985, c.222 (C.52:27D-320). The Borough shall not impose a residential development fee on a development that receives preliminary or final site plan approval after the expiration of its substantive certification or judgment of compliance, nor shall the Borough retroactively impose a development fee on such a development. The Borough will not expend development fees after the expiration of its substantive certification. (Ord. No. 08-29 § 1)

**A-3: Draft Affirmative Marketing Ordinance**

## **Draft Affirmative Marketing Ordinance**

The Borough's Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer or sponsor of affordable housing. The affirmative marketing plan is intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward the COAH Housing Region in which the municipality is located and covers the period of deed restriction. The Plan will address the requirements of N.J.A.C. 5:80-26.15. In addition, the Plan prohibits discrimination in the sale, rental, financing or other services related to housing on the basis of race, color, sex, religion, handicap, age, familial status/size or national origin. The Borough of Tenafly is in the housing region consisting of Bergen, Passaic, Hudson, and Sussex Counties. The affirmative marketing program is a continuing program and will meet the following requirements:

1. All newspaper articles, announcements and requests for applications for low and moderate income units will appear in the following newspapers/publications: The Record.
2. The primary marketing will take the form of at least one press release sent to the above publications and a paid display advertisement in each of the above newspapers. Additional advertising and publicity will be on an "as needed" basis.
3. The advertisement will include a description of the street address of units, direction to housing units, number of bedrooms per unit, range of prices/rents, size of units, income information, and location of applications including business hours, where/how applications may be obtained and application fees, if any.
4. All newspaper articles, announcements and requests for applications for low- and moderate-income housing will appear in publications such as neighborhood oriented weekly newspapers, religious publications and organizational newsletters within the region. Regional radio and/or cable television station(s) may also be used.
5. The following is the location of applications, brochure(s), sign(s) and/or poster(s) used as part of the affirmative marketing program including specific employment centers within the region: posting of notices in the Borough Hall, and delivery of notices to the municipal clerks of all municipalities in the region.
6. The following is a listing of community contact persons and/or organizations in Tenafly that will administer the program and will aid in the affirmative marketing program with particular emphasis on contacts that will reach out to groups that are least likely to apply for housing within the region: Borough Administrator, local housing authority, County housing office, and houses of worship.

7. Quarterly flyers and applications will be sent to each of the following agencies for publication in their journals and for circulation among their members: Board of Realtors in Bergen, Hudson, Passaic, and Sussex Counties.
8. Applications will be mailed to prospective applicants upon request.
9. Additionally, quarterly informational circulars and applications will be sent to the chief administrative employees of each of the following agencies in the counties within Tenafly's region: welfare or social service board, rental assistance office (local office of DCA), Office on Aging, libraries, and housing agency or authority in each of the counties within Tenafly's housing region.
10. A random selection method will be used to select occupants of low- and moderate-income housing.
11. The Borough's administrative management service shall administer the affirmative marketing program for for-sale units. The Borough's land use administrator will administer the affirmative marketing program for rental units until such time as the Borough appoints an administrative management service for rental units. The land use administrator, or administrative management service, has the responsibility to income qualify low and moderate income households; to place income eligible households in low and moderate income units upon initial occupancy; to provide for the initial occupancy of low and moderate income units with income qualified households; to continue to qualify households for reoccupancy of units as they become vacant during the period of affordability controls; to assist with advertising and outreach to low- and moderate-income households; and to enforce the terms of the deed restriction and mortgage loan as per N.J.A.C. 5:80-26.
12. Households who live or work in the COAH-established housing region may be given preference for sales and rental units constructed within that housing region. Applicants living outside the housing region will have an equal opportunity for units after regional applicants have been initially serviced. The Borough of Tenafly intends to comply with N.J.A.C. 5:94-7.3 and N.J.A.C. 5:80-26.15.
13. All developers of low- and moderate-income housing units will be required to assist in the marketing of the affordable units in their respective developments.
14. The marketing program will commence at least 120 days before the issuance of either temporary or permanent certificates of occupancy. The marketing program will continue until all low- and moderate-income housing units are initially occupied and for as long as affordable units are deed restricted and occupancy or re-occupancy of units continues to be necessary.

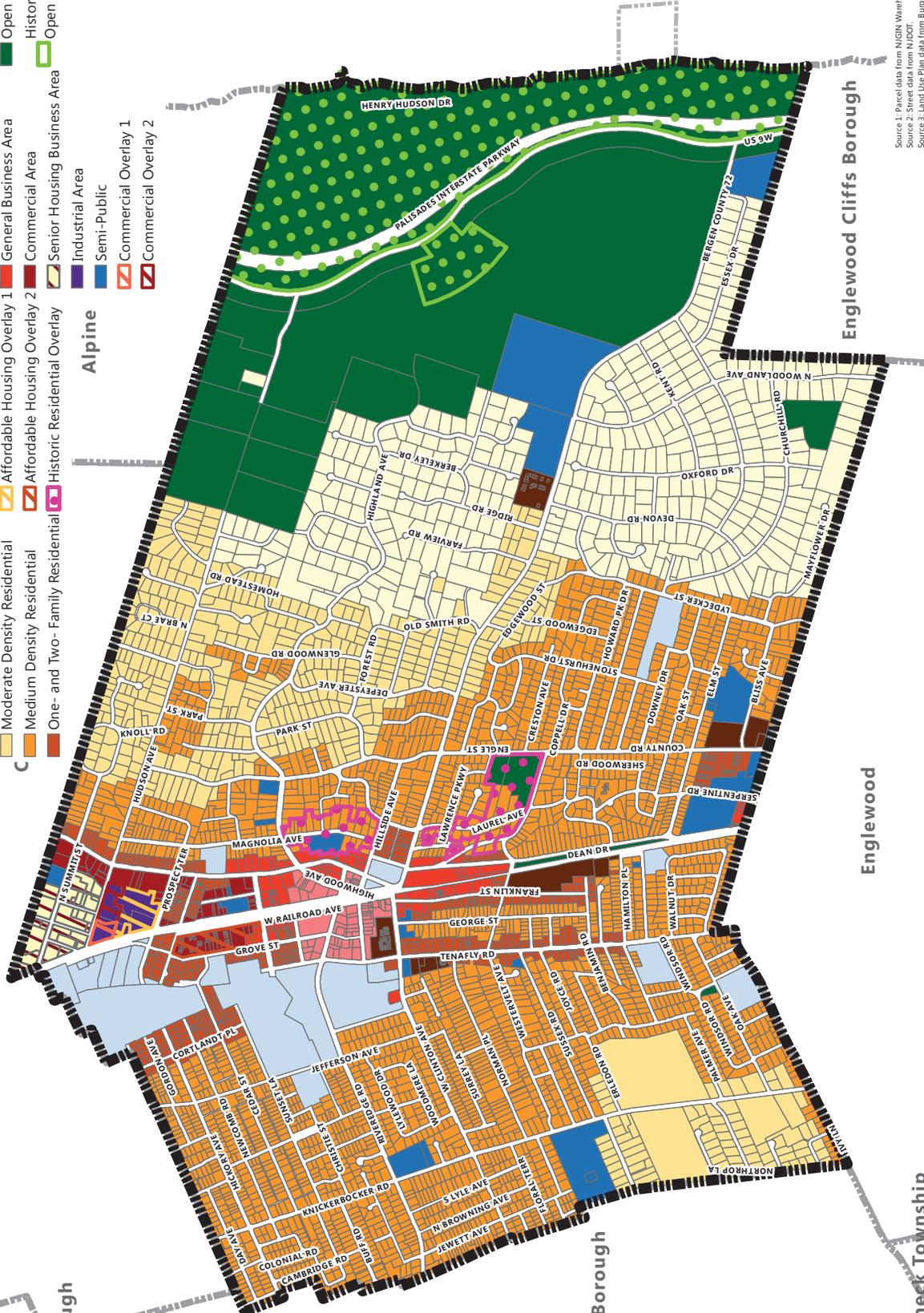
**A-4: Borough of Tenafly Land Use Plan Map**



- Land Use Plan**
- Low Density Residential
  - Moderate Density Residential
  - Medium Density Residential
  - One- and Two- Family Residential
  - Multifamily Residential
  - Affordable Housing Overlay 1
  - Affordable Housing Overlay 2
  - Historic Residential Overlay
  - Central Business District
  - General Business Area
  - Commercial Area
  - Senior Housing Business Area
  - Industrial Area
  - Semi-Public
  - Commercial Overlay 1
  - Commercial Overlay 2
  - Public
  - Open Space
  - Historic Public and Open Space Overlay
  - Open Space Overlay

Dumont Borough

Alpine



Bergenfield Borough

Englewood

Englewood Cliffs Borough

Source 1: Parcel data from NUGN Warehouse, Bergen County.  
 Source 2: Street data from NJDOT.  
 Source 3: Land Use Plan data from Burigis Associates, Inc. 2013

Dwg. Title

Land Use Plan (2013 Land Use Element)

Project No.	2890.04	Date	09.18.15	Drawn	DN
Scale:	1" = 2,000'		Dwg. No.:		via
2013 COPYRIGHT BA - NOT TO BE REPRODUCED					

**Legend**

**ba** BURGIS ASSOCIATES, INC.  
 COMMUNITY PLANNING | LAND DEVELOPMENT AND DESIGN | LANDSCAPE ARCHITECTURE  
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Project Title  
**2015 Housing Plan**  
 BOROUGH OF TENAFLY | BERGEN COUNTY, NEW JERSEY

**A-5: Service List**

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**Lissette Aportela-Hernandez**  
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