

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

**RESOLUTION OF THE BOROUGH OF RIVER EDGE  
MUNICIPAL LAND USE BOARD  
REVIEW OF PROPOSED AMENDMENT TO ARTICLE VIII “CONDITIONAL  
USES PLANNED RESIDENTIAL DEVELOPMENTS OF CHAPTER 416  
“ZONING” OF THE CODE OF THE BOROUGH OF RIVER EDGE  
PURSUANT TO N.J.S.A. 40:55D-26 (ORDINANCE NO. 20-10)**

**WHEREAS**, on June 8, 2020, the Mayor and Council of the Borough of River Edge introduced Ordinance No. 20-10 entitled “An Ordinance to Amend and Supplement Article No. VIII “Conditional Uses, Planned Residential Developments” of Chapter 416 “Zoning” of the Borough of River Edge, Bergen County, New Jersey to establish a New Bridge Road Affordable Housing (AH-1) Overlay Zone; and

**WHEREAS**, said Ordinance, when adopted, will amend Chapter 416 to create a new Overlay Zone (AH-1) and by prescribing the standards, criteria and requirements applicable to that Zone; and

**WHEREAS**, as required by N.J.S.A. 40:55D-64, the Mayor and Council referred Ordinance No. 20-10 to the Municipal Land Use Board for review, in accordance with N.J.S.A. 40:55D-26; and

**WHEREAS**, Ordinance No. 20-10 was considered and reviewed by the Municipal Land Use Board at a regularly scheduled public meeting on July 1, 2020.

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

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

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

2. On June 8, 2020, the Mayor and Council introduced and passed on first reading Ordinance No. 20-10 which Ordinance, when adopted, will amend Chapter 416 to create an AH-1 Overlay Zone.
3. One of the purposes of Ordinance No. 20-10 is to provide a reasonable means to facilitate the construction of affordable housing units within the Borough of River Edge in order to effectuate the terms of the Settlement Agreement entered into between the Borough of River Edge and Fair Share Housing Center (FSHC) on June 24, 2019.
4. In order to effectuate its purpose in facilitating the construction of affordable housing within the Borough, Ordinance 20-10 will create an Affordable Housing Overlay Zone, which will permit inclusionary multi-family development, mixed-use development, and an affordable housing component.
5. N.J.S.A. 40:55D-64 provides that, prior to a hearing on the adoption of an amendment to the Zoning Ordinance, the governing body shall refer the amendment to the land use board for review, in accordance with N.J.S.A. 40:55D-26. N.J.S.A. 40:55D-26 provides that, prior to the adoption of an amendment to a development regulation, the land use board shall make and transmit to the governing body a report including identification of any provisions within the proposed amendment which are inconsistent with the Master Plan and recommendations regarding those inconsistencies and any other matters as the board deems appropriate.

6. As required by N.J.S.A. 40:55D-64, the Mayor and Council referred Ordinance No. 20-10 to the Municipal Land Use Board for review.
7. Ordinance No. 20-10 was considered and reviewed by the Municipal Land Use Board at a regularly scheduled public meeting on July 1, 2020. At that time the Board determined that, insofar as Ordinance No. 20-10 will facilitate the construction of affordable housing units within the Borough of River Edge, it is consistent with the HEFSP of the Borough Master Plan.

**BE IT FURTHER RESOLVED** that, for all the reasons set forth herein, the Municipal Land Use Board finds that Ordinance No. 20-10 is consistent with the Borough Master Plan.

**BE IT FURTHER RESOLVED** that the Administrative Officer shall forward a copy of this Resolution to the Mayor and Council for its consideration.

\_\_\_\_\_  
James Arakelian, Chairman

Dated: \_\_\_\_\_

### **CERTIFICATION**

I, Lou Grasso, Secretary of the Board, do hereby certify that the above Resolution was adopted by the Board at its meeting held on \_\_\_\_\_, 2020.

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

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