

RESOLUTION DENYING WITHOUT PREJUDICE MOTION TO RECALCULATE RDP AND ESTABLISH A PRIORITY OF AFFORDABLE HOUSING SITES IN THE BOROUGH OF PARK RIDGE, BERGEN COUNTY

COAH DOCKET #10-2207

WHEREAS, on January 29, 1990 the Borough of Park Ridge received first round substantive certification; and

WHEREAS, on June 5, 1996, the Borough of Park Ridge received second round substantive certification; and

WHEREAS, on June 8, 2005, the second round substantive certification was extended; and

WHEREAS, on December 29, 2008, the Borough of Park Ridge filed for third round substantive certification; and

WHEREAS, on February 11, 2009 the Borough of Park Ridge's third round petition for substantive certification was deemed complete; and

WHEREAS, two objections were filed pertaining to Park Ridge's Housing Element and Fair Share Plan (HEFSP); and

WHEREAS, one objection was filed by Henry J. Bonnabel and Metropolitan Homes Development at Werimus, L.L. C. (collectively referred to as Metropolitan Homes) and the other by Fair Share Housing Center (FSHC); and

WHEREAS, Metropolitan Homes objection request that its site be included in the Borough's plan and focuses on the exclusion of their site for calculating the Borough's realistic development potential, which was done in 1990, and that the Borough has not addressed any portion of its 43 unit unmet need; and

WHEREAS, FSHC's objection indicates that Park Ridge does not satisfy COAH's requirement that a municipality seeking a growth projection adjustment analyze its potential for redevelopment and that the Borough's HEFSP does not specify what provisions it has in place to satisfy the 43-unit unmet need and suggests that their objections would be resolved if the Borough reviews its land to identify areas with redevelopment potential, identifies additional opportunities for growth and redevelopment and provides and documents meaningful mechanisms to meet its unmet need; and

WHEREAS, on February 16, 2009 a Pre-Mediation Report Requesting Additional Information was published; and

WHEREAS, on December 8, 2009 COAH Mediation was conducted; and

WHEREAS, Met Homes is an objector who participated in the mediation process; and

WHEREAS, Met Homes and Henry J. Bonabel own Block 608, Lot 15, Borough of Park Ridge, County of Bergen (Met Homes site); and

WHEREAS, the Met Homes site is not included in the Borough of Park Ridge's Housing Element and Fair Share Plan; and

WHEREAS, Met Homes files their motion seeking to (1) correct an error made in the prior round calculation of Park Ridge's realistic development potential (RDP), which does not include the Met Homes site and (2) establish a priority of sites as the Borough attempts to amend its Housing Element and Fair Share Plan; and

WHEREAS, the Borough of Park Ridge has provided a response to the request for additional information; and

WHEREAS, the Borough of Park Ridge filed an opposition to the Met Homes motion; and

WHEREAS, a mediation report has not been published by COAH; and

WHEREAS, it is an outstanding issue whether the Met Homes site is a suitable site for the production of affordable housing pursuant to N.J.A.C. 5:97-313(b) 4 pertaining to wetlands constraints; and

WHEREAS, it is an outstanding issue whether the Borough of Park Ridge should be required to make adjustments and designate priorities to the Borough's vacant land adjustment (VLA) and RDP; and

WHEREAS, the Council has determined that the above noted issues are valid issues to be determined in the course of mediation; and

WHEREAS, the Council has determined that the COAH mediator in consultation with COAH staff should determine if the VLA and RDP in the Borough's third round Housing Element and Fair Share Plan has been correctly determined or whether the Borough may need to re-petition; and

WHEREAS, a task force reviewed this motion on May 3, 2010, and recommends that the motion be denied without prejudice subject to completion of the mediation process and subject to COAH staff's review of the Borough's petition for substantive certification.

NOW THEREFORE BE IT RESOLVED that the Council denies Met Homes' motion without prejudice seeking to (1) correct an alleged error made in the prior round calculation of Park Ridge's realistic development potential (RDP), which does not include the Met Homes site and (2) establish a priority of sites as the Borough attempts to amend its Housing Element and Fair Share Plan; and

BE IT FURTHER RESOLVED that the Council directs the mediator to proceed with mediation and require the parties submit any information necessary to determine whether the RDP should be recalculated, be recalculated in accordance the N.J.A.C. 5:92-8.2(b)3ii (the provisions in place at the time of the RDP calculation and/or be recalculated in accordance with N.J.A.C. 5:97-5.1 and any other information that may be necessary to conclude mediation.

I hereby certify that this Resolution was
Duly adopted by the Council on Affordable
Housing at its meeting on May 13, 2010.

A handwritten signature in cursive script that reads "Renee Reiss". The signature is written in black ink and is positioned above the printed name and title.

Renee Reiss
Council Secretary