



COMMUNITY PLANNING
LAND DEVELOPMENT AND DESIGN
LANDSCAPE ARCHITECTURE

BURGIS
ASSOCIATES, INC.

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

MEMORANDUM

From: Steve Lydon, PP/AICP
To: Christine Gillen, Esq.
Re: Cresskill Mid-Cycle Monitoring Forms and Narrative
Date: June 26, 2020
BA#: 3098.00

This document is intended to provide some context for Cresskill's on-going affordable housing actions and to answer questions attached to the Fair Share Housing Center's ("FSHC") questions applicable to Vacant Land Adjustment ("VLA") communities. Cresskill is such a community.

Cresskill received Substantive Certification from the Council on Affordable Housing ("COAH") for its Second Round plan in February 2000. COAH granted Cresskill Substantive Certification for its original Third Round plan on September 8, 2010.

Cresskill's Second Round new construction obligation was 70 affordable units. This obligation was fully discharged through construction of eighteen (18) affordable units at the Daibes/Hoke Park site. These rental units were eligible for eighteen (18) bonus credits. The balance of the Second Round obligation was fulfilled through Regional Contribution Agreements, one with the Township of Weekhawken (8-unit RCA) and the second agreement with the City of Bayonne (26-unit RCA).

After the Supreme Court ruled that COAH was no longer functioning to produce a regulatory framework to encourage the production of affordable housing, Cresskill filed a Declaratory Judgement action in July 2015. As part of the Declaratory Judgment process, Cresskill prepared and adopted a Housing Element and Fair Share Plan dated February 2018.

Cresskill's 2018 Housing Plan details how the Borough's new construction obligation was adjusted through the VLA process. Originally, Cresskill Third Round new construction obligation was established as a 230-unit obligation. The outcome of the VLA process was the establishment of a Realistic Development Potential ("RDP") of 41 units. Cresskill's Unmet Need obligation became 189 units.

To satisfy its 41-unit RDP obligation, Cresskill will rely on a combination of completed developments and proposed mechanisms. These are developments and mechanism are detailed in the tables below.

Table 1:
Completed Developments Contributing to
Satisfaction of Third Round RDP
Borough of Cresskill, New Jersey

Name of Development	# of Affordable Units	Development Status	Available Credits
Cresskill Plaza	6	Complete	6
Wolfer Mixed Use	1	Complete	1
Riverview Associates	1	Complete	1
Sunrise Assisted Living	10	Complete	10
TOTAL	18		18

Table 2:
Proposed Affordable Housing Activities
Contributing to Satisfaction of Third Round RDP
Borough of Cresskill, New Jersey

Name of Development	# of Affordable Units	Development Status	Available Credits
North Jersey Community Bank	2	Application Filed	2
S& K Auto	1	Pending	1
Accessory Apartment Program	9	Pending	9
Rental Bonus Credits	11	Pending	11
TOTAL	23		23

To address Unmet Need obligation, Cresskill has adopted several ordinances. One Borough-wide ordinance will mandate all multifamily developments of 5 or more units will need to provide an affordable housing setaside, 15% for rental developments and 20% in those instances where the affordable units will be offered for sale.

In addition, four (4) specific properties have been rezoned, sometimes as an amended zone, sometimes as an overlay zone. Regardless of methodology, density of these new zones is 15 dwelling units an acre with the same affordable setaside, 15% for rental units and 20% for sale units.

Additional, Cresskill has adopted ordinances that create an overlay zone upon the entirety of the Commercial district. These Unmet Need specific ordinances are summarized in Table 3 below.

Table 3:
Plan Components to Address Unmet Need
Borough of Cresskill, New Jersey

Property/Approach	Lot Size	Density	Zone Type
Block 181 Lot 1	2.57 ac.	15 DU/Ac	New Zone
Block 182 Lots 18-28	0.50 ac	15DU/Ac.	New Zone
Block 182 Lots 29 & 30	1.29 ac.	15DU/Ac.	Overlay Zone
Block 184 Lot 1	0.32 ac.	15DU/Ac.	Overlay Zone
Commercial Zone	Varies	15DU/Ac.	Amended Zone, affordable units limited to upper floors
Group Homes	N/A	Existing	N/A
Market-to-Affordable Program	N/A	Existing	N/A

Cresskill's housing rehabilitation obligation was established at four (4) units. At the time Cresskill's 2018 Housing Plan was prepared the Borough had participated in the rehabilitation of 26 dwellings, far in excess of the 4-unit obligation.

As this is written, Cresskill has not secured final judicial approval of its Compliance Plan. The single condition left unresolved pertains to having a duly certified individual or individuals administering the affordable housing units at the Daibes development known as Cresskill Plaza. Daibes is anticipating two staff members will complete all necessary course requirements to become duly certified administrators on July 15, 2020. Upon successful completion of course work, Daibes will seek to have these duly certified staff members administer the Cresskill Plaza affordable units in lieu of a Cresskill's Administrative Agent. With this resolution, all conditions will have been met and Cresskill will seek, with the consent of the Court appointed Special Master, a Final Judgement of Compliance.

Neither the S&K Auto site, nor the properties listed on Table 3 have experienced construction. Applications for these sites have not been submitted even though each of the properties have been rezoned. The Borough created realistic opportunities to create affordable housing, the marketplace has not yet responded. Cresskill is confident that once the real estate market returns to a heathier condition, the marketplace will respond favorably.

The North Jersey Community Bank site, now known as 1 Union Avenue, has filed a development application, been deemed complete and has a public hearing scheduled in July 2020. An earlier smaller development was approved on this site but did not move to construction. This property is designed as Block 74 Lots 47 and 47.03 on Borough tax maps.

The group home and market-to-affordable programs have not produced affordable units. Cresskill remains confident that both group homes and the market-to-affordable program are viable in the Borough.

No projects have missed construction deadlines. All unbuilt affordable housing units are within the sewer service area of the Bergen County Utilities Authority.

Two rehabilitation programs are available in Cresskill, one administered by the Borough, the other by the County. At this time, the Borough has rehabilitated far more substandard dwellings than required by the rehabilitation obligation. The Borough will continue to administer its program with an emphasis on renter occupied dwellings.

Cresskill is a VLA community. Cresskill has not received any development proposals on a site of half an acre or more on a parcel that was neither previously identified in calculating Cresskill's RDP. Nor has there been a redevelopment plan for such a lot or any rezoning of such a parcel.

Cresskill has received a development application for property known as Block 74 Lots 47 and 47.03. This development known as 1 Union Avenue, proposes a total of 11 upper floor apartments. Two (2) apartments are to be deed restricted affordable units, representing 18.18% of the development is slated as affordable dwellings.

No additional parcels through changed circumstances have become available for development that were neither previously identified in determining Cresskill's RDP or as part of an inclusionary overlay zone.