

Housing Element & Fair Share Plan

Township of Little Falls

Passaic County, NJ

Prepared for:

Township of Little Falls, Central Planning Board

Prepared by:



architects + engineers

Adopted by the Planning Board: 2/2/17

Endorsed by the Council: 3/27/17

For Planning Board adoption: February 2, 2017

Township of Little Falls
Passaic County, New Jersey

Housing Element & Fair Share Plan

Acknowledgements:

<u>Mayor & Council</u>	<u>Land Use Board</u>
Honorable James Daminao, Mayor	Honorable James Daminao, Mayor
Anthony Sgobba, Council President	Walter Kilpatrick, Chairman
Joseph Maceri	Richard Greco, Vice Chairman
William Liess	William Kohlman
Maria Martini Cordonnier	Joan Strothers
Christopher Vancheri	Louis Dearani
	Michael Fojut
	Anthony Sgobba, Councilman
	Carmen Gaita
	AJ Alvarez
	Rocco Corage
	Kevin Barry
	John Reilly
	Valerie Laky, Secretary

Special thanks to:
Charles Cuccia, Township Administrator

Consultant:
H2M Associates, Inc.
119 Cherry Hill Road, Ste. 110
Parsippany, NJ 07054

Adopted: _____

*The original of this report was signed and sealed in accordance with N.J.S.A.
45:14A-12.*



Jeffrey L. Janota, PP, AICP # 33LJ00582700

TABLE OF CONTENTS

Table of Contents	3
I. Introduction.....	5
COAH History and Recent Supreme Court Decisions.....	5
Municipal History of Affordable Housing Compliance.....	6
II. Required Content of a Housing Element & Fair Share Plan	8
Spending Plan Requirements.....	9
III. Demographic, Economic & Housing Conditions.....	9
Municipal Demographic Conditions.....	9
Historic & Projected Population.....	10
Age Distribution of Population.....	11
Race and Hispanic Origin.....	11
Income and Poverty Status	12
Municipal Employment Characteristics.....	13
Historic and Projected Employment.....	13
Occupational Characteristics	14
In-Place Employment by Industry.....	16
Travel Time to Work	17
Municipal Housing Stock.....	17
Household Size & Type	17
Occupancy Status.....	19
Purchase and Rental Value of Housing Stock.....	20
Number of Affordable Units for Low- and Moderate-Income Households.....	22
Condition of Housing Stock.....	22
Projection of Housing Stock	23
IV. Housing Region, Regional Income limits and LMI Thresholds.....	26
Housing Regions.....	26
Income Limits.....	26
LMI Monthly Home Costs.....	27
V. Affordable Housing Obligation.....	27
Rehabilitation Share.....	28
Prior Round Obligation.....	29
Prospective Need Obligation	29
VI. Capacity Analysis	30

Vacant Land Adjustment	30
Prior Round Vacant Land Adjustment (VLA)	31
2016 Confirmation of VLA Vacant Land Adjustment (VLA).....	31
Services Capacity Analysis.....	31
Schools	31
Roads and Utilities	31
Municipal Services.....	32
VII. Fair Share Plan	33
Credit / Bonus Requirements	33
Prior Round Credit Requirements	33
Prospective Round Credit Requirements	33
Credit Bonuses	33
Affordable Housing Compliance Status	34
Rehabilitation Compliance	34
Prior Round Compliance	36
Existing Affordable Housing Sites/Zones.....	38
Summary of Existing Compliance	45
Prospective Need Compliance	46
Proposed Affordable Housing Sites/Zones	47
Proposed Affordable Housing Strategies.....	48
Summary of Mechanisms and Credits	60
VIII. Appendices	61

I. INTRODUCTION

In accordance with the Fair Housing Act (FHA), New Jersey municipalities must adopt a Housing Element and Fair Share Plan (HEFSP) to plan for the provision of their “fair share” of affordable housing for low and moderate income persons and households. The Fair Housing Act of 1985 was the legislative response to the landmark Mount Laurel decisions, and provided the basis for the establishment of the Council on Affordable Housing (COAH) to administer municipal compliance with the FHA.

This HEFSP has been prepared to conform to the requirements of the Fair Housing Act, as amended, and recent decisions of the New Jersey Supreme Court. The Plan also conforms to the requirements of the Municipal Land Use Law (N.J.S.A. 40:55D-1, et. seq.) and to the substantive rules of the Council on Affordable Housing (“COAH”) that have not been invalidated or reversed by recent Supreme Court decisions.

COAH History and Recent Supreme Court Decisions

The table below summarizes the timeline of each affordable housing “round” in New Jersey.

Table 1: Affordable Housing Timeline		
Round (Release Date)	Period	Summary
Round 1 (1987)	1987 - 1993	COAH calculated affordable housing obligation for each NJ municipality
Round 2 (1994)	1993 - 1999	COAH calculated affordable housing obligation for each NJ municipality
Round 3 (2004)	Invalidated 2007	COAH introduced the “growth share” approach for calculating municipal obligations
Round 3 (2008)	Invalidated 2010, 2013	COAH revised the “growth share” methodology
Round 3 (2014)	Undeveloped	COAH calculated affordable housing obligations for each NJ municipality based on Round 1 & Round 2 methodologies.
Round 3 (2015)	2015 - 2025	NJ Supreme Court declared COAH “moribund;” ordered Superior Courts to resume oversight of municipal compliance with FHA; and ordered municipalities to rely on Prior Round Rules to prepare their HEFSPs.

After a series of Supreme Court cases pertaining to COAH’s inability to adopt appropriate Third Round Rules, finally, on March 10, 2015, (“the March 10 Decision”) in the Matter of Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015), the Supreme Court declared COAH “moribund” and ordered the courts to provide a judicial remedy due to COAH’s failure. The March 10th Decision provided that municipalities may initiate declaratory judgment actions and seek approval of their housing element and fair share plans through the courts.

The Supreme Court ordered that affordable housing obligations for municipalities be determined on a court-by-court basis using the methodologies from the First and Second Round rules pursuant to N.J.A.C. 5:91 and N.J.A.C. 5:93. The Court held that:

"In establishing a process by which towns can have their housing plans reviewed by the courts for constitutional compliance, the Court's goal is to provide a means by which towns can demonstrate compliance through submission of a housing plan and use of processes similar to those which would have been available through COAH for the achievement of substantive certification. The end result is to achieve adoption of a municipal housing element and implementing ordinances deemed to be presumptively valid if thereafter subjected to challenge."

Municipal History of Affordable Housing Compliance

The Township of Little Falls adopted a Housing Element and Fair Share Plan ("HEFSP") covering the years 1987-1993, known as the "First Round." And was granted the Township First Round Substantive Certification. The Certification included approval for a vacant land adjustment ("VLA").

In November 2003, the Township adopted a "Second Round" HEFSP, covering the years 1993-1999. The Township received Second Round Substantive Certification from COAH on December 15, 2004, which also included the continuance of its VLA. COAH extended Little Fall's Second Round Certification until December 20, 2005.

In November 2005, the Township adopted a "Third Round" HEFSP and on December 30, 2008, the Township filed a petition with COAH for Third Round Substantive Certification. The Township of Little Falls was one of approximately 284 New Jersey municipalities to submit plans to COAH under the 2004 Third Round Rules. In 2007, the Third Round rules were challenged and subsequently invalidated by the New Jersey Appellate Court. All such Third Round petitions were considered void.

COAH's new Third Round rules took effect on June 2, 2008 and were amended on September 22, 2008. The Township preparing and adopted a new Third Round HEFSP in November 2008 in compliance with the new rules, which were to cover the period 1999-2018. On December 26, 2008, the Township re-petitioned COAH for Third Round Substantive Certification. The HEFSP proposed a continuance of the Township's VLA, which was received in the first round, recertified by COAH in the second round and granted extended substantive certification in 2005.

In 2010, the New Jersey Appellate Court again struck down COAH's Third Round Rules, and invalidated the Growth Share approach, leaving The Township of Little Falls (and every other NJ municipality) questioning how to proceed with obtaining a certified Plan.

May 26th 2015- The Township of Little Falls entered into a settlement agreement with Edward Schumacher in connection with litigation brought against the Township pursuant to the Township rezoned certain property within the Township to create the AH-II overlay zone district. The developer agreed to a Payment in Lieu (PIL) of construction at \$35,000 per unit for six units that shall be paid in five equal installments for a total of \$210,000.

In re Adoption of N.J.A.C. 5:96, 221 N.J. 1 (2015), the Supreme Court held that due to COAH's failure to adopt appropriate regulations, the COAH administrative process has been "dissolved" and all exclusionary zoning disputes may be brought in state court. In accordance with this decision, the Township of Little Falls is now proceeding by submitting its Plan to the courts for constitutional compliance review. Specifically, this 2016 Housing Element and Fair Share Plan is being prepared for submission to the Superior Court of New Jersey Law Division, Passaic County, Docket No. PAS-L-2348-15 In the Matter of the Application of the Township of Little Falls for a Determination of Mount Laurel Compliance.

II. REQUIRED CONTENT OF A HOUSING ELEMENT & FAIR SHARE PLAN

In accordance with the Fair Housing Act at N.J.S.A. 52:27D-310 and COAH regulations per N.J.S.A. 5:93-5.1, a municipality's housing element shall be designed to achieve the goal of access to affordable housing to meet present and prospective housing needs, with particular attention to low and moderate income housing. The housing element shall include the municipality's strategy for addressing its present and prospective housing needs and shall contain the following:

1. An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low and moderate income households and substandard housing capable of being rehabilitated;
2. A projection of the municipality's housing stock, including the probable future construction of low and moderate income housing for the next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;
3. An analysis of the municipality's demographic characteristics, including but not necessarily limited to household size, income level and age;
4. An analysis of the existing and probable future employment characteristics of the municipality;
5. A determination of the municipality's present and prospective fair share for low and moderate income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low and moderate income housing; and
6. A consideration of the lands that are most appropriate for construction of low and moderate income housing and the existing structures most appropriate for conversion to or rehabilitation for, low and moderate income housing, including a consideration of lands of developers who have expressed a commitment to provide low and moderate income housing.
7. A map of all sites designated by the municipality for the production of low and moderate income housing and a listing of each site that includes its owner, acreage, lot and block;
8. The location and capacities of existing and proposed water and sewer lines and facilities relevant to the designated sites;
9. Copies of necessary applications for amendments to, or consistency determinations regarding, applicable area wide water quality management plans (including wastewater management plans).
10. A copy of the most recently adopted municipal master plan and where required, the immediately preceding, adopted master plan;
11. For each designated site, a copy of the New Jersey Freshwater Wetlands maps where available. When such maps are not available, municipalities shall provide appropriate

copies of the National Wetlands Inventory maps provided by the U.S. Fish and Wildlife Service;

12. A copy of appropriate United States Geological Survey Topographic Quadrangles for designated sites; and
13. Any other documentation pertaining to the review of the municipal housing element as may be required by the Council.

Spending Plan Requirements

If a municipality intends to collect development fees, it shall prepare a plan to spend development fees that includes the following:

1. A projection of revenues anticipated from imposing fees on development, based on historic development activity;
2. A description of the administrative mechanism that the municipality will use to collect and distribute revenues;
3. A description of the anticipated use of all development fees;
4. A schedule for the creation or rehabilitation of housing units;
5. If the municipality envisions being responsible for public sector or non-profit construction of housing, a pro-forma statement of the anticipated costs and revenues associated with the development; and
6. The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan.

III. DEMOGRAPHIC, ECONOMIC & HOUSING CONDITIONS

This document includes the essential components of a housing element as specified in N.J.S.A. 52:27D-310 of the New Jersey Fair Housing Act.

Municipal Demographic Conditions

The following discussion of municipal demographic conditions relies on the latest available Census data at the time of this report, and other sources of data, where available. The analysis uses the 2010 Decennial Census data in some cases; where possible, however, newer data from the 5-Year 2013 American Community Survey (2013 ACS), as collected from 2009-2013, was utilized. The 2010 Decennial Census provides data collected at the height of the "Great Recession" (2007-2011), which may not accurately reflect present-day conditions.

Historic & Projected Population

The Township of Little Falls population peaked in 1970 when it had a total of 11,727 residents. During the period from 1970-1990, population decreased. According to the most recent decennial census data, Little Falls grew in population by 32.95% from 2000 to 2010, reaching its new population peak of 14,432 residents. The population in the Township has remain unchanged according to 2013 American Community Survey data and is just under 14,500 residents. Little Falls' average annual growth rate is approximately 16.7%.

Table 2: Population Growth			
Year	Population	Change	Percent Change
1940	5,368	--	--
1950	6,405	1,037	19.32%
1960	9,730	3,325	51.91%
1970	11,727	1,997	20.52%
1980	11,496	-231	-1.97%
1990	11,294	-202	-1.76%
2000	10,855	-439	-3.89%
2010	14,432	3,577	32.95%

Source: US Census

However, an important change occurred in the decades between 2000 and 2010, according to the US Census. As **Table 3** indicates, there was a significant population increase from 2000-2010 (32.95%) where in the previous decade, The Township was losing population (-3.89%). What might have caused this population jump is the number of students recorded as living in Little Falls while attending Montclair State University. 2010 census residence rules changed, so that "college students living away from their parental home while attending college in the U.S. (living either on-campus or off-campus) (were) counted at the on-campus or off-campus (location)," where they were uncouned in the previous Census. The Census categorizes these type of student residences (among other groups) as noninstitutionalized group quarters. The noninstitutionalized group quarters from 2000-2010 increased by 22.39%, as shown in **Table 3**. Noninstitutionalized group quarters (not a typical household-type living arrangement) counts the college student population.¹ Thus, the jump in the regular population count and the noninstitutionalized group quarters count may suggest that the population increased due to the change in count of college students.

Table 3: Demographic Relationship					
	2000		2010		Change (%)
	Total	Percent	Total	Percent	
In Noninstitutionalized Group Quarters	1	.01%	3,232	22.39%	22.38%

Source: US Census Bureau 2000 & 2010, DP-1 Profile of General Demographic Characteristics

¹ Source: 2010 American Community Survey/Puerto Rico Community Survey Group Quarter Definitions. Noninstitutionalized group quarters also counts group homes intended for adult, residential treatment facilities for adults, workers' group living quarters and Job Corps centers, and religious group quarters. In addition to the college student population.

The North Jersey Transportation Authority projects in its "2040 Regional Transportation Plan" that Little Falls will continue to grow, gaining approximately 65 residents per year between 2010 and 2040.

Table 4: Population Projection			
Year	Population	Change	Percent Change
2000	10,855	--	--
2010	14,430	3,575	24.77%
2040	16,380	1,950	11.90%

Source: NJTPA Population Forecast by County and Municipality 2010-2040; 2000 and 2010 Census

Age Distribution of Population

The 2010 census indicates that the median age for residents of Little Falls is 32.1 years of age, which is about 4 years younger than the County median age (36.2) and about 7 years younger than the State median age (39.1).

The percentage of school-aged children, (19 or younger per below) account for over a quarter of the Township's population (25.24%) in 2010, which increased from 2000 (19.92%). Senior citizens (65 and older) within the Township accounted for approximately 13% of the total population in 2010, decreasing by nearly 5% from 2000. The largest decline occurred in the 35-44 age cohort (-15.73%) and the largest increase occurred in the 20-24 age cohort (13.10%). It appears that middle-aged adults are leaving the Township and younger adults and children are coming to the Township.

Table 5: Population by Age Cohort					
Age	2000		2010		Change (%)
	Total	Percent	Total	Percent	
Under 5	556	5.12%	519	3.60%	-1.53%
5-9	556	5.12%	532	3.69%	-1.44%
10-14	516	4.75%	581	4.03%	-0.73%
15-19	534	4.92%	2,010	13.93%	9.01%
20-24	526	4.85%	2,590	17.95%	13.10%
25-34	1,684	15.51%	1,411	9.78%	-5.74%
35-44	1,837	16.92%	1,615	11.19%	-5.73%
45-54	1,556	14.33%	1,755	12.16%	-2.17%
55-64	1,152	10.61%	1,541	10.68%	0.07%
65 & Over	1,938	17.85%	1,878	13.01%	-4.84%

Source: US Census Bureau 2000 & 2010, DP-1 Profile of General Demographic Characteristics

Race and Hispanic Origin

Table indicates that the Township has become more racially diverse over the period from 2000 to 2010. However, the Township is still less diverse than the County.

Table 6: Persons by Race and Hispanic Origin

	Little Falls		Percent Change (2000-2010)	Passaic County		Percent Change (2000-2010)
	2010 Total	Percent		2010 Total	Percent	
White	12,510	86.68%	-5.45%	314,001	62.65%	0.32%
Black or African American	593	4.11%	3.45%	64,295	12.83%	-0.39%
Asian	658	4.56%	0.36%	25,092	5.01%	1.31%
Other	367	2.54%	1.13%	79,239	15.81%	-0.91%
Two or More Races	304	2.11%	0.50%	18,599	3.71%	-0.34%
Total	14,432	100.00%	0.00%	79,239	100.00%	0.00%
Hispanic or Latino (any race)	1,428	9.89%	4.56%	185,677	37.04%	7.09%

Source: DP-1, Profile of General Demographic Characteristics, 2000 and 2010 Decennial Census

Income and Poverty Status

2013 ACS data indicates that the median household income for Little Falls residents is \$69,338, which is \$11,684 higher than the County-wide median household income and \$2,291 lower than statewide median household income.

Median family income for the Township exceeds County and State levels, at \$91,278, whereas median non-family income is \$18,272 higher than the County and \$11,008 higher than the State. The high median household income translates to a low rate of poverty, as the poverty status for people, families and children in Little Falls are considerably lower than the County and State.

Median household income, median family income and median non-family income are measures of the "middle income value" in an ordered list of each group's income values. Non-Family Incomes are those values that represent a householder either living alone or with non-relatives only, whereas a Family Income are those values that represent householders living with one or more individuals related to him/her by either birth, marriage, or adoption. The Median Household Income is a value represented by the household, regardless of whether it is a family or non-family household. Little Falls' Per Capita Income is determined by dividing the aggregate income of the Township's residents by its total population. Median income for Township households exceed both County and State levels whereas per-capita income exceed the County level and falls behind the State level.

The Office of Management and Budget sets poverty thresholds at a dollar value, which represents the poverty line and varies by family size and composition.² If a family's total income is less than the appropriate threshold, then that family and every individual in it is considered to be in poverty. Although the poverty status for people are lower in Little Falls than in the County and State, the poverty status for children is slightly higher.

² Office of Management and Budget determines poverty thresholds specified by the Statistical Policy Directive 14. Poverty thresholds are determined by multiplying the base-year poverty thresholds (1982) by the monthly inflation factor based on the 12 monthly Consumer Price Index (CPIs) and base year CPI. Poverty Thresholds do not vary geographically.

Table 7: Median Income Characteristics

Income Type	Little Falls	Passaic County	New Jersey
Median Household Income	\$69,338	\$57,654	\$71,629
Median Non-Family Income	\$50,797	\$32,525	\$39,789
Median Family Income	\$91,970	\$67,890	\$87,347
Per Capita Income	\$34,580	\$27,152	\$36,027
Poverty Status (% of people)	7.2%	16.3%	10.4%
Poverty Status (% of families)	6.3%	13.5%	7.9%
Poverty status (% of children)	18.39%	24.87%	23.39%

Source: 2013 American Community Survey 5-year estimates: DP03 Selected Economic Characteristics & S1701

Table 8: Household Income

	Little Falls		Passaic County		New Jersey	
	Total	Percent	Total	Percent	Total	Percent
Less than \$10,000	202	3.77%	12,954	7.97%	171,165	5.37%
\$10,000 to \$14,999	402	7.51%	8,550	5.26%	120,858	3.79%
\$15,000 to \$24,999	338	6.32%	16,093	9.90%	258,583	8.12%
\$25,000 to \$34,999	299	5.59%	15,545	9.56%	251,903	7.91%
\$35,000 to \$49,999	388	7.25%	19,055	11.72%	339,303	10.65%
\$50,000 to \$74,999	1,224	22.87%	25,263	15.54%	512,173	16.07%
\$75,000 to \$99,999	583	10.89%	19,160	11.79%	412,914	12.96%
\$100,000 to \$149,999	1,167	21.80%	24,508	15.08%	548,453	17.21%
\$150,000 to \$199,999	262	4.90%	11,547	7.10%	271,209	8.51%
\$200,000 or more	487	9.10%	9,868	6.07%	299,857	9.41%

Source: US Census Bureau, American Community Survey, 2009-2013 5-Year Estimates, Selected Housing Characteristics

Municipal Employment Characteristics

The following discussion of the municipal employment characteristics relies on Census 2010 data more current 5-Year 2013 American Community Survey (2009-2013) data where possible, as well as NJ Department of Labor and Workforce Development data and other sources.

Historic and Projected Employment

The Township of Little Falls' unemployment rate before the 2008 Recession hit ranged from 3.8% to 4.7%, lower than the County and State rates. In 2009, the unemployment rate climbed to 10.3% from 5.9% the previous year. Since 2009, the unemployment rate has been declining, but the rate has not yet reached pre-recession rates. As of 2014, unemployment rates in Little Falls is lower than rates at both the County and State level.

Table 9: Annual Average Unemployment Rate

Year	Little Falls	Passaic County	New Jersey
2004	3.8%	6.1%	4.8%
2005	4.4%	5.5%	4.5%
2006	4.5%	5.7%	4.7%
2007	4.7%	5.3%	4.3%
2008	5.9%	6.6%	5.3%
2009	10.3%	11%	9.1%
2010	8.8%	11.4%	9.5%
2011	7.0%	11%	9.3%
2012	8.7%	11%	9.3%
2013	7.6%	9.9%	8.2%
2014	5.9%	8.1%	6.6%

Source: New Jersey Department of Labor and Workforce Development, Labor Force Estimates

The North Jersey Transportation Authority (NJTPA) projects in its “2040 Regional Transportation Plan” that Little Falls will continue to grow, gaining about 34 employees annually over the next 30 years. As per NJTPA’s projections, Little Falls will gain 31 more residents per year than employees meaning employment will rise nearly 14% whereas population will only rise about 12% in the projected time frame.

Table 10: Employment Projection

Year	Employment	Change	Percent Change
2010	6,330	--	--
2040	7,350	1,020	13.88%

Source: NJTPA Population Forecast by County and Municipality 2010-2040; 2010 Census

Occupational Characteristics

According to the 5-Year 2013 American Community Survey data, of the 12,221 residents aged 16 years and over (eligible to be in the workforce) 59% are in the labor force, with most being private wage/salary workers. Less than 4% of residents identify as “self-employed.”

More Township residents are employed in the management, business, science and art occupations (28%) than any other occupation category. The next largest category includes residents employed in sales and office occupations.

Township resident’s work in the industries listed in Table 13 below. The greatest share of employees in Little Falls work within the education services industry (23.97%), the retail trade industry (13.72%) and the arts, entertainment, and recreation industry (12.09%).

Table 11 Labor Force		
	Number	Percent
In the Labor Force	7,894	64.59%
Not in the Labor Force	4,327	35.41%
Total Population (age 16+)	12,221	100%

Source: US Census Bureau, American Community Survey, 2009-2013 5-Year Estimates, Selected Economic Characteristics

Table 12: Class of Worker		
	Number	Percent
Private wage and salary workers	5,625	46.03%
Government workers	1,108	9.07%
Self-employed	481	3.94%
Unpaid family workers	0	0.00%
Armed Forces	0	0.00%
Unemployed	680	35.41%
Total Labor Force	7,894	100.00%

Source: US Census Bureau, American Community Survey, 2009-2013 5-Year Estimates, Selected Economic Characteristics

Table 13: Employment by Industry Sector (Age 16+)		
	Number	Percent
Agriculture, forestry, fishing and hunting, and mining	0	0.00%
Construction	370	5.13%
Manufacturing	467	6.47%
Wholesale trade	315	4.37%
Retail trade	990	13.72%
Transportation and warehousing, and utilities	281	3.90%
Information	199	2.76%
Finance and insurance, and real estate and rental and leasing	510	7.07%
Professional, scientific, and management, and administrative and waste management services	795	11.02%
Educational services, and health care and social assistance	1,729	23.97%
Arts, entertainment, and recreation, and accommodation and food services	872	12.09%
Other services, except public administration	350	4.85%
Public administration	336	4.66%
Total Civilian Employed Population	7,214	100.00%

Source: US Census Bureau, American Community Survey, 2009-2013 5-Year Estimates, Selected Economic Characteristics

Table 14: Employment by Occupation (Age 16+)

	Number	Percent
Management, business, science, and arts occupations	2,804	38.87%
Service occupations	1,451	20.11%
Sales and office occupations	2,007	27.82%
Natural resources, construction, and maintenance occupations	543	7.53%
Production, transportation, and material moving occupations	409	5.67%

Source: US Census Bureau, American Community Survey, 2009-2013 5-Year Estimates, Selected Economic Characteristics

In-Place Employment by Industry

According to NJDLWFD data for 2013, the Township had 437 private sector businesses that employed 4,935 employees. Retail and Accommodations/Food industries provide the most private sector jobs. Industries without data in the table do not meet publication standards and was therefore suppressed by NJDLWFD. Suppressed employment data for Manufacturing, Information, Management, Admin/Waste Remediation, Education, Arts/Entertainment and Unclassified industries make up 29% of total employment in the Township.

Table 15: Employment by Industry Sector and Number of Employees (2013)

Industry	Establishment		Employment		Annual Wages
	Total	Percent	Total	Percent	
Construction	46	10.53%	334	6.77%	\$53,142
Manufacturing	--	--	--	--	--
Wholesale Trade	24	5.49%	203	4.11%	\$85,895
Retail Trade	42	9.61%	851	17.24%	\$36,768
Transp/Warehousing	11	2.52%	113	2.29%	\$22,381
Information	--	--	--	--	--
Finance/Insurance	36	8.24%	362	7.34%	\$102,415
Real Estate	19	4.35%	125	2.532%	\$39,607
Professional/Technical	59	13.5%	516	10.46%	\$78,936
Management	--	--	--	--	--
Admin/Waste Remediation	--	--	--	--	--
Education	--	--	--	--	--
Health/Social	40	9.15%	241	4.88%	\$42,664
Arts/Entertainment	--	--	--	--	--
Accommodations/Food	44	1.07%	561	11.37%	\$16,800
Other Services	48	10.98%	210	4.26%	\$46,730
Unclassified	--	--	--	--	--
Private Sector Total	437	84.44%	4,935	71.25%	\$56,047
Local Gov't Education	4	40.00%	360	71.71%	\$60,646
Local Gov't Total	10	100.00%	502	100.00%	\$55,354

Source: NJ Department of Labor and Workforce Development, Employment and Wages, 2013 Annual Report

Travel Time to Work

Commuting times for Little Falls' workforce varies considerably. Nearly 24% of Little Falls' working residents commuted less than 15 minutes to work, where approximately 36% of workers traveled between 15 and 30 minutes and 40% traveled more than 30 minutes. Commuting times for Little Falls are comparable to those in Passaic County and vary somewhat for all of New Jersey. About 4% of Little Falls residents in the workforce also work in the Township.

Table 16: Commute Time				
Commute Time (in minutes)	Little Falls		Passaic County	New Jersey
	Number of Workers	Percent		
Less than 5	238	3.45%	2.10%	2.45%
5 to 14	1,404	20.33%	22.23%	20.75%
15 to 29	2,496	36.14%	36.78%	31.84%
30 to 44	1,745	25.26%	22.74%	20.95%
45 to 59	438	6.34%	7.33%	9.58%
60 to 89	401	5.81%	6.33%	9.84%
90+	185	2.68%	2.49%	4.59%
Total	6,907	100.00%	100.00%	100.00%

Source: US Census Bureau, American Community Survey, 2009-2013 5-Year Estimates, Travel Time to Work (808303)

Table 17: Place of Work		
	Number of Workers	Percent
Work in Little Falls	91	3.64%
Work outside Little Falls	2,410	96.36%
Total	2,501	100.00%

Source: US Census Bureau, American Community Survey, 2009-2013 5-Year Estimates, Place of Work - Place Level (808008)

Municipal Housing Stock

There are approximately 5,352 households and 5,589 total housing units in Little Falls Township, according to the 2013 ACS data. The following section describes the characteristics of the Township's housing stock and household characteristics.

Household Size & Type

According to the 2010 Census, the average household size in Little Falls Township is 2.32 persons, as compared to 2.94 for Passaic County.

More than half (59.28%) of Township households are 1- and 2-person households. The household size distribution in Little Falls is less diverse when compared to the County.

Table 18: Household Size				
Size	Little Falls		Passaic County	
	Total	Percent	Total	Percent
1-person	878	26.83%	37,706	22.61%
2-person	1,062	32.45%	44,433	26.64%
3-person	539	16.47%	29,357	17.60%
4-person	510	15.58%	27,364	16.41%
5-person	192	5.87%	14,758	8.85%
6-person	62	1.89%	6,826	4.09%
7+ person	30	0.92%	6,341	3.80%

Source: US Census Bureau 2010, H13, Household Size

The Census Bureau defines family households as householders living with one or more individuals related to him by either birth, marriage, or adoption and Non-Family households as a householder either living alone or with non-relatives only. Family households make up approximately 59.6% of households in Little Falls, where non-family households make up 32.2%. Of the Township's family households, 76.87% are married couple households. Approximately 38.31% of family households have children present. Out of all Township households, however, 54.3% of households do not have children present. Most non-family households (approximately 1,570) are householders living alone.

Table 19: Household Size & Type		
	Total	Percent
Family Households		
Married-couple family	2,173	45.84%
With own children under 18 years	1,083	22.85%
Other Family	654	13.80%
Male householder, no wife present	172	3.63%
With own children under 18 years	56	1.18%
Female householder, no husband present	482	10.17%
With own children under 18 years	145	3.06%
Nonfamily households		
Householder living alone	1,567	33.06%
Male householder, no wife present	602	12.70%
Female householder, no husband present	965	20.36%
Householder not living alone	346	7.30%
Total	4,740	100.00%

Source: DP-1, Profile of General Demographic Characteristics, 2010 Decennial Census

Single-family detached housing is the predominant housing type in Little Falls (56.27%) which is higher than county-wide levels (41.8%). Multifamily housing structures (2 or more units) make up

36.23% of the Township's housing stock which is a significantly lesser portion than at the County level (52.73%).

Table 20: Household Type by Number of Units in Structure				
Type	Little Falls		Passaic County	
	Total	Percent	Total	Percent
1-unit, detached	3,145	56.27%	73,567	41.80%
1-unit, attached	419	7.50%	8,899	5.06%
2 units	707	12.65%	39,512	22.45%
3 or 4 units	239	4.28%	16,402	9.32%
5 to 9 units	323	5.78%	11,195	6.36%
10 to 19 units	335	5.99%	8,821	5.01%
20 or more units	421	7.53%	16,868	9.58%
Mobile home	0	0.00%	603	0.34%
Boat, RV, van, etc.	0	0.00%	120	0.07%

Source: US Census Bureau, American Community Survey, 2009-2013 5-Year Estimates, Selected Housing Characteristics

Table shows the varied housing size by the number of bedrooms. Approximately 51% of all Township housing stock contains three or more (3+) bedrooms, where 1- and 2-bedroom units make up approximately 46.3% of the Township housing stock. There are relatively few units in the Township (159) with 5 or more bedrooms.

Table 21: Household Size by Number of Bedrooms				
Bedrooms	Little Falls		Passaic County	
	Total	Percent	Total	Percent
No bedroom	170	3.04%	21,486	12.21%
1 bedroom	1,056	18.89%	20,616	11.71%
2 bedrooms	1,532	27.41%	49,229	27.97%
3 bedrooms	1,705	30.51%	55,304	31.43%
4 bedrooms	967	17.30%	23,240	13.21%
5+ bedrooms	159	2.84%	6,112	3.47%

Source: US Census Bureau, American Community Survey, 2009-2013 5-Year Estimates, Selected Housing Characteristics

Occupancy Status

A majority of Little Falls' housing stock was owner-occupied, according to the 2010 Decennial Census (71.16%). The Township's vacancy rate was 3.76%. Displaying data for 2000 and 2010 demonstrates that the percentage of owner- versus renter-occupied units has essentially remained the same over that time period.

Table 22: Household Occupancy and Tenure

Occupancy	2000		2010	
	Units	Percent	Units	Percent
Occupied Units	4,687	97.71%	4,740	96.24%
Owner-Occupied	3,251	69.36%	3,373	71.16%
Renter-Occupied	1,436	30.64%	1,467	30.95%
Vacant Units	110	2.29%	185	3.76%

Source: US Census Bureau 2000 and 2010, DP-1 Profile of General Demographic Characteristics

As shown in the table below, the average household size of owner-occupied units is larger (2.51) than the average household size of renter-occupied units (2.03) in the Township. Renter-occupied units tend to be smaller, with few bedrooms and fewer school-age children.

Table 23: Household Size by Tenure

	2000	2010
Avg. Household Size	2.32	2.36
Owner Occupied	2.50	2.51
Renter Occupied	1.90	2.03

Source: US Census Bureau 2000 and 2010, DP-1 Profile of General Demographic Characteristics

Purchase and Rental Value of Housing Stock

Using the 2013 5-Year ACS data, 1,648 occupied units within Little Falls were rental units (where 41 of which paid no rent). Approximately 54.5% of paid-renters in the Township spend between \$1,000 and \$1,499 on their unit and about 3% pay less than \$750 monthly. The median gross rent in Little Falls (\$1,235) is lower than the median gross rent of the County (\$1,870). Compared to the median contract rent of all surrounding communities, (Woodland Park \$1,331; Totowa \$1,521; Clifton \$1,226; Cedar Grove \$1,453; Montclair \$1,392; North Caldwell \$887), Little Falls is one of the most affordable options with only North Caldwell being the most affordable of the Township's neighbors.

Federal and State standards state that households paying in excess of 30% of their income for housing are considered to be rent-burdened. According to these standards, rent-burdened households make up 49.24% of the Township, which is significantly less than the percent of rent-burdened located in the County as a whole (63.03%).

The median value for Little Falls' owner-occupied housing is \$21,900 more than the median home value for all of Passaic County. Nearly 6.64% of Little Falls households have a value at less than \$200,000 compared to nearly 10.06% of housing stock in Passaic County. Homes valued between \$200,000 and \$500,000 account for 82.78% of Little Falls' owner-occupied housing stock, slightly more than the County (79.37%), and where a majority (60.29%) of housing is valued in the \$300,000 to \$499,000 range. 13.96% of Little Falls' housing stock has a value of \$500,000 or

more which is slightly less than the County (15.42%), according to 2013 American Community Survey data.

Table 24: Gross Rent of Renter-Occupied Housing Units

Gross Rent	Little Falls		Passaic County	
	Units	Percent	Units	Percent
Less than \$500	0	0.00%	5741	7.93%
\$500-\$749	49	3.05%	5,217	7.20%
\$750-\$999	225	14.00%	12,628	17.44%
\$1,000-\$1,499	876	54.51%	34,211	47.24%
\$1,500 or more	457	28.44%	14,624	20.19%
Total	1,607	100.00%	72,421	100.00%
Median Gross Rent	\$1,235		\$1,870	

Source: US Census Bureau, American Community Survey, 2009-2013 5-Year Estimates, Selected Housing Characteristics

Table 25: Renter-Occupied Housing as % of Income

Gross Rent at Percent of Income	Little Falls		Passaic County	
	Units	Percent	Units	Percent
Less than 15%	273	17.28%	5,909	8.40%
15% to 19.9%	17	1.08%	5,889	8.37%
20% to 24.9%	366	23.16%	7,234	10.29%
25% to 29.9%	146	9.24%	6,970	9.91%
30% to 34.9%	89	5.63%	6,421	9.13%
35% or more	689	43.61%	37,909	53.90%

Source: US Census Bureau, American Community Survey, 2009-2013 5-Year Estimates, Selected Housing Characteristics

Table 26: Value of Owner-Occupied Housing

	Little Falls		Passaic County	
	Units	Percent	Units	Percent
Less than \$50,000	50	1.35%	1,630	1.85%
\$50,000 to \$99,999	62	1.67%	940	1.07%
\$100,000 to \$149,999	9	0.24%	2,030	2.30%
\$150,000 to \$199,999	125	3.37%	4,281	4.85%
\$200,000 to \$299,999	708	19.11%	20,430	23.15%
\$300,000 to \$499,999	2,233	60.29%	45,335	51.37%
\$500,000 to \$999,999	506	13.66%	12,870	14.58%
\$1,000,000 or more	11	0.30%	736	0.83%
Median Income	\$372,900		\$351,000	

Source: US Census Bureau, American Community Survey, 2009-2013 5-Year Estimates, Selected Housing Characteristics

Number of Affordable Units for Low- and Moderate-Income Households

As previously mentioned Little Falls is located in COAH Region 1. As of 2014, within Region 1 the median household income for a 1.5 person household (1 bedroom) is \$63,320. For a three person household (two bedrooms) the median household income is \$75,980. A 4.5 person household (3 bedrooms) has a median household income of \$87,800 in COAH Region 1. A three person household with an income no higher than 80% of median income would have an income of \$60,784. Using the UHAC affordability rules detailed in N.J.A.C. 5:80-26.3, and the COAH Affordable Housing Pricing Calculator, returns an estimate of an affordable sales price of \$101,322 for a three person household with an income of 80% of median income. In Little Falls, there are approximately 112 households (3.1%) priced under the maximum sales price for the three person household with 80% of median income. From the perspective of a three person household with 80% of median income, an affordable rent is limited to under \$1,520 a month. According to 2014 American Community Survey data at least 1,139 units (68.4%) in Little Falls have rent below this threshold.

Condition of Housing Stock

The Census does not compile data on substandard housing. COAH's use of three (3) variables collected by the Census Bureau - old and over-crowded units, homes with incomplete plumbing, and homes with incomplete kitchens - have been upheld by the Appellate Division as satisfactory indicators or "proxies" of the amount of substandard housing within a municipality.

Homes that are considered 'old' are those homes that are at least 50 years old (built prior to 1959 for Census purposes). According to the 2013 ACS, 2,647 homes were built prior to this time. Therefore, 47.36% of the homes in Little Falls would be considered old by this standard.

However, the indicator requires that housing be considered substandard if the structure is old *and* overcrowded. The census does not provide such information in combination. The U.S. Department of Housing and Urban Development defines overcrowded units as those with more than one person (1.01 persons) living in a room. The Township does not appear to be experiencing issues of overcrowding, as less than 2% of households in Little Falls may be considered overcrowded as shown in **Table 28: Occupants per Room**.

The second and third indicators for substandard housing are those units that lack plumbing and kitchen facilities. Despite the apparent old age of the housing stock within the township, 43 units lack plumbing and 62 units lack kitchens. 105 households (1.96%) lack either kitchen facilities or plumbing. It is possible that these units are under construction, and not actually deficient. It is also possible that these units have been completed by now.

Table 27: Year Structure Built

Built	Structures	Percent
2010 or later	0	0.00%
2000 to 2009	355	6.35%
1990 to 1999	114	2.04%
1980 to 1989	306	5.48%
1970 to 1979	524	9.38%
1960 to 1969	378	6.76%
1950 to 1959	1,309	23.42%
1940 to 1949	667	11.93%
1939 or earlier	671	12.01%

Source: US Census Bureau, American Community Survey, 2009-2013 5-Year Estimates, Selected Housing Characteristics

Table 28: Occupants per Room

Size	Units	Percent
1.00 or less	5,249	98.08%
1.01 to 1.50	51	0.95%
1.51 or more	52	0.97%
Total	5,352	100.00%

Source: US Census Bureau, American Community Survey, 2009-2013 5-Year Estimates, Selected Housing Characteristics

Table 29: Condition of Housing Stock

	Units	Percent
Lack of complete plumbing	43	0.80%
Lack of complete kitchen	62	1.16%
Lack of telephone services	237	4.43%
Lack of adequate heat	0	0.00%
Total	342	6.39%

Source: US Census Bureau, American Community Survey, 2009-2013 5-Year Estimates, Selected Housing Characteristics

Projection of Housing Stock

The tables below represent Little Falls' projection of housing stock, including the probable future construction of low and moderate income housing for the next ten years. N.J.S.A. 52:27D-310 requires that a housing element contain such a projection, including the probable future construction of low and moderate income housing for the next ten years. This projection takes into account but is not limited to construction permits issued, approvals of applications for development and probable residential development of lands.

Table shows the Township's historic development trends which contains building permit, certificate of occupancy, and demolition data, sourced from the Jersey Construction Reporter made available by New Jersey's Department of Community Affairs' Division of Codes and Standards. According to NJDCA, between 2000 and 2014, less than 60 residential CO's were issued. Accounting for the 103 demolitions, there was a loss of 44 units of net new residential development during the 15-year time period, which equates to an average loss of 2.93 units each year.

Table 30: Historic Trend of Residential Certificates of Occupancy & Demolition Permits			
	COs Issued	Demolitions	Net Development
2000	7	5	2
2001	11	1	10
2002	5	3	2
2003	2	6	-4
2004	6	9	-3
2005	1	6	-5
2006	1	4	-3
2007	6	6	0
2008	3	9	-6
2009	5	6	-1
2010	8	0	8
2011	3	2	1
2012	1	0	1
2013	0	18	-18
2014	0	28	-28
2015	5	13	-8
Total	64	116	-52

Source: "New Jersey Construction Reporter" - New Jersey Department of Community Affairs' Division of Codes and Standards

Over the 15-year period between 2000 and 2014, an average of 6 units were developed each year. Therefore, the projected development for the Township is 6 units per year.

Table 31: Projection of Residential Development			
	Pending Applications	Approved Applications, Permits Issued	Projected Development
2015		37	6
2016			6
2017			6
2018			6
2019			6
2020			6
2021			6
2022			6
2023			6
2024			6
2025			6
Total			66

The North Jersey Transportation Authority (NJTPA) projects in its "2040 Regional Transportation Plan" that Little Falls will continue to grow, gaining about 22 households annually over the next 30 years. As per NJTPA's projections, Little Falls will gain 43 more residents per year and 12 more employees than households.

Table 32: NJTPA 2040 Projections			
Year	Number	Change	Percent Change
Population Projection			
2000	10,855	--	--
2010	14,430	3,575	24.77%
2040	16,380	1,950	11.90%
Household Projection			
Year	Population	Change	Percent Change
2000	4,797	--	--
2010	4,740	-57	-1.20%
2040	5,400	660	12.22%
Employment Projection			
2010	6,330	--	--
2040	7,350	1,020	13.88%

Source: NJTPA Population Forecast by County and Municipality 2010-2040; 2000 and 2010 Census

IV. HOUSING REGION, REGIONAL INCOME LIMITS AND LMI THRESHOLDS

Housing Regions

The Prior Round methodologies calculated affordable housing obligations for each "housing region," and then assigned fair share obligations to each of New Jersey's 565 municipalities. The Fair Housing Act defines a "Housing Region" as:

"Housing region" means a geographic area of not less than two nor more than four contiguous, whole counties which exhibit significant social, economic and income similarities, and which constitute to the greatest extent practicable the primary metropolitan statistical areas as last defined by the United States Census Bureau prior to the effective date of P.L.1985, c. 222 (C.52:27D-301 et al.).

(N.J.S.A. 52:27D-304 b.)

The State of New Jersey is divided into six (6) housing regions. Little Falls Township is located with **Housing Region 1**, which consists of **Bergen, Hudson, Passaic and Sussex Counties**.

Income Limits

Affordable housing in New Jersey is housing that is rented or sold and occupied by, or reserved for occupancy by, "low and moderate income" (LMI) households. In accordance with the Fair Housing Act and COAH regulations, LMI households are those that have a median gross household income limited to the following:

Table 33: History of COAH Approvals	
LMI Type	Household Income Limit:
Moderate Income:	More than 50% but less than 80% of the Region's Median Income
Low Income:	Less than 50% of the Region's Median Income
Very low income:	Less than 30% of the Region's Median Income

The above income limits for Little Falls are based on the Region 1 median income. Historically, COAH has relied on US Department of Housing and Urban Development (HUD) estimates of "median income" for New Jersey's housing regions. Although Econsult Solutions recommends using median household income data from the 1-year 2014 ACS (American Community Survey), based on its assertion that the ACS data is based on actual median income (Census survey), whereas the HUD estimates are much less accurate, relying on Econsult's income limits would be considered illegal under UHAC. Therefore, the median household income for household sizes 1 through 7+ in Region 1, as well as the income limits for very low, low, and moderate income households are determined using COAH's income limits from 2014. The Township anticipates that the income limits will be updated by further order of the Court.

LMI Monthly Home Costs

Housing costs for LMI households are restricted to a percent of their household's eligible monthly income.

- For home ownership units, the maximum initial purchase price shall be calculated so that the monthly carrying costs (including principal and interest- based on a mortgage equal to 95% of the purchase price and the Federal Reserve H15 rate of interest, taxes, homeowner and private mortgage insurance, and condominium/homeowner association fees) do not exceed 28 percent of an eligible household's income.
- For rental units, the initial rent for a restricted rental unit, including all utilities, shall be calculated so as not to exceed 30 percent of the eligible monthly income of the appropriate household size.

The maximum monthly housing costs for LMI households will use COAH's 2014 income limits as described above.

V. AFFORDABLE HOUSING OBLIGATION

The municipal affordable housing obligation consists of three (3) components:

1. Present Need / "Rehabilitation Share"
2. Prior Round Need (1987 - 1999)
3. Third Round "Prospective Need" (1999 - 2025)

In its March 10, 2015 decision, the NJ Supreme Court stated that municipalities should use the Prior Round Rules and methodologies to develop Housing Elements and Fair Share Plans in conformance with the Fair Housing Act. During the First and Second Rounds, however, the Council on Affordable Housing (COAH) provided municipalities with their municipal affordable housing obligations. At present, no official body has prepared affordable housing obligation calculations in line with the Supreme Court's March 2015 requirements that have been approved, adopted or sanctioned by the Courts or State Legislature.

To fill this "regulatory vacuum," several outside sources have released reports that purport to provide statewide, regional, and municipal affordable housing obligations. David Kinsey, P.P., F.A.I.C.P., on behalf of the Fair Share Housing Center, developed a report entitled, "*Third Round Mount Laurel Fair Share Housing Obligations and Compliance Standards for New Jersey Municipalities*" (A.K.A. "Kinsey Report"), last dated May 16, 2016. The New Jersey State League of Municipalities (NJLOM) also submitted two other reports to the Courts prepared by Nassau Capital Advisors, LLC and Econsult Solutions to evaluate the report of Dr. Kinsey. In addition, on behalf of a 200+-member Municipal Consortium, Econsult Solutions submitted a report entitled "*New Jersey Affordable Housing Need and Obligations*," dated December 30, 2015, March 24, 2016, and last updated May 16, 2016. The Econsult Report sets forth a methodological approach to calculate Present and Prospective Need for affordable housing for each New Jersey municipality

Although the Township of Little Falls is a member of the Municipal Consortium and was authorized to use the Econsult calculations, the Township and the Fair Share Housing Center (FSHC) have entered into a Settlement Agreement whereby the parties have agreed, for purpose of settlement, to rely on the calculations set forth in the Kinsey Report regarding the Township's obligations. Also as part of the settlement, the parties have agreed to utilize a 30% reduction in the affordable housing obligations as calculated in the Kinsey Report and presented in the table below. The agreement as to the Township's obligations as set forth in the Settlement Agreement and herein, shall stand regardless of any potential future court action in the "Gap" decisions.

Table 34: Obligations			
Component	Econsult Units (5/16/2016) (Prospective Obligation Excludes 1999-2015)	FSHC Units (5/20/16 Report) (Prospective Obligation Includes 1999-2015)	30% FSHC reduction (Prospective Obligation Includes 1999-2015)
Rehabilitation Obligation	139/ 47*	118	47*
Prior Round Obligation (1987 - 1999)	101	101	101
Prospective Obligation (2015 - 2025) (See notes above)	119	644	451
Total Obligation	267	863	634

Source: Econsult Solutions, "New Jersey Affordable Housing Need and Obligations," December 30, 2015, Updated March 24, 2016, Last Updated May 16, 2016 & Fair Share Housing Center's "Kinsey Report", Updated May 20, 2016

* 47 units is based on structural conditions survey of homes

The Township recognizes that these numbers may ultimately be revised as the procedures and methods for calculating each component of regional and local affordable housing obligations are litigated throughout the State. Therefore, these numbers are being used as a "starting point" for preparing a constitutionally compliant HEFSP until further consensus on methodology is handed down by the Courts or legislature. A further description of each component of the municipal affordable housing obligation is described below. Little Falls reserves the right to amend its plan consistent with the Settlement Agreement as the courts finalize decisions on the appropriate obligations.

Rehabilitation Share

The Rehabilitation Share in a municipality is an estimate of existing deficient housing currently occupied by LMI households. Today's indicators for deficient housing include:

1. Old (over 50 years old) and over-crowding (1.01 persons per room)
2. Lack of complete plumbing facilities
3. Lack of complete kitchen facilities

Econsult used 2013 5-Year ACS data (2009-2013), the latest available ACS data at the time Econsult prepared its report, to determine the rehabilitation share for each NJ municipality. According to Census Data, Little Falls has 79 housing units with incomplete plumbing and or incomplete kitchens. The rehabilitation obligation is based solely on "old and over-crowded"

units. Since the Census Data is through 2013, Econsult determined an annual net change, so that the total "Present Need" units can be calculated through 2015.

Table 35: Rehabilitation Share Breakdown							
Inadequate Plumbing	Inadequate Kitchen	Pre-1960 & Crowded	Total Deficient Units	Est. LMI Proportion	Unique Deficient LMI Units	Annualized Net Change	Present Need 2015
43	36	59	138	76.6%	106	8.2	139

As indicated above, Econsult indicates a Present Need (Rehabilitation Share) obligation as of 2015 of 139 units. Opposite the above calculation, is the Fair Share Housing Center, Present Need obligation of 118 units. However the structural conditions survey prepared per 26 N.J.R. 2376 – 2379 rules identified 61 units in need of rehabilitation of which **47 units** are occupied by low and moderate income households, which is discussed further in the report.

Prior Round Obligation

Prior Round Obligations are those affordable housing obligations generated during the First and Second Rounds, through the 1987-1999 period. The Prior Obligation provided within the Econsult Solutions and Kinsey Reports is **101 units**.

Little Falls is using the 101-unit obligation for the purpose of meeting Court-ordered timelines for the preparation of a compliant HEFSP; however, this should not be considered the Township's final or accepted Prior Round obligation, if it is ultimately determined that the Prior Round Obligations should be revised.

Prospective Need Obligation

Prospective Need represents an estimate of the anticipated need for affordable housing based on the projected growth of LMI households. The Prospective Need period for the current Third Round covers 10 years, from July 1, 2015 through June 30, 2025.

In accordance with the Second Round Rules, Prospective Need is calculated by State Housing Region, and then allocated to each municipality. Little Falls Township is located within Housing Region 1, where Econsult calculates a regional prospective need of 16,647 units and the Kinsey Report calculates a regional prospective need of 39,397 units for the Third Round period.

The Econsult Solutions Report, last updated May 16, 2016, indicates Little Falls Township has a Third Round obligation (Capped Prospective Need) of 119 units. The Kinsey May 2016 Report identified 644 units, significantly higher than what Econsult calculated. Per the 30% reduction settlement, the Township's Prospective Need Obligation is **451 units**.

VI. CAPACITY ANALYSIS

Vacant Land Adjustment

The Prior Round Rules allow municipalities to request an adjustment due to available land capacity. In doing so, they must prepare a “vacant land analysis” in accordance with the rules.

Process

A study of vacant and public lands provides a closer look at existing development and the potential for future development of vacant land, public land, and farmland (if available) based on such factors as lot size, environmental constraints, and accessibility. This inventory of vacant and public lands in the Township examines what changes, if any, have occurred in the years since the preparation of the Township's previous analysis, prepared and certified in the Prior Round.

This data set was reviewed for completeness and accuracy with respect to property class codes and, where necessary, updated based on local information and/or current aerial images. Data was then compared with local information to eliminate recently developed parcels, parcels in active use for municipal government or utilities purposes, parcels used for open space and recreation (ROSI and Non ROSI properties) and parcels owned by other municipalities, the County or the State.

COAH's Prior Round rules (at N.J.A.C. 5:93, et seq.) pertaining to vacant land adjustment procedures allow certain environmentally constrained areas to be excepted from consideration, including land in 100 year floodplains, wetlands and steep slopes (over 15%). Data for these three environmental constraints were overlaid on existing parcel maps to identify constrained portions of the vacant properties in question. Parcels that were entirely constrained were removed from the inventory of vacant developable land. Parcels partially encumbered and still considered developable or partially developable were left in and the environmentally constrained portions of those lots were removed from the total acreage for the site.

Finally, any remaining parcels or developable portions of parcels that were too small to support the development of five (5) or more units at a density of 6 dwelling units per acre were also eliminated from consideration. All remaining parcels were included in the Township's land capacity calculation with a 20% low and moderate-income housing requirement applied to the Township's estimated build-out.

Maps were created to graphically show how the final list of developable properties were determined. The first, Map 1 - Vacant Land Inventory identifies all the vacant properties in the Township, while Map 2- Vacant Land Inventory & Environmental Constraints shows the extent of the environmental constraints affecting the parcels considered vacant and developable or partially developable; while Map 3 - Realistic Development Potential identifies all remaining parcels capable of supporting development.

If a municipality seeks a vacant land adjustment, they are to provide the Realistic Development Potential (RDP), or the portion of the obligation that can realistically be addressed with inclusionary development. An updated vacant land analysis was prepared for the Township, which shows there is minimal vacant land available that is unconstrained. The VLA, H2M prepared a detailed analysis of Little Falls properties to identify any properties that may meet the minimum threshold size with other contiguous properties. All appropriate properties have been included in the HEFS Plan submittal.

Prior Round Vacant Land Adjustment (VLA)

The Township's Prior Round VLA is presumed to be valid pursuant to the terms of NJAC 5:97-5.1(d). It was granted as part of First Round and Second Round substantive certifications and the Township implemented the terms of the substantive certifications. The vacant land adjustment reduced the Township's Prior Round obligation to a realistic development potential **(RDP) of 10 units** and an **unmet need of 91 units**.

2016 Confirmation of VLA Vacant Land Adjustment (VLA)

The lack of available vacant land continues to be a significant limitation to development opportunity in Little Falls Township. As part of this effort, the Township prepared an updated Vacant Land Analysis to assess current development potential, using an approach consistent with COAH's Second Round Rules, NJAC. 5:93-4.2 and -5.2. The rules require the Township to evaluate vacant and publicly-owned properties that are not environmentally constrained, and consider those sites for inclusionary housing development. The VLA analysis including maps and data tables are including in Appendix E.

The updated vacant land analysis shows there is virtually no vacant land available that is unconstrained, and of a size to accommodate any realistic development potential (RDP). Therefore, the vacant land analysis estimates that the Township has a Realistic Development **Potential (RDP) of 13 units** and an **Unmet Need of 438 Units**.

Services Capacity Analysis

For any large-scale development, including new inclusionary housing development, the Township of Little Falls will need to be aware of the fiscal impact on its existing schools, utilities and public services.

Schools

New residential developments in the Township will need to provide the estimated number of new school children likely to reside in the new development. The Township is concerned that additional children may impact the District's overall capacity. The Little Falls Township School District includes three elementary schools: School #2 (K-2); School # 3 (3&4th); School # 1 (5th-8th) and Passaic Valley Regional High School, which serves Little Falls, Woodland Park and Totowa.

Roads and Utilities

The Township expects that infrastructure and maintenance costs in new developments are to be borne by developers and owners of the property, not the municipality. This includes the cost for

developing and maintaining all roads, and connections to water and sewer systems. Developments should not be able to create negative burden on the Township's infrastructure, road network/traffic, maintenance and public works system.

The Passaic Valley Regional Sewerage Authority (RVRSA) <http://www.nj.gov/pvsc/> provides sewer service to ten (10) municipalities in the County of Passaic, including the Township of Little Falls.

Municipal Services

Developments will need to calculate any net cost to the Township due to the additional utilization of police, fire and EMS services by the new development.

Preferably, market rate unit revenue to the Township should off-set any net negative fiscal impact from the LMI households for a given development.

VII. FAIR SHARE PLAN

Municipalities must demonstrate how they will address their Present Need (Rehabilitation), Prior Round and Prospective Need (Third Round) obligations in the form of a Fair Share Plan.

Credit / Bonus Requirements

Prior Round Credit Requirements

In its March 2015 Ruling, the Supreme Court recognized that there are areas in which more recent legal changes require modification to the Second Round Rules, specifically with respect to certain bonus requirements, permitted or prohibited credits, extension of expiring controls, and other rules that were changed as part of the adopted Third Round Rules in 2004, and should be applied today. For the Prior Round, the following requirements apply:

- A maximum of 25% of obligation can be age-restricted housing
- A minimum of 25% of obligation must be rental housing (N.J.A.C. 5:93-5.15)

Prospective Round Credit Requirements

For the Prospective Need Obligation, the following is required:

- A minimum of 50% of obligation must be low income housing
- A minimum of 13% of obligation must be met with very low income housing
- A minimum of 25% of obligation must be rental housing
- A maximum of 25% of obligation can be age-restricted housing

Credit Bonuses

The settlement with FSHC uses Second Round bonus standards, which does not include some of the newer bonus types, but does include more generous rental bonuses. Bonus credits for units that have been constructed, or for which there is a firm commitment of construction, are permitted as follows:

- 2 for 1 credit for family rental units or bedroom for supportive and special needs housing.
- 1.33 for 1 credit for age-restricted rental units

Bonus limitations are as follows:

- Bonuses may not exceed 25% of the prior round or prospective obligation. In Little Falls' case the bonus is limited to 25% of the RDP for each round because of its ongoing vacant land analysis.

The Table below summarizes how the Township's Prior Round and Third Round Obligations, as per the RDP, result in the following minimum and maximum requirements, based on the RDP. The Township will comply with the Affordable Housing Ordinance that requires new affordable units to

be meet bedroom distribution, income eligibility, and age-restriction, family and rental requirements to comply with the table below.

Table 36: Min / Max Affordable Housing Type Requirements for Little Falls based on Prior Round and Prospective Need Obligations/VLA		
Prior Round Obligation (10 Units)	Required %	Required Units
Min. Rental Housing	25%	3
Max. Age Restricted	25%	2
Max Bonus	25%	3
Prospective Need (13 Units)	Required %	Required Units
Min. Low Income	50%	7
Min. Very Low Income	13%	2
Min. Rental Housing	25%	4
Max. Age Restricted	25%	3
Max Bonus	25%	4

Affordable Housing Compliance Status

Rehabilitation Compliance

According to the Kinsey Report, the Township of Little Falls has a present need or rehabilitation obligation of 118 units. This obligation is reduced based on an actual field verified exterior inspection number of 61 units in need of rehabilitation of which **47 units** are occupied by low and moderate income households.

The Township of Little Falls, which is located on the Passaic River was once a summer retreat for many residents and therefore were developed as 2-3 season summer cottages/bungalows many of which may or may not have not have plumbing or full kitchens. These types of properties were specifically located along Woodcliff Ave, Riverview Circle and Island Avenue. In the past 10 years Little Falls has experienced severe flooding conditions along the Passaic River in which many of these properties were severely damaged by floodwaters. The Township is in the process of working with NJ Department of Environmental Protection (NJDEP) and the Federal Emergency Management Agency (FEMA) to buy-out/demolish or elevate homes in the flood prone areas.

The Township's FEMA Coordinator, Kristen Thatcher from Jeff Ward Associates, administers the property acquisition and demolition program. To date the Township has participated in three (3) rounds of funding from the Community Development Block Program (CDBG), the Hazard Mitigation Grant Program (HMGP), and the 2010 and 2011 Severe Repetitive Loss (SRP) program in order to purchase property for demolition or utilizing funding to elevate properties. At the time of this submittal, Little Falls has demolished or elevated 73 homes, with an additional 55 proposed for demolition in the Spring of 2016 through the 2016 SLR Program, for a total of 128 homes. In addition there are 120 homes currently on the list for demolition only through the 2016 Blue Acres Program for a total of 248 homes. Many of these homes that may be deficient have been torn

down or are on the list of properties to be removed and will be deed restricted against any type of development.

Structural Conditions Survey

The Second Round Rules do not preclude a municipality from ground-truthing the amount of deficient housing. As indicated in Appendix F and in the Second Round Rules, "COAH recognizes that its estimates may be high or low." For this reason COAH devised a method for municipalities to conduct a "Structural Conditions Survey," which may be used to alter the census-generated indigenous need estimates. The rules require the Structural Conditions Survey to be performed by individuals licensed to perform building and/or housing inspections.

Following the COAH guidelines, the Township of Little Falls completed a Structural Conditions Survey per (26 N.J.R. 2376 - 2379) to compare "actual" present need to the estimated Present Need on June 6, 2016 and submitted the results to the court master.

The first step of the process was to identify the properties built prior to 1969 and to then discuss areas recommended for detailed inspection surveyed which are depicted on the appended map of Little Falls in highlighted notations as and listed on the summary of properties inspected.

The housing stock of Little Falls was considered by Township officials and consultants with years of experience working in the Township and their knowledge of housing conditions and development patterns. Based on this, the locations to receive a thorough exterior inspection were narrowed to those where there was a reasonable expectation of finding housing stock in need of rehabilitation. The officials who conducted the preliminary assessment of areas to be inspected included:

- Dennis Lydnsey, PE- Township engineer, a 27-year resident, former Board of Adjustment chairman, Mayor, Councilman and planning board member and consultant;
- Phil Simone - DPW Public Works Manager, an employee and manager of the DPW for over 40 years, a township fireman and the Shade Tree Committee Chairman
- Joseph Macones - Construction Code Official, an employee for 9 years with daily routine inspection of properties in Little Falls for compliance with building codes, issuance of permits, responses to complaints, issuance of violations and other duties of a construction code official.

The second step after identifying areas of concern and properties built before 1969, was the physical inspections conducted by the Township zoning/code enforcement officer, and licensed planning representatives from our office in the areas of the town identified by the municipal officials as depicted on the submitted map. Inspections were conducted to determine the physical conditions of the properties major and minor systems such as foundations, siding roof and gutters, railings, stairs and porches. The identification of one major element or two minor elements of the inspection sheet identified the property as in need of rehabilitation. All inspection results and associated mapping are detailed in Appendix F.

The results of over 1,731 units inspected were that 61 homes were identified as being in need of rehabilitation according to the regulations. It should be noted that during the inspection process,

properties that were borderline in meeting one of the criteria were counted as a property in need for rehabilitation in order to be more conservative in our estimate.

Lastly, the number of homes identified as being in need of rehabilitation, 61 units, was multiplied by the estimated LMI proportion for Little Falls per Kinsey's May report (76.7%) to determine the number of units occupied by low and moderate income households. Therefore based on our actual field data and LMI estimate from the Kinsey report, Little Falls is proposing a new Present Need obligation of **47 units**.

Rehab Program Moving Forward

The Township has contracted with Community Groups Planning and Housing (CGPH), which is a planning organization devoted to community development, housing resource planning and implementation. This organization has experience with administering and implementation of a municipality's rehabilitation share. The Township will work with this organization to help implement its rehabilitation obligation with monies available through the Township Affordable Housing Trust Fund.

The Township will also pursue working with the Passaic County Housing Rehabilitation Program in the County Planning Office and the Passaic County Weatherization Program if the programs continues to be funded for 2016. An agreement would allow Township residents that meet income-eligible levels to submit applications for housing rehabilitation projects.

The current Affordable Housing Trust Fund (AHTF) balance is \$8,095 as of September 30, 2016 with additional PIL funding from the Schumacher Site, Main Street Development and Abbe-Site - Center Avenue (Centex Townhouse development), to be submitted as development proceeds. The future spending plan will identify all sources and projections of funding to accomplish the rehabilitation task.

Rehab Credits:

The Township of Little Falls cannot claim credits for any rehabilitation units, therefore the Township has contracted with Community Grants, Planning and Housing to run the rehabilitation program and Administrative Service role for the Township. A copy of the Council resolution approving the services of CGP&H is located in Appendix M.

Prior Round Compliance

The Supreme Court ordered that any unfulfilled prior round obligations, as generated from the 1987 to 1999 period (Rounds 1 and 2) should be the "starting point" for the Fair Share Plan. The Prior Round Obligation for Little Falls Township is at total of **101 units**. **(10 RDP/91 Unmet Need)**

Vacant Land Adjustment

The Township's Prior Round VLA is presumed to be valid pursuant to the terms of NJAC 5:97-5.1(d). It was granted as part of First Round and Second Round substantive certifications and the Township implemented the terms of the substantive certifications. The vacant land adjustment reduced the Township's Prior Round obligation to a real development potential **(RDP) of ten (10)**.

Credits toward Prior Round RDP:

Little Falls had intended to address its RDP of 10 units by bonding for \$125,000 in order to provide funds for the Regional Contribution Agreement (RCA) credits claimed within the Housing Plan Element and Fair Share Plan. The plan proposed 7 units with the Township of Cliffside Park and 3 units with the City of Patterson. Subsequently the Legislature enacted Bill A-500, which removed RCAs as a mechanism available to municipalities to address their affordable housing obligation and the Township never transferred the necessary funds to the receiving districts. Due to these series of events the Township created a 10-unit shortfall caused by the loss of the RCA units.

Per the Supreme Court's March 10, 2015 Ruling, municipalities must address their Prior Round Obligations first, therefore Little Falls will address the 10 Unit RDP first.

The Township's 2008 plan identified various properties that were rezoned as the Affordable Housing Overlay Zone (AHO) in order to create opportunities for development of affordable housing. The Township is able to claim the following ten (10) affordable housing mechanisms towards its prior round RDP obligation. A summary of the projects/units to meet the RDP for both the prior and proposed third round as shown in Summary Table 41.

Table 37: Credits towards Prior Round RDP of 10 Units					
Site	Location	Credit Type	Credit	Bonus	Total
1. New Bridge Housing	137 Newark Pompton Turnpike	100%	4	1	5
2. Lackawanna Site (rental)**	483 Cedar Grove Road	Existing AH Zone	3	2	5
TOTAL					10 units

Existing Affordable Housing Sites/Zones

The Township of Little Falls adopted seven (7) Affordable Housing Overlay zones during the previous COAH round submission. However, of those 7 properties, one has been developed and provided a Payment in Lieu for its affordable units, and one has been determined to be undevelopable because of constraints and site access. The remaining properties provide limited development opportunity and therefore have been identified as possible sites to meet the Unmet Need further discussed in this report.

Elimination of Previously Identified AH Sites

The following two project were identified in the 2008 Plan and zoned affordable, but upon further review and analysis this report suggests the elimination of the sites as viable for affordable housing development. Three existing affordable housing sites, originally zoned for affordable housing as part of the un-adopted 3rd Round submission have been re-allocated to potential prospective need opportunities. The likelihood of the sites to be developed is not as certain as other, therefore have been included to potentially address the unmet need.

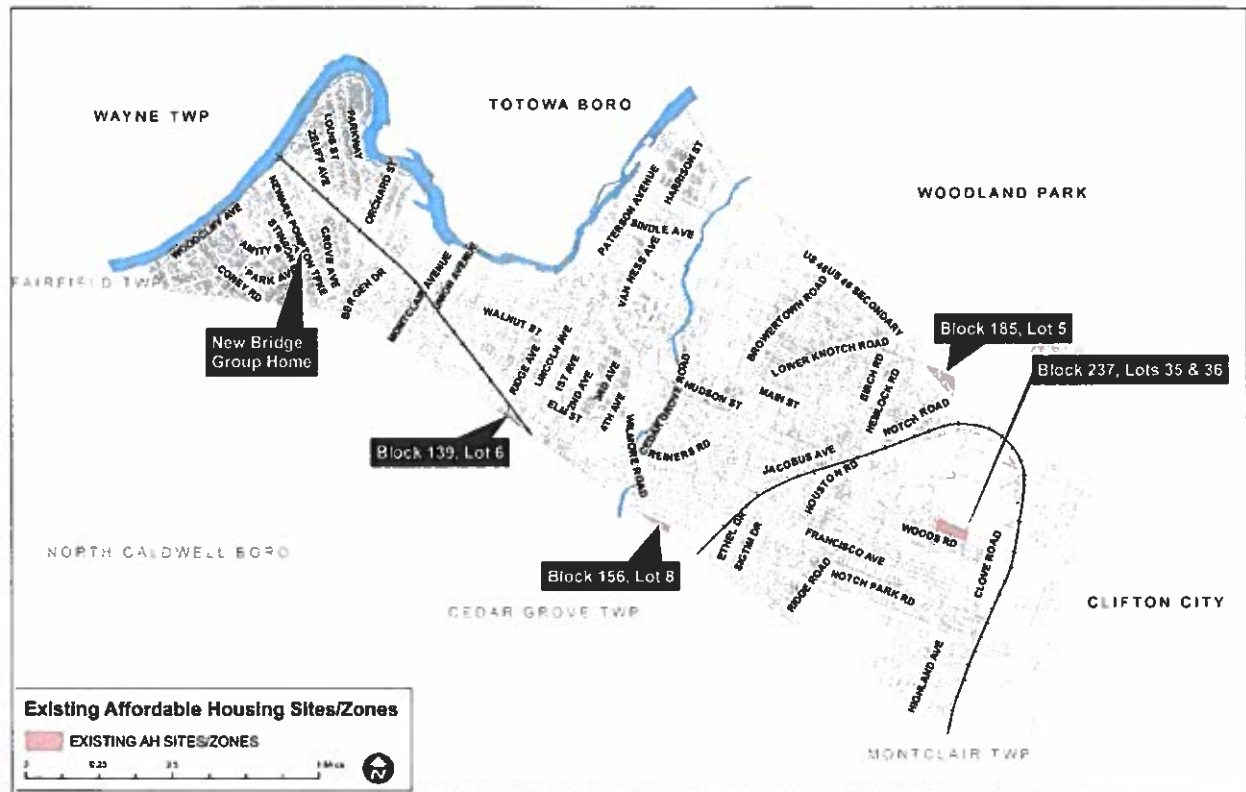
Blk 230 Lot 57 – 130 Houston Road 1.2 acres (1 Affordable Unit)-Unbuilt

Block 230 Lot 57 at 130 Houston Road is located in the eastern portion of Little Falls and is included in the existing Affordable Housing Overlay I Zone. The parcel is land locked and tucked behind existing single family homes and contains a small pond on the property. The parcel is within the R-1A (single-family detached dwelling). Block 230 Lot 57 is located in Zone X under FEMA designation, but the more limiting environmental constraint is the fact that lot has wetlands in the middle of the property. There is no immediate access to the site and the environmental constraints make the project unfeasible unless combined with other surrounding lots, which does not seem feasible. Therefore this plan suggest removing the parcel to count towards affordable housing overlay as it does not present a realistic opportunity.

Blk 237 Lot 30, 44, 52, 59 – 65 Woods Road (6 Unit PIL)- Under Construction

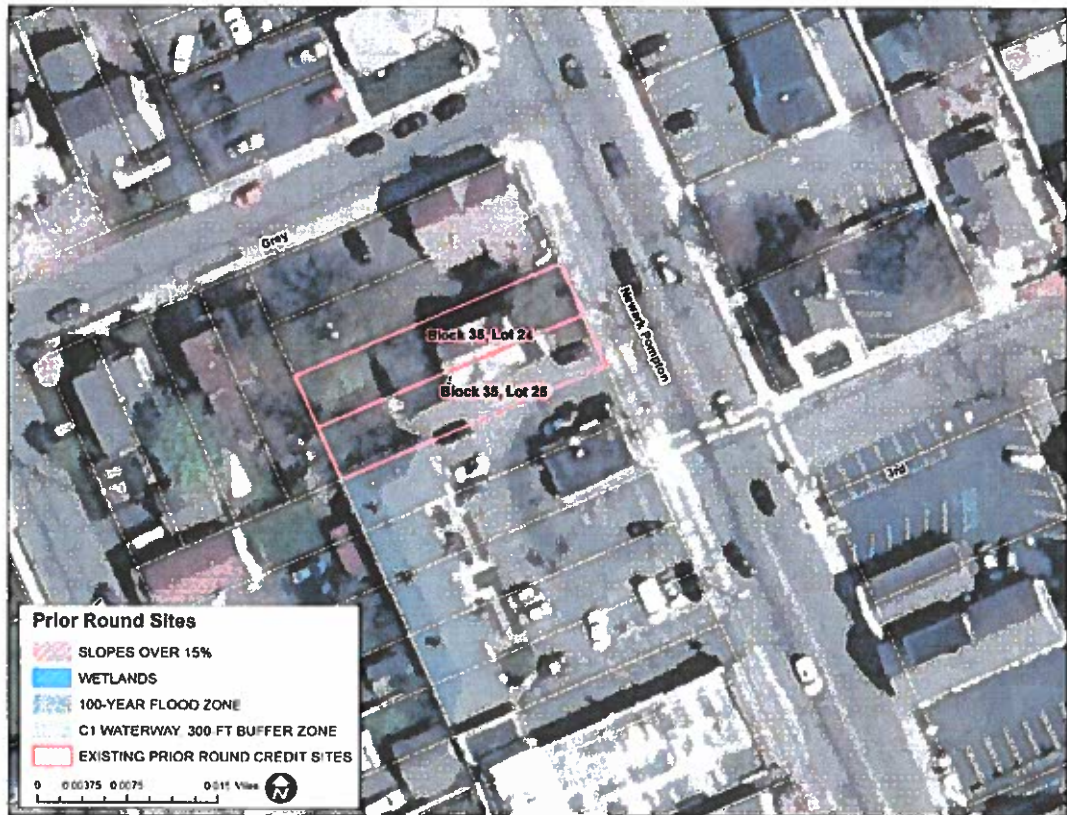
This single family subdivision was the result of a builder remedy lawsuit filed by the property owner which resulted in the creation of the Affordable Housing Overlay Zone II. Currently single-family detached houses are being constructed at a gross density no greater than 3.57 units per acre, but totaling no more than 24 housing units. The developer as part of the settlement agreement agreed to make a Payment In Lieu (PIL) of construction in the amount of \$210,000 dollars, calculated at \$35,000 per unit for 6 units. The PIL will be utilized to fund the municipal rehabilitation program. No affordable units will be built on site.

EXISTING AFFORDABLE HOUSING SITES/ZONES



The remaining five (5) properties provide limited development opportunity and therefore have been identified as possible sites to meet the Unmet Need further discussed in this report. The following pages offer a detailed site description and analysis of the below existing affordable housing sites/zones.

1. **New Bridge Group Home, (Blk 35 Lots 24/25 -137 Newark Pompton Turnpike)-existing 4 Units**



New Bridge Independent Living Group Home: This 4 bedroom very low income, permanent supportive housing group home was not included within the 2008 Fair Share Plan; however, this facility was identified subsequent to the adoption of the 2008 Plan via a survey of group homes that exist within the Township. This facility is anticipated to be eligible for affordable housing credit as part of the Prior Round. The property has a 40 year length of controls that expire in 2043. See the Council on Affordable Housing Supportive and Special Needs Housing Survey and supporting documents in Appendix B. These four units satisfy the rental obligation for the Prior Round.

2. Blk 156 Lot 8 – 483 Cedar Grove Road 1.9 acres (2 Affordable Units) –Unbuilt

Block 156 Lot 8 at 483 Cedar Grove Road (County Road 617) is also located on the southern border of Little Falls. The parcel is designated as R-1A (single-family detached dwelling) under the township's zoning and is included in the existing Affordable Housing Overlay Zone. Block 156 Lot 8 is connected to all major utilities. While the parcel is designated as Zone X under FEMA regulations, the nearby Peckman River creates a 100 year flood zone just over 200 feet away. The site access, although narrow is located directly off of Cedar Grove Road. The property to the rear of lot 8 is owned by PSE&G.

Affordable Housing Estimate:	
Estimated Tract:	1.9 Acres / 0 Acres constrained
Estimated allowable density:	6 units / acre
Estimated total units:	11 units
Estimated Affordable Housing Units:	2 units (20%)

3. Existing AHO Zone (Blk 139 Lot 6 -166 Stevens Avenue) - 2 Affordable Units - Unbuilt



This property located at 166 Stevens Ave (County Road 616) is located near the southern border of Little Falls and is immediately adjacent to the Montclair- Boonton NJ Transit Rail Line. The parcel is designated as R-1B (single-family detached dwelling) under the township's zoning. Block 139 Lot 6 is connected to all major utilities. The site is currently zoned as an Affordable Housing Overlay Zone. While site is developable, it is contingent upon access from the adjacent lot 1, which is owned by the same owner. The third round plan also identifies the property as being able to support 2 Affordable units.

Affordable Housing Estimate:	
Estimated Tract:	1.7 Acres / 0 Acres constrained
Estimated allowable density:	6 units / acre
Estimated total units:	10 units
Estimated Affordable Housing Units:	2 units (20%)

4. Existing AHO Zone (Blk 237 Lot 35 –Woods Road) - 2 Affordable Units - Unbuilt

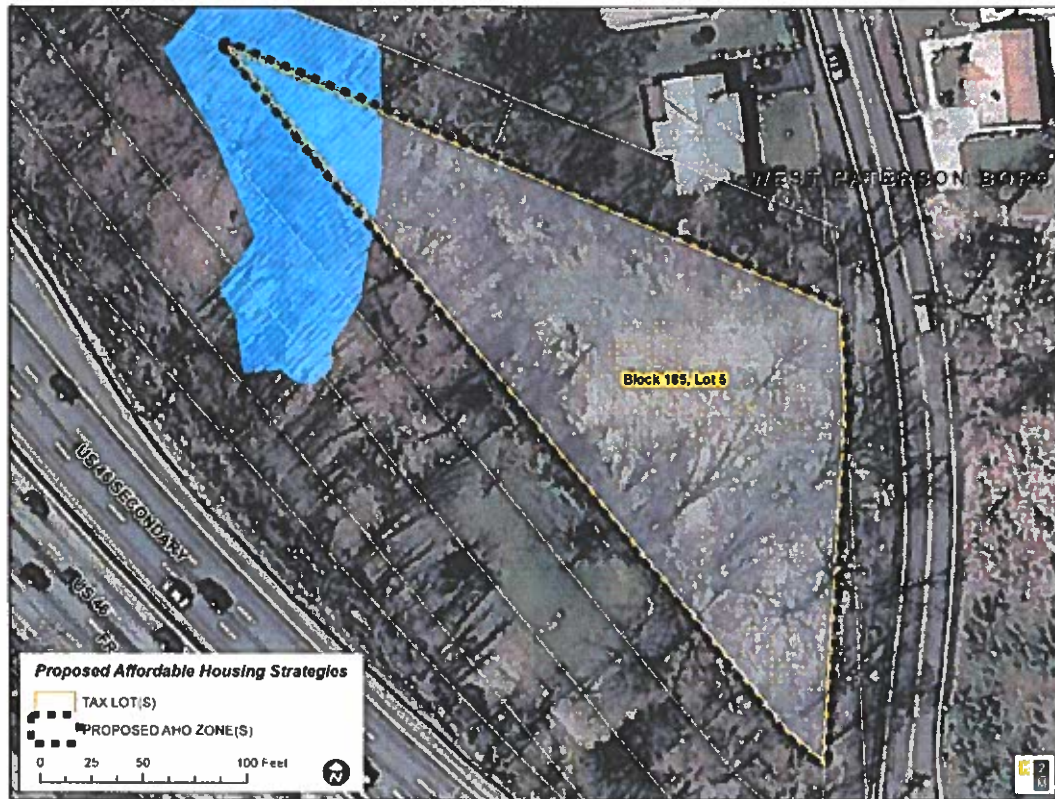
Block 237 Lot 35 is located on the eastern portion of Little Falls and is currently included in the existing Affordable Housing Overlay Zone in the R-1A zone district (single-family detached dwelling). The parcel has no environmental constraints. However, the parcel is located behind existing single family homes along Woods Road and only has access from an adjacent developed lot owned by Montclair State University off of Clove Road.

Affordable Housing Estimate:	
Estimated Tract:	1.3 Acres / 0 Acres constrained
Estimated allowable density:	6 units / acre
Estimated total units:	7 units
Estimated Affordable Housing Units:	2 units (20%)

- 5. Blk 237 Lot 36 – Woods Road 1.2 acres (1 Affordable Unit) –Unbuilt (see image above)**
 Block 237 Lot 36 is located on the eastern portion of Little Falls is currently included in the Affordable Housing Overlay Zone in the R-1A zone district (single-family detached dwelling). The parcel has no environmental constraints. However, the parcel is located behind existing single family homes along Woods Road and only has access from an adjacent developed lot owned by Montclair State University off of Clove Road.

Affordable Housing Estimate:	
Estimated Tract:	1.2 Acres / 0 Acres constrained
Estimated allowable density:	6 units / acre
Estimated total units:	7 units
Estimated Affordable Housing Units:	1 unit (20%)

6. **Blk 185 Lot 5 – Lackawanna Road 0.845 acres (3 Affordable Units) - Unbuilt**



The currently vacant 0.845 Ac. property is located on 634-636 Lackawanna Avenue, and zoned Medium Density Residential (MDR). Prior to this plan, Little Falls had rezoned the property to MDR-Medium Density in order to permit inclusionary multi-family residential developments. The property is surrounded by a mix of low and medium density residential developments. Litigation concerning this site resulted in a finding that the zoning for this property be modified to identify a specific number of affordable housing units be required on-site. The total density that were envisioned to be constructed on this property within the 2008 Fair Share Plan was recommended at 18 units per acre. From this presumptive density the proposed application would produce a total of 15 units. However in the past months the Township met with Daibes Enterprises, a local developer in to hear concept plans for the development of a 45-unit residential rental building that would include nine (9) affordable housing units (20%), of which 4 would be moderate and 4 would be low income dedicated. The plans call for the acquisition of adjacent Blk 125 Lot 2 located in Woodland Park to put together a site totaling 1.7 acres. The development would consists of 1, 2 & 3 bedroom units, of which one of the 3 bedroom units would be a 3 bedroom family rental. All development will be within the Little Falls boundary except a portion of the parking lot on Lot 2 in Woodland Park.

The applicant owns Blk 185 Lot 5 and is under contract with the property owner of Blk 125 Lot 2 for purchase and intends to be in from of the Little Falls Land Use Board in the summer of 2016. The application's site plan shows sewer connection availability via an

8" line and existing water availability, both located in the ROW of Lackawanna Avenue. Because of the uncertainty, for the purposes of this report, Little Falls will assume the original density of 18 units per acre until such time the application is made and appropriate variance granted.

Affordable Housing Estimate: Lackawanna Site	
Estimated Tract / AHO Zone Area:	0.845 Acres / 1.7 Acres with Blk 125 Lot 2
Estimated allowable density:	18 units / acre
Estimated total units:	15 units / 45 units (with Blk 125 Lot 2)
Estimated Affordable Housing Units:	3 units (20%) / 9 units (with Blk 125 Lot 2)

Unmet Need

Unmet need is the difference between the Prior Round obligation and the credits provided to address that obligation. The Township's Prior Round Unmet Need is **91 units**. Municipalities that lack sufficient vacant land to address their obligation (i.e., granting of a Vacant Land Adjustment), must document their "unmet need." The Supreme Court's March 10, 2015 Ruling, states that municipalities must address their Prior Round Obligations first. This will be addressed in the affordable housing strategies section below, where the Unmet Need for both rounds will be addressed.

Summary of Existing Compliance

The table below summarizes the Township's existing compliance status, accounting for affordable housing credits obtained to date (11/22/16).

Table 38: Completed Credits as of 2016			
	Obligation	Completed Credits	Remaining Obligation
Rehabilitation	47	0	47
Prior Round	101 (10/91*)	5**	96
Third Round	451 (13/438*)	0	451
Total	599	5	594

*RDP/Unmet Need

** Met through existing New Bridge Housing Group Home

Prospective Need Compliance

The Township's Prospective Need obligation for the period 2015 through 2025, as agreed to by the parties in the Settlement Agreement with FSHC is **451 units**.

Vacant Land Adjustment

As discussed in the previous Capacity Analysis and Appendix E, the Township conducted a new VLA using current data in accordance with the Rules. The analysis estimates that the Township has a Realistic Development Potential **RDP of 13 units**.

Third Round Credits:

The Township is able to meet its RDP number for the Prospective Need by providing 13 credits: 9 credits from the proposed Transit Village Medium Density development and zone. The breakdown of the Township's compliance towards its RDP is as follows:

Table 39: Credits towards Prospective Need RDP of 13 Units					
Site	Location	Credit Type	Credit	Bonus	Total
1. Transit Village MD (rental)	Montclair & Main Street	Existing Transit Village Zone	9	4	13
				TOTAL	13 units

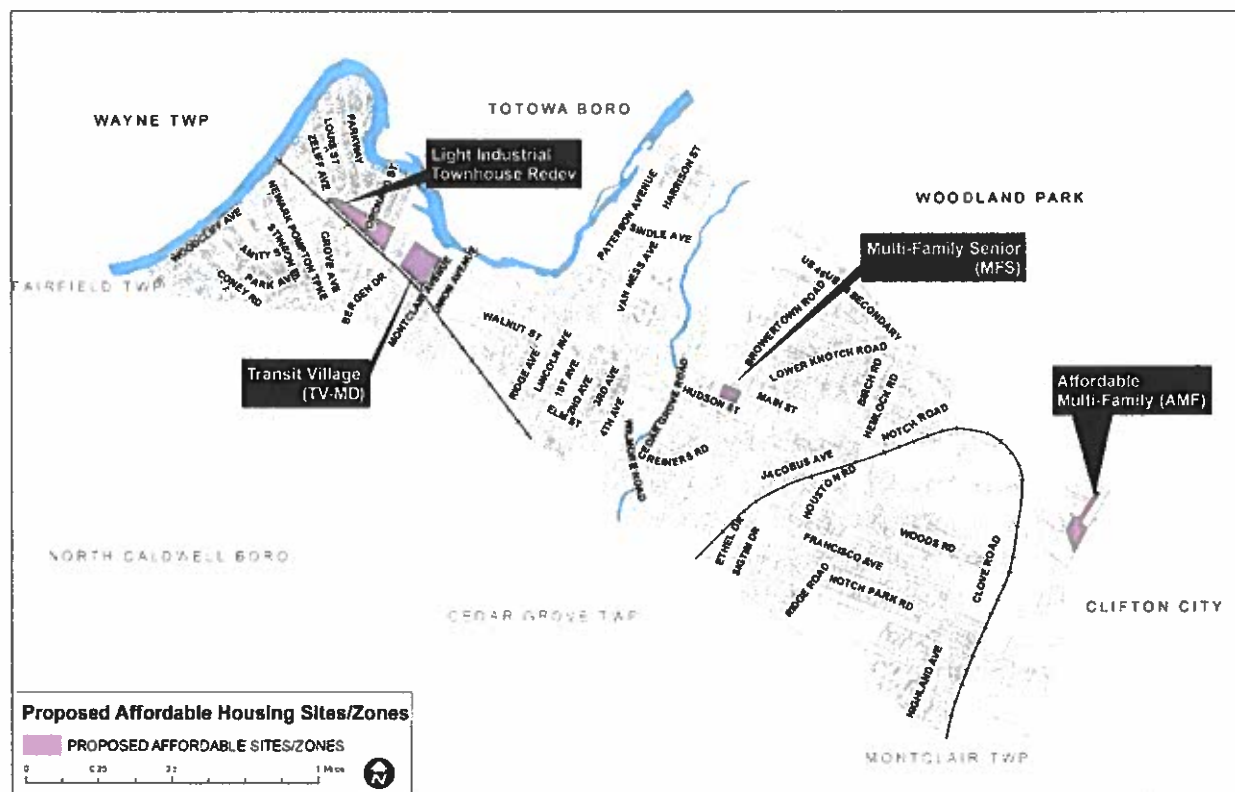
Unmet Need

Unmet need is the difference between the Third Round obligation and the RDP obligation and the credits provided to address that obligation. Therefore, given the RDP of 13 units, the Township's Third Round Unmet Need is **438 units**. Municipalities that lack sufficient vacant land to address their obligation (i.e., granting of a Vacant Land Adjustment), must document their "unmet need." This will be addressed in the affordable housing strategies section below, where the Unmet Need for both rounds will be addressed.

Proposed Affordable Housing Sites/Zones

There are four (4) proposed sites/zones that will provide development opportunity for affordable housing and therefore have been identified as possible sites to meet the Unmet Need further discussed in this report. The following pages offer a detailed site description and analysis of the below proposed affordable housing sites/zones.

Proposed Affordable Housing Opportunities



Proposed Affordable Housing Strategies

Approach & Strategy

The Township of Little Falls is a residential community with limited vacant property available for development as is evident by its prior round vacant land assessment and proposed third round adjustment. H2M Associates met with Court Master Joe Burgis, PP, AICP on April 6, 2016, June 30, 2016 and on various conference calls to discuss a strategy for Little Falls to meet, to its best ability, its constitutional obligation for affordable housing. The Supreme Court's March 10, 2015 ruling, stated that municipalities must address their Prior Round Obligations first, therefore our meetings were to develop a strategy to first address the Prior Round RDP of 10 units and the 3rd Round RDP of 13 units for a total of 23 units.

The next step is to address the outstanding unmet need from both the prior round (91 units) and 3rd round (438 units), through inclusionary, redevelopment and zoning opportunities. These opportunities are discussed and presented in the section called proposed affordable housing zoning below.

As previously mentioned in this report, Little Falls will ultimately be losing the majority of the 300 homes proposed to receive FEMA money for flooding issues, while a portion will remain and be elevated. The proposed zoning & development opportunity in this report remains a viable future option for residents that would like to stay in the Township.

In addition, this Plan and the revised Affordable Housing Ordinance recommends instituting a municipal-wide mandatory set-aside for any future development in Little Falls containing five (5) or more multi-family dwellings (Appendix G). Where a developer is able to demonstrate that a 20% set-aside would warrant the project economically infeasible, the developer should submit an economic analysis and pro-forma to the Township for review. A real estate analysis expert hired by the Township through escrow funds provided by the developer will evaluate the pro-forma and determine if the claim of economic infeasibility is valid. In the event the Township's review agrees with the developer, the Township will permit a 15% set-aside.

Implementation Techniques

Per the Second Round Rules, a municipality may employ a number of strategy and implementation techniques to address its obligation:

Per N.J.A.C. 5:93-4.2 (h):

Council shall review the existing municipal land use map for areas that may develop or redevelop. Examples of such areas include, but are not limited to: a private club owned by its members; publicly owned land; downtown mixed use areas; high density residential areas surrounding the downtown; areas with a large aging housing stock appropriate for accessory apartments; and properties that may be subdivided and support additional development. After such an analysis, the Council may require at least any combination of the following in an effort to address the housing obligation:

1. Zoning amendments that permit apartments or accessory apartments;

2. Overlay zoning requiring inclusionary development or the imposition of a development fee consistent with N.J.A.C.5:93-8. In approving an overlay zone, the Council may allow the existing use to continue and expand as a conforming use, but provide that where the prior use on the site is changed, the site shall produce low and moderate income housing or a development fee; or
3. Zoning amendments that impose a development fee consistent with N.J.A.C. 5:93-8.

The Second Round Rules elaborate on the above at N.J.S.A. 5:93-5.1: a municipality may provide for its fair share of low and moderate income through a combination of techniques, including, but not necessarily limited to:

- **Rehabilitation of substandard units;**
- Municipally sponsored and 100% affordable construction;
- **Zoning for Inclusionary Development;**
- **Alternative living arrangements (i.e., group homes);**
- Accessory apartment program;
- Purchase of existing homes;
- Write-down/buy-down programs;
- Market-to-affordable; and
- Assisted living residences

In accordance with N.J.A.C. 5:93-4.2(h) above, the Township has identified multiple locations throughout the Township that may be appropriate for re-zoning, redevelopment or overlay zoning to permit inclusionary development, as is discussed below.

The Township reserves the right to amend, modify or withdraw sections of this Fair Share Plan consistent with the Settlement Agreement at any time prior to a final judicial determination of the Township's affordable housing obligation or approval of this plan.

Proposed Affordable Housing Zoning

In accordance with the Second Round Rules, municipalities may create low and moderate income units by zoning site for inclusionary development. As per N.J.A.C. 5:93-5.3,

"Municipalities shall designate sites that are available, suitable, developable and approvable, as defined in N.J.A.C. 5:93-1. In reviewing sites, the Council shall give priority to sites where infrastructure is currently or imminently available. All sites designated for low and moderate income housing shall be consistent with the applicable area-wide water quality management plan (including the wastewater management plan) or be included in an amendment application filed prior to the grant of final substantive certification. If there is a denial by DEP, or at the end of two years if there is no DEP determination, then

COAH shall revisit the site and housing plan to determine if it provides a realistic opportunity.”

The Township has identified a number of areas that may be suitable for higher density residential development to incorporate an inclusionary component for affordable housing development. These areas will be re-zoned to allow an Affordable Housing Overlay (AHO) Zone to exist on top of existing zoning. The Second Round Rules require that for each site proposed for inclusionary development, the following be provided:

- General description of each site, including acreage, current zoning, surrounding uses, street access; and maps showing site locations.
- Description and maps of any environmental constraints including steep slopes, wetlands and flood plain areas.
- Location, size and capacity of water and sewer facilities; status of the applicable area wide water quality management plan and wastewater management plan.
- Total number of housing units; gross and net density of the proposed development; total number of low and moderate income units, and low-mod units for sale and rent.
- Conformance to COAH’s rules for bedroom mix, age restriction, price stratification, rental housing, controls on affordability and affirmative marketing

N.J.A.C. 5:93-5.6 provides further inclusionary zoning requirements, particularly with regard to required permissible densities and set-asides when a community receives a Vacant Land Adjustment.

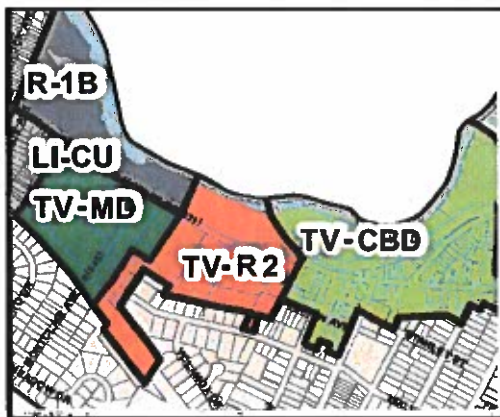
“When a municipality is receiving an adjustment pursuant to N.J.A.C.5:93-4.2, the municipality shall be required to zone inclusionary sites at a minimum gross density of six (6) units per acre with a 20 percent set-aside.”

The rules also state that the Council on Affordable Housing may require higher densities where existing zoning exceeds the zoning proposed by the municipality, or when the Council determines higher densities are required to provide an opportunity for inclusionary development.

The map below shows areas proposed for new Affordable Housing opportunities that will address the remaining 5 units of the Prospective Need RDP of 8 units and address a significant portion of the Prior Round Unmet Need. Draft ordinances for the proposed project are contained in Appendix C and I.

Site 1 - Transit Village Medium Density Zone (TV-MD)

Site Map with Environmental Constraints and Transit Village Medium Density (TV-MD) Zone



The site is located in the Transit Village Medium Density Zone (TV-MD) in the central portion of Little Falls on the Main Street corridor, which links the central business district to Rte 23. The privately-owned, 9.4-acre site contains a series of three 1-story warehouse/office buildings fronting on Main Street and Montclair Avenue, while the corner property is an existing Post Office, with a now defunct distribution component. The only environmental constraints are the pocket of wetlands located in the northwest portion of the rear of the site along the railroad tracks. Site access is from Main Street

and Montclair Avenue.

The property is surrounded by the municipal complex to the east across Montclair Avenue, The Mills, a multistory residential complex to the northeast across Main Street, railroad tracks to the west and single family properties in the R1-C Zone to the north. The site is within two blocks of the Little Falls Train Station.

In October 2015, Little Falls adopted the Transit Village (TV) Districts zoning to reinforce the use of public transportation and a shift away from automobile use by locating higher-density mixed-use development, including employment oriented businesses and higher density residential uses, within proximity to Little Falls bus stop locations along Main Street and the train station. The districts are intended to accommodate a physical pattern of development often found along village main streets and in neighborhood commercial areas of older cities. Daily destinations, such as work, home, shopping, recreation, and transit stops are within walking and biking distances, which reduces automobile dependency and roadway congestion, which creates a vibrant, livable community.

The ordinance includes three separate Transit District's which included the: Transit Village/Central Business District (TV-CBD); **Transit Village Medium Density (TV-MD)**; and Transit Village - Residential District - R2 (TV-R2). See Appendix C. The TV-MD zone has been allocated to include a 20% set aside for rental affordable housing units, while the TV-CBD and TV-R2 include the provision that for every 5 units constructed in a project, one unit of affordable housing must be constructed.

Little Falls proposes to immediately amend the current TV Ordinance to establish an affordable housing unit set aside for new development within the TV zones in order to help meet the Unmet Need, based on the densities discussed below. The proximity to local jobs and transportation in the form of bus and rail transit makes this an ideal opportunity for appropriate inclusionary development.

The Transit Village MD Zone covers all four (4) properties and is envisioned as a series of four story mixed use buildings. The current property owner, Hampshire properties and the Township have met with the post office representatives to investigate the possibility of relocating the post office into future development plans which would give development control of the entire site. Because of this unknown, for purposes of this report we have calculated the development without the post office parcel being included. If at such time a deal is made for the parcel, the affordable housing obligation will be required and the plan amended. The development potential of this property is real as the Hampshire Group has started developing concept plans for both development alternatives.

The Transit Village Development shall be responsible for the development of 4 low income units and 1 very low income unit on site per the regulations stipulated per table 38 of this report, where the remaining units shall be a mix of low-moderate. This development will also satisfy the rental requirement of 3 units as the entire development is proposed as rental units.

Affordable Housing Estimate:		Transit Village MD Zone (20% Rental)
Estimated Tract / AHO Zone Area:	7.4 Ac. (not including Post Office - Lot 2)*	9.11 Ac. (including Post Office)
Estimated allowable density:	35 units / acre	35 units / acre
Estimated total units:	259 units	318 units
Estimated Affordable Housing Units:	52 units	64 units

* For purposes of this report, the calculations will not include the development of the post office site, but will use the 7.4 acre site and not include lot 2.

Site 2 - Proposed Multi Family/Senior Housing Zone (MFS)**Site Map with Environmental Constraints and Proposed Multi Family/Senior Housing Zone**

The proposed Multi Family Senior Housing Zone (MFS) site is currently located in the B1-Business Zone, on Main Street, just outside the Transit Village Central Business District. The privately-owned, 1.86-acre site contains an existing Walgreens Pharmacy and associate parking, a two & ½ story residential structure to the west and an adjacent two story mixed use building containing City Looks Barber Shop. Further west, is a small two story mixed use strip mall containing six retail spaces and 2nd floor office space. The Passaic Valley Regional High School is located directly across the street to the north and there are single family residences directly to the south of the properties in the R1-B zone. There are no known environmental constraints on the properties. Site access is from Main Street.

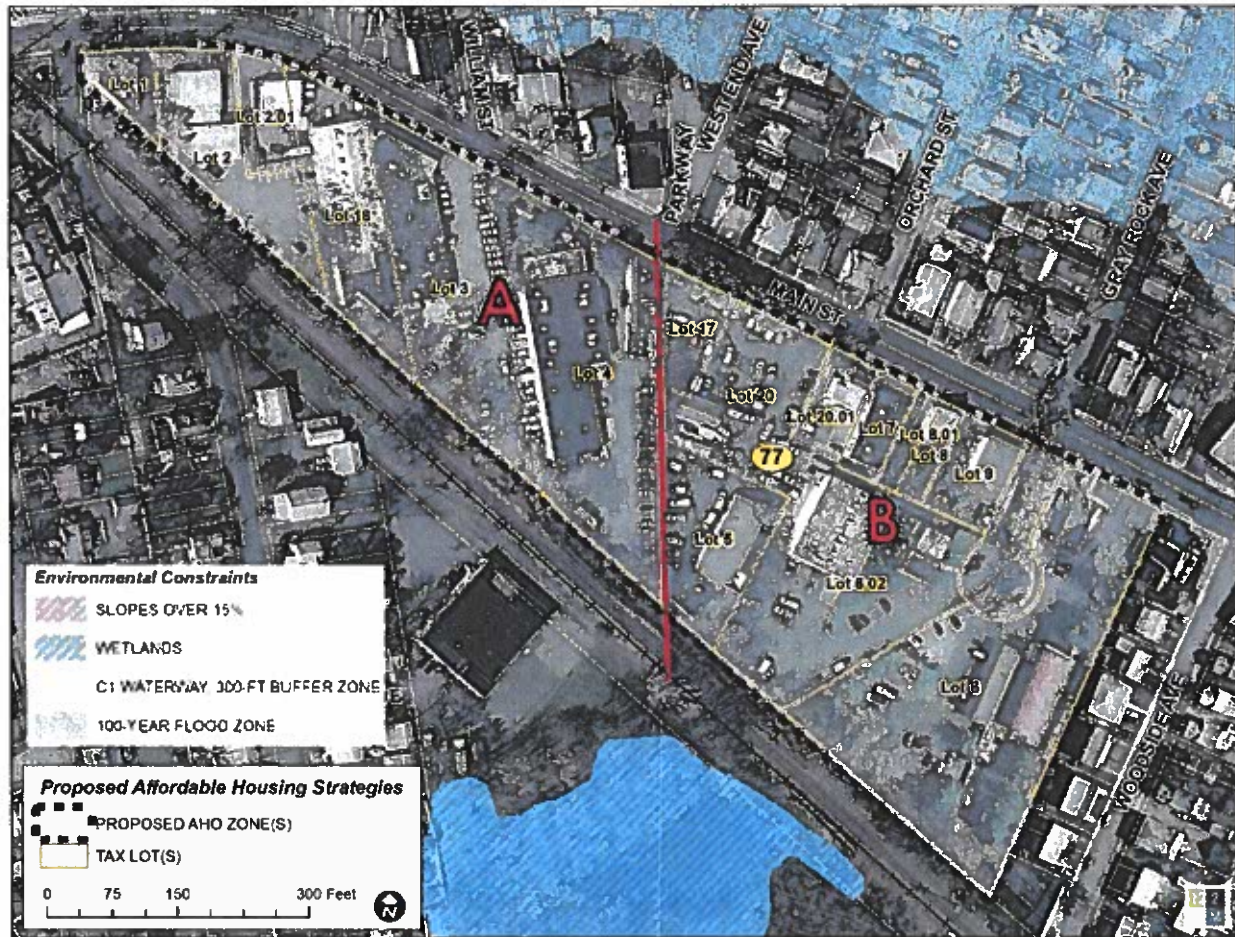
Affordable Housing Estimate:	Multi Family/Senior Housing Zone (MFS)
Estimated Tract / AHO Zone Area:	1.86 Acres
Estimated allowable density:	30 units / acre
Estimated total units:	56 units (10 Senior-max & 46 multifamily units)
Estimated Affordable Housing Units:	11 units (20 % rental)

The Multi Family Senior Housing Zone (MFS) is proposed for all three properties. It is envisioned that the site will develop as a combination of multifamily and senior housing development allowing for appropriate setbacks from adjacent residential properties. The Walgreens property owners have actively been looking for development options on site and have expressed interest about Senior Housing and have met with the Township officials. Little Falls does not currently have any Senior Housing developments in town, therefore this use would be appropriate for the area and Township. The property could be developed with or without the two adjacent structures.

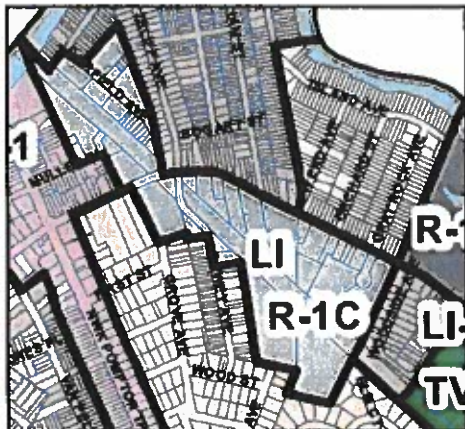
Because of the limited amount of senior housing allowed and bonuses permitted per the credit/bonus structure, the proposed zone allows a maximum of 10 units of senior housing, with the remainder of the site appropriate for multifamily development. The proposed Ordinance is located in Appendix I.

Site 3 - Light Industrial District - Redevelopment Zone

Site Map with Environmental Constraints and Proposed Redevelopment Zone



Light Industrial District - Redevelopment Zone



The 2013 Master Plan Re-Examination Report recommends that portions of the LI - Light Industrial Zone along Main Street be re-zoned to permit redevelopment in the form of either a mixed use concept with service retail and offices on the first floor with residential uses above. First floor uses should try and be identified as those that are different from the surrounding business zones. The plan also discusses potential **townhouse development** fronting along Main Street should also be explored, with flood zones and densities being key considerations for development.

Little Falls is proposing to meet a portion of the Unmet Need, through redevelopment zoning of this area, that would require a 20% set aside for, for sale affordable housing. The Township has passed a resolution (Appendix J) to permit the Planning Board to undertake an Area in Need of Redevelopment Study (AINR) for the above identified properties.

Because of the larger number of buildings, uses and properties owners located within this area it was decided to break it into two areas of discussion for this report, Zones A & B. Final zoning update and or redevelopment designation may include this entire area as one study area or zone.

Zone A

The study area is located along Main Street, between Dewey Avenue and the property known as 381 Main Bar and Grill and consists of existing light industrial uses (Ill Eagle Enterprises, Falls Metal Works-vacant), Malanga Auto Body-vacant), 381 Main Bar, Rossi Decorating Center and Trinity Salon. The privately-owned properties consist of 3.81-acres site with no known environmental constraints. The rear of the properties back up to the NJ Transit rail line, while across the street is a mix of 2 story residential structures with intermittent commercial properties, located in the R-1B and R-1C residential zones.

Affordable Housing Estimate: Light Industrial Redevelopment Zone A	
Estimated Tract / AHO Zone Area:	3.81 Acres
Estimated allowable density:	12 units / acre
Estimated total units:	46 units
Estimated Affordable Housing Units:	9 units (20% for sale)

The proposed area as a redevelopment zone could support the development of anywhere from 9 units of for sale affordable housing that is envisioned as a 2.5 story townhouse development fronting on Main Street. The site would have to be developed with significant setbacks to the rail line and is envisioned as residential transition to the Rte. 23 corridors that is within walking distance to the Little Fall's train station.

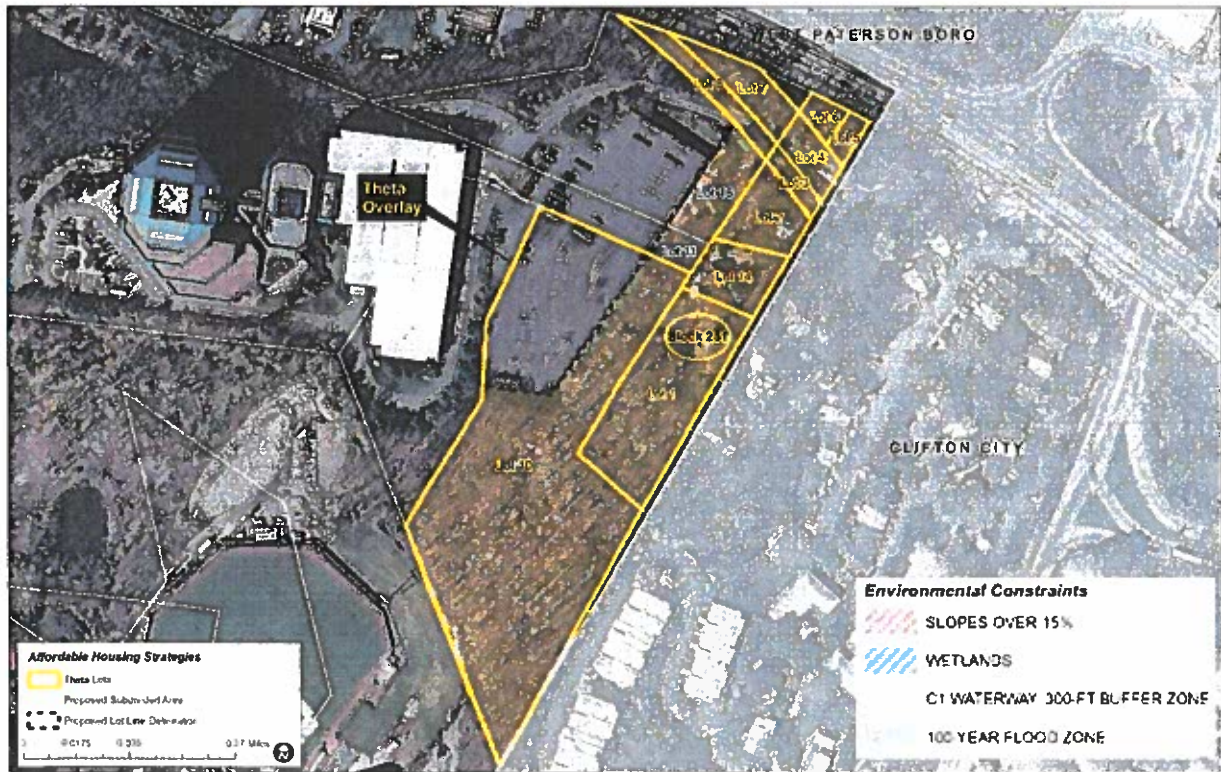
Zone B

The study area is located along Main Street, between the rear of the residential properties on Woodside Avenue and the property known as 381 Main Bar and Grill. The uses consists of existing Rainbow Caterers, which is a major property owner, Falls Automotive, Little Falls Animal Hospital, a for sale two story office building, one single family residence, a vacant commercial building, and what appears to be a landscape contractor. The privately-owned properties consist of 5.2-acres site with no known environmental constraints. The rear of the properties back up to the NJ Transit rail line, while across the street is predominantly 1 & 2 story residential structures located in the R-1B residential zone.

Affordable Housing Estimate: Light Industrial Redevelopment Zone B	
Estimated Tract / AHO Zone Area:	5.2 Acres
Estimated allowable density:	12 units / acre
Estimated total units:	40 units
Estimated Affordable Housing Units:	12 units (20% for sale)

This proposed area as a redevelopment zone could support the development of 12 units of for sale affordable housing that is envisioned as a 2.5 story townhouse development fronting on Main Street. The site would have to be developed with significant setbacks to the rail line and is

envisioned as residential transition to the Rte. 23 corridors that is within walking distance to the Little Fall’s train station.

Site 4 – Affordable Multi-Family Overlay Zone (AMF) – Blk 251 Lot Lots 1-8; 10-11, Lot 14 & 16**Affordable Multifamily Site Map with Environmental Constraints and Proposed AMF Overlay Zone**

These parcels were identified in the updated vacant land assessment and are known as Blk 251 Lot Block 251, Lots 1- 8, the unimproved portions of Lot 10-11, Lot 14 and the unimproved portions of Lot 16. For purposes of this report and analysis, and based on discussions with Mr. Burgis, the total acreage of the site does not include the improved areas (parking lot) of existing lots associated with the Overlook office building. The 7.34 acre site is located in the B-3 Zone just off Rte. 46 and is accessible via the Oak Hill Road from Rte 46 and Valley Road. A portion of the site contains an existing parking lot for the Overlook corporate center however the remainder of the site is developable and accessible and is adjacent to an existing Townhome development in Clifton, NJ. The site has access to access to public roadways, adequate sewer and water capacity and does not have any limiting environmental constraints.

Affordable Housing Estimate:	AMF Overlay Zone
Estimated Tract / AHO Zone Area:	7.34 Acres (AHO Zone)
Estimated allowable density:	35 units per acre
Estimated total units:	257
Estimated Affordable Housing Units:	51 (20% rental units)

The identified parcels will be rezoned for a 20% inclusionary housing overlay zone that may provide an estimate of 257 total units and 51 affordable units.

Summary of Proposed Affordable Housing Sites

A summary of the affordable housing development potential from the proposed inclusionary, redevelopment and overlay zones to address the Unmet Need is provided below.

Table 40: Proposed Inclusionary Zoning Sites		
Site	Tot. Units Estimated	Est. Low/Mod Units
1 Transit Village - TV-MD	259	52
2 Multi Family/Senior	56	11
3 Light Industrial Redevelopment	86	21
4 AMF Overlay Zone	257	51
Total	658	135

Summary of Mechanisms and Credits

The table below summarizes the existing and proposed mechanisms to satisfy the RDP for prior and proposed third round and the total unmet need. The Township's total RDP of 23 units consists of Prior Round RDP (10 units) and Prospective Need RDP (13 units) affordable housing obligation (23 units total) and an Unmet Need number of 529 Units (Prior Round 91, 3rd Round 438 units).

Bonus credits are limited based on the low Realistic Development Potential.

Table 41: Existing and Proposed Affordable Housing Credits				
Credits to Address RDP for Prior Round (10 units)		AH Credits/Units	Bonus	Total
1	New Bridge Group Home (built)*	4	1	5
2	Lackawanna Site (rental)*	3	2	5
			subtotal	10
Credits to Address RDP for Prospective Need (13 units)		Credits/Units	Bonus	Total
1	Transit Village Medium Density (rental)	9	4	13
			subtotal	13
Credits to Address Unmet Need for Prior Round and 3 rd Round (529 Units)		Credits/Units	Bonus	Total
Redevelopment Sites				
1	Light Industrial Redevelopment	21	-	21
Proposed New Zones				
1	Transit Village Medium Density	43	-	43
2	Multi-Family (Senior & Multifamily)	11	-	11
			subtotal	54
Proposed Overlay Zones				
1	Affordable Multi Family Zone	51	-	51
			subtotal	51
Additional Credits				
1	Block 156 Lot 8*	2	-	2
2	Blk 139 Lot 6 (166 Stevens)*	2	-	2
3	Blk 237 Lots 3 & 36 (Woods Road)*	3	-	3
			subtotal	7
Total Units Proposed				156

* Existing AH Overlay Zones

VIII. APPENDICES

- APPENDIX A: Flooded Property Acquisition/Elevation Documentation
- APPENDIX B: New Bridge Group Home Documents
- APPENDIX C: Updated Transit Village Zoning
- APPENDIX D: Housing Trust Fund Spending Plan
- APPENDIX E: Vacant Land Adjustment Analysis
- APPENDIX F: Structural Conditions Survey Map & Preliminary Research
- Appendix G: Draft Affordable Housing Ordinance
- Appendix H: Draft Development Fee Ordinance
- Appendix I: Draft Zoning Ordinances
- Appendix J: Redevelopment Study Resolution
- Appendix K: Draft Rehabilitation Plan/ Operating Manual
- Appendix L: Resolution to Submit HEFSP to Court
- Appendix M: Resolution to contract with CGP&H



APPENDIX A

FLOODED PROPERTIES DOCUMENTATION

CDBG

TOWNSHIP OF LITTLE FALLS

225 Main Street, Little Falls, New Jersey 07424
973-890-4500

September 4, 2015

Mr. R. Bruce Benton, Program Manager
NJCDBG-DR (Hurricane Irene) and NJ Small Cities CDBG Programs
Division of Housing and Community Resources
New Jersey Department of Community Affairs
101 South Broad Street
P.O. Box 811
Trenton, NJ 08625-0811

Re: Passaic County CDBG DR Program: Confirmation of Program Activities and
confirmation of anticipated date of Program Completion

Dear Mr. Benton:

The Township of Little Falls is committed to the purchase of properties which have been impacted by severe repetitive flooding. The list of properties we plan to acquire in the future, dependent upon the availability of CDBG DR funding, includes:

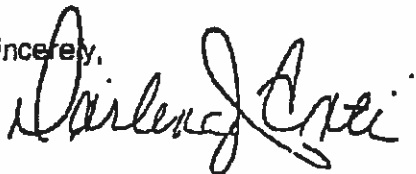
	Properties to be Acquired	Properties to be Acquired
Acquired	50 Zeff 10%	51 Zeff
Pending	50 Parkway (2 Tenants) 10%	45 Zeff
Pending	36 Zeff	43 Zeff
Acquired	47 Zeff	39 Zeff
Pending	98 Island	46 Zeff
Pending	38 Zeff	49 Zeff
Not	42 Zeff	Bold: 100% CDBG DR
Declined		

only if
funding
is available

We anticipate that this project will be completed by December 31, 2016.

Please do not hesitate to contact our office with any questions.

Sincerely,



Darlene J. Conti
Mayor
Township of Little Falls

H M G P

A	I	R	R
2	T	A	D
A	I	N	G
R	G	T	R
D			A
			M

- POST DISASTER FUNDS
- NO FLOOD INSURANCE

75% 25% ↳ NIDEP - BLUE ACKES

ACQUISITION ONLY

**STATE-LOCAL GRANT AGREEMENT
HAZARD MITIGATION GRANT PROGRAM
TOWNSHIP OF LITTLE FALLS**

This Grant Agreement (the "Agreement") is made and entered into by, and between, the State of New Jersey, Office of Emergency Management, located at PO Box 7068, West Trenton, New Jersey 08628 (herein referred to as the "Grantee"); and the Township of Little Falls, 225 Main Street Little Falls, NJ 07424 (herein referred to as the "Sub-grantee").

The period of performance of this agreement is the period beginning date December 13, 2011 ending December 12, 2014.

- 1 PURSUANT to the provisions of The Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended ("The Stafford Act"), identifies the use of disaster relief funds under Section 404 (Hazard Mitigation Grant Program, "HMGP") for a variety of hazard mitigation activities, including the acquisition and relocation of structures in the floodplain.
- 2 WHEREAS, Section 404 of the Stafford Act provides a process for a Community, through the State of New Jersey, to make application for funding to be used to acquire interests in property, including the purchase of structures in the floodplain, to demolish and/or remove the buildings, and to convert land use into perpetual open space ("The buyout program").
- 3 The New Jersey Office of Emergency Management (NJ OEM) has been designated as the Grantee to receive, administer, and disburse FEMA mitigation funds for local government mitigation projects in areas of New Jersey. The Grantee shall monitor and evaluate the implementation of mitigation projects and control the disbursement of HMGP funds from FEMA.
- 4 The Township of Little Falls is the Sub-grantee and has submitted an application and an amendment, which have been approved by FEMA and incorporated herein by reference, to the Grantee setting forth a list of activities (herein referred to as "Project") HMGP-4021-NJ-0006. The Grantee and FEMA have approved the Project along with any exceptions that have been made prior to signing of this agreement and FEMA has provided an award letter to the Grantee, which is incorporated herein by reference. The Sub-grantee agrees to complete the Project prior to December 15, 2014 unless a time extension is granted by the Grantee and FEMA.
- 5 The Sub-grantee shall participate in the development of, and shall coordinate and monitor the implementation of the local hazard mitigation measures; and shall regulate and control development within hazardous areas to the extent permitted by law.
- 6 The Sub-grantee has the legal authority to accept mitigation funds and shall provide all necessary financial and managerial resources to meet the terms and conditions of receiving federal and state mitigation funds. The financial management system must comply with 44 Code of Federal Regulations (CFR) Part 13 and OMB Circulars A-87 and A-102.
- 7 Sub-grantee shall use the mitigation funds solely for the approved scope of work in the Project.

HMGP Grant Agreement - TOWNSHIP OF LITTLE FALLS
Page 2

The approved scope of work includes allowable costs for the acquisition, demolition and removal of all structures on the properties, site restoration, deed restriction of the acquired property and compliance with the Uniform Relocation Assistance Act. Only those costs, which are allowable as defined in 44 C.F.R. Part 13 and OMB Circular A-87, will be paid:

- a. This Grant Agreement in the amount of \$ 3,924,800 ("Funds") will serve as the contract between the Grantee, New Jersey OEM, and the Sub-grantee for the purpose of the approved project. This grant amount represents the total funding currently available for the project, including federal and non-federal shares and may not be equal to the estimated cost of completing the entire Project.
- b.

Total estimated cost of the mitigation project is	\$ 3,924,800
Total Federal share is:	\$ 2,943,600
Total local non-federal share:	\$ 981,200
- c. Sub-grantee agrees to provide the necessary non-federal cost share as required by 44 C.F.R. 13.24 and the funding will be available within the specified period of time for completion of the Project. Documentation of the use of the non-federal cost share is required.
- d. Any revision, change or modification to the approved scope of work must be submitted to Grantee and be approved by FEMA prior to implementation and/or construction. Any revision, change or modification that does not receive prior FEMA approval will violate the conditions of the grant.
- e. All work under this agreement shall be completed by December 15, 2014. Demolition, any required remediation and site restoration shall be completed within 90 days of closing on the property, unless an extension is approved by the Regional Administrator.
- f. A title insurance policy demonstrating clear title must be obtained for each approved property that will be acquired.
8. Sub-grantee shall return to Grantee any grant funds which are not supported by audit or other federal or state review of documentation maintained by the Sub-grantee.
9. Sub-grantee shall maintain records for the period set forth in 44 C.F.R. 13.42 and shall give state and federal agencies access to, and the right to examine all records and documents related to use of mitigation funds.
10. Sub-grantee shall comply with all applicable state and local ordinances, laws, regulations, building codes and standards applicable to this Project.
 - a. Sub-grantee shall obtain all Federal, State and/or local permits prior to commencing construction or demolition.
 - b. Sub-grantee shall consult with the local floodplain administrator and obtain any

HMGP Grant Agreement - TOWNSHIP OF LITTLE FALLS
Page 3

necessary permits prior to implementation of this project.

- c. All permits shall be submitted to Grantee who shall review, maintain and submit to FEMA copies of all permits.
 - d. Failure of sub-grantee to obtain all required permits associated with the approved scope of work violates the condition of the project approval and may result in a determination that no federal funding is eligible to be reimbursed for this project.
11. Sub-grantee agrees to comply with local regulations pertaining to the National Flood Insurance Program (NFIP).
 12. Sub-grantee shall comply with 44 C.F.R.13.36 in all procurements, including the contract provisions found in subsection 13.36 (i)(1)-(13). In particular,
 - a. Sub-grantee shall comply, as applicable, with provisions of federal laws and regulations pertaining to labor standards, and the State of New Jersey Prevailing Wages laws and regulations.
 - b. Sub-grantee shall not enter into any contract with any party which is debarred or suspended from participating in federal assistance programs, or is otherwise ineligible pursuant to E.O. 12549, Debarment and Suspension, as implemented at 44 C.F.R. 13.35. Sub-grantee shall not enter into any contract with any party which is listed in the State of New Jersey Consolidated Debarment Report.
 13. Sub-grantee has read, understands, and shall comply with the State of New Jersey Single Audit Policy for Recipients of Federal Grants, State Grants and State Aid, State Circular 04-04-OMB, and OMB Circular A-133.
 14. Sub-grantee shall submit to the Grantee quarterly progress reports (QPR), due the 15th day of the month following the end of the quarter on the following schedule:
 - a.

January – March	Due April 15
April – June	Due July 15
July – September	Due October 15
October – December	Due January 15
 - b. Failure to provide the required reports will result in suspension of grant funds until the required reports are provided and approved by the Grantee.
 - c. QPR should reflect the status and completion date for the project and any problems or circumstances affecting the completion date, scope of work, project costs, or which could be expected to result in noncompliance with the approved grant conditions.
 - d. Every three years a report is required (from the date of the last structure demolition) certifying that the acquired property in its present condition and status is compliant

HMGP Grant Agreement - TOWNSHIP OF LITTLE FALLS
Page 4

with the conditions outlined in this agreement and the grant award documents. This report must include photographs of each acquired property evidencing compliance with the deed restrictions.

15. APPRAISAL PROCESS

- a. A property owner who did not own the property at the time of the relevant event, or who is not a United States citizen, non-citizen national or qualified alien, is not eligible for a purchase offer based on pre-event market value of the property. Sub-grantee shall ask each participating property owner to certify that they are either a United States citizen, non-citizen national or qualified alien before offering pre-event market value for the property. This information should be retained in the project file.
- b. All property acquisition offers shall be based upon appraisals and must be coordinated with NJOEM prior to being made to the property owner. The property owner has 45 days from date of the written offer to accept the offer. Failure to respond in writing within this time period will be deemed a refusal of the offer. Funding is limited to the amount approved in this Grant Agreement.

16. DEED RESTRICTIONS

Sub-grantee agrees to the following assurance for projects, which involve acquisition and relocation:

- a. The following restrictive covenants shall be conveyed in the deed to any property acquired, accepted, or from which structures are removed:
 - 1) The property shall be dedicated and maintained in perpetuity as open space for the conservation of natural floodplain functions; and,
 - 2) No new structure(s) will be built on the property except as indicated below:
 - a. A public facility that is open on all sides and functionally related to a designated open space or recreational use:
 - b. A rest room; or
 - c. A structure that is compatible with open space, recreational, or wetland management usage and proper floodplain management policies and practices, which the FEMA Region II Director approves in writing before the construction of the structure begins.
 - 3) After completion of the project, no application for additional disaster assistance will be made for any purpose with respect to the property to any Federal or State entity or source, and no Federal or State entity or source will provide such assistance.
 - a. In general, allowable open space, recreational, and wetland

HMGP Grant Agreement - TOWNSHIP OF LITTLE FALLS
Page 5

management uses include: parks for outdoor recreational activities; nature reserves; cultivation; grazing; camping except where adequate warning time is not available to allow evacuation; unimproved unpaved parking lots; and buffer zones.

- b. Any structures built on the property according to a2). above, shall be flood-proofed or elevated to the 100-year Base Flood Elevation plus one foot of freeboard.
 - c. Title to the property may be transferred only to another governmental entity, with the approval of the Grantee and the FEMA Region II Director. The Sub-grantee will retain all development rights to the land.
 - b. The deed conveying the property to the Sub-Grantee must reference and incorporate the Model Deed Restriction provided for in Exhibit A. Exhibit A must be attached to the Deed when recorded or written into the deed. All language in Exhibit A must be incorporated unless prior authorization is provided by FEMA and the Grantee.
17. ENFORCEMENT (44 C.F.R.13.43)
- a. If the Sub-grantee fails to comply with the terms of the award, whether stated in a federal statute or regulation, an assurance, in a state plan or application, a notice of award, or elsewhere, FEMA may take one or more of the following actions, as appropriate in the circumstances:
 - 1) Temporarily withhold cash payments pending correction of the deficiency;
 - 2) Disallow all or part of the cost of the activity or action not in compliance;
 - 3) Wholly or partly suspend or terminate the current award for the program;
 - 4) Withhold further awards for the program;
 - 5) Take other remedies that may be legally available.
 - b. In taking an enforcement action, FEMA and/or the Grantee will provide an opportunity for such hearing, appeal, or other administrative proceeding to which the Grantee or Sub-grantee is entitled under any statute or regulation applicable to the action involved.
 - c. Costs resulting from obligations incurred by the Sub-grantee during a suspension or after termination of an award are not allowable unless FEMA expressly authorizes them in the notice of suspension or termination. Other costs during suspension or after termination which are necessary and not reasonably avoidable are allowable if:
 - 1) The costs result from obligations which were properly incurred before the effective date of suspension or termination, are not in anticipation of it, and, in the case of a termination, are not cancelable, and,

HMGP Grant Agreement - TOWNSHIP OF LITTLE FALLS
Page 6

- 2) The costs would be allowable if the award were not suspended or expired normally at the end of the funding period in which the termination takes place.

18. ENVIRONMENTAL COMPLIANCE

- a. Sub-grantee will comply with 44 C.F.R. Part 10 Environmental Considerations, National Environmental Policy Act (NEPA), and other federal and state environmental laws and regulations in the implementation of the Project. Sub-grantee shall identify any environmental conditions that may impact demolition activities, the elevation of any structures including: underground storage tanks, cutting of trees or removal of fences or vegetation and disposal of any materials in approved dump sites and the like.
- b. Failure to comply with any environmental condition or requirement will result in the Sub-grantee reimbursing to the Grantee any federal or state funds expended on a property where environmental non-compliance has occurred.

19. CLOSE-OUT (44 C.F.R. 13.50)

- a. Sub-grantee will notify the Grantee as soon as the Project has been completed, and will provide a Final Progress Report and financial report within 30 days. Grantee will conduct a final site visit within 30 days of receiving the final progress report and financial report, and provide the Sub-grantee with their findings within 30 days of the visit. The findings will outline the results of the site visit and in particular any upward or downward adjustment to allowable costs.
- b. Sub-grantee will immediately refund any balance of un-obligated cash advanced that is not authorized to be retained for use on other grants.
- c. The closeout of the grant does not affect the right of FEMA to disallow costs and recover funds on the basis of a later audit or other review, the obligation to return any funds due as a result of later refunds, corrections, or other transactions, records retention as required in 44 C.F.R. 13.42, Property management requirements in 44 C.F.R. 13.31 and 13.32, and audit requirements in 44 C.F.R. 13.26.
- d. Any funds not returned within a reasonable period of time after request, may result in an administrative offset against other requests for assistance, withholding advance payments otherwise due, and other action permitted by law.
- e. Property Reporting Requirements from the Sub-grantee, through the Grantee, to FEMA:
 - 1) A photo of the property site after project implementation
 - 2) Latitude and longitude coordinates of the property
 - 3) Signed Statements of Voluntary Participation from the owner(s) of each property identified in the SOW. This statement documents more formally, the voluntary

HMGP Grant Agreement - TOWNSHIP OF LITTLE FALLS
Page 7

participation notice provided earlier, as well as documenting required property valuation notices. A Model Statement of Voluntary Participation is available on <http://www.fema.gov/library/viewRecord.do?id=3333> or from the Regional Office.

- 4) A copy of the recorded deed and the attached deed restrictions for each acquired property must be submitted.
- 5) Identification of each property as a repetitive loss property, if applicable.

20. PROPERTY DESCRIPTION

- a. The following listing are those properties determined to be eligible to be voluntarily acquired by the Township of Little Falls, Passaic County (to the extent that funding is available):

	Address	Township	Block	Lot
Acquired	166 William Street	Little Falls	71	21
Acquired	65 William Street	Little Falls	69	39
Acquired	59 William Street	Little Falls	69	42
NOT	84 Louis Street	Little Falls	84	30
NOT	92 Island Avenue	Little Falls	72	30
Acquired	48 Riverview Circle	Little Falls	85	28
Acquired	10 Riverview Circle	Little Falls	87	11
Acquired	72 Parkway	Little Falls	86	54
Acquired	37 East Woodcliff Avenue	Little Falls	81	16
Acquired	88 William Street	Little Falls	71	59
Acquired	5 Riker Avenue	Little Falls	18	18

The following are eight (8) alternate properties, if funding becomes available due to under runs.

	Address	Township	Block	Lot
OFFERED	19 Zeff Avenue	Little Falls	67	26
NOT	20 Zeff Avenue	Little Falls	68	8
OFFERED	28 Zeff Avenue	Little Falls	68	4
NOT	30 Zeff Avenue	Little Falls	68	3
NOT	32 Zeff Avenue	Little Falls	68	2
Acquired	37 Zeff Avenue	Little Falls	80	22
Acquired	44 Zeff Avenue	Little Falls	81	9
NOT	92A Island Avenue	Little Falls	72	30

- b. The Subgrantee should reference the grant award letter for further eligibility and restriction information. Acquisition of the above properties is subject to all terms and conditions in the award letter.

- c. Any request for substitution must be submitted in writing.
- d. The Subgrantee shall obtain a survey of the property to be acquired and record the metes and bounds description as part of the deed.

21. DUPLICATION OF BENEFITS

Sub-grantee shall conduct a Duplication of Benefits review and provide certification of assistance from the owner including but not limited to Temporary Housing Grants (structure only), Individual Family Grants (structure only), National Flood Insurance Program, Increased Cost of Compliance and any Small business Administration loans procured. Any of the preceding assistance received by the property owner that cannot be documented as used to repair the structure now undergoing acquisition and demolition would be deducted from the established fair market value. Documentation shall be provided by the sub-grantee regarding DOBs deducted from proceeds at settlement and included as part of the purchase offer. Additionally, any salvage value from the demolition or selling of the existing structures or their components by the sub-grantee is considered "project income" and is required to be deducted from the total expenditures of this project.

22. UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT

Sub-grantee shall comply with all requirements and conditions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act and any State Statutes.

23. PERIOD OF PERFORMANCE EXTENSION

Should sub-grantee require a period of performance extension, a request must be submitted to NJOEM at least 90 days prior to December 15, 2014. This request must include a justification for the extension, including: a summary of all work completed and remaining; a statement demonstrating that all work can be completed within the extension period; a revised budget form (if applicable); copies of contracts between sub-grantee and third parties for work to be performed; copies of the contract of sale; and any other material supporting the extension.

24. INDEMNIFICATION

The Sub-grantee agrees that it shall be solely responsible for and shall keep, save and hold the State of New Jersey and its employees harmless from all claims, loss, liability, expense or damage resulting from all mental or physical injuries or disabilities, including death, to its employees or recipients of the Sub-grantee's services or to any other persons, or from any damage to any property sustained in connection with the delivery of the Sub-grantee's services that results from any acts or omissions, including negligence or malpractice, of any

HMGP Grant Agreement - TOWNSHIP OF LITTLE FALLS
Page 9

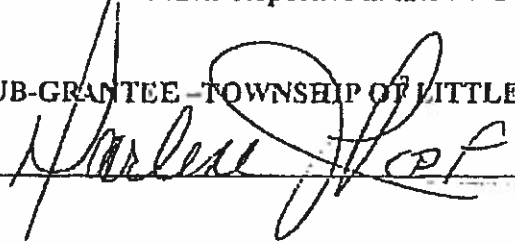
of its officers, directors, employees, agents, servants or independent contractors, or from the Sub-grantee's failure to provide for the safety and protection of its employees, whether or not due to negligence, fault or default of the Sub-grantee. The Sub-grantee's responsibility shall also include all legal fees and costs that may arise from these actions. The Sub-grantee's liability under this agreement shall continue after the termination of this agreement with respect to any liability, loss, expense or damage resulting from acts occurring prior to termination.

--- Signatures follow on next page ---

STATE OF NEW JERSEY
HAZARD MITIGATION GRANT PROGRAM
GRANT AGREEMENT

IN WITNESS WHEREOF, the parties hereto have executed this Grant Agreement and have herein set their respective names on the day and year set forth below:

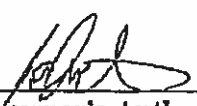
SUB-GRANTEE - TOWNSHIP OF LITTLE FALLS


Date 2/29/12

Date

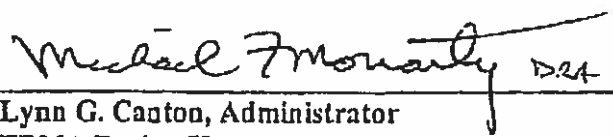
Date

GRANTEE


Lou Goetting, Governor's Authorized Representative
State of New Jersey, Office of the Governor

4/15/12

CONCUR


Lynn G. Canton, Administrator
FEMA Region II

3/21/12

Date

FEMA Model Deed Restriction

Hazard Mitigation Assistance (HMA) Programs

Exhibit A is FEMA's Model Deed Restrictions that support 44 C.F.R. Part 80 requirements. Applications requesting mitigation assistance to acquire properties for open space purposes must include a copy of the deed restriction language proposed to meet these requirements.

The deed conveying the property to the locality must reference and incorporate Exhibit A (or equivalent name). Any variation from the model deed restriction can only be made with prior approval from FEMA's Office of Chief Counsel. Such requests should be made to the FEMA Regional Administrator through the relevant State or Tribal Office. Exhibit A shall be attached to the deed when recorded.

Exhibit A

In reference to the property or properties ("Property") conveyed by the Deed between [property owner] participating in the federally-assisted acquisition project ("the Grantor") and [the local government], ("the Grantee"), its successors and assigns:

WHEREAS, The Robert T. Stafford Disaster Relief and Emergency Assistance Act, ("The Stafford Act"), 42 U.S.C. § 5121 et seq., identifies the use of disaster relief funds under § 5170c, Hazard Mitigation Grant Program ("HMGP"), including the acquisition and relocation of structures in the floodplain;

WHEREAS, the mitigation grant program provides a process for a local government, through the State, to apply for federal funds for mitigation assistance to acquire interests in property, including the purchase of structures in the floodplain, to demolish and/or remove the structures, and to maintain the use of the Property as open space in perpetuity;

Whereas, [State or Tribe] has applied for and been awarded such funding from the Township of Little Falls, Department of Homeland Security, Federal Emergency Management Agency ("FEMA") and has entered into a mitigation grant program Grant Agreement dated [date] with FEMA and herein incorporated by reference; making it a mitigation grant program grantee.

Whereas, the Property is located in [Village/City/County], and [Village/City/County] participates in the National Flood Insurance Program ("NFIP") and is in good standing with NFIP as of the date of the Deed;

Whereas, the [local government], acting by and through the [local government] Board, has applied for and been awarded federal funds pursuant to an agreement with [State] dated [date] ("State-Local Agreement"), and herein incorporated by reference, making it a mitigation grant

ILMGP Grant Agreement - TOWNSHIP OF LITTLE FALLS
Page 12

program subgrantee;

WHEREAS, the terms of the mitigation grant program statutory authorities, Federal program requirements consistent with 44 C.F.R. Part 80, the Grant Agreement, and the State-local Agreement require that the Grantee agree to conditions that restrict the use of the land to open space in perpetuity in order to protect and preserve natural floodplain values;

Now, therefore, the grant is made subject to the following terms and conditions:

1. Terms. Pursuant to the terms of the [select mitigation grant program] program statutory authorities, Federal program requirements consistent with 44 C.F.R. Part 80, the Grant Agreement, and the State-local Agreement, the following conditions and restrictions shall apply in perpetuity to the Property described in the attached deed and acquired by the Grantee pursuant to FEMA program requirements concerning the acquisition of property for open space:

a. Compatible uses. The Property shall be dedicated and maintained in perpetuity as open space for the conservation of natural floodplain functions. Such uses may include: parks for outdoor recreational activities; wetlands management; nature reserves; cultivation; grazing; camping (except where adequate warning time is not available to allow evacuation); unimproved, unpaved parking lots; buffer zones; and other uses consistent with FEMA guidance for open space acquisition, Hazard Mitigation Assistance, Requirements for Property Acquisition and Relocation for Open Space.

b. Structures. No new structures or improvements shall be erected on the Property other than:

i. A public facility that is open on all sides and functionally related to a designated open space or recreational use;

ii. A public rest room; or

iii. A structure that is compatible with open space and conserves the natural function of the floodplain, including the uses described in Paragraph 1.a., above, and approved by the FEMA Administrator in writing before construction of the structure begins.

Any improvements on the Property shall be in accordance with proper floodplain management policies and practices. Structures built on the Property according to paragraph b. of this section shall be floodproofed or elevated to at least the base flood level plus 1 foot of freeboard, or greater, if required by FEMA, or if required by any State, Tribal, or local ordinance, and in accordance with criteria established by the FEMA Administrator.

c. Disaster Assistance and Flood Insurance. No Federal entity or source may provide disaster assistance for any purpose with respect to the Property, nor may any application for such assistance be made to any Federal entity or source. The Property is not eligible for coverage under the NFIP for damage to structures on the property occurring after the date of the property settlement, except for pre-existing structures being relocated off the property as a result of the project.

HMGP Grant Agreement - TOWNSHIP OF LITTLE FALLS
Page 13

d. Transfer. The Grantee, including successors in interest, shall convey any interest in the Property only if the FEMA Regional Administrator, through the State, gives prior written approval of the transferee in accordance with this paragraph.

i. The request by the Grantee, through the State, to the FEMA Regional Administrator must include a signed statement from the proposed transferee that it acknowledges and agrees to be bound by the terms of this section, and documentation of its status as a qualified conservation organization if applicable.

ii. The Grantee may convey a property interest only to a public entity or to a qualified conservation organization. However, the Grantee may convey an easement or lease to a private individual or entity for purposes compatible with the uses described in paragraph (a), of this section, with the prior approval of the FEMA Regional Administrator, and so long as the conveyance does not include authority to control and enforce the terms and conditions of this section.

iii. If title to the Property is transferred to a public entity other than one with a conservation mission, it must be conveyed subject to a conservation easement that shall be recorded with the deed and shall incorporate all terms and conditions set forth in this section, including the easement holder's responsibility to enforce the easement. This shall be accomplished by one of the following means:

a) The Grantee shall convey, in accordance with this paragraph, a conservation easement to an entity other than the title holder, which shall be recorded with the deed, or

b) At the time of title transfer, the Grantee shall retain such conservation easement, and record it with the deed.

iv. Conveyance of any property interest must reference and incorporate the original deed restrictions providing notice of the conditions in this section and must incorporate a provision for the property interest to revert to the State, Tribe, or local government in the event that the transferee ceases to exist or loses its eligible status under this section.

2. Inspection. FEMA, its representatives and assigns including the State or Tribe shall have the right to enter upon the Property, at reasonable times and with reasonable notice, for the purpose of inspecting the Property to ensure compliance with the terms of this part, the Property conveyance and of the grant award.

3. Monitoring and Reporting. Every three years on [date], the Grantee (mitigation grant program subgrantee), in coordination with any current successor in interest, shall submit through the State to the FEMA Regional Administrator a report certifying that the Grantee has inspected the Property within the month preceding the report, and that the Property continues to be maintained consistent with the provisions of 44 C.F.R. Part 80, the property conveyance, and the grant award.

HMGP Grant Agreement - TOWNSHIP OF LITTLE FALLS
Page 14

4. Enforcement. The Grantee (mitigation grant program subgrantee), the State, FEMA, and their respective representatives, successors and assigns, are responsible for taking measures to bring the Property back into compliance if the Property is not maintained according to the terms of 44 C.F.R. Part 80, the property conveyance, and the grant award. The relative rights and responsibilities of FEMA, the State, the Grantee, and subsequent holders of the property interest at the time of enforcement, shall include the following:

a. The State will notify the Grantee and any current holder of the property interest in writing and advise them that they have 60 days to correct the violation.

i. If the Grantee or any current holder of the property interest fails to demonstrate a good faith effort to come into compliance with the terms of the grant within the 60-day period, the State shall enforce the terms of the grant by taking any measures it deems appropriate, including but not limited to bringing an action at law or in equity in a court of competent jurisdiction.

ii. FEMA, its representatives, and assignees may enforce the terms of the grant by taking any measures it deems appropriate, including but not limited to 1 or more of the following:

a) Withholding FEMA mitigation awards or assistance from the State or Tribe, and Grantee; and current holder of the property interest.

b) Requiring transfer of title. The Grantee or the current holder of the property interest shall bear the costs of bringing the Property back into compliance with the terms of the grant; or

c) Bringing an action at law or in equity in a court of competent jurisdiction against any or all of the following parties: the State, the Tribe, the local community, and their respective successors.

5. Amendment. This agreement may be amended upon signatures of FEMA, the State, and the Grantee only to the extent that such amendment does not affect the fundamental and statutory purposes underlying the agreement.

6. Severability. Should any provision of this grant or the application thereof to any person or circumstance be found to be invalid or unenforceable, the rest and remainder of the provisions of this grant and their application shall not be affected and shall remain valid and enforceable.

[Signed by Grantor(s) and Grantee, witnesses and notarization in accordance with local law.]

Grantor's Signature _____ Date _____

Name (printed or typed) _____

Grantee's Signature _____ Date _____

Grantee's Name _____

Grantee's Title _____

EEPE

EPEDATIVE

off

SRL //

90% - FEMTA

10% - CBDG - DR

**STATE-LOCAL GRANT AGREEMENT
SEVERE REPETITIVE LOSS PROGRAM (CFDA 97.110)
TOWNSHIP OF LITTLE FALLS**

This Grant Agreement (the "Agreement") is made and entered into by, and between, the State of New Jersey, Office of Emergency Management, located at PO Box 7068, West Trenton, New Jersey 08628 (herein referred to as the "Grantee"); and the Township of Little Falls, Passaic County, 225 Main Street, Little Falls, New Jersey 07424 (herein referred to as the "Sub-grantee").

The period of performance of this agreement is the period beginning September 13, 2011 and ending September 12, 2014..

- 1 Pursuant to the provisions of the National Flood Insurance Act (NFIA) of 1968, as amended by the National Flood Insurance Reform Act of 1994 (NFIRA) and the Bunning-Bereuter-Blumenauer Flood Insurance Reform Act of 2004, the Severe Repetitive Loss Program (SRL) has been established to provide funding to reduce or eliminate the long-term risk of flood damage to SRL structures insured under the National Flood Insurance Program (NFIP). The New Jersey Office of Emergency Management ("Grantee") has received SRL grant funds for that purpose.
- 2 The New Jersey Office of Emergency Management has been designated as the Grantee to receive, administer, and disburse FEMA mitigation funds for local government mitigation projects in areas of New Jersey and to provide technical assistance with the SRL. Grantee shall monitor and evaluate the implementation of mitigation projects and control the disbursement of SRL funds from FEMA.
- 3 The Township of Little Falls is the Sub-grantee and has submitted an application and an amendment, which have been approved by FEMA and incorporated herein by reference, to the Grantee setting forth a list of activities (herein referred to as "Project") SRL-PJ-02-NJ-2011-007). The Grantee and FEMA have approved the Project along with any exceptions that have been made prior to signing of this agreement and FEMA has provided an award letter to the Grantee, which is incorporated herein by reference. The Sub-grantee agrees to complete the Project prior to September 12, 2014 unless a time extension is granted by the Grantee and FEMA.
- 4 Sub-grantee shall participate in the development of, and shall coordinate and monitor the implementation of the local hazard mitigation measures; and shall regulate and control development within hazardous areas to the extent permitted by law.
- 5 Sub-grantee has the legal authority to accept mitigation funds and shall provide all necessary financial and managerial resources to meet the terms and conditions of receiving federal and state mitigation funds. The financial management system must comply with 44 Code of Federal Regulations (CFR) Part 13 and OMB Circulars A-87 and A-102.
- 6 Sub-grantee shall use the mitigation funds solely for the approved scope of work in the Project. The approved scope of work includes allowable costs for the acquisition,

SRL Grant Agreement - Little Falls
Page 7

site visit and in particular any upward or downward adjustment to allowable costs.

- b. Sub-grantee will immediately refund any balance of un-obligated cash advanced that is not authorized to be retained for use on other grants.
- c. The closeout of the grant does not affect the right of FEMA to disallow costs and recover funds on the basis of a later audit or other review, the obligation to return any funds due as a result of later refunds, corrections, or other transactions, records retention as required in 44 C.F.R.13.42, Property management requirements in 44 C.F.R.13.31 and 13.32, and audit requirements in 44 C.F.R. 13.26.
- d. Any funds not returned within a reasonable period of time after request, may result in an administrative offset against other requests for assistance, withholding advance payments otherwise due, and other action permitted by law.
- e. Property Reporting Requirements from the Sub-grantee, through the Grantee, to FEMA:
 - 1) A photo of the property site after project implementation
 - 2) Latitude and longitude coordinates of the property
 - 3) Signed Statements of Voluntary Participation from the owner of each property identified in the SOW. This statement documents more formally the voluntary participation notice provided earlier, as well as documenting required property valuation notices. A Model Statement of Voluntary Participation is available on <http://www.fema.gov/library/viewRecord.do?id=3333> or from the Regional Office.
 - 4) A copy of the recorded deed and the attached deed restrictions for each acquired property must be submitted.
 - 5) Identification of each property as a repetitive loss property, if applicable.

19. PROPERTY DESCRIPTION

- a. The following listing are those properties determined to be eligible to be voluntarily acquired or elevated by the Township of Township of Little Falls (to the extent that funding is available):

NOT -	Michura	174 Woodcliff Avenue	Little Falls (acquisition/elevation)
NOT -	Burns	83 William street	Little Falls (acquisition/elevation)

SRL Grant Agreement - Little Falls
Page 3

- b. Sub-grantee shall consult with the local floodplain administrator and obtain any necessary permits prior to implementation of this project.
 - c. All permits shall be submitted to Grantee who shall review, maintain and submit to FEMA copies of all permits.
 - d. Failure of sub-grantee to obtain all required permits associated with the approved scope of work violates the condition of the project approval and may result in a determination that no federal funding is eligible to be reimbursed for this project.
- 10. Sub-grantee agrees to comply with local regulations pertaining to the National Flood Insurance Program (NFIP).
- 11. Sub-grantee shall comply with 44 C.F.R. 13.36 in all procurements, including the contract provisions found in subsection 13.36 (i)(1) - (13). In particular,
 - a. Sub-grantee shall comply, as applicable, with provisions of federal laws and regulations pertaining to labor standards, and the State of New Jersey Prevailing Wages laws and regulations.
 - b. Sub-grantee shall not enter into any contract with any party which is debarred or suspended from participating in federal assistance programs, or is otherwise ineligible pursuant to E.O. 12549, Debarment and Suspension, as implemented at 44 C.F.R. 13.35. Sub-grantee shall not enter into any contract with any party which is listed in the State of New Jersey Consolidated Debarment Report.
- 12. Sub-grantee has read, understands, and shall comply with the State of New Jersey Single Audit Policy for Recipients of Federal Grants, State Grants and State Aid, State Circular 04-04-OMB, and OMB Circular A-133.
- 13. Sub-grantee shall submit to the Grantee quarterly progress reports (QPR), due the 15th day of the month following the end of the quarter on the following schedule:
 - a.

January – March	Due April 15
April – June	Due July 15
July – September	Due October 15
October – December	Due January 15
 - b. Failure to provide the required reports will result in suspension of grant funds until the required reports are provided and approved by the Grantee.
 - c. QPR should reflect the status and completion date for the project and any problems or circumstances affecting the completion date, scope of work, project

SRL Grant Agreement - Little Falls
Page 2

demolition and removal of all structures on the properties, site restoration, deed restriction of the acquired property and compliance with the Uniform Relocation Assistance Act. Only those costs, which are allowable as defined in 44 C.F.R. Part 13 and OMB Circular A 87, will be paid:

- a. This Grant Agreement in the amount of \$6,270,300.00 ("Funds") will serve as the contract between the Grantee, New Jersey OEM, and the Sub-grantee for the purpose of the approved project. This grant amount represents the total funding currently available for the project, including federal and non-federal shares and may not be equal to the estimated cost of completing the entire Project.
 - b. Total estimated cost of the mitigation project is \$ 6,270,300.00
Total Federal share is: \$ 5,643,270.00
Total local non-federal share: \$ 627,030.00
 - c. Sub-grantee agrees to provide the necessary non-federal cost share as required by 44 C.F.R. 13.24 and the funding will be available within the specified period of time for completion of the Project. Documentation of the use of the non-federal cost share is required.
 - d. Any revision, change or modification to the approved scope of work must be submitted to Grantee and be approved by FEMA prior to implementation and/or construction. Any revision, change or modification that does not receive prior FEMA approval will violate the conditions of the grant.
 - e. All work under this agreement shall be completed by September 12, 2014. Demolition, any required remediation and site restoration shall be completed within 90 days of closing on the property.
 - f. A title insurance policy demonstrating clear title must be obtained for each approved property that will be acquired.
7. Sub-grantee shall return to Grantee any grant funds which are not supported by audit or other federal or state review of documentation maintained by the Sub-grantee.
 8. Sub-grantee shall maintain records for the period set forth in 44 C.F.R. 13.42 and shall give state and federal agencies access to, and the right to examine all records and documents related to use of mitigation funds.
 9. Sub-grantee shall comply with all applicable state and local ordinances, laws, regulations, building codes and standards applicable to this Project.
 - a. Sub-grantee shall obtain all Federal, State and/or local permits prior to commencing construction or demolition.

costs, or which could be expected to result in noncompliance with the approved grant conditions.

- d. Every three years a report is required (from the date of the last structure demolition) certifying that the acquired property in its present condition and status is compliant with the conditions outlined in this agreement and the grant award documents. This report must include photographs of each acquired property evidencing compliance with the deed restrictions.

14. APPRAISAL PROCESS

- a. A property owner who did not own the property at the time of the relevant event, or who is not a United States citizen, non-citizen national or qualified alien, is not eligible for a purchase offer based on pre-event market value of the property. Sub-grantee shall ask each participating property owner to certify that they are either a United States citizen, non-citizen national or qualified alien before offering pre-event market value for the property. This information should be retained in the project file.
- b. All property acquisition offers shall be based upon appraisals and must be coordinated with NJOEM prior to being made to the property owner. The property owner has 45 days from date of the written offer to accept the offer. Failure to respond in writing within this time period will be deemed a refusal of the offer. Funding is limited to the amount approved in this Grant Agreement.

15. DEED RESTRICTIONS

Sub-grantee agrees to the following assurance for projects, which involve acquisition and relocation:

- a. The following restrictive covenants shall be conveyed in the deed to any property acquired, accepted, or from which structures are removed:

- 1) The property shall be dedicated and maintained in perpetuity as open space for the conservation of natural floodplain functions; and,
- 2) No new structure(s) will be built on the property except as indicated

below:

- a. A public facility that is open on all sides and functionally related to a designated open space or recreational use:

SRL Grant Agreement - Little Falls
Page 5

- b. A rest room; or
 - c. A structure that is compatible with open space, recreational, or wetland management usage and proper floodplain management policies and practices, which the FEMA Region II Director approves in writing before the construction of the structure begins.
 - 3) After completion of the project, no application for additional disaster assistance will be made for any purpose with respect to the property to any Federal or State entity or source, and no Federal or State entity or source will provide such assistance.
 - a. In general, allowable open space, recreational, and wetland management uses include: parks for outdoor recreational activities; nature reserves; cultivation; grazing; camping except where adequate warning time is not available to allow evacuation; unimproved unpaved parking lots; and buffer zones.
 - b. Any structures built on the property according to a2). above, shall be flood-proofed or elevated to the 100-year Base Flood Elevation plus one foot of freeboard.
 - c. Title to the property may be transferred only to another governmental entity, with the approval of the Grantee and the FEMA Region II Director. The Sub-grantee will retain all development rights to the land.
 - b. The deed conveying the property to the Sub-Grantee must reference and incorporate the Model Deed Restriction provided for in Exhibit A. Exhibit A must be attached to the Deed when recorded or written into the deed. All language in Exhibit A must be incorporated unless prior authorization is provided by FEMA and the Grantee.
16. ENFORCEMENT (44 C.F.R.13.43)
- a. If the Sub-grantee fails to comply with the terms of the award, whether stated in a federal statute or regulation, an assurance, in a state plan or application, a notice of award, or elsewhere, FEMA may take one or more of the following actions, as appropriate in the circumstances:
 - 1) Temporarily withhold cash payments pending correction of the deficiency;
 - 2) Disallow all or part of the cost of the activity or action not in compliance;

- 3) Wholly or partly suspend or terminate the current award for the program;
- 4) Withhold further awards for the program;
- 5) Take other remedies that may be legally available.

- b. In taking an enforcement action, FEMA and/or the Grantee will provide an opportunity for such hearing, appeal, or other administrative proceeding to which the Grantee or Sub-grantee is entitled under any statute or regulation applicable to the action involved.
- c. Costs resulting from obligations incurred by the Sub-grantee during a suspension or after termination of an award are not allowable unless FEMA expressly authorizes them in the notice of suspension or termination. Other costs during suspension or after termination which are necessary and not reasonably avoidable are allowable if:
 - 1) The costs result from obligations which were properly incurred before the effective date of suspension or termination, are not in anticipation of it, and, in the case of a termination, are not cancelable, and,
 - 2) The costs would be allowable if the award were not suspended or expired normally at the end of the funding period in which the termination takes place.

17. ENVIRONMENTAL COMPLIANCE

- a. Sub-grantee will comply with 44 C.F.R. Part 10 Environmental Considerations, National Environmental Policy Act (NEPA), and other federal and state environmental laws and regulations in the implementation of the Project. Sub-grantee shall identify any environmental conditions that may impact demolition activities, the elevation of any structures including: underground storage tanks, cutting of trees or removal of fences or vegetation and disposal of any materials in approved dump sites and the like.
- b. Failure to comply with any environmental condition or requirement will result in the Sub-grantee reimbursing to the Grantee any federal or state funds expended on a property where environmental non-compliance has occurred.

18. CLOSE-OUT (44 C.F.R. 13.50)

- a. Sub-grantee will notify the Grantee as soon as the Project has been completed, and will provide a Final Progress Report and financial report within 30 days. Grantee will conduct a final site visit within 30 days of receiving the final progress report and financial report, and provide the Sub-grantee with their findings within 30 days of the visit. The findings will outline the results of the

SRL Grant Agreement - Little Falls
Page 8

Acquired - Daugert	142 Woodcliff Avenue	Little Falls (acquisition/elevation)
Acquired - Vrenzi	5 Taylor Avenue	Little Falls (acquisition/elevation)
Acquired - Jarrell	4 Garden Street	Little Falls (elevation/acquisition)
NOT - Islander	91 Louis Street	Little Falls (elevation/acquisition)
Acquired - Corbosiero	2 Louis Street	Little Falls (elevation/acquisition)
Elevated - Lawson	78 Louis Street	Little Falls (elevation/acquisition)
Acquired - Quinn	77 Louis Street	Little Falls (elevation/acquisition)
Elevated - Switzer	44 Louis Street	Little Falls (elevation/acquisition)
Acquired - Booth	39 Louis Street	Little Falls (elevation/acquisition)
NOT - DeLeon	50 Louis Street	Little Falls (elevation/acquisition)
Elevated - Moore	26 Louis Street	Little Falls (elevation/acquisition)
NOT - Morano	100 Louis Street	Little Falls (elevation/acquisition)
NOT - Rucando	28 Riverview Circle	Little Falls (elevation/acquisition)
Acquired - Rojas	61 E. Woodcliff Avenue	Little Falls (elevation/acquisition)
Acquired - Martin	4 Roselle Street	Little Falls (elevation/acquisition)
Pending (should be 6116) - Beaumont	50 Parkway	Little Falls (elevation/acquisition)
Acquired - Kong	55 Parkway	Little Falls (elevation/acquisition)
Acquired - Pace	47 Parkway	Little Falls (elevation/acquisition)
Acquired - Figueroa	154 William Street	Little Falls (elevation/acquisition)
Acquired - White	48 William Street	Little Falls (elevation/acquisition)
Acquired - Cavallo	201 William Street	Little Falls (elevation/acquisition)

SRL Grant Agreement - Little Falls
Page 9

Elevated	- Collins	138 William Street	Little Falls (elevation/acquisition)
NOT	- Niazi	5 Zeff Avenue	Little Falls (elevation/acquisition)
Acquired	- Bangaree	54 Zeff Avenue	Little Falls (elevation/acquisition)
Acquired	- Ruiz	35 Zeff Avenue	Little Falls (elevation/acquisition)
NOT	- Scrivanich	34 Zeff Avenue	Little Falls (elevation/acquisition)
NOT	- Razzak	41 Zeff Avenue	Little Falls (elevation/acquisition)
NOT	- Russomanno	40 Zeff Avenue	Little Falls (elevation/acquisition)
Acquired	- Bachkhaz	29 Zeff Avenue	Little Falls (elevation/acquisition)
Acquired	- Espillat	50 Zeff Avenue	Little Falls (elevation/acquisition)
Acquired	- Mirthes	186 Woodcliff Avenue	Little Falls (acquisition/elevation)

23/31

Subgrantee should reference the grant award letter for further eligibility and restriction information. Acquisition of the above properties is subject to all terms and conditions in the award letter.

- b. Any request for substitution must be submitted in writing.
- c. Subgrantee shall obtain a survey of the property to be acquired and record the metes and bounds description as part of the deed.

20. DUPLICATION OF BENEFITS

Sub-grantee shall conduct a Duplication of Benefits review and provide certification of assistance from the owner including but not limited to Temporary Housing Grants (structure only), Individual Family Grants (structure only), National Flood Insurance Program, Increased Cost of Compliance and any Small business Administration loans procured. Any of the preceding assistance received by the property owner that cannot be documented as used to repair the structure now undergoing acquisition and demolition would be deducted from the established fair market value. Documentation shall be provided by the sub-grantee regarding DOBs deducted from proceeds at settlement and

included as part of the purchase offer. Additionally, any salvage value from the demolition or selling of the existing structures or their components by the sub-grantee is considered "project income" and is required to be deducted from the total expenditures of this project.

21. **UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT**

Sub-grantee shall comply with all requirements and conditions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act and any State Statutes.

22. **PERIOD OF PERFORMANCE EXTENSION**

Should sub-grantee require a period of performance extension, a request must be submitted to NJOEM at least 90 days prior to September 12, 2014. This request must include a justification for the extension, including: a summary of all work completed and remaining; a statement demonstrating that all work can be completed within the extension period; a revised budget form (if applicable); copies of contracts between sub-grantee and third parties for work to be performed; copies of the contract of sale; and any other material supporting the extension.

23. **INDEMNIFICATION**

The Sub-grantee agrees that it shall be solely responsible for and shall keep, save and hold the State of New Jersey and its employees harmless from all claims, loss, liability, expense or damage resulting from all mental or physical injuries or disabilities, including death, to its employees or recipients of the Sub-grantee's services or to any other persons, or from any damage to any property sustained in connection with the delivery of the Sub-grantee's services that results from any acts or omissions, including negligence or malpractice, of any of its officers, directors, employees, agents, servants or independent contractors, or from the Sub-grantee's failure to provide for the safety and protection of its employees, whether or not due to negligence, fault or default of the Sub-grantee. The Sub-grantee's responsibility shall also include all legal fees and costs that may arise from these actions. The Sub-grantee's liability under this agreement shall continue after the termination of this agreement with respect to any liability, loss, expense or damage resulting from acts occurring prior to termination.

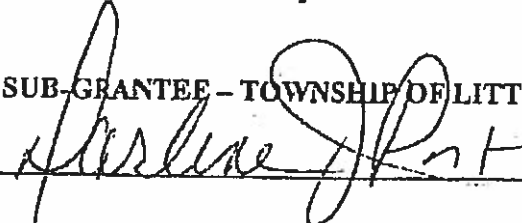
-- Signatures follow on next page --

STATE OF NEW JERSEY

SEVERE REPETITIVE LOSS PROGRAM
GRANT AGREEMENT

IN WITNESS WHEREOF, the parties hereto have executed this Grant Agreement and have herein set their respective names on the day and year set forth below:

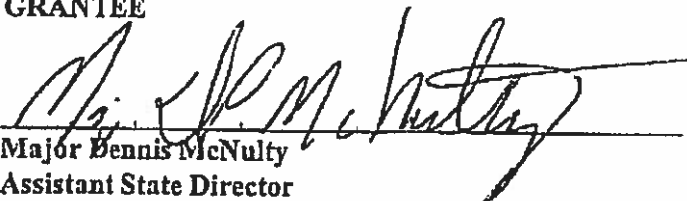
SUB-GRANTEE - TOWNSHIP OF LITTLE FALLS

 2/29/12 Date

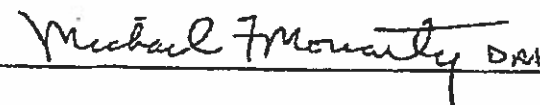
Date

Date

GRANTEE

 12/21/11
Major Dennis McNulty
Assistant State Director
New Jersey Office of Emergency Management

CONCUR

 DRT 3/21/12 Date
FEMA Region II

FEMA Model Deed Restriction

Hazard Mitigation Assistance (HMA) Programs

Exhibit A is FEMA's Model Deed Restrictions that support 44 C.F.R. Part 80 requirements. Applications requesting mitigation assistance to acquire properties for open space purposes must include a copy of the deed restriction language proposed to meet these requirements.

The deed conveying the property to the locality must reference and incorporate Exhibit A (or equivalent name). Any variation from the model deed restriction can only be made with prior approval from FEMA's Office of Chief Counsel. Such requests should be made to the FEMA Regional Administrator through the relevant State or Tribal Office. Exhibit A shall be attached to the deed when recorded.

Exhibit A

In reference to the property or properties ("Property") conveyed by the Deed between [property owner] participating in the federally-assisted acquisition project ("the Grantor") and the State of New Jersey Department of Environmental Protection Green Acres Program ("the Grantee"), its successors and assigns:

WHEREAS, the Severe Repetitive Loss Program (SRL), as authorized under Sections 1361(A) of the National Flood Insurance Act of 1968, (NFIA, or "the Act"), 42 USC 4011 et seq., as amended by the National Flood Insurance Reform Act of 1994 (NFIRA); Public Law 103-325, and the Bunning-Bereuter-Blumenauer Flood Insurance Reform Act of 2004, Public Law 108-264, identifies the use of SRL funds for uses that reduce flood damages to properties insured under the National Flood Insurance Program ("NFIP");

WHEREAS, the mitigation grant program provides a process for a local government, through the State, to apply for federal funds for mitigation assistance to acquire interests in property, including the purchase of structures in the floodplain, to demolish and/or remove the structures, and to maintain the use of the Property as open space in perpetuity;

Whereas, the State of New Jersey has applied for and been awarded such funding from the Department of Homeland Security, Federal Emergency Management Agency ("FEMA") and has entered into a mitigation grant program Grant Agreement dated September 15, 2011 with FEMA and herein incorporated by reference; making it a mitigation grant program grantee.

Whereas, the Property is located in Township of Little Falls, and the Township of Little Falls participates in the National Flood Insurance Program ("NFIP") and is in good standing with NFIP as of the date of the Deed;

Whereas, the Township of Little Falls has applied for and been awarded federal funds pursuant to

SRL Grant Agreement - Little Falls
Page 14

to an agreement with the State of New Jersey dated [date] ("State-Local Agreement"), and herein incorporated by reference, making it a mitigation grant program subgrantee;

WHEREAS, the terms of the mitigation grant program statutory authorities, Federal program requirements consistent with 44 C.F.R. Part 80, the Grant Agreement, and the State-local Agreement require that the Grantee agree to conditions that restrict the use of the land to open space in perpetuity in order to protect and preserve natural floodplain values;

Now, therefore, the grant is made subject to the following terms and conditions:

1. Terms. Pursuant to the terms of the Severe Repetitive Loss Program statutory authorities, Federal program requirements consistent with 44 C.F.R. Part 80, the Grant Agreement, and the State-local Agreement, the following conditions and restrictions shall apply in perpetuity to the Property described in the attached deed and acquired by the Grantee pursuant to FEMA program requirements concerning the acquisition of property for open space:

a. Compatible uses. The Property shall be dedicated and maintained in perpetuity as open space for the conservation of natural floodplain functions. Such uses may include: parks for outdoor recreational activities; wetlands management; nature reserves; cultivation; grazing; camping (except where adequate warning time is not available to allow evacuation); unimproved, unpaved parking lots; buffer zones; and other uses consistent with FEMA guidance for open space acquisition, Hazard Mitigation Assistance, Requirements for Property Acquisition and Relocation for Open Space.

b. Structures. No new structures or improvements shall be erected on the Property other than:

i. A public facility that is open on all sides and functionally related to a designated open space or recreational use;

ii. A public rest room; or

iii. A structure that is compatible with open space and conserves the natural function of the floodplain, including the uses described in Paragraph 1.a., above, and approved by the FEMA Administrator in writing before construction of the structure begins.

Any improvements on the Property shall be in accordance with proper floodplain management policies and practices. Structures built on the Property according to paragraph b. of this section shall be floodproofed or elevated to at least the base flood level plus 1 foot of freeboard, or greater, if required by FEMA, or if required by any State, Tribal, or local ordinance, and in accordance with criteria established by the FEMA Administrator.

c. Disaster Assistance and Flood Insurance. No Federal entity or source may provide

disaster assistance for any purpose with respect to the Property, nor may any application for such assistance be made to any Federal entity or source. The Property is not eligible for coverage under the NFIP for damage to structures on the property occurring after the date of the property settlement, except for pre-existing structures being relocated off the property as a result of the project.

d. Transfer. The Grantee, including successors in interest, shall convey any interest in the Property only if the FEMA Regional Administrator, through the State, gives prior written approval of the transferee in accordance with this paragraph.

i. The request by the Grantee, through the State, to the FEMA Regional Administrator must include a signed statement from the proposed transferee that it acknowledges and agrees to be bound by the terms of this section, and documentation of its status as a qualified conservation organization if applicable.

ii. The Grantee may convey a property interest only to a public entity or to a qualified conservation organization. However, the Grantee may convey an easement or lease to a private individual or entity for purposes compatible with the uses described in paragraph (a), of this section, with the prior approval of the FEMA Regional Administrator, and so long as the conveyance does not include authority to control and enforce the terms and conditions of this section.

iii. If title to the Property is transferred to a public entity other than one with a conservation mission, it must be conveyed subject to a conservation easement that shall be recorded with the deed and shall incorporate all terms and conditions set forth in this section, including the easement holder's responsibility to enforce the easement. This shall be accomplished by one of the following means:

a) The Grantee shall convey, in accordance with this paragraph, a conservation easement to an entity other than the title holder, which shall be recorded with the deed, or

b) At the time of title transfer, the Grantee shall retain such conservation easement, and record it with the deed.

iv. Conveyance of any property interest must reference and incorporate the original deed restrictions providing notice of the conditions in this section and must incorporate a provision for the property interest to revert to the State, Tribe, or local government in the event that the transferee ceases to exist or loses its eligible status under this section.

2. Inspection. FEMA, its representatives and assigns including the State or Tribe shall have the right to enter upon the Property, at reasonable times and with reasonable notice, for the purpose of inspecting the Property to ensure compliance with the terms of this part, the Property conveyance and of the grant award.

3. Monitoring and Reporting. Every three years on [date], the Grantee (mitigation grant program subgrantee), in coordination with any current successor in interest, shall submit through the State to the FEMA Regional Administrator a report certifying that the Grantee has inspected the Property within the month preceding the report, and that the Property continues to be maintained consistent with the provisions of 44 C.F.R. Part 80, the property conveyance, and the grant award.

4. Enforcement. The Grantee (mitigation grant program subgrantee), the State, FEMA, and their respective representatives, successors and assigns, are responsible for taking measures to bring the Property back into compliance if the Property is not maintained according to the terms of 44 C.F.R. Part 80, the property conveyance, and the grant award. The relative rights and responsibilities of FEMA, the State, the Grantee, and subsequent holders of the property interest at the time of enforcement, shall include the following:

a. The State will notify the Grantee and any current holder of the property interest in writing and advise them that they have 60 days to correct the violation.

i. If the Grantee or any current holder of the property interest fails to demonstrate a good faith effort to come into compliance with the terms of the grant within the 60-day period, the State shall enforce the terms of the grant by taking any measures it deems appropriate, including but not limited to bringing an action at law or in equity in a court of competent jurisdiction.

ii. FEMA, its representatives, and assignees may enforce the terms of the grant by taking any measures it deems appropriate, including but not limited to 1 or more of the following:

a) Withholding FEMA mitigation awards or assistance from the State or Tribe, and Grantee; and current holder of the property interest.

b) Requiring transfer of title. The Grantee or the current holder of the property interest shall bear the costs of bringing the Property back into compliance with the terms of the grant; or

c) Bringing an action at law or in equity in a court of competent jurisdiction against any or all of the following parties: the State, the Tribe, the local community, and their respective successors.

5. Amendment. This agreement may be amended upon signatures of FEMA, the State, and the Grantee only to the extent that such amendment does not affect the fundamental and statutory purposes underlying the agreement.

6. Severability. Should any provision of this grant or the application thereof to any person or circumstance be found to be invalid or unenforceable, the rest and remainder of the provisions of this grant and their application shall not be affected and shall remain valid and enforceable.

SRL Grant Agreement - Little Falls
Page 17

[Signed by Grantor(s) and Grantee, witnesses and notarization in accordance with local law.]

Grantor's Signature _____

Date _____

Name (printed or typed) _____

Grantee's Signature _____

Date _____

Grantee's Name _____

Grantee's Title _____

Last Modified: Wednesday, 11-Aug-2010 12:52:43 EDT

SRL / O

EFFE

OPERATIVE

OSH

90%
10%

01-10

**STATE-LOCAL GRANT AGREEMENT
SEVERE REPETITIVE LOSS PROGRAM (CFDA 97.110)**

This Grant Agreement (the "Agreement") is made and entered into by, and between, the State of New Jersey, Office of Emergency Management, located at PO Box 7068, West Trenton, New Jersey 08628 (herein referred to as the "Grantee"); and, the Township of Little Falls, located at 225 Main Street, Little Falls, New Jersey 07424 (herein referred to as the "Sub-grantee").

The period of performance of this agreement is the period beginning October 1, 2010 and ending September 30, 2013.

1. Pursuant to the provisions of the National Flood Insurance Act (NFIA) of 1968, as amended by the National Flood Insurance Reform Act of 1994 (NFIRA) and the Bunning-Bereuter-Blumenauer Flood Insurance Reform Act of 2004, the Severe Repetitive Loss Program (SRL) has been established to provide funding to reduce or eliminate the long-term risk of flood damage to SRL structures insured under the National Flood Insurance Program (NFIP). The New Jersey Office of Emergency Management ("Grantee") has received SRL grant funds for that purpose.
2. The New Jersey Office of Emergency Management has been designated as the Grantee to receive, administer, and disburse FEMA mitigation funds for local government mitigation projects in areas of New Jersey and to provide technical assistance with the SRL. Grantee shall monitor and evaluate the implementation of mitigation projects and control the disbursement of SRL funds from FEMA.
3. The Township of Little Falls is the Sub-grantee and has submitted an application, which is incorporated herein by reference, to the Grantee setting forth a list of activities (herein referred to as "Project"). The Grantee and FEMA have approved the Project along with any exceptions that have been made prior to signing of this agreement and FEMA has provided an award to the Grantee, which is incorporated herein by reference. The Sub-grantee agrees to complete the Project prior to September 30, 2013 unless a time extension is granted by the Grantee and FEMA.
4. Sub-grantee shall participate in the development of, and shall coordinate and monitor the implementation of the local hazard mitigation measures; and shall regulate and control development within hazardous areas to the extent permitted by law.
5. Sub-grantee has the legal authority to accept mitigation funds and shall provide all necessary financial and managerial resources to meet the terms and conditions of receiving federal and state mitigation funds. The financial

management system must comply with 44 Code of Federal Regulations (CFR) Part 13 and OMB Circular A-87.

6. Sub-grantee shall use the mitigation funds solely for the approved scope of work in the Project. The approved scope of work includes allowable costs for the elevation of the approved properties. Only those costs, which are allowable as defined in 44 CFR Part 13 and OMB Circular A-87 will be paid:
 - a. This Grant Agreement in the amount of \$ 6,636,800.00 will serve as the contract between the Grantee and the Sub-grantee for the purpose of the approved project. This grant amount represents the total funding currently available for the project, including federal and non-federal shares and may not be equal to the estimated cost of completing the entire Project.
 - b. Total estimated cost of the mitigation project is \$ 6,636,800.00
Federal share is: \$ 5,973,120.00
Non-federal share: \$ 663,680.00
 - c. Any revision, change or modification to the approved scope of work must be submitted to Grantee and be approved by FEMA prior to implementation and/or construction. Any revision, change or modification that does not receive prior FEMA approval will violate the conditions of the grant.
7. Sub-grantee shall return to Grantee any grant funds which are not supported by audit or other federal or state review of documentation maintained by the Sub-grantee.
8. Sub-grantee shall maintain records for the period set forth in 44 CFR Part 13.42 and shall give state and federal agencies access to, and the right to examine all records and documents related to use of mitigation funds.
9. Sub-grantee shall comply with all applicable state and local ordinances, laws, regulations, building codes and standards applicable to the Project.
10. Sub-grantee agrees to maintain good standing with the National Flood Insurance Program (NFIP) and comply with local regulations pertaining to the NFIP.
11. Sub-grantee shall comply with 44 CFR Part 13.36 in all procurements, including the contract provisions found in subsection 13.36 (i)(1) - (13). In particular,
 - a. Sub-grantee shall comply, as applicable, with provisions of federal laws and regulations pertaining to labor standards, and the State of New Jersey Prevailing Wages laws and regulations.

- b. Sub-grantee shall not enter into any contract with any party which is debarred or suspended from participating in federal assistance programs, or is otherwise ineligible pursuant to E.O. 12549, Debarment and Suspension, as implemented at 44 CFR 13.35. Sub-grantee shall not enter into any contract with any party which is listed in the State of New Jersey Consolidated Debarment Report.
12. Sub-grantee has read, understands, and shall comply with the State of New Jersey Single Audit Policy for Recipients of Federal Grants, State Grants and State Aid, State Circular Letter 04-04 and OMB Circular A-133.
13. Sub-grantee shall submit to the Grantee quarterly progress reports (QPR), due the 15th day of the month following the end of the quarter on the following schedule:
- a.

January - March	Due April 15
April - June	Due July 15
July - September	Due October 15
October - December	Due January 15
 - b. Failure to provide the required reports will result in suspension of grant funds until the required reports are provided and approved by the Grantee.
 - c. QPR should reflect the status and completion date for the project and any problems or circumstances affecting the completion date, scope of work, project costs, or which could be expected to result in noncompliance with the approved grant conditions.
14. ENFORCEMENT (44 CFR PART 13.43)
- a. If the Sub-grantee fails to comply with the terms of the award, whether stated in a federal statute or regulation, an assurance, in a state plan or application, a notice of award, or elsewhere, the awarding agency may take one or more of the following actions, as appropriate in the circumstances:
 - 1) Temporarily withhold cash payments pending correction of the deficiency;
 - 2) Disallow all or part of the cost of the activity or action not in compliance;
 - 3) Wholly or partly suspend or terminate the current award for the program;
 - 4) Withhold further awards for the program;
 - 5) Take other remedies that may be legally available.
 - b. In taking an enforcement action, FEMA and/or the Grantee will provide an opportunity for such hearing, appeal, or other administrative proceeding to which the Grantee or Sub-grantee is entitled under any statute or regulation applicable

to the action involved.

c. Costs resulting from obligations incurred by the Sub-grantee during a suspension or after termination of an award are not allowable unless FEMA expressly authorizes them in the notice of suspension or termination. Other costs during suspension or after termination which are necessary and not reasonably avoidable are allowable if:

- 1) The costs result from obligations which were properly incurred before the effective date of suspension or termination, are not in anticipation of it, and, in the case of a termination, are not cancelable, and,
- 2) The costs would be allowable if the award were not suspended or expired normally at the end of the funding period in which the termination takes place.

15. ENVIRONMENTAL COMPLIANCE

- a. Sub-grantee will comply with 44 CFR Part 10 Environmental Considerations, National Environmental Policy Act (NEPA), and other federal and state environmental laws and regulations in the implementation of the Project. Sub-grantee shall identify any environmental conditions that may impact the elevation of any structures including: underground storage tanks, cutting of trees or removal of fences or vegetation and disposal of any materials in approved dump sites and the like.
- b. Failure to comply with any environmental condition or requirement will result in the Sub-grantee reimbursing to the Grantee any federal or state funds expended on a property where environmental non-compliance has occurred.

16. CLOSE-OUT (44 CFR PART 13.50)

- a. Sub-grantee will notify the Grantee as soon as the Project has been completed, and will provide a Final Progress Report and financial report within 30 days. Grantee will conduct a final site visit within 30 days of receiving the final progress report and financial report, and provide the Sub-grantee with their findings within 30 days of the visit. The findings will outline the results of the site visit and in particular any upward or downward adjustment to allowable costs.
- b. Sub-grantee will immediately refund any balance of un-obligated cash advanced that is not authorized to be retained for use on other grants.

- c. The closeout of the grant does not affect the right of FEMA to disallow costs and recover funds on the basis of a later audit or other review, the obligation to return any funds due as a result of later refunds, corrections, or other transactions, records retention as required in Part 13.42, Property management requirements in Parts 13.31 and 13.32, and audit requirements in Part 13.26.
- d. Any funds not returned within a reasonable period of time after request, may result in an administrative offset against other requests for assistance, withholding advance payments otherwise due, and other action permitted by law.
- e. Property Reporting Requirements from the Sub-grantee, through the Grantee, to FEMA:
 - 1) A photo of the property site after project implementation
 - 2) Latitude and longitude coordinates of the property
 - 3) For any property identified on FEMA's Repetitive Loss list, complete and submit FEMA form AW-501, documenting the completion of mitigation to those properties that are identified by FEMA as Repetitive Loss Properties.

17. PROPERTY DESCRIPTION

- a. The structures approved for elevation are as follows:

Elevated	-	Reyes	19 Louis Street	Block 68, Lot 40
Acquired	-	Papaleo	125 Louis Street	Block 82, Lot 44
Acquired	-	Moisor	66 Louis Street	Block 84, Lot 39 ✓
Elevated	-	Sperling	132 William Street	Block 71, Lot 37
Acquired	-	Groveman	120 William Street	Block 71, Lot 43 ✓
Acquired	-	Danielle	60 Louis Street	Block 84, Lot 42
Elevated	-	Bartole	126 William Street	Block 71, Lot 40
Elevated	-	Prell	119 William Street	Block 84, Lot 75
Elevated	-	Natusch	133 William Street	Block 84, Lot 59

SRI Grant Agreement - State of New Jersey and Township of Little Falls
Page 6

Acquired	- DePiano	155 William Street	Block 84, Lot 59 ✓
NOT	- Bell	3 Garden Street	Block 81, Lot 37
Acquired	- Huhn	99 William Street	Block 84, Lot 86 ✓
Acquired	- Corthell	170 William Street	Block 71, Lot 18
NOT	- Kuhl	176 William Street	Block 71, Lot 15
Elevated	- San George	145 William Street	Block 84, Lot 62
Acquired	- Faller	94 William Street	Block 71, Lot 56 ✓
Elevated	- Thompson	91 William Street	Block 69, Lot 27
Elevated	- Mazza	1 Garden Street	Block 81, Lot 39
NOT	- Louie	10 Louis Street	Block 69, Lot 21.02 ✓
Acquired	- Danielien	198 William Street	Block 71, Lot 4 ✓
Acquired	- Ziccardi	3 Louis Street	Block 68, Lot 43 ✓
Acquired	- George	14 Louis Street	Block 69, Lot 19 ✓
Acquired	- Volonnino	184 William Street	Block 71, Lot 12
Acquired	- Colavito	114 William Street	Block 71, Lot 46
Acquired	- Johnson	122 Louis Street	Block 84, Lot 11
Elevated	- Droney	144 William Street	Block 71, Lot 31.02
Acquired	- McGough	45 Louis Street	Block 68, Lot 28
Acquired	- Zaneski	126 Louis Street	Block 84, Lot 9 ✓
NOT	- Moncato	106 William Street	Block 71, Lot 50
Acquired	- Bollazzi	66 William Street	Block 71, Lot 70.02
Acquired	- D'Astolfo	82 William Street	Block 71, Lot 62

Elevated - Graber 60 William Street Block 71, Lot 73
Elevated - DeYoung 127 William Street Block 84, Lot 72
Agreement - Waltz 30 Riverview Circle Block 85, Lot 10
(not under revision)

30/34

18. DUPLICATION OF BENEFITS

Sub-grantee shall conduct a Duplication of Benefits review and provide certification of assistance from the owner including but not limited to Temporary Housing Grants (structure only), Individual Family Grants (structure only), National Flood Insurance Program, Increased Cost of Compliance and any Small Business Administration loans procured. Any of the preceding assistance received by the property owner that cannot be documented as used to repair the structure now undergoing elevation would be deducted from the grant amount.

19. UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT

Sub-grantee shall comply with all requirements and conditions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act and any State Statutes.

20. PERIOD OF PERFORMANCE EXTENSION

Should sub-grantee require a period of performance extension, a request must be submitted to NJOEM at least 90 days prior to September 30, 2013. This request must include a justification for the extension, including: a summary of all work completed and remaining; a statement demonstrating that all work can be completed within the extension period; a revised budget form (if applicable); copies of contracts between sub-grantee and third parties for work to be performed; and any other material supporting the extension.

— Signatures follow on next page —

STATE OF NEW JERSEY
SEVERE REPETITIVE LOSS GRANT PROGRAM
GRANT AGREEMENT

IN WITNESS WHEREOF, the parties hereto have executed this Grant Agreement and have herein set their respective names on the day and year set forth below:

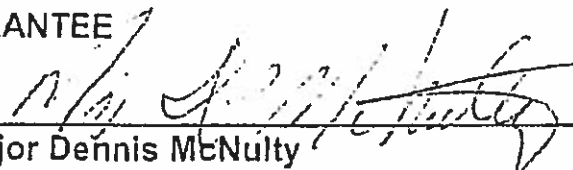
SUB-GRANTEE - TOWNSHIP OF LITTLE FALLS

 4/12/11
Date

Date

Date

GRANTEE

 3/23/11
Date
Major Dennis McNulty
Assistant State Director
New Jersey Office of Emergency Management

CONCUR

FEMA Region II Date

St Numb	St Name	Tax Card File	St Address	Owner name correct	EMAIL/PHONE
30	Parkway	17	30 Parkway	Linda Lisa	973-632-3176linda.lisa@exellsinc.com
27	Riverview Circle	17	27 Riverview Circle	Peter & Elizabeth Paizis	973-256-3541 Home917-673-7726 Cellbklynpep1@optonline.net
25	Riverview Circle	17	25 Riverview Circle	Kevin & Theresa Mendez	973-890-0659hjtkt25@msn.com
92	Parkway	17	92 Parkway	Hancy & Joseph Panepinto	973-785-0694japanes92@gmail.com
44	Zeliff Ave.	17	44 Zeliff Avenue	Kristi & Gabriel Burbano	973-812-3972 Home201-707-1811 Cellkaburbano@icloud.comgurbano@optonline.net
45	Zeliff Ave.	16	45 Zeliff Ave	Ritesh C. Patel	973-752-1987Ritesh331@gmail.com
46	Zeliff Ave.	16	46 Zeliff Ave.	George & Lucy Lawton	973-256-7022
35	Orchard St.	17	35 Orchard St.	Joseph & Galima Crocco	Joseph- 862-684-1737josephcno@optonline.netGalima- 201-247-5470Galima@optonline.net
61	Parkway	15	61 Parkway	Arturo & Jennifer Zamora	862-899-7137giginjenny@yahoo.com
88	Parkway	15	88 Parkway	Gilda Brooks	973-818-5160973-818-3098brooks77203@yahoo.com
56	Zeliff Ave.	15	56 Zeliff Ave.	Samuel & Janet Cordero	856-617-9086jancordwahi@hotmail.com
85	Parkway	15	85 Parkway	Kenneth & Nancy Fedroff	973-256-0436nfedroff@optimum.net
32	Orchard St.	16	32 Orchard St.	Peter & Lucille McKinney	973-641-9716mckinpet@aol.com
52	Parkway	?	52 Parkway	Emel & Melody Moawad	201-705-3724melodymoawad@yahoo.com
57	Parkway	15	57 Parkway	Barbara Amola	973-985-8322barbamoia55@yahoo.com
55	East Woodcliff Ave	15	55 East Woodcliff Ave.	Charles & Patricia Carroll	973-256-4726patcarroll71@gmail.com
6	Zeliff Ave.	17	6 Zeliff Ave.	Renee Ibrahim	201-349-7599nayzee7@msn.com
19	Zeliff Ave.	17	19 Zeliff Avenue	James & Dona Clough	973-812-9055eagleeyes58@MSN.com
180	William St.	15	180 William St.	Carl & Kaye Webber	973-812-1046usamd1@optimum.net
5	West End Ave.	17	5 West End Ave.	Frederick J. Tomaski	973-785-0384fjt424@gmail.com
53	East Woodcliff Ave	16	53 East Woodcliff Ave	Frank & Karen Dellaporta	973-785-3145kdargento11@gmail.com
97	Parkway	16	97 Parkway	Estefany Naranjo	201-336-4882stephanie2607306@hotmail.com
10	Zeliff Ave.	17	10 Zeliff Ave.	Diane Kramek	973-256-5283862-226-2112
33	Grey Rock Ave.	16	33 Grey Rock Ave.	Joseph DeVito	908-507-8474joseph.j.Devito@gmail.com
192	William St.	16-20	192 William Street	Rose & Lawrence Coppa	973-723-0376drfc@optonline.net
33	Parkway	17	33 Parkway	Joe Diaz	973-809-0810Joediaz1960@gmail.com
96	East Woodcliff Ave	17	96 East Woodcliff	Margaret A. Howley	973-256-3211
40	East Woodcliff Ave	16	40 East Woodcliff Ave.	Steven Ali & Marisol Godoy	973-356-9326samtonali@gmail.com
40	Louis St.	16	40 Louis St.	Radu & Olga Oboroc	347-762-6762orv1212@gmail.com
27	Zeliff Ave.	17	27 Zeliff Ave.	Arama & Carlos Ortiz	973-785-1280 Home201-463-8509 Cell201-463-8508 Cell 2
70	William St.	16	70 William St.	Nathaniel Hernandez	0173-870-2722Nathan.Hernandez09@gmail.com
30	Zeliff Ave.	17	30 Zeliff Avenue	Mike & Diana Garrity	973-865-7953Nailpro00@msn.com
49	Zeliff Ave.	16	49 Zeliff Ave.	Glen & Lisa Marmo	973-420-3733the.hip@verizon.net
147	Louis St.	16	147 Louis St.	Malik & Liza Shoab	212-920-0460malikshoab@outlook.com
47	William St.	20	47 William St.	Carmen D. Dagnino	973-256-4988carmendagnino@outlook.com
40	Zeliff Ave.	15	40 Zeliff Ave.	Jana Gervald	973-202-5029973-256-1985jvg6909@gmail.com
111	Louis St.	15	111 Louis St.	Rosalyn Mumoli	973-818-2854fayrh504@aol.com
70	Louis St.	20	70 Louis St.	Edith Binz	973-785-0018
81	Parkway	15	81 Parkway	Eric, Lauren, & Kevin Lightner	862-596-0829ericlelightner@yahoo.com



34	Zelliff Ave.	15	34 Zelliff Ave.	Kim & Dennis Scrinavich	973-865-9968kscrinavich@gmail.com
54	William St.	15-20	54 William St.	John J. Sass	973-256-5670 Home973-228-1050 Work973-632-4398 Cell
75	William St.	15	75 William St.	Michael & Carrie Reilly	973-890-1916973-714-5264mcr715@aol.com
111	William St.	17	111 William St.	Kelly Ricardo	201-921-9309pvkr Ricardo@aol.com
51	Zelliff Ave.	17	51 Zelliff Ave.	Haydee Santana	973-519-0738pdcly1@aol.com
100	William St.	15	100 William St.	Joseph J. Trozzo	973-785-0774harrybey56@yahoo.com
91	East Woodcliff Ave	17	91 E. Woodcliff Avenue	Michael Moschillo	973-809-6954moschillo2212@aol.com
55	William St.	15	55 William Street	David Seyer	973-951-6688dseyer@semproducts.com
90	Louis St.	17	90 Louis Street	Francisco & Cecelia Cristofol	973-800-8216 Cell973-890-1793 Homefrank.cristofol@baesystems.com
175	William St.	16	175 William St.	Carmen & Stanley Krawiecki	862-668-7552 Cell973-256-8380 Home
144	Louis St.	16	144 Louis St.	April Scavone	973-725-6811aprilscavone@hotmail.com
20	Louis St.	15	20 Louis St.	Palti Capo	973-477-8879
36	Zelliff Ave.	16	36 Zelliff Ave	Deborah J "Cocchi" Destefano	973-432-8650
84	Woodcliff Ave.	16	84 Woodcliff Ave.	Louanna Veronika Williams	973-785-2285veronika315@optonline.net
9	Garrabrant Ave.	15	9 Garrabrant Ave.	Emon Choudhury	917-804-7884emonccc@gmail.com
162	William St.	17	162 William St.	Annabi Ramirez	862-225-2884973-870-5904annabi12@yahoo.com

91	Louis St.	16	91 Louis Street	Iman Iskander	862-888-2240Smith_1961@hotmail.com
51	East Woodcliff Ave	16	51 Woodcliff Ave.	Nisha Patel	973-237-0715ninipatel2003@yahoo.com
10	Louis St.	16	10 Louis St.	Jennie Louie	908-413-5411jennielouie888@aol.com
23	Riverview Circle	17	23 Riverview Circle	Joyce Ann Swartz	973-256-7366neetfreak2@aol.com

APPENDIX B

NEW BRIDGE GROUP HOME DOCUMENTS





Western Technologies Group, LLC

Property Location	
137 NWK POMPTON TPK, LITTLE FALLS 07424-1605 (Little Falls Township), Block: 35, Lot: 24	
Property Information	Assessment Data
Class: Class: 15F - Unknown Zoning: Bld Description: 2B Land Description: 50X127 Acreage: 0.1458 Square Footage: 0 Usage: RESIDENCE Year Constructed: 0 Use Code: 29 # Dwellings: 0 Census Tract: 1540	Total Value: \$454,800.00 Land Value: \$153,000.00 Improvement Value: \$301,800.00 % Improvement: 66.36 Special Tax Codes: Deductions: Senior() Veteran() Widow() Surv. Spouse() Disabled() Exemption: 4 Exemption statute: 54:4-3.6 2008 Rate: 5.018; 2008 Ratio: 37.1; 2008 Taxes: \$8,068.94 2009 Rate: 1.933; 2009 Ratio: 100.0; 2009 Taxes: \$8,791.28 2010 Rate: 2.062; 2010 Ratio: 100.09; 2010 Taxes: \$9,377.97
Current Owner	Sale Data
NEWBRIDGE HOUSING I INC 21 EVANS PL Pompton Plns, NJ 07444-1428 Previous Owner:	Date: 09/16/2003 Price: \$0.00 Ratio: Deed Book: 00662 Deed Page: 00141

Council on Affordable Housing (COAH) Supportive and Special Needs Housing Survey

Municipality: Little Falls

County: Passaic

Sponsor: NewBridge Housing I, Inc.

Developer: NewBridge Services, Inc.

Block: 7 Lot: 13 Street Address 137 Newark Pompton Turnpike

Facility Name: NewBridge Independent Living

<p>Section 1: Type of Facility:</p> <p><input type="checkbox"/> Licensed Group Home</p> <p><input type="checkbox"/> Transitional facility for the homeless (not eligible for COAH credit after June 2, 2008)</p> <p><input type="checkbox"/> Residential health care facility (licensed by NJ Dept. of Community Affairs or DHSS)</p> <p><input checked="" type="checkbox"/> <u>Permanent supportive housing</u></p> <p><input type="checkbox"/> Supportive shared housing</p> <p><input type="checkbox"/> Other – Please Specify: _____</p>	<p>Section 2: Sources and amount of funding committed to the project :</p> <p><input type="checkbox"/> Capital Application Funding Unit \$ _____</p> <p><input type="checkbox"/> HMFA Special Needs Housing Trust Fund \$ _____</p> <p><input type="checkbox"/> Balanced Housing – Amount \$ _____</p> <p><input checked="" type="checkbox"/> HUD – Amount <u>\$514,600</u> Program <u>811</u></p> <p><input type="checkbox"/> Federal Home Loan Bank – Amount \$ _____</p> <p><input type="checkbox"/> Farmers Home Administration – Amount \$ _____</p> <p><input type="checkbox"/> Development fees – Amount \$ _____</p> <p><input type="checkbox"/> Bank financing – Amount \$ _____</p> <p><input type="checkbox"/> Other – Please specify: _____</p> <p><input type="checkbox"/> For proposed projects, please submit a pro forma</p> <p><input type="checkbox"/> Municipal resolution to commit funding, if applicable</p> <p><input type="checkbox"/> Award letter/financing commitment (proposed new construction projects only)</p>
<p>Section 3: For all facilities other than permanent supportive housing:</p> <p>Total # of bedrooms reserved for:</p> <p>Very low-income clients/households _____</p> <p>Low-income clients/households _____</p> <p>Moderate-income clients/households _____</p> <p>Market-income clients/households _____</p>	<p>Section 4: For permanent supportive housing:</p> <p>Total # of units 4, including:</p> <p># of very low-income units <u>4</u></p> <p># of low-income units _____</p> <p># of moderate-income units _____</p> <p># of market-income units _____</p>
<p>Section 5:</p> <p>Length of Controls: <u>40</u> years</p> <p>Effective Date of Controls: <u>09/18/2003</u></p> <p>Expiration Date of Controls: <u>09/18/2043</u></p> <p>Average Length of Stay: _____ months (transitional facilities only)</p>	<p>Section 6:</p> <p><input checked="" type="checkbox"/> CO Date: <u>02/06/2004</u></p> <p>For licensed facilities, indicate licensing agency:</p> <p><input type="checkbox"/> DDD <input type="checkbox"/> DMHS <input type="checkbox"/> DHSS <input type="checkbox"/> DCA <input type="checkbox"/> DCF</p> <p><input type="checkbox"/> Other _____</p> <p>Initial License Date: <u> / / </u></p> <p>Current License Date: <u> / / </u></p>
<p>Section 7:</p> <p>Has the project received project-based rental assistance? X Yes ____ No; Length of commitment: Annual</p> <p>Other operating subsidy sources: _____; Length of commitment: _____</p> <p>Is the subsidy renewable? X Yes ____ No</p>	
<p>Section 8: The following verification is attached:</p> <p><input type="checkbox"/> Copy of deed restriction or mortgage and/or mortgage note with deed restriction (30-year minimum, HUD, FHA, FHLB, UHAC deed restriction, etc.)</p> <p><input type="checkbox"/> Copy of Capital Application Funding Unit (CAFU) or DHS Capital Application Letter (20 year minimum, no deed restriction required)</p>	
<p>Section 9:</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Residents 18 yrs or older? X Yes ____ No</p> <p>Population Served (describe): <u>Individuals who are very-low income and disabled (affirmatively marketed toward mentally ill, but individuals with physical or developmental disabilities are included.</u></p> </div> <div style="width: 45%;"> <p>Age-restricted? ____ Yes X No</p> <p>Accessible (in accordance with NJ Barrier Free Subcode)? <u>One unit is fully accessible</u></p> </div> </div>	

Section 10: Affirmative Marketing Strategy (check all that apply):

- ☒ DDD/DMHS/DHSS waiting list with affirmative marketing plan approved by HUD
- ☐ Affirmative Marketing Plan approved by the Council's Executive Director

CERTIFICATIONS

I certify that the information provided is true and correct to the best of my knowledge and belief.

Certified by: Melody Federico June 6, 2011
Melody Federico, Director of Housing Development Date
NewBridge Services, Inc.

Certified by: _____ Date
Municipal Housing Liaison



2003-167898

Capital Advance Program Use Agreement

For Section 202 of the Housing Act of 1959 or
Section 811 of the National Affordable Housing Act

U.S. Department of Housing
and Urban Development
Office of Housing
Federal Housing Commissioner

OMB Approval No. 2500-0047

Van Natta Title Agency
2 South Corporate Drive
Ridgedale, NJ 07457

Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Reports Management Officer, Paperwork Reduction Project (2502-0470), Office of Information Technology, U.S. Department of Housing and Urban Development, Washington, D.C. 20410-3600. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

Do not send this form to the above address.

This information collection is necessary to ensure that viable projects are developed. It is important to obtain information from applicants to assist HUD in determining if nonprofit organizations initially funded continue to have the financial and administrative capacity needed to develop a project and that the project design meets the needs of the residents. The Department will use this information to determine if the projects meet statutory requirements, ensuring the continued marketability of the projects. This information is required in order to obtain benefits. This information is considered non-sensitive and no assurance of confidentiality is provided.

This Agreement made the 18th day of September, 20 03, by and between the United States of America, Secretary of Housing and Urban Development (hereinafter called "HUD") and NewBridge Housing I, Inc., a private nonprofit corporation, organized and existing under and by virtue of the laws of the State of New Jersey (hereinafter called the "Owner"), provides as follows:

Whereas, the Owner and HUD have entered into a Capital Advance Agreement to assist in financing a rental housing project to house elderly persons or persons with disabilities, (hereinafter called "persons"), in accordance with Section 202 of the Housing Act of 1959 or Section 811 of the National Affordable Housing Act, and the applicable regulations;

Whereas, HUD through the Capital Advance Agreement has provided funding for the Project identified as project number 031-HD125, financed with a Note and Mortgage (Deed of Trust), dated 09/18/2003 and covering real property as described in Exhibit "A" attached hereto, which Mortgage was recorded in the Recorder's Office of Morris and Passaic County on _____, as Instrument _____, Book _____, Page _____;

Whereas, The Project is subject to a Regulatory Agreement, dated 09/18/2003 and recorded on _____ in the Recorder's Office of Morris and Passaic County as document number _____, Book _____, Page _____;

Whereas, pursuant to section 202 of the Housing Act of 1959 (elderly projects) or section 811 of the National Affordable Housing Act (disabled projects) and the corresponding regulations, in exchange for HUD's agreement to provide capital advance financing and project rental assistance payments, the Owner has agreed to continue to operate the Project only as rental housing for very-low income elderly or disabled persons for not less than 40 years from December 18, 2003, unless otherwise approved by HUD;

Now Therefore, in consideration of the mutual promises set forth herein and of other valuable consideration, the parties hereby agree as follows:

- Definitions.** All terms used in this Agreement have the same meaning as set forth in the definitions in 24 CFR Part 889 or 890.
- Term.** This Agreement shall remain in effect for not less than 40 years from December 18, 2003, unless otherwise approved by HUD.
- Use Restriction.** The Project shall be used solely as rental housing for very-low income elderly or disabled persons.
- Transfer.** HUD has been granted and is possessed of an interest in the above described Project such that the Owner shall remain seized of the title to said property and refrain from transferring, conveying, assigning, leasing, mortgaging, pledging, or otherwise encumbering or permitting or suffering any transfer, conveyance, assignment, lease, mortgage, pledge or other encumbrance of said property or any part thereof without the release of said covenants by HUD. The Owner has constituted HUD as its attorney-in-fact to transfer the project to another private nonprofit corporation in the event of default under the Capital Advance Agreement or the Regulatory Agreement. The Owner may transfer the Project during the term of this Agreement only with the prior written approval of HUD, and any such grantee shall assume the obligations under this Agreement as a condition of any transfer. In any event, this Agreement shall be binding upon the Owner's successors and assigns.
- Release.** The endorsement by a duly authorized officer of HUD (1) upon any conveyance or transfer made by the Owner of any real or personal property which is determined to be excess to the needs of the Project, or (2) upon any instrument of conveyance or dedication of property, or any interest therein, for use as streets, alleys, or other public rights-of-way, or for the establishment, operation and maintenance of public utilities, or (3) upon any instrument transferring or conveying an interest therein, or (4) upon any instrument of release made by the Owner of the Project shall be effective to release such property from the restrictive covenants hereby created.
- Enforcement.** In the event of a breach or threatened breach of any of the provisions of this Agreement, any eligible tenant or applicant for occupancy, or the Secretary or his or her successors or delegates, may institute proper legal action to enforce performance of such provisions, to enjoin any acts in violation of such provisions, to recover whatever damages can be proven, and/or to obtain whatever other relief may be appropriate.
- Severability.** The invalidity, in whole or in part, of any of the provisions set forth above shall not affect or invalidate any remaining provisions.

DB05936P261

51

In Witness Whereof, HUD and the Owner by its officers thereunto duly authorized has caused these presents to be signed in its name and its corporate seal to be hereunto affixed and attested this 18th day of September, 2003.

(Seal)

Attest:

Secretary: *Jim Ryan*
Jim Ryan

Name of Owner:

NewBridge Housing I, Inc.

By: (President)

Sharon Hollick

Sharon Hollick

United States of America, Secretary of Housing and Urban Development

By: Walter Kreher

Walter Kreher

Title: Director

Director

Newark Multifamily Program Center

NAME AGREEMENT

JOAN BRAMHALL - MORRIS COUNTY CLERK
DATE 10 08 2003 TIME 09 45 AM PAGES 5

45.00 COPE COUNTY FEES
25.00 STPG NUMBER OF PAGES STATE
70.00 TOTAL RECORDING FEES
VB CK 28844

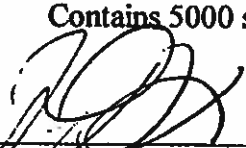
03-6035

Deed Description
Lot No. 13 Block 7
Town of Boonton, Morris County, N. J.

Beginning at a point on the northeasterly side of Birch Street, said point being distant 100.00 feet from the intersection of same with the southeasterly side of Cornelia Street, and running thence:

1. N 30 -05' E, a distance of 100.00 feet to a point, thence
2. S 60 -21' E, a distance of 50.00 feet to a point, thence
3. S 30 -05 W, a distance of 100.00 feet to a point in the northeasterly side of Birch Street, thence
4. Along the northeasterly side of Birch Street N 60 -21' W, a distance of 50.00 feet to the point and place of Beginning.

Contains 5000 sq. ft.



John P. Miceli, PLS
N. J. Lic. No. 35861

DB05936P263

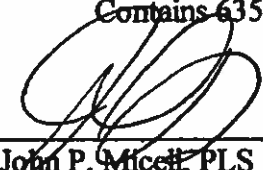
03-6034

Deed Description
Lot No. 24 & 25 Block 35
Township of Little Falls, Passaic County, N. J.

Beginning at a point in the southwesterly line of Newark Pompton Turnpike (66' wide) said point being a distance of 50.00 feet southeasterly from a point formed by the intersection of the southwesterly line of Newark & Pompton Turnpike with the southerly line of Gray Street (40' wide) and from said point proceeding, thence

1. Southeasterly along the southwesterly line of Newark Pompton Turnpike S 23 -38'-56" E a distance of 50.00 feet to a point, thence
2. S 66 -21'-04" W a distance of 127.00 feet (125.00 feet D.B. G 101, Pg 506) to a point, thence
3. N 23 -38'-56" W a distance of 50.00 feet to a point, thence
4. N 66 -21'-04" E a distance of 127.00 feet (125.00 feet D. B. G101, Pg 506) to the point and place of Beginning. .

Contains 6350 sq. ft.



John P. Miceli, PLS
N. J. Lic. No. 35861

DB05936P264

State of New Jersey

County of Essex

ss:

Before me, JAMES M. LUBIN, a Notary Public in and for said State,
on this 18th day of September, 2003,
personally appeared WALTER E. KREMER, Director,
who is personally well known to me to be the Newark Multifamily Program Center, of HUD, and the person who
executed the foregoing instrument by virtue of the authority vested in him by section 202 of the Housing Act of 1959 or section 811 of
the National Affordable Housing Act, and I having first made known to him the contents thereof, he did acknowledge the signing thereof
to be a free and voluntary act and done on behalf of the Secretary of Housing and Urban Development for the uses, purposes and
considerations therein set forth.

Witness my hand and official seal this 18th day of September, 2003
(Seal)

[Signature] (Notary Public) James M. Lubin
My commission expires 2005

State or New Jersey

County of Essex

ss:

On this 18th day of September, 2003, before me residing therein, duly commissioned and
sworn, personally appeared William F. Johnson, Jr., a Notary Public in and for said county and State,
proved to me on the basis of satisfactory evidence to be the Secretary of New Bridge Housing I, Inc., that
executed the within instrument and acknowledged to me that such Jim Ryan executed the
same.

In Witness Whereof, I have hereunto set my hand and affixed my official seal the day and year in this Certificate first above written.
(Seal)

[Signature] (Notary Public) William F. Johnson, Jr.
My commission expires 20 State of New Jersey
Attorney at Law

State or New Jersey

County of Essex

ss:

On this 18th day of September, 2003, before me residing therein, duly commis-
sioned and sworn, personally appeared William F. Johnson, Jr., a Notary Public in and for said county and State,
proved to me on the basis of satisfactory evidence to be the President of New Bridge Housing I, Inc., that
executed the within instrument and acknowledged to me that such Sharon Hollick executed the
same.

In Witness Whereof, I have hereunto set my hand and affixed my official seal the day and year in this Certificate first above written.
(Seal)

[Signature] (Notary Public) William F. Johnson
My commission expires 20 State of New Jersey
Attorney at Law

DB05936P265

APPENDIX C

TRANSIT VILLAGE ZONING



ORDINANCE TO AMEND AND IMPLEMENT VARIOUS ZONING DESIGNATIONS FOR LAND USE IN THE TOWNSHIP LAND USE ORDINANCE (CHAPTER 280) AND THE TOWNSHIP ZONING MAP TO CREATE TRANSIT ORIENTED DEVELOPMENT ZONES TV- MD, TV-CBD & TV-R2 ZONES AND THE STANDARDS ASSOCIATED WITH THEM IN THE TOWNSHIP OF LITTLE FALLS, NJ

WHEREAS, the Planning Board adopted a General Master Plan Re-Examination Report on December 13, 2013; and

WHEREAS, the Planning Board and the Council through the adoption of the master plan re-examination is pursuing a Transit Village Designation through New Jersey Transits -Transit Village Program and,

WHEREAS, the municipal council of the Township (the "Municipal Council") has determined to amend the Township of Little Falls Zoning Regulations (the "Zoning Regulations") to revise the Zoning Map (attached) of the Township of Little Falls (the "Zoning Map") to include the new TV-MD, TV-R2, & TV-CBD Zones and

WHEREAS, the Council has determined that it is appropriate and necessary to amend the regulations to establish new permitted and conditional uses within these zones and,

WHEREAS, the Township Council has determined that it is appropriate and necessary to amend § 280-4 Specific Definitions of the Townships Code to add new definitions for proposed new land uses.

WHEREAS, Council accepts the recommendations of the Planning Board and agrees that these amendments promote sound planning, and

WHEREAS, the Township of Little Falls Planning Board has recommended the following zoning changes as indicated herein and on the attached Zoning Map:

WHEREAS, pursuant to the requirements of N.J.S.A. 44:55D-26, a copy of this Ordinance shall be provided to the Planning Board by the Municipal Clerk, and, within 35 days of referral, the Planning Board shall prepare a report (the "Planning Board Report") identifying any provisions in the proposed development regulations contained in this Ordinance that may be inconsistent with the Township's master plan and any recommendations concerning these inconsistencies and any other matters deemed appropriate by the Planning Board.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Little Falls, County of Passaic and State of New Jersey that Chapter 280. Zoning: § 280-4, §280-5, §280-6 of the Zoning provisions of the Township Code of the Township of Little Falls are hereby amended as follows:

intentionally left blank

Article 280-__: Transit Village Districts

§280-__ Background

The Transit Village (TV) Districts reinforce the use of public transportation and a shift away from automobile use by locating higher-density mixed-use development, including employment oriented businesses and higher density residential uses, within proximity to Little Falls bus stop locations along Main Street and the train station. The districts are intended to accommodate a physical pattern of development often found along village main streets and in neighborhood commercial areas of older cities. Daily destinations, such as work, home, shopping, recreation, and transit stops are within walking and biking distances, which reduces automobile dependency and roadway congestion, which creates a vibrant, livable community.

§280-__. Purpose

The purposes of the Transit Village Zoning Districts are to:

- (1) Reinforce the use of public transit by locating higher density, mixed-use development adjacent to transit stops.
- (2) Reduce automobile dependency and roadway congestion by locating destinations within walking and bicycling distances.
- (3) Accommodate mixed-use buildings with neighborhood-serving retail, service, and other uses on the ground floor and residential units and office above the nonresidential space;
- (4) Encourage development that exhibits the physical design characteristics of pedestrian-oriented, storefront-style shopping streets;
- (5) Promote the health and well-being of residents by encouraging physical activity, alternative transportation, and greater social interaction.
- (6) To increase the use of the Little Falls bus transit and train station usage by providing for a concentrated mix of retail, office, residential, public and open space uses that are within walking distance of each other and the train & bus stops for shoppers, commuters, residents, employees and visitors.
- (7) To preserve and maintain residential neighborhoods in and adjacent to the TV districts
- (8) To encourage public and private investment and thereby improve the tax base of the Township; and
- (9) To develop an improved coordinated, visual streetscape within the TV districts.
- (10) Provide for affordable housing according to most current state regulations.

102. Definitions

Article II of the Zoning Ordinance, §280-4 Specific Definitions shall be amended to add these definitions and revisions to existing definitions. This ordinance shall supersede all existing definitions.

Artisanal Workshop - Shops of special trade including the small-scale manufacturing, compounding, assembly processing, packaging or similar treatment of such products as: baked goods, candy, ceramics, pottery, china, weaving and other textile arts, painting, woodworking and other artistic endeavors and similar trades. Retail sales on the premises of products made on the premises are required.

"Bracket" - A projection from a vertical surface providing support under cornices, balconies, window frames, etc. They can be structural or decorative.

"Cornice" - A projecting ornamental molding along the top of a building or wall.

"Cornice Line" - A continuous horizontal cornice feature that provides a vertical break within the facade and/or defines the roofline along the top of the building.

"Floor Area Ratio" - means the ratio of a building's gross floor area to the area of the lot on which the building is located.

"Front Lot Line Coverage" - The width of the building's primary façade measured at the maximum permitted front setback as a percentage of the width of the front street property line.

"Gross Floor Area" - The sum of the gross horizontal area of all floors of a building and its accessory buildings (on the same lot). Gross floor area does not include cellars, basements, attic space having a floor-to-ceiling height less than seven feet, exterior balconies, uncovered steps, or inner courts, but the area under roofed porches and roofed terraces shall be included. All dimensions shall be measured between exterior faces of walls.

"Mixed-use Building" - means a building of two or more stories comprised of retail/commercial/office located on the ground floor and other permitted uses on the upper floors. The TV-CBD and TV-MD shall only permit residential uses on upper floors.

"Personal Services" - Specialized services purchased frequently by the consumer, including barbershops, beauty shops, spas, laundry cleaning, tailoring, shoe repair, and other similar establishments.

"Parking Deck" shall be defined as a building, or portion thereof, designed exclusively for the purpose of short-term parking or storing of automobiles and not for automobile repairs or service work. This does not include residential garages utilized in single family detached or townhome uses.

"Parking Garage" shall reference the definition of Parking Deck

"Parking Structure" shall reference the definition of Parking Deck

"Shared Parking" - Joint utilization of a parking area for more than one use, either on site or between nearby properties through a dedicated arrangement (if possible), in order to fulfill their individual parking requirements because their peak-period parking demands, such as entertainment and office uses, do not overlap.

Story, half - Habitable space under a sloping roof that has the line of intersection of the roof and the wall face not more than 3 feet above the floor level and in which the possible floor area with head room of 6.5 feet or more occupies no more than 50% of the total floor area of story directly beneath.

"Streetscape" - The streetscape is composed of travel lanes for vehicles and bicycles, parking lanes for cars, and sidewalks or paths for pedestrians, as well as the visible private frontages (building Facades and elevations, porches, yards, fences, awnings, etc.), and the amenities of the public frontages (street trees and plantings, benches, streetlights, etc.)

"Transit-Oriented Development (TOD)" - A development approach characterized by higher density, mixed-uses, a safe and attractive pedestrian environment, reduced surface parking, and direct and convenient access to a transit facility.

§280-__ Sub-districts.

The Transit Village is comprised of the following sub-districts.

A. Transit Village/Central Business District (TV-CBD)

- a. Purpose. The TV/CBD sub-district is defined by a center core area focused around the Main Street bus stop locations within the existing downtown. This zone is intended to be the primary commercial and mixed use area for the Transit Village. The sub district contains jobs, commercial services, and housing that will generate high levels of pedestrian activity and transit use. All land uses are pedestrian-oriented and well connected to the transit locations.

B. Transit Village Medium Density (TV-MD).

- a. Purpose. The TV-MD sub-district offers easy and convenient access to the Little Falls Train station and is adjacent to the TV/CBD. The existing land uses in the vicinity of the proposed zone consist of 2-3 story apartment buildings, the municipal complex, several single family homes and single story light industrial buildings. These existing uses are similar in nature to the proposed zoning. This proposed zone provides for higher density residential development surrounding the Little Falls train station and Main Street. Commercial uses such as retail and personal services are primarily intended to support the ridership and the residents of the zone, whereas the CBD is the true mixed use downtown. A pedestrian network connects residential development with supporting land uses and existing bus and rail transit.

C. Transit Village – Residential District - R2 (TV-R2)

- a. Purpose. The TV-R2 sub-district builds upon the existing residential apartment complex by allowing an increase in height of the structure from 2.5-to 3 stories. All other bulk standards shall remain the same. Existing multifamily units are currently built at 3 stories. This zone shall be maintained as a strict residential district to support both bus and rail transportation options and retail/commercial uses in the Transit Village corridor.

§280-__ Permitted Uses.

PERMITTED USE	TV-CBD	TV-MD	TV-R2
RESIDENTIAL			
Mixed Use - Commercial/Residential Structure	P	P	
Mixed Use Office/Residential Structure		P	
Multi-Family Apartments		P	P
PUBLIC AND CIVIC			
Government, Institutional Uses	P	P	
Cultural Exhibits and Libraries	P	P	
Open Space	P	P	
Public Safety Services	P	P	
Utilities and Services	P	P	
COMMERCIAL			
Retail Sales*	P (1)	P	
Personal service establishments	P (1)	P	
Office		P	
Medical Office		P	
Real Estate office		P	
Restaurants	P	P	
Tavern	P	P	
Art Studio	P		
Art Gallery	P		
Museum	P		
Bank with drive through facility			
Bank-excluding drive through facility	P	P	
Health and Fitness club		P	
Theater	P	P	
Day care		P	
Laundromat (no on site processing)	P	P	
Convenience stores (not stand alone)	P	P	
Bakeries	P	P	
Permitted Accessory Uses			
Uses which are customary and incidental to a permitted principal use	P	P	P
Parking Lot	P	P	P
Parking Structure	C	C	
Outdoor dining (for permitted restaurant only)	P	P	

- In the TV-CBD and TV-MD Districts, all permitted non-residential uses must be developed as part of a multi-story, mixed-use development, except public and civic uses.
 - Any uses not listed above are considered prohibited
 - Any property in the TV-R2 Zone fronting on Walnut Street that is _____ ' shall conform to the provisions of the R1-B Zone
- (1) New structures require at least one floor of residential above; residential above in existing structures is encouraged.
- * Retail uses shall not be interpreted to include the sale of used or new cars; gasoline or diesel fuels.

A. Requirements for all TV Districts

1) General Requirements

a) Building siting

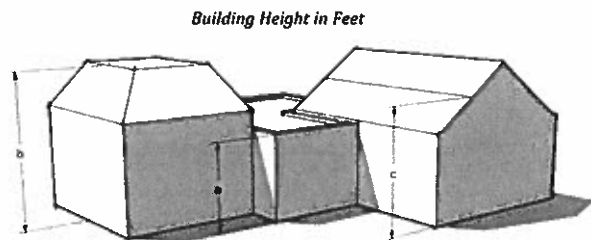
- i. **Front yard setbacks.** A building may not be sited closer to the front property line than the minimum required front setback, nor further from the front property line than the maximum required front setback. Building components, such as awnings, roof overhangs, eaves, balconies, or bay windows, may encroach into the setback area up to three (3) feet, unless otherwise specified. Front setback areas shall be used for landscaped open space, wide sidewalks, enhanced building entrance areas, pedestrian seating, or plaza space and must be landscaped or hardscaped for an appealing appearance from the street. Parking is not permitted in the front yard in the TV Districts.

To the extent possible, the front setback should be consistent with the setbacks of buildings on adjacent properties, except in instances where a building(s) on adjacent properties exceed the maximum permitted setback by more than 10 feet.

- ii. **Front property line coverage.** The width of the building, as measured at the front setback, must occupy a minimum percent of the lot width. A higher number maintains a connected street wall, contributing towards a sense of enclosure of the street, and increasing the walkability of the area. A continuous street wall is most desirable within the TV-CBD District to ensure high walkability.
- iii. **Side yard setbacks.** Where a side yard setback is provided, it must be sufficient in size to accommodate a driveway, alley, or pedestrian walkway, as appropriate. Where a side yard adjoins a residential district, the minimum building setback shall be sufficient to provide for a year-round vegetative buffer no less than 15 feet in width.
- iv. **Rear yard setbacks.** The rear yard shall be sufficient in size to provide for off-street parking and pedestrian connections to the building and the street. Where a rear yard adjoins any property in a residential district, the minimum building setback shall be sufficient to provide for an adequate year-round vegetative buffer of no less than 15 feet in width.
- v. **Lot coverage.** The physical improvements on any lot, including all buildings, structures, pavement and other impervious surfaces, must not exceed the maximum permitted lot coverage as specified for the district.

b) Building height. The height of a building shall be measured in both stories and feet.

- i. **Building height, stories.** Floor height is measured between the finished floor of a story to the finished floor of the story above it. The floor height of the uppermost story shall be measured from the finished floor to the tallest point of the ceiling. Half stories shall be under a pitched roof with street-facing dormer windows.
- ii. **Building height, feet.** Building height is measured from the average elevation of the proposed finished grade at the front of the building to the top of the parapet for flat roof structures ("a") to the top of the deck for mansard roofs ("b") and to the midpoint height between the eaves and ridge in the case of a pitched roof ("c"), as indicated in the figure below. In the case of multiple roofs, the roof with the greatest height shall determine building height.



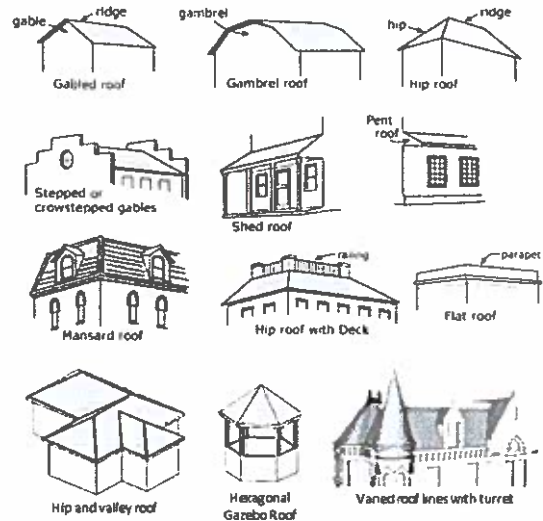
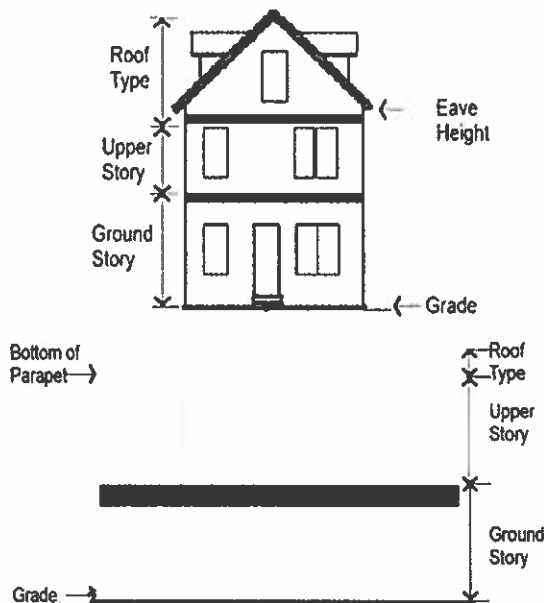
iii. **Building height, exceptions.**

- a. **Exempt elements.** Elements that are exempt from building height requirements include chimneys, cupolas, bell towers, minarets, spires and ornamental towers. Where such features are intended for occupancy, however, they shall not be considered exempt.

iv. **Permitted Roof Types.** Permitted roof types include pitched roofs, parapet roofs, and towers. Flat roofs may be permitted with a defining cap, such as a decorative parapet.

- a. **Pitched roof.** A pitched roof may be hip or gable, or a combination of hips and gables. Dormers on pitched roofs are encouraged. A gambrel roof may be used in combination with other sloped roof types. A mansard roof may be employed only with dormers. Where the ridge line of a roof runs parallel to the front lot line, a gabled end or perpendicular ridge line shall occur at least every 20 feet.
- b. **Parapet roof.** A parapet wall may project above a flat or pitched roof along the perimeter of the building. A parapet may extend a minimum height of two (2) feet and a maximum height of six feet (6), as measured from the top of the upper story to the top of the parapet. The parapet shall be high enough to screen roof-top mechanical systems or any roof appurtenances from the view of the streets. A horizontal expression line shall define the parapet from the uppermost story of the building and shall also define the top of the cap.
- c. **Tower roof.** A tower is a rectilinear or cylindrical vertical element that must be used with other roof types. No building shall have more than one tower. The maximum tower height, measured from the top of the parapet or eave to the top of the tower, shall be the equivalent of the height of one upper floor of the building. The maximum width along all facades is one-third (1/3) the width of the front façade. A horizontal expression line shall define the tower from the upper stories. The tower may be capped by the parapet, pitched roof, round dome, or other cap approved by the Board.

Building Height in Stories



c) **Affordable Housing Requirements**

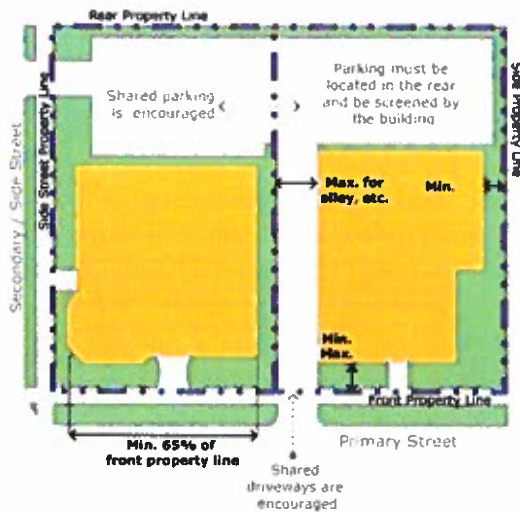
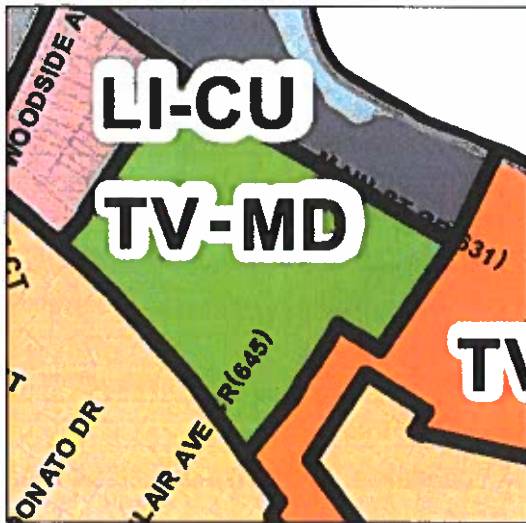
All development in any of the Transit Village zones shall provide and comply with the affordable housing regulations according to most current Housing Element and Fair Share Plan and the details set forth in this ordinance.

2) **Performance Standards**

No use shall be permitted in the TV Districts that do not conform to the following standards of use, occupancy and operation, which standards are hereby established as the minimum requirements to be maintained.

- a) Noise. Noise shall not exceed an intensity, as measured 100 feet from the boundaries of the lot where such use is situated, of the average intensity, occurrence and duration of the noise of street traffic at adjoining streets.
- b) Atmospheric effluence. No dust, dirt, smoke, odor or noxious gases shall be disseminated beyond the boundaries of the lot where such use is situated.
- c) Glare and heat. No glare or heat shall be produced that is perceptible beyond the boundaries of the lot where such use is situated.
- d) Industrial wastes. No solid or liquid wastes shall be discharged into any public sewer, private sewage disposal system, stream or on or into the ground, except in accordance with the Township of Little Falls Sewer Use Ordinance (Chapter 199) and standards approved by the New Jersey State Department of Environmental Protection or a similarly empowered agency.
- e) Fire and explosion hazards. No principal use involving flammable liquids such as fueling stations (gasoline, diesel, propane) are permitted unless specifically listed in the permitted use table of the zone district. Any activities involving the incidental handling and storage of flammable and explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion and adequate fire-fighting and fire-suppression equipment and devices standard in the industry. The burning of waste materials in open fires is prohibited. The relevant provisions of state and local ordinances shall also apply.
- f) Radioactivity or electromagnetic disturbance. No activity shall be permitted which emits dangerous radioactivity beyond the structure in which such activity is situated or which causes an electrical disturbance adversely affecting the operation of any equipment other than that of the creator of such disturbance.
- g) Hazardous materials. No principal use involving hazardous materials as a primary element of the business is permitted. Any incidental processing, manufacture, disposal, transportation, storage or dispensing of materials designated as hazardous by the United States Environmental Protection Agency under 40 CFR 116 shall be conducted only in strict conformity with applicable federal and state standards and regulations and in such manner as to cause no hazard to public health, safety or welfare and so as not to hinder the most appropriate use of land in the vicinity.

3) TV-MD - Medium Density Zone Requirements.



TV- Medium Density		
Bulk Requirements	Min.	Max.
Lot		
Lot area	40,000 sf	--
Lot width	200'	--
Lot Depth	200'	--
Building Siting		
Front property line coverage	65%	100
Front setback	15'	20'
Front setback (side street)	15'	20'
Side yard setback	15'	--
Parking Setback from property line	8'	--
Parking Setback from building	5'	--
Rear yard building setback	40'	--
Lot Coverage	--	80%
Height requirements		
Overall height	-	50 ft.
# Stories	2 stories	4 stories
Ground story	12'	
Upper stories	10'	
Unit Size		
One Bedroom	800	
Two Bedroom	1100	
Density		
		35units/ac
Affordable Housing Obligation		
		20% Inclusionary

Affordable Housing Obligation

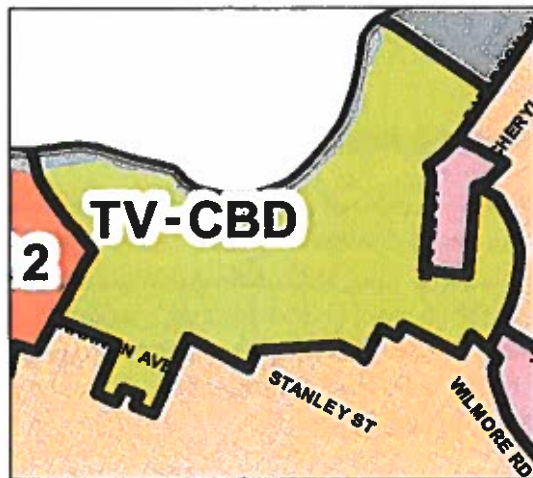
Twenty percent 20% of the total number of units shall be affordable to low- and moderate-income households. The housing units set aside for low- and moderate-income households shall be constructed, marketed, and rented or sold in accordance with the regulations of the New Jersey Department of Community Affairs, including:

- 1) Affordability;
- 2) Occupant Eligibility;
- 3) Proportion of low-income units and moderate-

income units;

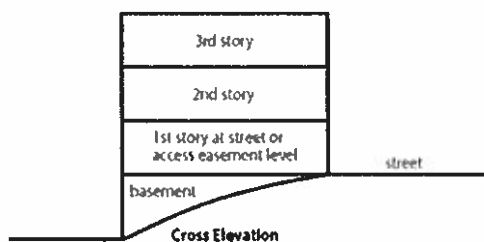
- 4) Resale price controls;
- 5) Handicapped adaptability and accessibility;
- 6) Bedroom mix; and
- 7) Affirmative marketing.

4) TV-CBD - Central Business District



- a) **Building height*** Buildings shall not be less than 2 stories, nor more than 4 stories in height.

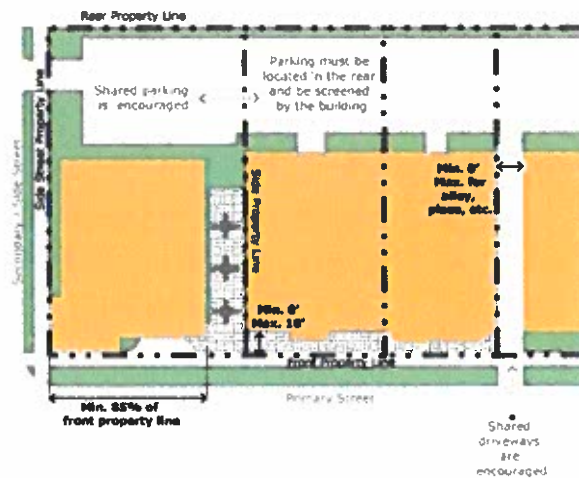
Four story structures are only permitted on lots along Patterson Avenue & Main Street which have secondary access from the rear of the property along the Morris Canal municipal parking area, this rear entrance shall be considered "basement level" and count as a story in building height calculations. Three stories will be visible from the ROW.



Affordable Housing Obligation

For every 5 units of development one unit must be an affordable housing unit. The housing units set aside for low- and moderate-income households shall be constructed, marketed, and rented or sold in accordance with the regulations

TV-CBD - Central Business District		
Bulk Requirements	Min.	Max.
Lot requirements		
Lot area	5,000 sf	--
Lot width	50'	--
Lot Depth	100'	--
Building Siting		
Front property line coverage	85%	100%
Front setback	0'	10'
Front setback (side street)	0'	10'
Side yard setback (interior)	0'	24'
Rear yard setback	10'	--
Parking Setback from property line	8'	--
Parking Setback from building	5'	--
Lot Coverage	--	80%
Height requirements		
Overall height	--	35' & 45'
# Stories	2 stories	3 and 4 stories*
Ground story	12'	15'
Upper story	10'	--
Unit Size		
One Bedroom	800	--
Two Bedroom	1000	--



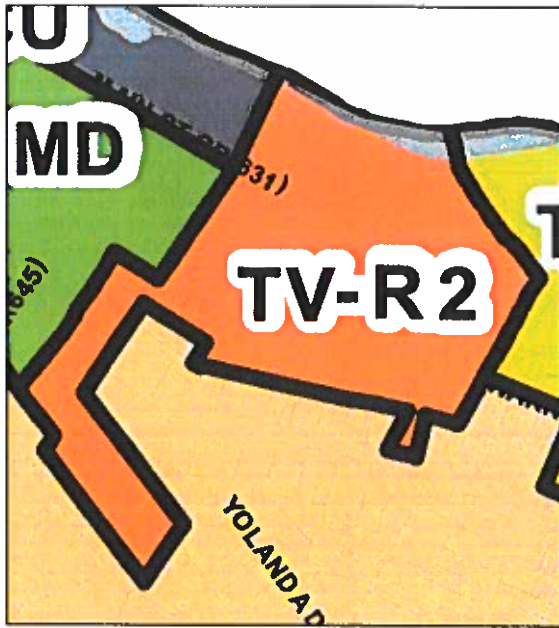
of the New Jersey Department of Community Affairs, including:

- 1) Affordability;
- 2) Occupant Eligibility;
- 3) Proportion of low-income units and moderate-income units;
- 4) Resale price controls;
- 5) Handicapped adaptability and accessibility;
- 6) Bedroom mix; and

7) Affirmative marketing.

5) **TV-R2 Residential District Requirements.**

The standards of the TV-R2 District are to remain the same as the current R-2 District except the new zone shall permit 3 stories and 35 feet instead of a 2.5 story residential structure.



Affordable Housing Obligation

For every 5 units of development one unit must be an affordable housing unit. The housing units set aside for low- and moderate-income households shall be constructed, marketed, and rented or sold in accordance with the regulations of the New Jersey Department of Community Affairs, including:

- 1) Affordability;
- 2) Occupant Eligibility;
- 3) Proportion of low-income units and moderate-income units;
- 4) Resale price controls;
- 5) Handicapped adaptability and accessibility;
- 6) Bedroom mix; and
- 7) Affirmative marketing.

D. Architectural Regulations

The architectural regulations in this section apply to all new development and renovations within the Transit Village Districts, unless otherwise specified in these Regulations.

(1) Architectural style

- (a) TV-Medium Density Zone.** New buildings, or renovations to existing buildings, should incorporate a modern/industrial aesthetic, but should avoid harsh, bulky structures. Buildings should incorporate as much light as possible, and be built with interior flexibility, so they can be adapted for reuse over time. Buildings shall be of a sturdy structure with simple, straightforward volume, and may feature natural colors, mixed materials, clean lines, overhanging eaves, cantilevered balconies, ample windows, awnings or canopies. A mixture of building materials- glass, stones, bricks, wood- can contribute to an organic feel that mimic the design elements of the factory conversion loft apartments such as the Mill Complex across Main Street.
- (b) TV-CBD Zone.** The existing Main Street Downtown is an eclectic mix of architectural styles throughout the years ranging from the Tudor style façade at the corner of Main and Paterson, to the classic two story mixed use flat roof building on Main Street to the 70'/80's modern style of the Shag 86 building. This diversity adds to the unique characteristic of the downtown. All future development should complement the existing styles by using updated, quality materials that would enhance the architecture of new buildings. While some existing architectural styles don't promote the walkable downtown storefront, this should be the goal of future development. The objective is to create an uninterrupted retail frontage along all streets within the district that reflects a "village downtown" environment.

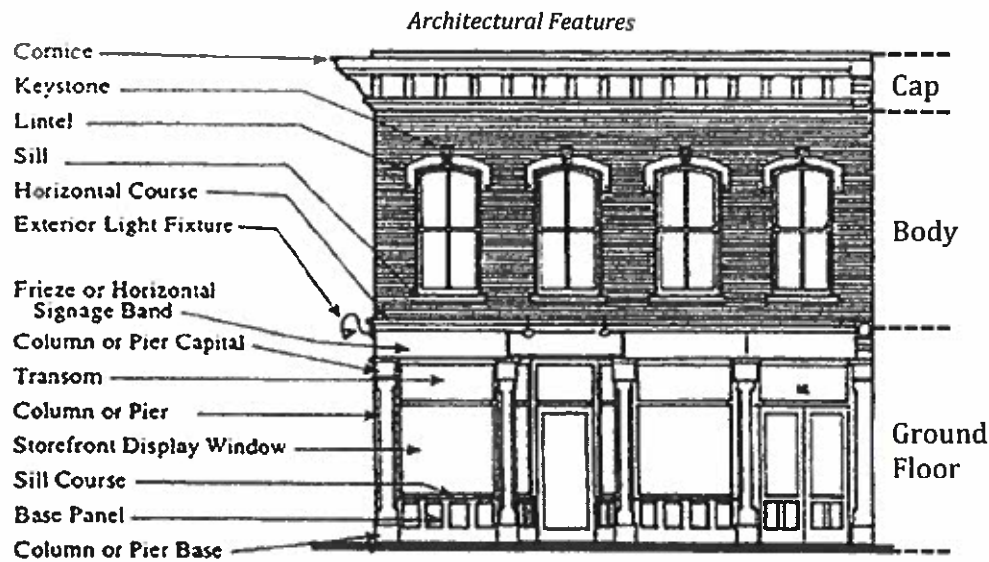
- (c) TV-R2 District.** New buildings or renovations to existing buildings shall maintain the same colonial looking residential structures in the existing R-2 district, that promote multi-family units, open space, buffers and parking hidden from the street ROW.

(2) Building orientation.

- (a)** Buildings shall be clustered to encourage pedestrians to walk between buildings and properties. Buildings should create a continuity of building façades to form a street wall along the streetscape.
 - (b)** Buildings shall reinforce and revitalize streets and public spaces, by providing an ordered variety of entries, windows, bays, and balconies along public ways. Ground floors shall have a high degree of transparency to encourage interaction between sidewalk activity and uses within the building. Buildings shall have human scale in details and massing. Building exteriors shall provide shelter from the sun and rain. Porticos, awnings, and overhanging eaves are particularly appropriate at pedestrian pathways.
 - (c)** Primary building entrances shall be oriented towards streets, parks and plazas. Building entrances shall be directly accessible from the sidewalk.
- (3) General Articulation.** Articulation of the facade is necessary to avoid monotonous buildings, including horizontal and vertical projections and recessions, ornamentation and other design elements to make it visually stimulating.
- (a)** All new buildings and the alteration of buildings shall be designed with particular consideration to the quality and character of the façade of the building, particularly at ground or street level.

- (b) Long, blank, windowless, monotonous, uninterrupted walls or roof planes are not permitted.

pitched roofs or articulated cornices or parapets, and a change of color and material.



- (c) The architectural treatment of a façade shall be completely continued around all street- or parking lot-facing facades of a building. All sides of a building shall be architecturally designed so as to be consistent with regard to style, materials, colors and details.
- (d) **Façade divisions.** All visibly exposed sides of a building shall have a clearly defined ground floor, body and cap.
- Ground floor.** The ground floor façade connects the building to the adjoining pedestrian area. It should have a greater height and a façade treatment that is distinct from the floors above, and can include design details such as recessed entry areas, covered outdoor areas, alcoves, awnings, etc. The ground floor can be further edged with horizontal banding or a cornice line.
 - Body.** The body or middle of the building is the floor or floors between the ground floor and the building cap.
 - Cap.** Design details which terminate or "cap" the top of a building shall be used. The cap should feature either
- (4) **Vertical Projections.** Vertical building wall offsets, including both projections and recesses, shall be provided along any building wall measuring greater than twenty (20) feet in width to provide architectural interest and variety to the massing of a building. The minimum projection or depth of any vertical offset shall not be less than six (6) inches. Vertical offsets can include columns, piers, pilasters, projecting bays, and changes in façade material.
- (5) **Horizontal projections.** Facades should be articulated with horizontal divisions to differentiate the buildings base, cap and wall. Horizontal offsets may also include awnings, string course, horizontal break bands, frieze board, cornice, roof lines, window sills, balconies, or other architectural ornamentation.
- (6) **Building variation.** Along a street frontage, buildings shall vary in terms of their footprint, architectural elevations, roof heights, roof orientations, and front

entrance locations to create architectural variety.

- (7) **Alignment of features.** The alignment and repetition of certain façade elements from one building to the next creates visual continuity, while affording architectural variety. Where practical, consideration shall be given to aligning horizontal elements with adjacent buildings, including: top and bottom height of first floor display windows, storefront windows, building kickplate, window heights, sign band, parapet and cornice line, window sills on upper floors.
- (8) **Infill projects.** Proposed infill projects should complement and strengthen the surrounding neighborhood and reinforce desirable community design patterns and the architectural features in these Standards.
- (9) **Materials.**
 - (a) Materials shall consist of the following, individually or in combination: brick, fiber-cement lap siding, fiber-cement shingles, clapboard or synthetic alternative (Hardie Board), mosaic tile, wood or architectural metal.
 - (b) Exterior Insulated Finishing Systems (IEFS) and vinyl siding are not permitted.
- (10) **Colors.** Building facades, inclusive of all accent elements and signs, shall be limited to a maximum of four (4) colors. Treating the surface wall and trim with different, but coordinated colors, is recommended.
- (11) **Building lighting.** Light fixtures attached to the exterior of a building are encouraged, and should be architecturally compatible with the style, material, and colors of the building. The use of creative lighting to highlight building facades are encouraged. For retail stores, storefronts should be illuminated to highlight merchandise in the display window.

(12) Windows and transparency.

- (a) At least 30% of any street-facing wall surface must have a clear glazing.
- (b) Ground floor uses shall have large pane display windows or storefront glass along the street frontage that shall occupy at least 60% of the first floor façade in the TV-CBD District and at least 40% of the first floor faced in the TV-MD District. The first floor façade is the area bounded the side edges of the building and the plane coincident with the internal floor of the building and internal ceiling of the building.
- (c) Window glass on the ground floor shall provide unencumbered views to window displays and advertised retail goods and services. Mirrored glass, tinted glass, and glass blocks are prohibited.
- (d) Ground floor windows facing the street shall be a minimum of six (6) feet in height and the bottom of which shall be no more than three (3) feet above grade. Storefront windows may be either large, single pane or multiple smaller panes, separated by mullions. All windows on a building having Victorian Architecture shall be vertically proportioned in that they are taller than they are wider. Windows on the upper stories may have multiple panes separated mullions. Round-top windows, dormer windows, bay windows, and transoms above display windows are characteristic of Victorian architecture.
- (e) Upper story windows shall be detailed with architectural elements, such as projecting sills, molded surrounds and/or lintels.
- (f) Exterior security grates are not permitted on windows.
- (g) Windows and doors should be selected with their energy conservation value in mind to maximize energy savings.
- (h) Where unique use or occupancy requirements preclude the addition of windows, such as theaters or parking structures, exterior walls shall be

designed to provide architectural relief or shall be screened by landscaping and pedestrian amenities, such as trellises, benches or shade structures.

(13) Building entrances.

- (a) Entrances to a building shall be clearly identifiable and directly accessible from the sidewalk.
- (b) Entrances shall be defined and articulated by architectural elements such as canopies or porticos, overhangs, awnings, recessing or projections, lintels, moldings, pilasters, columns, trim or other elements that are architecturally compatible with the building style and can help establish the entrance's prominence. Projecting elements add three-dimensional interest to facades and enhance the sense of the entry into a building.
- (c) Recommended entranceway treatments include decorative light fixtures, ornamental ceiling treatments, attractive door handles, hinges and other hardware.
- (d) Entrances shall be defined with exterior site or sidewalk features such as planters, decorative paving, or outdoor patios where such features do not interfere with pedestrian traffic.
- (e) Entrances should complement, not overpower the building façade.

(14) Awnings and canopies. Awnings are encouraged to provide shade, relief from rain, and to enhance a building's façade.

- (a) Awnings and canopies shall be architecturally compatible with the building and overall building color scheme.
- (b) Awnings may be fixed or retractable. Canopies are permanent elements of the façade.
- (c) Awnings shall be made of waterproof canvas, cloth, metal or equivalent and kept in good order and repair. Awnings made of vinyl or plastic are not permitted. Canopies are constructed of stone, metal, wood or glass.

(d) Awnings and canopies shall not extend more than 3 feet from the building façade and shall not be less than 8 feet above ground.

- (e) Internally illuminated or backlit awnings are not permitted.
- (f) Awnings shall not conceal architectural elements such as cornices, columns, pilasters or other trim details.
- (g) Awnings shall be placed to align with existing awnings on the same side of the street.

(15) Balconies & Terraces.

- (a) Balconet or "Juliet" balconies are permitted. Juliet balconies shall be of open metalwork, connected to a fully-functional balcony door, and shall be detailed to match any other true, recessed balconies in the same façade.
- (b) Balconies over two (2) feet in depth (measured perpendicular to the façade plane) are not permitted facing public streets 3) Terraces are permitted and encouraged within required step backs. Terrace railings and walls shall be an integral part of the building façade design. 4) Balconies are encouraged for interior-facing units of the building provided they shall be entirely recessed within the primary façade plane.

(16) Roofs and Building Height.

- (a) The type, shape, pitch, texture and color of a roof shall be architecturally compatible with the style, materials, colors and detailing of the building.
- (b) Roof lines may vary in type and height to provide an interesting view from the street.
- (c) Roofline offsets shall be provided along any street-facing or parking lot-facing roof measuring more than 30 feet in length. Roofline offsets may include dormers, chimneys, turrets, towers, cupolas, and other elements that are compatible with the style, materials, color and details of the building.

- (d) Towers should be limited to corner buildings, adjacent to public spaces and street termini.
- (e) All mechanical equipment, HVAC systems, exhaust pipes and stacks, stairways, satellite dishes, telecommunications receiving devices, or other rooftop elements shall be screened or otherwise treated to be inconspicuous as viewed from the street. Such elements shall be set back from the roof edge at least one (1) foot for each one (1) foot of height.

E. Parking

(1) **Parking Ratios.** Parking in the Transit Village shall be required based on the following table. Where a use is not listed, refer to general parking requirements in Article XXIV of the zoning code.

Permitted Uses	Minimum Parking Requirements
Multi Family Apartments	1.25 spaces per unit *
Retail	4 spaces/1,000 square feet
Personal services	1 per 200 square feet
Restaurants and Taverns	1 per 3 seats
Business and professional offices	2.5 spaces/1,000 square feet
Medical offices	4 spaces/1,000 square feet
Banks	2.5 spaces/1,000 square feet
Cultural and community facilities	1 space/3 seats or 1,000 square feet, whichever is greater

- (a) Shared parking is encouraged in mixed-use areas. The Planning Board is hereby given the authority to waive any or all of a use's parking requirements in the mixed-use TV if a parking structure or surface parking lot with adequate capacity is located within 500 feet of the subject use or the Planning Board finds adequate on-street parking is available.
- (b) On-street parking in mixed-use areas shall not be counted towards the parking requirements of residential uses.

- (c) *Residential uses shall adhere to the standards in the Residential Site Improvement Standards. However in accordance with those standards, that state that alternate parking standards shall be accepted if the applicant demonstrates that these standards better reflect local conditions and factors such as household characteristics, mass transit options, urban versus suburban location, and off-street parking resources, the Planning Board may grant deviations and exceptions based on the ratios provided above.

(2) **Shared Parking.** The parking spaces required in the above standards may be reduced when two or more establishments share the same parking area, whether on the same lot or on abutting lots, subject to the following conditions:

- a. That some portion of the shared off-street parking area lies within 500 feet of an entrance, regularly used by patrons, into the buildings served by the shared parking facilities.
- b. That access and parking easements are prepared and recorded for each property affected by the shared parking.

The minimum amount of shared parking required shall be calculated according to the following formula:

- a. Calculate the minimum amount of parking required for each land use as if it were a separate use.
- b. To determine peak parking requirements, multiply the minimum parking required for each proposed land use by the corresponding percentage in the table below for each of the five time periods.
- c. Calculate the column total for each of the five time periods.
- d. The column (time period) with the highest value shall be the minimum shared parking requirement.

Shared Parking Requirements						
Use	Weekdays			Weekends		
	8 am - 6 pm	6 pm - Midnight	Midnight 8 am	8 am - 6 pm	6 pm - Midnight	Midnight 8 am
Office	100%	10%	5%	10%	5%	5%
Retail	70%	90%	5%	100%	5%	5%
Hotel/Motel	75%	100%	100%	75%	70%	100%
Restaurant	60%	100%	10%	60%	100%	20%
Entertainment/ Recreation	40%	100%	10%	80%	100%	50%
Residential	60%	100%	100%	80%	100%	100%

Source: <http://www.vtpi.org/tdm/tdm89.htm>

F. Parking Decks

1. Parking Decks shall be permitted as an accessory use in the TV-CBD & TV-MD district and subject to the following conditions
 - a. All parking shall be provided either below or to the rear of the principal structure;
 - b. Access to the parking deck shall be through the side or rear of the structure.
 - c. All driveway access shall be designed to mitigate the potential for pedestrian/vehicle conflict (signage, lighting paver patterns);
2. Parking decks shall be permitted as a principal use in the TV-CBD & TV-MD districts and subject to the following conditions:
 - a. No parking deck shall be permitted to exceed the maximum height within the TOD Zone it is in.
 - b. Setback standards for each zone shall be provided from all property lines. Vegetative plantings shall be provided to screen the deck from adjacent properties and from the public street;
 - c. All driveway access shall be designed to mitigate the potential for pedestrian/vehicle conflict;

3. General Conditions

- a. Parking decks shall be screened from public view (when placed under the principal structure). The façade of the parking deck facing a public street or an adjacent residential use or zone boundary shall have an architectural finish in keeping with the commercial or residential character of the surrounding area;
 - b. Internal lighting within the parking deck shall not glare onto adjacent properties or the right of way;
 - c. The proposed deck shall comply with all requirements of the Americans with Disabilities Act
- G. Bike parking.** Bike parking shall be provided in all TV Districts to make cycling a more convenient transportation option. Bicycle parking facilities shall adhere to the requirements below. Buildings containing multiple tenants may satisfy their individual requirements by providing a single bike rack in a centrally located area.
- i. **Multi-family residential:** 1 space per 10 units, located within a secured common area within the building, an outdoor rack or a combination.
 - ii. **Non-residential:** 2 spaces per 5,000 sq. ft. GFA, located on the site within 50 feet of the principal building entrance and within a highly visible, well-lighted area that does not impede pedestrian or vehicular traffic.
 - iii. **Mixed-use:** both interior and exterior bike parking spaces as per the residential and non-residential parking requirements above.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED that this Ordinance shall take effect on upon passage and publication in accordance with applicable law.

DATE INTRODUCED:

DATE ADOPTED:

APPROVED:

DARLENE CONTI, MAYOR

ATTEST:

intentionally left blank

APPENDIX D

FUTURE SPENDING PLAN



Affordable Housing Trust Fund Spending Plan

INTRODUCTION

Township of Little Falls, Passaic County has prepared a Housing Element and Fair Share plan that addresses its regional fair share of the affordable housing need in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), the Fair Housing Act (N.J.S.A. 52:27D-301) and the regulations of the Council on Affordable Housing (COAH) (N.J.A.C. 5:97-1 et seq. and N.J.A.C. 5:96-1 et seq.). A development fee ordinance creating a dedicated revenue source for affordable housing was approved by COAH on April 29, 2004 and adopted by the municipality on May 17, 2004. A revised ordinance submitted on October 21, 2016 for Council Adoption will replace the existing fee ordinance. The ordinance establishes the Township of Little Falls affordable housing trust fund for which this spending plan is prepared.

The records show that as of December 31, 2010, Township of Little Falls had collected \$22,467.00, of which \$58,636.00 was the balance at the beginning of the year, where \$36,477.00 was expended and the Township collected a total of \$308.00 in development fees. **As of September 30, 2016 the amount in balance was \$8,095.00.** All development fees, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, and interest generated by the fees are deposited in a separate interest-bearing affordable housing trust fund in Lakeland Bank for the purposes of affordable housing. These funds shall be spent in accordance with N.J.A.C. 5:97-8.7-8.9 as described in the sections that follow.

Township of Little Falls first petitioned COAH for substantive certification on December 15, 2004 and received prior approval to maintain an affordable housing trust fund on April 29, 2004. As of December 31, 2004, the prior round balance remaining in the affordable housing trust fund was \$0.00 as the Affordable Housing Trust was established in 2007. From December 31, 2008, Township of Little Falls expended funds on the affordable housing activities detailed in section 4 of this spending plan.

1. REVENUES FOR CERTIFICATION PERIOD

To calculate a projection of revenue anticipated during the period of third round substantive certification, Township of Little Falls considered the following:

(a) Development fees:

1. Residential and nonresidential projects which have had development fees imposed upon them at the time of preliminary or final development approvals;
2. All projects currently before the planning and zoning boards for development approvals that may apply for building permits and certificates of occupancy; and
3. Future development that is likely to occur based on historical rates of development.

(b) Payment in lieu (PIL):

Actual and committed payments in lieu (PIL) of construction from developers as follows:

Main Street	\$280,000
Schumacher	\$210,000 (Committed)
Abbe Site-Center Avenue	\$70,000 (Committed)
TOTAL	\$560,000

(c) Other funding sources:

Funds from other sources, including, but not limited to, the sale of units with extinguished controls, repayment of affordable housing program loans, rental income, proceeds from the sale of affordable units and other funds.

The Township plans to reallocate **\$113,632.73** that were initially bonded for use in the now nonexistent RCA Program, into the Affordable Housing Trust Fund. The original funds were committed to the RCA Program with Patterson and Cliffside Park, however the paper work and transfer of funds were never finalized, therefore the Township did not take credit for any RCA units in the prior round. **These funds will be transferred into the Affordable Housing Trust Fund (lump sum) in 2017.**

Additionally, the Township of Little Falls intends to adopt a resolution of intent to bond (Appendix D) to address the shortfall of funds identified in the spending plan. The intent to bond will be for a total of \$749,000, of which \$352,500 will be bonded for in 2018, \$117,500 in 2019, and \$46,500.00 for every year of substantive certification thereafter. These bonded funds make up part of the rehabilitation component funding procedure required per NJAC 5:93-5.2(h)(2), that the Township's other revenues do not cover.

(d) Projected interest:

Interest on the projected revenue in the municipal affordable housing trust fund at the current average interest rate.

(0.02%) percent

SOURCE OF FUNDS	PROJECTED REVENUES-HOUSING TRUST FUND - 2016 THROUGH 2025										
	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	Total
(a) Development fees**	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$150,000.00
1. Approved Development	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2. Development Pending Approval	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3. Projected Development	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
(b) Payments in Lieu of Construction	\$56,000.00	\$56,000.00	\$56,000.00	\$56,000.00	\$56,000.00	\$56,000.00	\$56,000.00	\$56,000.00	\$56,000.00	\$56,000.00	\$560,000.00
(c) Other Funds (Specify source(s))**:	\$0.00	\$113,632.73	\$352,500	\$117,500	\$46,500.00	\$46,500.00	\$46,500.00	\$46,500.00	\$46,500.00	\$46,500.00	\$862,632.73
(d) Interest (0.02)	\$1,420.00	\$3,692.65	\$1,420.00	\$1,420.00	\$1,420.00	\$1,420.00	\$1,420.00	\$1,420.00	\$1,420.00	\$1,420.00	\$16,472.65
Total	\$72,420.00	\$188,325.38	\$424,920.00	\$189,920.00	\$118,920.00	\$118,920.00	\$118,920.00	\$118,920.00	\$118,920.00	\$118,920.00	\$1,589,105.38

*Based upon the actual development fees collected by the Township of Little Falls from the Affordable Housing Trust Fund data 2010-2016, an assumption is made that the Township shall be able to collect an average of \$15,000 in development fees from January 1, 2016 up to December 31, 2025. The average development fees received between years 2010 to 2016 can be extrapolated to an average of approximately \$15,478.33 per year. The Township has taken a conservative approach and estimated its ability to collect approximately \$15,000 per year in development fees.

** The \$113,632.73 for 2017 is the lump sum of unused RCA funds. The \$352,500.00 for 2018 is bonded funds for the 1/3 of the rehabilitation component. \$117,500 of the revenue listed for 2019 and the \$46,500 for 2020-2025 are bonded funds for the portion of the 1/6 of the rehabilitation component after substantive certification that is not covered by other revenues.

Township of Little Falls projects a total of \$1,589,105.38 in revenue to be collected between January 1, 2016 and December 31, 2025. All interest earned on the account shall accrue to the account to be used only for the purposes of affordable housing.

2. ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS

The following procedural sequence for the collection and distribution of development fee revenues shall be followed by Township of Little Falls:

(a) Collection of development fee revenues:

Collection of development fee revenues shall be consistent with Township of Little Falls' development fee ordinance for both residential and non-residential developments in accordance with COAH's rules and P.L.2008, c.46, sections 8 (C. 52:27D-329.2) and 32-38 (C. 40:55D-8.1 through 8.7).

(b) Distribution of development fee revenues:

A maximum of twenty (20) percent of the affordable housing trust fund revenues will be utilized to address administrative costs. The remaining eighty (80) percent of affordable housing trust fund revenues will be utilized to fund various affordable housing projects and affordability assistance.

The Housing Trust Fund is to be maintained by Little Falls' Chief Financial Officer (CFO) and all expenditure of such funds shall conform to this spending plan, once approved by the Court. A three-party escrow agreement between the bank where the trust fund is located, Little Falls, and New Jersey Division of Community Affairs Local Government Services (NJDCALGS) will permit NJDCALGS to direct the disbursement of funds as provided for in N.J.A.C. 5:93-8.15, 8.18 and 8.19.

3. DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS

(a) **Rehabilitation and new construction programs and projects (N.J.A.C. 5:97-8.7)**

Township of Little Falls will dedicate \$1,175,000 to rehabilitation or new construction programs for 47 units at a cost of \$25,000 per unit (see detailed descriptions in Fair Share Plan) as follows:

As per N.J.A.C. 5:93-5.2(h)(1), Little Falls will raise \$352,500.00, or one-third of the rehabilitation component within the first year of substantive certification (in 2018). The remainder will be raised over the course of the remainder of the certification period, which is approximately 1/6 of the rehabilitation component, in each subsequent year of substantive certification, per NJAC 5:93-5.2(h)(2).

New construction project(s): \$0.00

The Township of Little Falls does not anticipate utilizing portion of funds available from the Affordable Housing Trust Fund to defray the costs incurred for special needs housing projects.

(b) **Affordability Assistance (N.J.A.C. 5:97-8.8)**

Projected minimum affordability assistance requirement:

Actual development fees through 9/30/2016		\$92,870.00
Actual interest earned through 9/30/2016	+	\$18,574.00
Development fees projected* 2015-2025	+	\$154,783.33
Interest projected* 2015-2025	+	\$30,956.67
Less housing activity expenditures through 9/30/2016	-	\$29,797.00
Total	=	\$272,861.00
30 percent requirement	x 0.30 =	\$80,216.10
Less Affordability assistance expenditures through 9/30/2016	-	\$0.00
PROJECTED MINIMUM Affordability Assistance Requirement 1/1/2015 through 12/31/2025	=	\$80,216.10
PROJECTED MINIMUM Very Low-Income Affordability Assistance Requirement 1/1/2015 through 12/31/2025	÷ 3 =	\$27,738.70

Township of Little Falls will dedicate \$80,216.10 from the affordable housing trust fund to render units more affordable, including \$27,738.70 to render units more affordable to households earning 30 percent or less of median income by region, as follows:

(c) **Administrative Expenses (N.J.A.C. 5:97-8.9)**

Township of Little Falls projects that \$317,821.08 will be available from the affordable housing trust fund to be used for administrative purposes. Projected administrative expenditures, subject to the 20 percent cap, are as follows:

A maximum of twenty (20) percent of the affordable housing trust fund revenues will be utilized to address administrative costs.

Administrative expenses shall include any legal or planning costs, as well as the cost to hire an administrative agent, government agency, or private consultant for administering the rehabilitation program.

4. EXPENDITURE SCHEDULE

Township of Little Falls intends to use affordable housing trust fund revenues for the creation and/or rehabilitation of housing units. Where applicable, the creation/rehabilitation funding schedule below parallels the implementation schedule set forth in the Housing Element and Fair Share Plan and is summarized as follows.

Program	Number of Units Projected	Funds Expended and/or Dedicated 2010-Sept. 30, 2016	PROJECTED EXPENDITURE SCHEDULE 2015 -2025											Total
			2016	2017	2018	2019	2020	2021	2022	2023	2024	2025		
Rehabilitation	47	\$0	\$0	\$0	\$352,500	\$117,500	\$117,500	\$117,500	\$117,500	\$117,500	\$117,500	\$117,500	\$117,500	\$1,175,000
														\$0
														\$0
														\$0
Total Programs	47	\$0	\$0	\$0	\$352,500	\$117,500	\$117,500	\$117,500	\$117,500	\$117,500	\$117,500	\$117,500	\$117,500	\$1,175,000
Affordability Assistance		\$0	\$8,912.90	\$8,912.90	\$8,912.90	\$8,912.90	\$8,912.90	\$8,912.90	\$8,912.90	\$8,912.90	\$8,912.90	\$8,912.90	\$8,912.90	\$80,216.10
Administration		\$0	\$35,313.45	\$35,313.45	\$35,313.45	\$35,313.45	\$35,313.45	\$35,313.45	\$35,313.45	\$35,313.45	\$35,313.45	\$35,313.45	\$35,313.45	\$317,821.08
Total		\$0	\$44,226.35	\$396,726.35	\$161,726.35	\$161,726.35	\$161,726.35	\$161,726.35	\$161,726.35	\$161,726.35	\$161,726.35	\$161,726.35	\$161,726.35	\$1,573,037.18

5. EXCESS OR SHORTFALL OF FUNDS

Pursuant to the Housing Element and Fair Share Plan, the governing body of Township of Little Falls has adopted a resolution agreeing to fund any shortfall of funds required for implementing the rehabilitation obligation of 47 units. In the event that a shortfall of anticipated revenues occurs, Township of Little Falls will adopt a resolution of intent to bond. A copy of the adopted resolution is attached in Appendix D.

In the event of excess funds, any remaining funds above the amount necessary to satisfy the municipal affordable housing obligation will be used towards the construction of affordable units or affordability assistance required to satisfy the unmet need.

The Township of Little Falls intends to adopt a resolution of intent to bond (Appendix D) to address the shortfall of funds identified in the spending plan. The intent to bond will be for a total of \$749,000, of which \$352,500 will be bonded for in 2018, \$117,500 in 2019, and \$46,500.00 for every year of substantive certification thereafter. These bonded funds make up part of the rehabilitation component funding procedure required per NJAC 5:93-5.2(h)(2), that the Township's other revenues do not cover.

6. BARRIER FREE ESCROW

Collection and distribution of barrier free funds shall be consistent with Township of Little Falls' Affordable Housing Ordinance in accordance with N.J.A.C. 5:97-8.5.

SUMMARY

Township of Little Falls intends to spend affordable housing trust fund revenues pursuant to N.J.A.C. 5:97-8.7 through 8.9 and consistent with the housing programs outlined in the housing element and fair share plan.

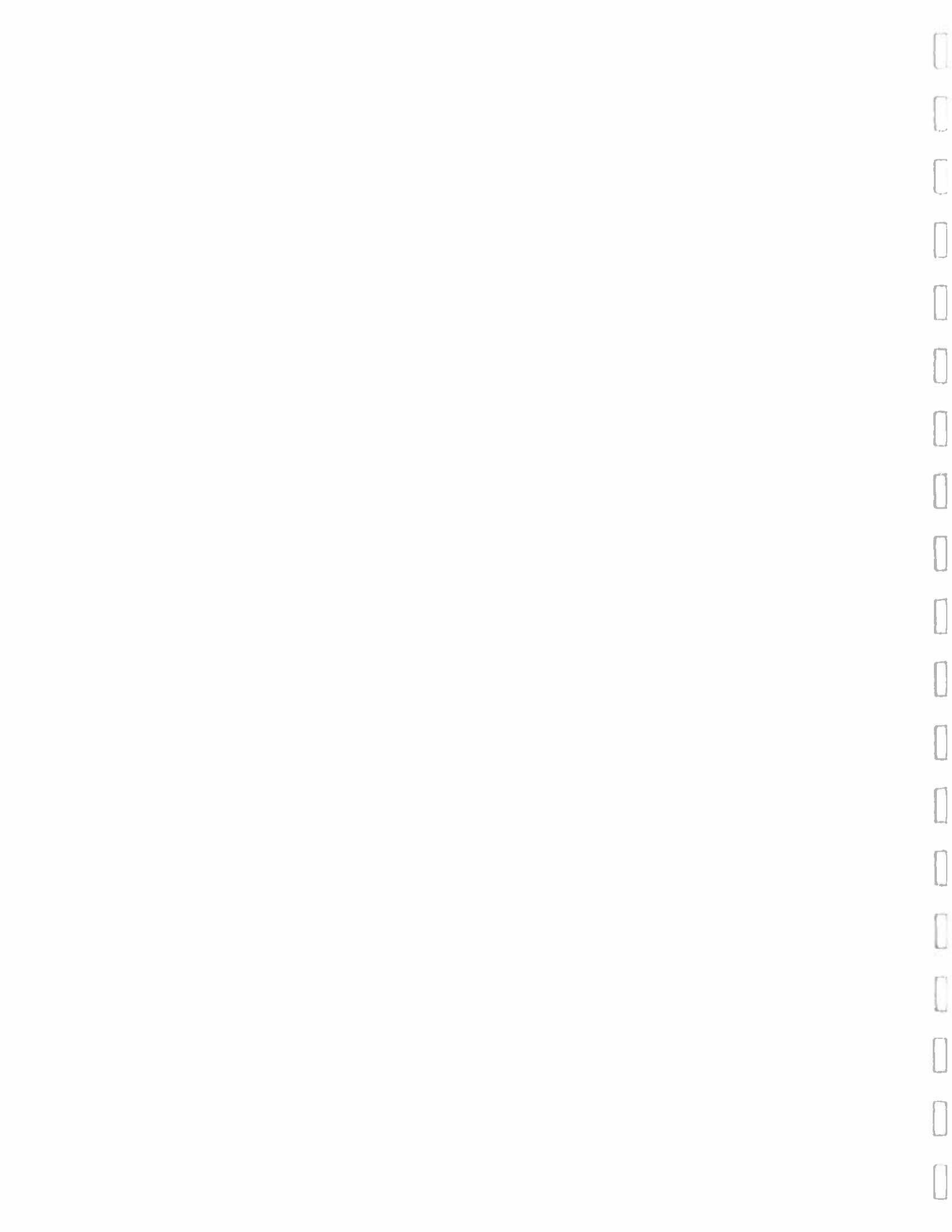
Township of Little Falls has a balance of \$8,095.00 as of September 30, 2016 and anticipates an additional \$840,105.38 in revenues before the expiration of substantive certification with an intent to bond for \$749,000, for a total of \$1,597,200.38. The municipality will dedicate \$1,175,000 towards their rehabilitation obligation (\$25,000 per unit) and \$0.00 towards special needs housing. \$80,216.10 to render units more affordable, and \$317,821.08 to administrative costs. It is anticipated that the Township will have a remaining balance of \$24,163.21. However, any shortfall of funds will be offset by an alternative funding source to be identified by the Township. If no alternative funding is available, the Township of Little Falls anticipates using a resolution of intent to bond (Appendix D) to provide the shortfall in funding to construct the affordable units. The municipality will dedicate any excess funds towards the construction of affordable units or affordability assistance required to satisfy the unmet need.

SPENDING PLAN SUMMARY		
Balance as of June 30, 2016		\$8,095.00
Projected REVENUE 2015-2025		
Development fees	+	\$150,000.00
Payments in lieu of construction		\$560,000.00
Other funds	+	\$862,632.73*
Interest	+	\$16,472.65
TOTAL REVENUE	=	\$1,597,200.38
PROJECTED EXPENDITURES 2015-2025		
Funds used for Rehabilitation	-	\$1,175,000.00
Funds for New Construction		
1. Special Needs Housing		\$0.00
2		\$0.00
3		\$0.00
4		\$0.00
Affordability Assistance		\$80,216.10
Administration		\$317,821.08
TOTAL PROJECTED EXPENDITURES	=	\$1,573,037.18
REMAINING BALANCE	=	\$24,163.21

* \$749,000.00 is bonded funds.

APPENDIX E

VACANT LAND ADJUSTMENT ANALYSIS



**Township of Little Falls Resolution of Intent to Appropriate
Funds or Bond in the Event of a Funding Shortfall**

WHEREAS, Township of Little Falls/Passaic County has petitioned the Council on Affordable Housing (COAH) for substantive certification of its adopted Housing Element and Fair Share Plan; and

WHEREAS, the plan submitted to the court may allocate funds for:

1. Rehabilitation;
2. Market to affordable program;
3. Group homes;
4. Municipal construction;
5. Affordable assistance and
6. Administration; and

WHEREAS, Township of Little Falls anticipates that funding will come from the following sources to satisfy these obligations:

1. Development fees;
2. Public funds and
3. Bonding; and

WHEREAS, in the event that the above funding sources prove inadequate to complete the affordable housing programs included in Little Fall's Housing Element and Fair Share Plan, Little Falls shall provide sufficient funding to address any shortfalls.

NOW THEREFORE BE IT RESOLVED by the Governing Body of Township of Little Falls/Passaic County, State of New Jersey, that the Governing Body does hereby agree to appropriate funds or authorize the issuance of debt to fund any shortfall in its affordable housing program that may arise whether due to inadequate funding from other sources for any other reason; and

BE IT FURTHER RESOLVED that West Orange may repay debt through future collections of development fees, as such funds become available.

Cynthia Kraus, RMC, Municipal Clerk

Lou Fontana, Council President

Adopted: _____

Page intentionally left
blank

VACANT LAND INVENTORY

Map 1












TOTOWA BORO

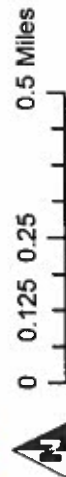
WAYNE TWP

WEST PATERSON BORO

CLIFTON CIT

Properties with Tax Classification 1 or 15C

-  PUBLIC SERVICES
-  PARKING AREA
-  RIGHT OF WAY
-  UTILITY/EASEMENT
-  PARK/RECREATION
-  CONSERVATION/CONSTRAINED
-  WATER
-  OTHER DEVELOPED
-  PRIVATE VACANT LAND (CLASS 1)
-  PUBLIC VACANT LAND (CLASS 15C)
-  AHO Overlay Zone



Sources:
- GIS Parcel Data, NJGIN Information Warehouse & NJPropertyFax

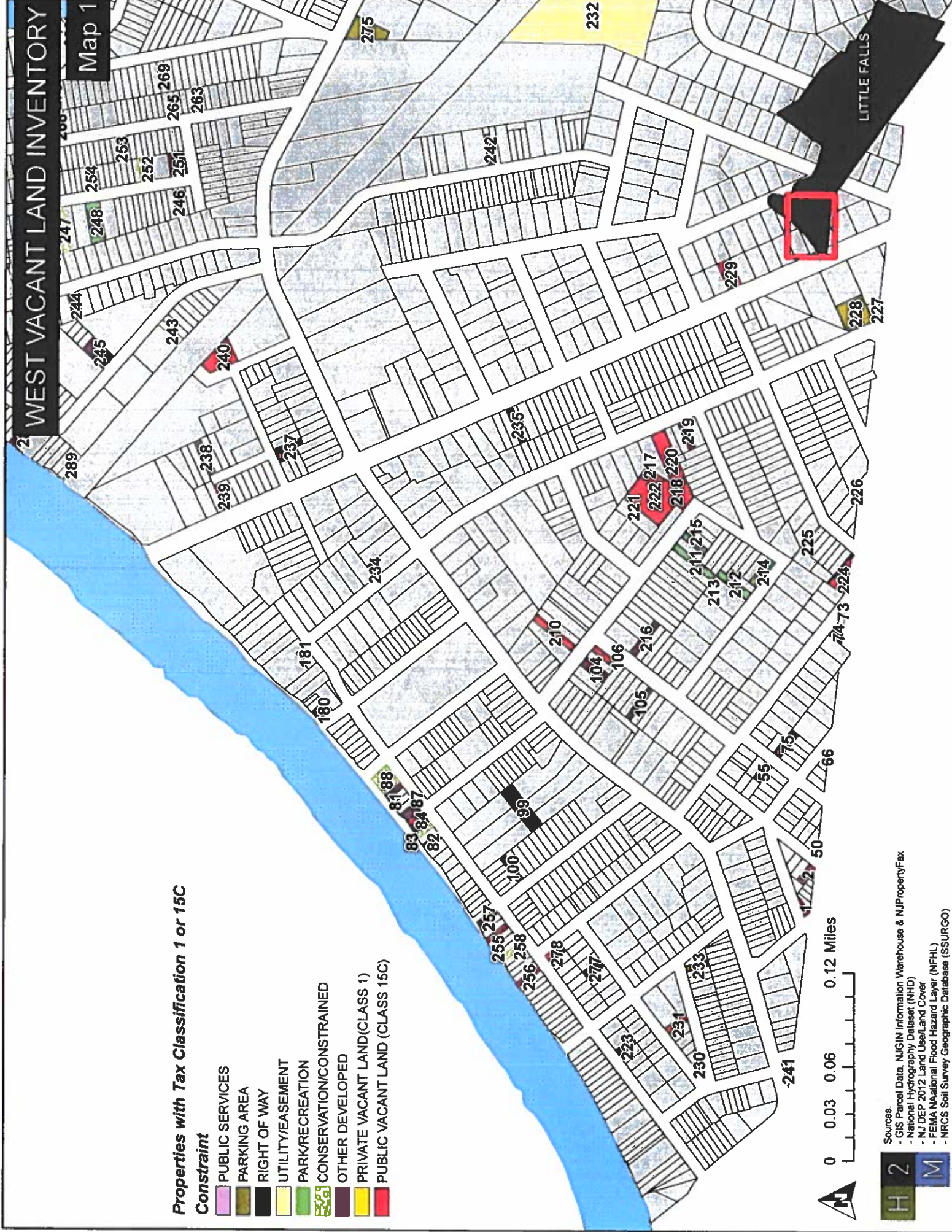


WEST VACANT LAND INVENTORY

Map 1

Properties with Tax Classification 1 or 15C
Constraint

- PUBLIC SERVICES
- PARKING AREA
- RIGHT OF WAY
- UTILITY/EASEMENT
- PARK/RECREATION
- CONSERVATION/CONSTRAINED
- OTHER DEVELOPED
- PRIVATE VACANT LAND (CLASS 1)
- PUBLIC VACANT LAND (CLASS 15C)



Sources:

- GIS Parcel Data, NJGIN Information Warehouse & NJPropertyFax
- National Hydrography Dataset (NHD)
- NJ DEP 2012 Land Use/Land Cover
- FEMA National Flood Hazard Layer (NFHL)
- NRCS Soil Survey Geographic Database (SSURGO)

UPPER MIDDLE VACANT LAND INVENTORY

Map 1

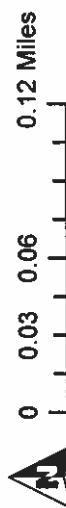
WEST PATERSON BORO

LITTLE FALLS

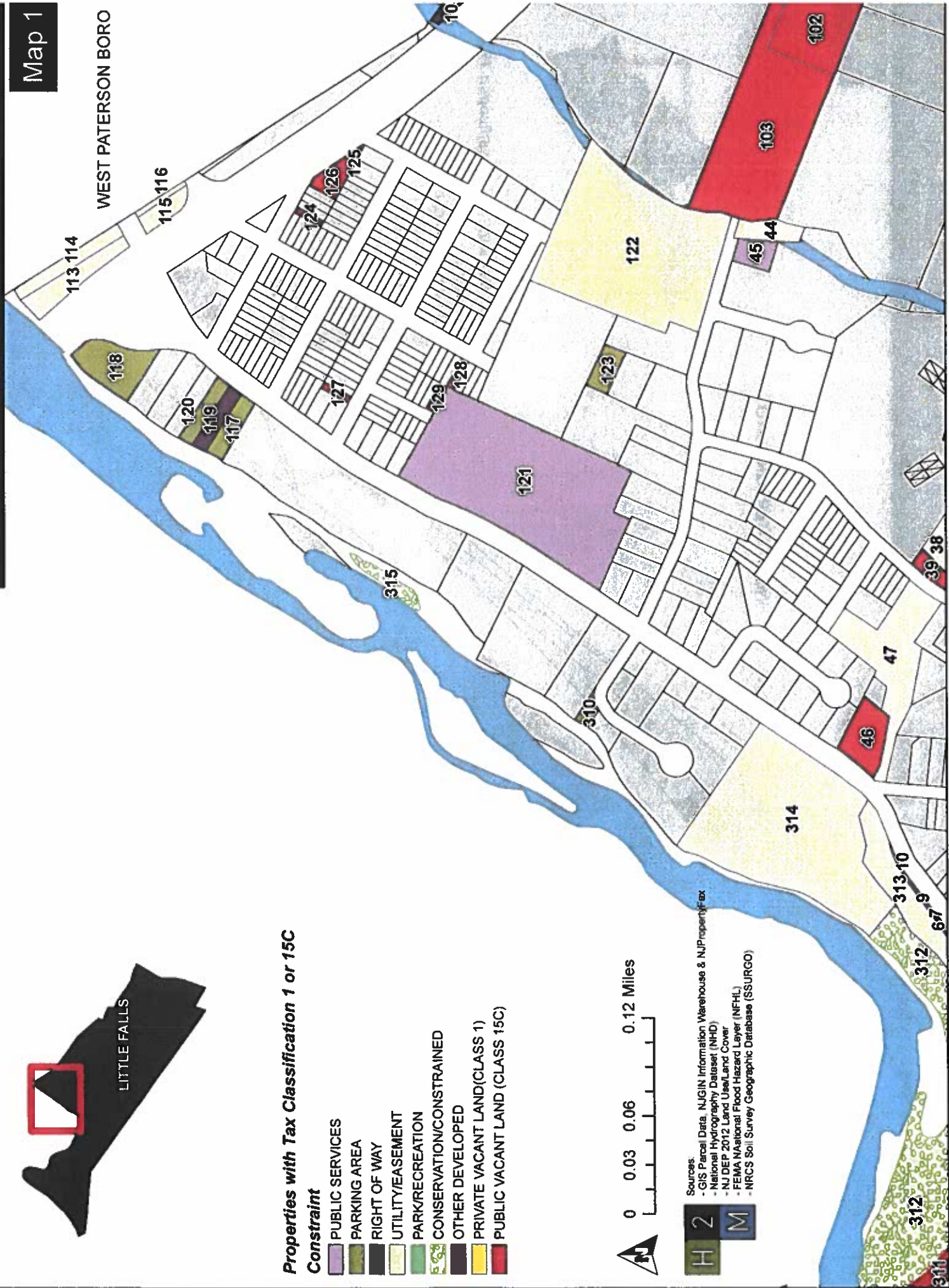
Properties with Tax Classification 1 or 15C

Constraint

- PUBLIC SERVICES
- PARKING AREA
- RIGHT OF WAY
- UTILITY/EASEMENT
- PARK/RECREATION
- CONSERVATION/CONSTRAINED
- OTHER DEVELOPED
- PRIVATE VACANT LAND (CLASS 1)
- PUBLIC VACANT LAND (CLASS 15C)



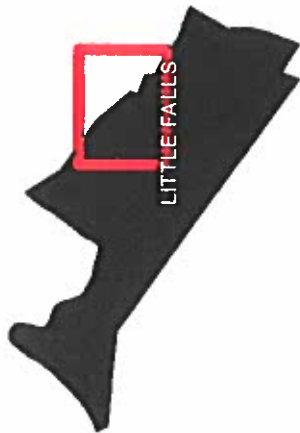
- Sources
- GIS Parcel Data, NJGIN Information Warehouse & NJPropertyFax
 - National Hydrography Dataset (NHD)
 - NJ DEP 2012 Land Use/Land Cover
 - FEMA National Flood Hazard Layer (NFHL)
 - NRCS Soil Survey Geographic Database (SSURGO)



UPPER RIGHT VACANT LAND INVENTORY

Map 1

WEST PATERSON BORO

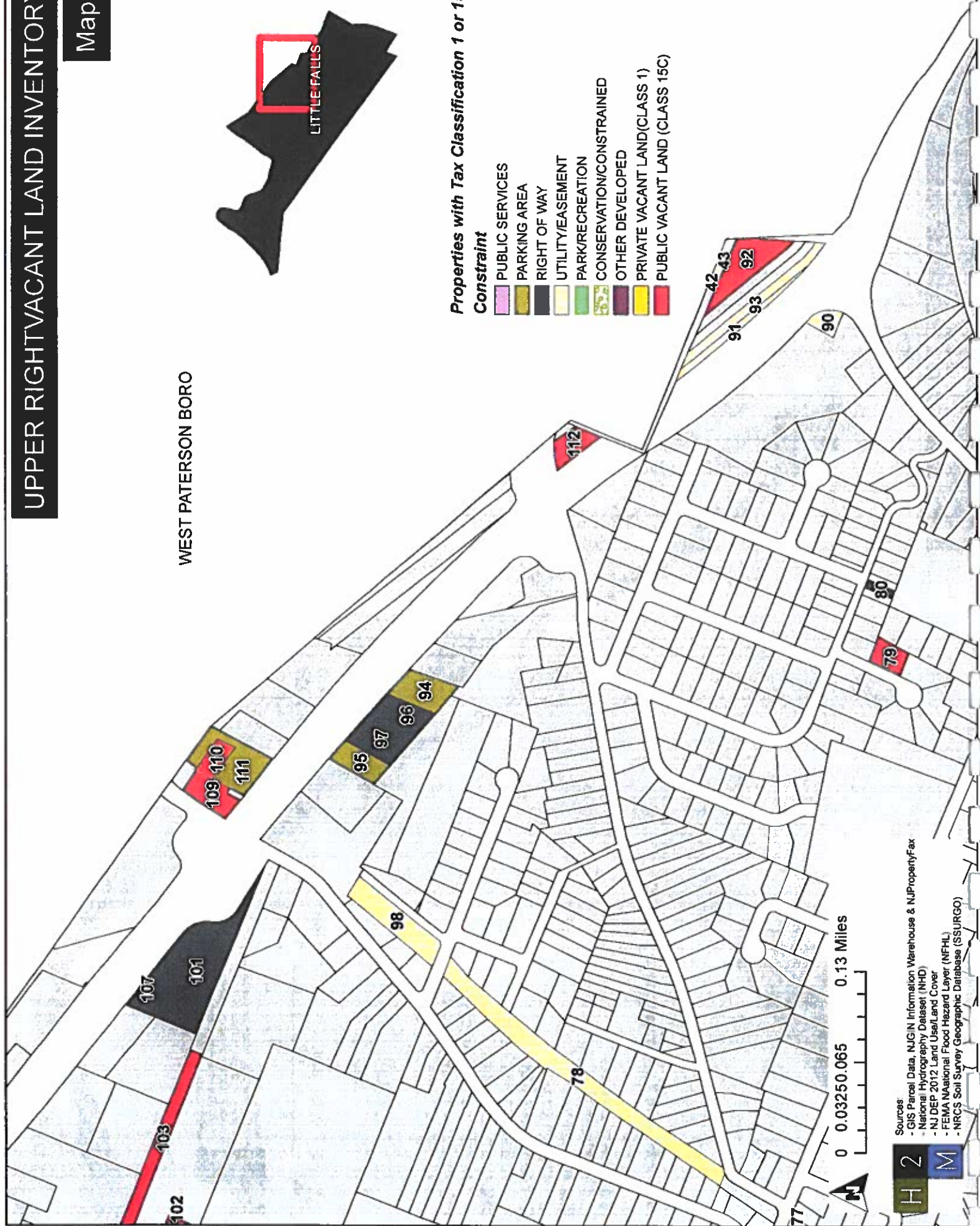


LITTLE FALLS

Properties with Tax Classification 1 or 15C

Constraint

- PUBLIC SERVICES
- PARKING AREA
- RIGHT OF WAY
- UTILITY/EASEMENT
- PARK/RECREATION
- CONSERVATION/CONSTRAINED
- OTHER DEVELOPED
- PRIVATE VACANT LAND (CLASS 1)
- PUBLIC VACANT LAND (CLASS 15C)



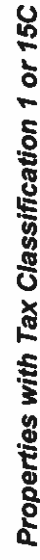
Sources:

- GIS Parcel Data, NJGIN Information Warehouse & NJPropertyFax
- National Hydrography Dataset (NHD)
- NJ DEP 2012 Land Use/Land Cover
- FEMA National Flood Hazard Layer (NFHL)
- NRCS Soil Survey Geographic Database (SSURGO)

Map 1

CLIFTON CITY

LITTLE FALLS

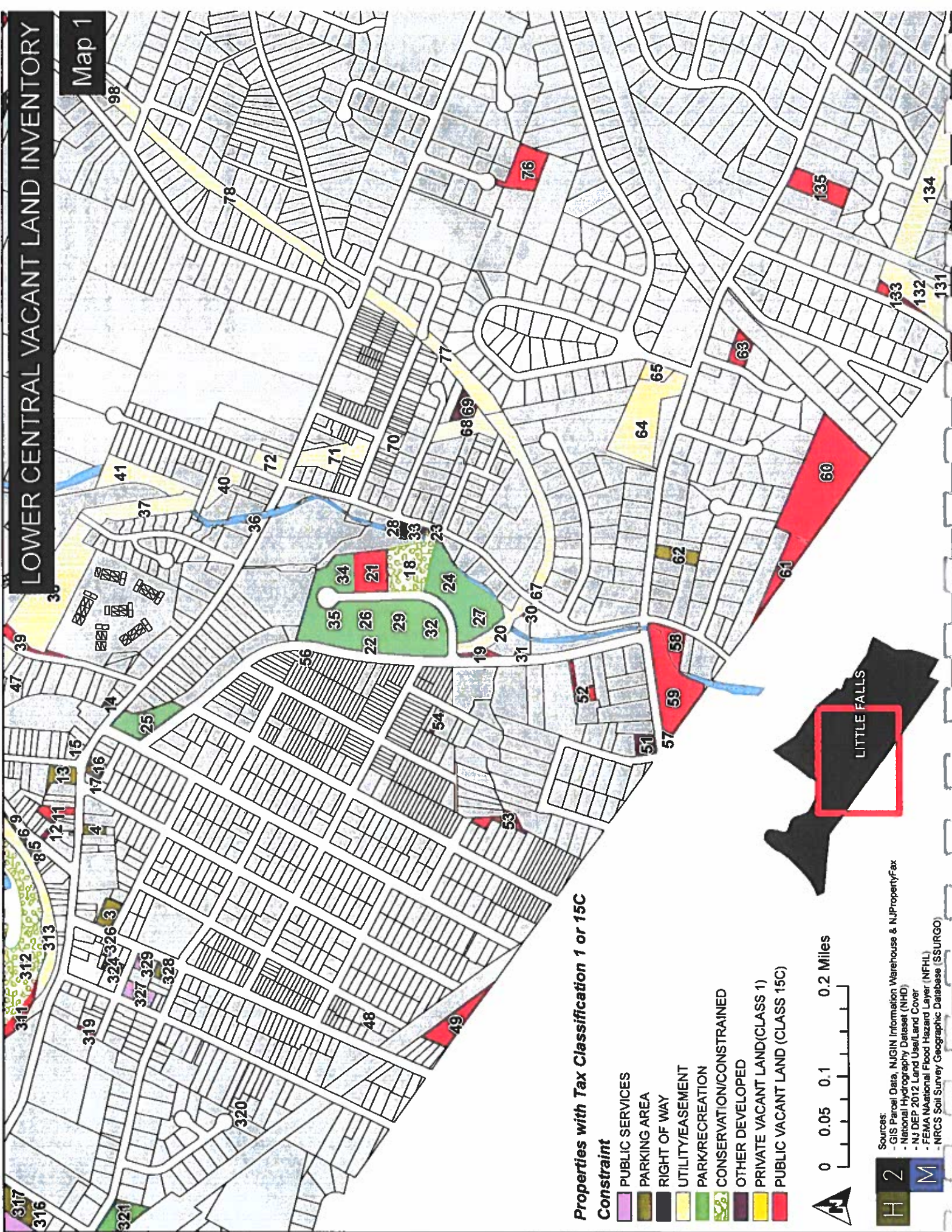


 PUBLIC SERVICES
 PARKING AREA
 RIGHT OF WAY
 UTILITY/EASEMENT
 PARK/RECREATION
 CONSERVATION/CORPUS
 OTHER DEVELOPMENT
 PRIVATE VACANT LAND
 PUBLIC VACANT LAND



LOWER CENTRAL VACANT LAND INVENTORY

Map 1

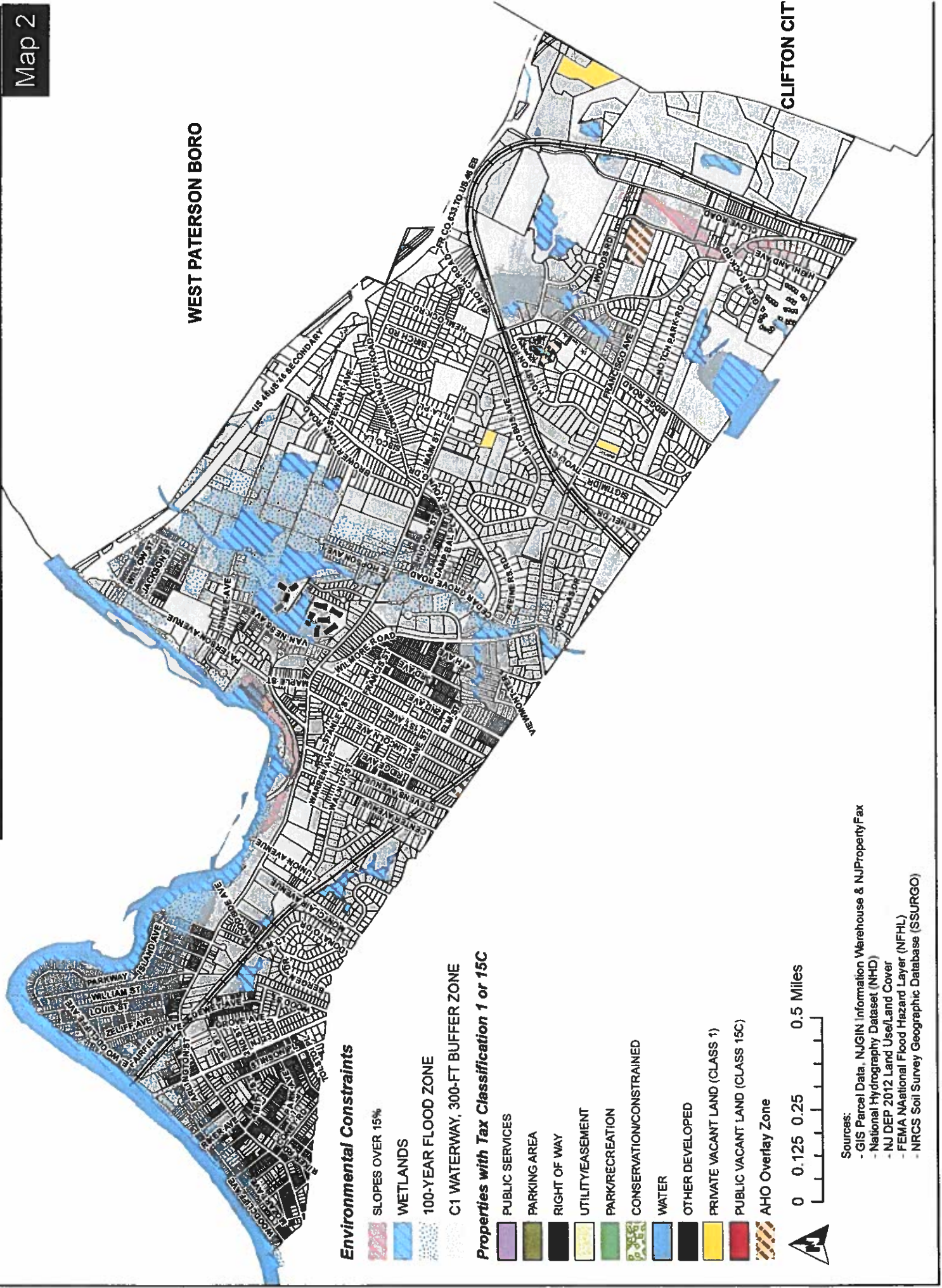


VACANT LAND INVENTORY & ENVIRONMENTAL CONSTRAINTS

Map 2

WEST PATERSON BORO

CLIFTON CIT

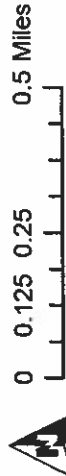


Environmental Constraints

- SLOPES OVER 15%
- WETLANDS
- 100-YEAR FLOOD ZONE
- C1 WATERWAY, 300-FT BUFFER ZONE

Properties with Tax Classification 1 or 15C

- PUBLIC SERVICES
- PARKING AREA
- RIGHT OF WAY
- UTILITY/EASEMENT
- PARK/RECREATION
- CONSERVATION/CONSTRAINED
- WATER
- OTHER DEVELOPED
- PRIVATE VACANT LAND (CLASS 1)
- PUBLIC VACANT LAND (CLASS 15C)
- AHO Overlay Zone



Sources:

- GIS Parcel Data, NJGIN Information Warehouse & NJProperty Fax
- National Hydrography Dataset (NHD)
- NJ DEP 2012 Land Use/Land Cover
- FEMA National Flood Hazard Layer (NFHL)
- NRCS Soil Survey Geographic Database (SSURGO)

WEST VACANT LAND INVENTORY & ENVIRONMENTAL CONSTRAINTS

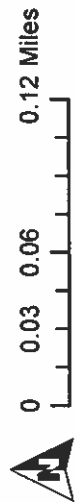
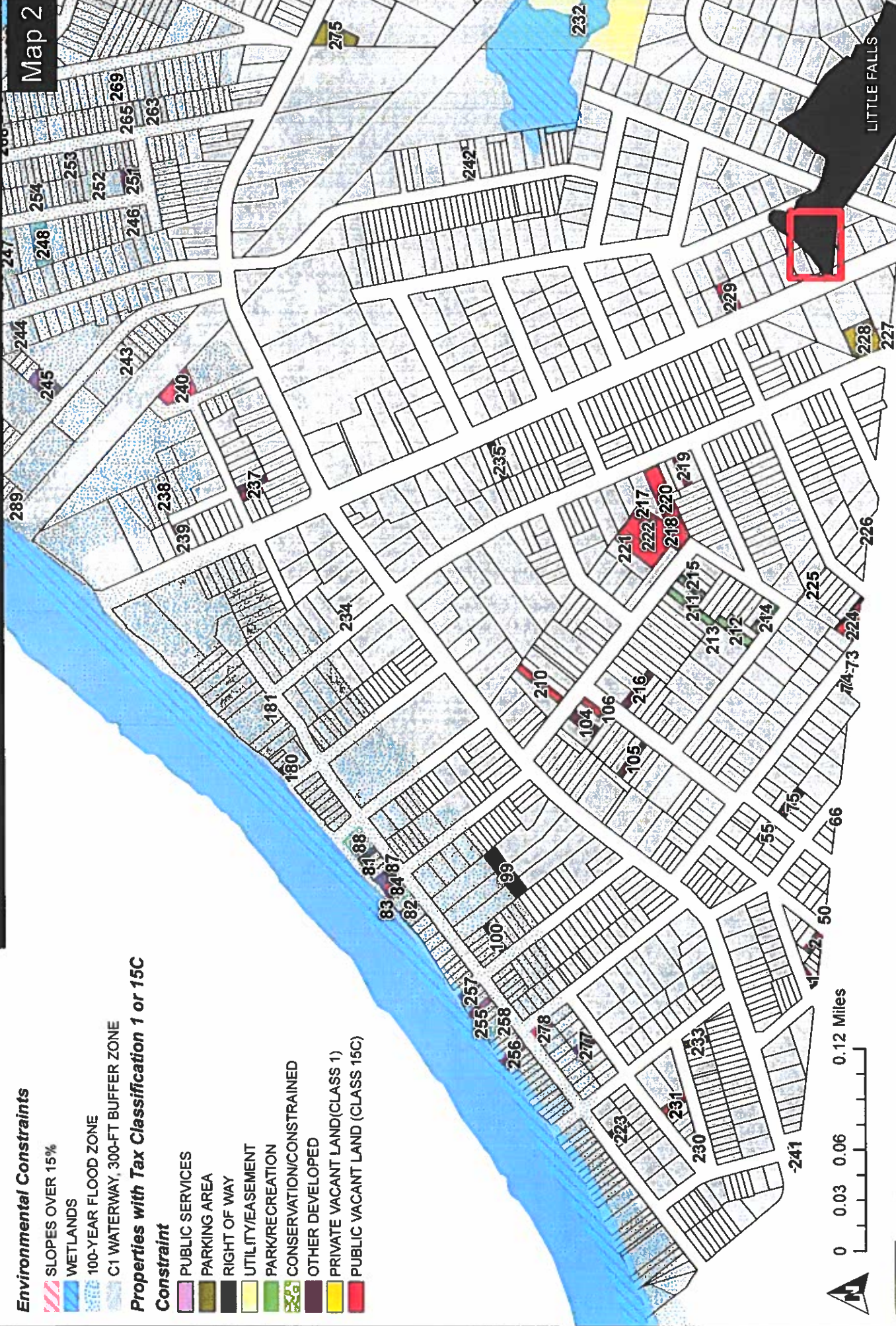
Environmental Constraints

- SLOPES OVER 15%
- WETLANDS
- 100-YEAR FLOOD ZONE
- C1 WATERWAY, 300-FT BUFFER ZONE

Properties with Tax Classification 1 or 15C

Constraint

- PUBLIC SERVICES
- PARKING AREA
- RIGHT OF WAY
- UTILITY/EASEMENT
- PARK/RECREATION
- CONSERVATION/CONSTRAINED
- OTHER DEVELOPED
- PRIVATE VACANT LAND (CLASS 1)
- PUBLIC VACANT LAND (CLASS 15C)



Sources:

- GIS Parcel Data, NJGIN Information Warehouse & NJPropertyFax
- National Hydrography Dataset (NHD)
- NJ DEP 2012 Land Use/Land Cover
- FEMA National Flood Hazard Layer (NFHL)
- NRCS Soil Survey Geographic Database (SSURGO)



UPPER MIDDLE VACANT LAND INVENTORY & ENVIRONMENTAL CONSTRAINTS

Map 2

WEST PATERSON BORC

LITTLE FALLS

Environmental Constraints

-  SLOPES OVER 15%
-  WETLANDS
-  100-YEAR FLOOD ZONE
-  C1 WATERWAY, 300-FT BUFFER ZONE

Properties with Tax Classification 1 or 15C

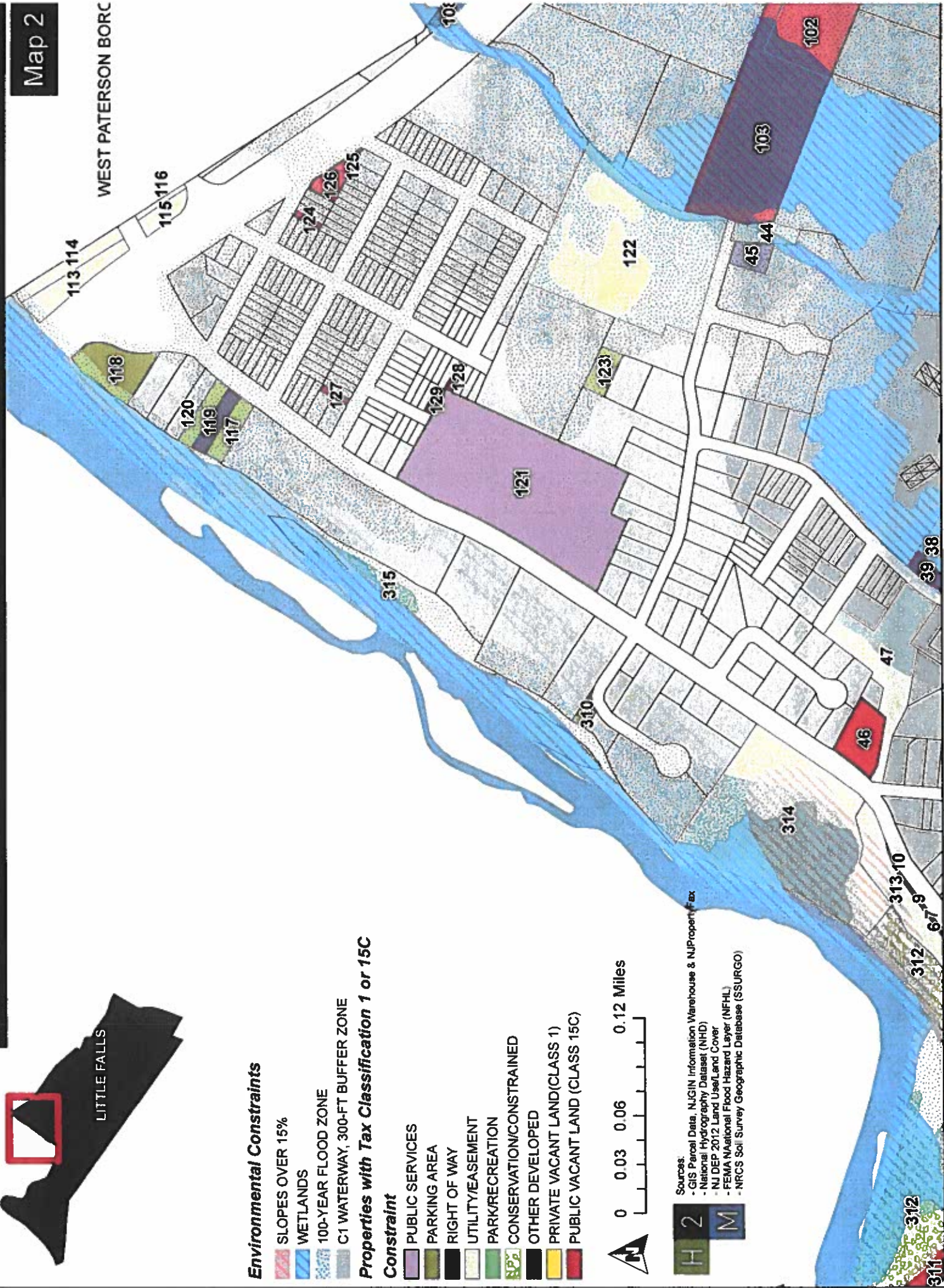
Constraint

-  PUBLIC SERVICES
-  PARKING AREA
-  RIGHT OF WAY
-  UTILITY/EASEMENT
-  PARK/RECREATION
-  CONSERVATION/CONSTRAINED
-  OTHER DEVELOPED
-  PRIVATE VACANT LAND (CLASS 1)
-  PUBLIC VACANT LAND (CLASS 15C)

0 0.03 0.06 0.12 Miles



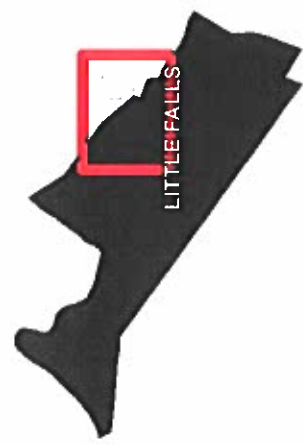
Sources:
 - GIS Parcel Data, NUGIN Information Warehouse & NJPropertyTax
 - National Hydrography Dataset (NHD)
 - NJ DEP 2012 Land Use/Land Cover
 - FEMA National Flood Hazard Layer (NFHL)
 - NRCS Soil Survey Geographic Database (SSURGO)



UPPER RIGHT VACANT LAND INVENTORY & ENVIRONMENTAL CONSTRAINTS

Map 2

WEST PATERSON BORO



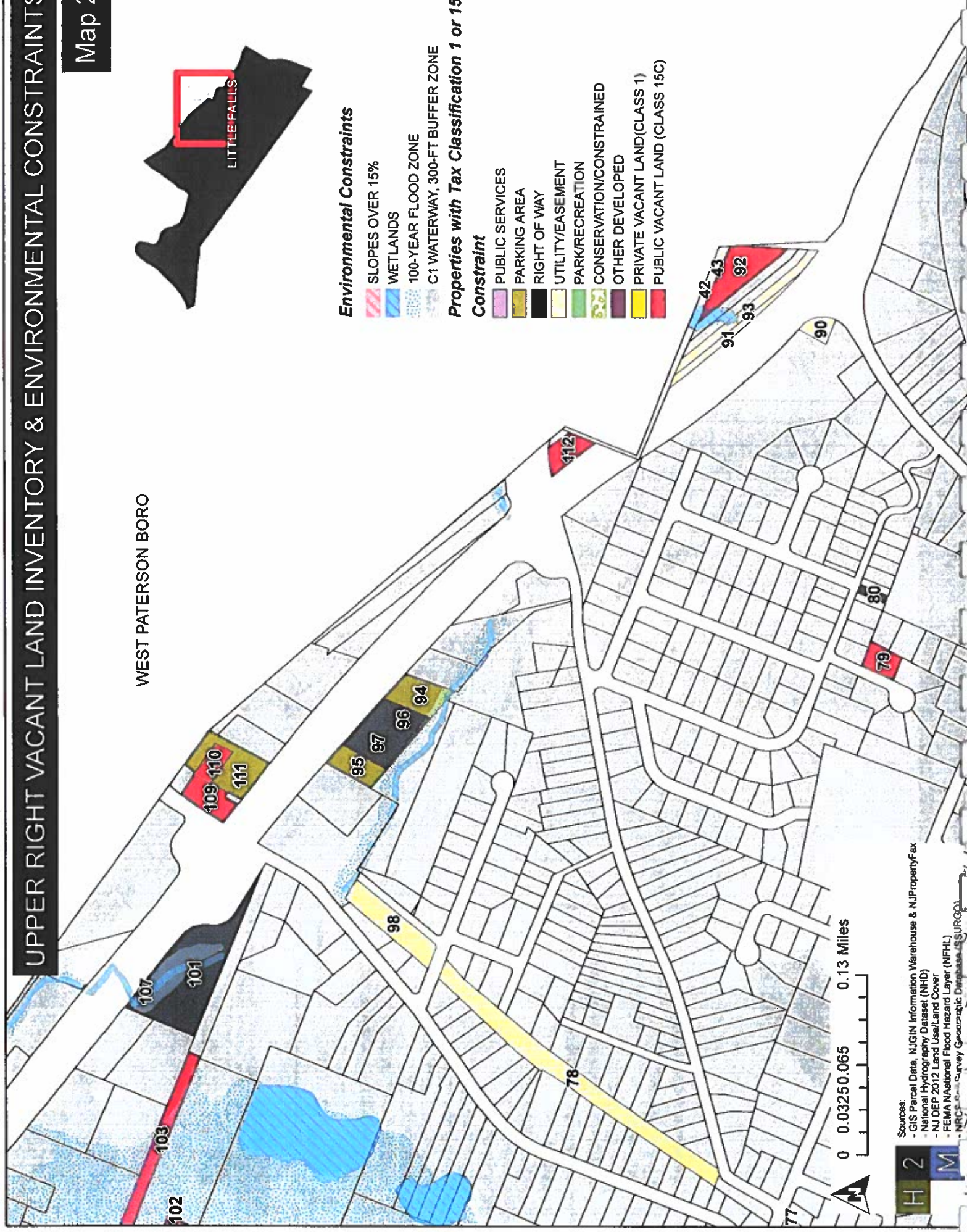
Environmental Constraints

- SLOPES OVER 15%
- WETLANDS
- 100-YEAR FLOOD ZONE
- C-1 WATERWAY, 300-FT BUFFER ZONE

Properties with Tax Classification 1 or 15C

Constraint

- PUBLIC SERVICES
- PARKING AREA
- RIGHT OF WAY
- UTILITY/EASEMENT
- PARK/RECREATION
- CONSERVATION/CONSTRAINED
- OTHER DEVELOPED
- PRIVATE VACANT LAND (CLASS 1)
- PUBLIC VACANT LAND (CLASS 15C)



Sources:
- GIS Parcel Data, NJGIN Information Warehouse & NJPropertyFax
- National Hydrography Dataset (NHD)
- NJ DEP 2012 Land Use/Land Cover
- FEMA National Flood Hazard Layer (NFHL)
- NJGIS Survey Geographic Database (SURGDB)



LOWER RIGHT VACANT LAND INVENTORY & ENVIRONMENTAL CONSTRAINTS

Map 2

WEST PATERSON BORO

CLIFTON CITY

LITTLE FALLS

Environmental Constraints

- SLOPES OVER 15%
- WETLANDS
- 100-YEAR FLOOD ZONE
- C1 WATERWAY, 300-FT BUFFER ZONE

Properties with Tax Classification 1 or 15C

Constraint

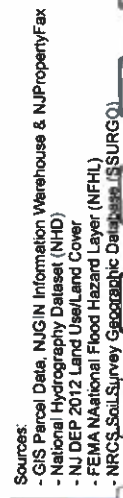
- PUBLIC SERVICES
- PARKING AREA
- RIGHT OF WAY
- UTILITY/EASEMENT
- PARK/RECREATION
- CONSERVATION/CONSTRAINED
- OTHER DEVELOPED
- PRIVATE VACANT LAND (CLASS 1)
- PUBLIC VACANT LAND (CLASS 15C)



Sources:
 - GIS Parcel Data, NUGIN Information Warehouse & NJPropertyFax
 - National Hydrography Dataset (NHD)
 - NJ DEP 2012 Land Use/Land Cover
 - FEMA National Flood Hazard Layer (NFHL)
 - NRCS Soil Survey Geographic Database (SSURGO)



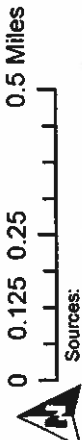
Map 2





Available Vacant Properties

- | | VACANT PRIVATE (CLASS 1) | VACANT PUBLIC (CLASS 15C) |
|--------|--------------------------|---------------------------|
| 1.00 | 0.00 | 0.00 |
| 2.00 | 0.00 | 0.00 |
| 3.00 | 0.00 | 0.00 |
| 4.00 | 0.00 | 0.00 |
| 5.00 | 0.00 | 0.00 |
| 6.00 | 0.00 | 0.00 |
| 7.00 | 0.00 | 0.00 |
| 8.00 | 0.00 | 0.00 |
| 9.00 | 0.00 | 0.00 |
| 10.00 | 0.00 | 0.00 |
| 11.00 | 0.00 | 0.00 |
| 12.00 | 0.00 | 0.00 |
| 13.00 | 0.00 | 0.00 |
| 14.00 | 0.00 | 0.00 |
| 15.00 | 0.00 | 0.00 |
| 16.00 | 0.00 | 0.00 |
| 17.00 | 0.00 | 0.00 |
| 18.00 | 0.00 | 0.00 |
| 19.00 | 0.00 | 0.00 |
| 20.00 | 0.00 | 0.00 |
| 21.00 | 0.00 | 0.00 |
| 22.00 | 0.00 | 0.00 |
| 23.00 | 0.00 | 0.00 |
| 24.00 | 0.00 | 0.00 |
| 25.00 | 0.00 | 0.00 |
| 26.00 | 0.00 | 0.00 |
| 27.00 | 0.00 | 0.00 |
| 28.00 | 0.00 | 0.00 |
| 29.00 | 0.00 | 0.00 |
| 30.00 | 0.00 | 0.00 |
| 31.00 | 0.00 | 0.00 |
| 32.00 | 0.00 | 0.00 |
| 33.00 | 0.00 | 0.00 |
| 34.00 | 0.00 | 0.00 |
| 35.00 | 0.00 | 0.00 |
| 36.00 | 0.00 | 0.00 |
| 37.00 | 0.00 | 0.00 |
| 38.00 | 0.00 | 0.00 |
| 39.00 | 0.00 | 0.00 |
| 40.00 | 0.00 | 0.00 |
| 41.00 | 0.00 | 0.00 |
| 42.00 | 0.00 | 0.00 |
| 43.00 | 0.00 | 0.00 |
| 44.00 | 0.00 | 0.00 |
| 45.00 | 0.00 | 0.00 |
| 46.00 | 0.00 | 0.00 |
| 47.00 | 0.00 | 0.00 |
| 48.00 | 0.00 | 0.00 |
| 49.00 | 0.00 | 0.00 |
| 50.00 | 0.00 | 0.00 |
| 51.00 | 0.00 | 0.00 |
| 52.00 | 0.00 | 0.00 |
| 53.00 | 0.00 | 0.00 |
| 54.00 | 0.00 | 0.00 |
| 55.00 | 0.00 | 0.00 |
| 56.00 | 0.00 | 0.00 |
| 57.00 | 0.00 | 0.00 |
| 58.00 | 0.00 | 0.00 |
| 59.00 | 0.00 | 0.00 |
| 60.00 | 0.00 | 0.00 |
| 61.00 | 0.00 | 0.00 |
| 62.00 | 0.00 | 0.00 |
| 63.00 | 0.00 | 0.00 |
| 64.00 | 0.00 | 0.00 |
| 65.00 | 0.00 | 0.00 |
| 66.00 | 0.00 | 0.00 |
| 67.00 | 0.00 | 0.00 |
| 68.00 | 0.00 | 0.00 |
| 69.00 | 0.00 | 0.00 |
| 70.00 | 0.00 | 0.00 |
| 71.00 | 0.00 | 0.00 |
| 72.00 | 0.00 | 0.00 |
| 73.00 | 0.00 | 0.00 |
| 74.00 | 0.00 | 0.00 |
| 75.00 | 0.00 | 0.00 |
| 76.00 | 0.00 | 0.00 |
| 77.00 | 0.00 | 0.00 |
| 78.00 | 0.00 | 0.00 |
| 79.00 | 0.00 | 0.00 |
| 80.00 | 0.00 | 0.00 |
| 81.00 | 0.00 | 0.00 |
| 82.00 | 0.00 | 0.00 |
| 83.00 | 0.00 | 0.00 |
| 84.00 | 0.00 | 0.00 |
| 85.00 | 0.00 | 0.00 |
| 86.00 | 0.00 | 0.00 |
| 87.00 | 0.00 | 0.00 |
| 88.00 | 0.00 | 0.00 |
| 89.00 | 0.00 | 0.00 |
| 90.00 | 0.00 | 0.00 |
| 91.00 | 0.00 | 0.00 |
| 92.00 | 0.00 | 0.00 |
| 93.00 | 0.00 | 0.00 |
| 94.00 | 0.00 | 0.00 |
| 95.00 | 0.00 | 0.00 |
| 96.00 | 0.00 | 0.00 |
| 97.00 | 0.00 | 0.00 |
| 98.00 | 0.00 | 0.00 |
| 99.00 | 0.00 | 0.00 |
| 100.00 | 0.00 | 0.00 |
| TOTAL | 0.00 | 0.00 |



Sources:
- GIS Parcel Data, NJGIN Information Warehouse & NJPropertyFax

Vacant Land Assessment

Map	BLK	LOT	BR-LIN	ADDRESS	OWNER	PROPERTY CLASS	ACERAGE	Constraint Description	Considered Acreage	Buildable Acreage	Density (Units/Acre)	Capacity (Acre/Unit)	RDP (Affordable Units at 20% Set-Aside)
1	11	1	11-1	HUZZY RD	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.024	Undersized	0.000	0.024	6	0.142	0.03
2	11	5	11-5	RIVER RD	CORTZ, LILLIAN & LILLIAN	Class: 1 - Vacant Land	0.047	Undersized	0.000	0.047	6	0.142	0.03
3	110	21	110-21	STEVENS AVE	PHC BANK C/O NTL TAX SEARCH	Class: 1 - Vacant Land	0.078	Undersized	0.000	0.078	6	0.142	0.03
4	110	7	110-7	47 MAIN ST	47 MAIN ST REALTY CORP	Class: 1 - Vacant Land	0.177	Undersized	0.000	0.177	6	0.142	0.03
5	111	11	111-11	21 PATERSON AVE	CRANE MOTOR SHOP LLC	Class: 1 - Vacant Land	0.078	Undersized	0.000	0.078	6	0.142	0.03
6	111	13	111-13	25 PATERSON AVE	CRANE MOTOR SHOP LLC	Class: 1 - Vacant Land	0.069	Undersized	0.000	0.069	6	0.142	0.03
7	111	13	111-13	29 PATERSON AVE	CRANE MOTOR SHOP LLC	Class: 1 - Vacant Land	0.007	Undersized	0.000	0.007	6	0.142	0.03
8	111	10	111-10	21 PATERSON AVE	ENTERPRISE HOLD CO MO 2	Class: 15C - Public Property	0.083	Undersized	0.000	0.083	6	0.142	0.03
9	111	10	111-10	21 PATERSON AVE	ENTERPRISE HOLD CO MO 2	Class: 15C - Public Property	0.083	Undersized	0.000	0.083	6	0.142	0.03
10	111	12	111-12	PATERSON AVE	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.099	Undersized	0.000	0.099	6	0.142	0.03
11	112	19	112-19	48 MAIN ST	KV REALTY LLC	Class: 1 - Vacant Land	0.075	Undersized	0.000	0.075	6	0.142	0.03
12	112	2	112-2	18 PATERSON AVE	CRANE MOTOR SHOP LLC	Class: 1 - Vacant Land	0.047	Undersized	0.000	0.047	6	0.142	0.03
13	112	15	112-15	32-34 MAIN ST	NI BELL TELEPHONE CO RM 3137	Class: 1 - Vacant Land	0.067	Undersized	0.000	0.067	6	0.142	0.03
14	113	25	113-25	2 MAIN ST	SOMERSET THE SERVICE, INC	Class: 1 - Vacant Land	0.069	Undersized	0.000	0.069	6	0.142	0.03
15	113	26	113-26	20 MAIN ST	SCHUMACHER REALTY LLC/TLTON	Class: 1 - Vacant Land	0.128	Undersized	0.000	0.128	6	0.142	0.03
16	114	12	114-12	911 MAIN ST	SCHUMACHER REALTY LLC/TLTON	Class: 1 - Vacant Land	0.113	Undersized	0.000	0.113	6	0.142	0.03
17	114	11	114-11	13 MAIN ST	SCHUMACHER REALTY LLC/TLTON	Class: 15C - Public Property	1.558	Pecman Preserve	0.000	1.558	6	0.142	0.03
18	112	59	112-59	SEWING OR	COUNTY OF PASSAIC	Class: 1 - Vacant Land	0.162	Undersized	0.000	0.162	6	0.142	0.03
19	112	46	112-46	WILMORE RD	OTHMER, THOMAS & MARY ELLEN	Class: 1 - Vacant Land	0.897	Undersized	0.000	0.897	6	0.142	0.03
20	112	41	112-41	CEADAR GROVE RD	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	1.082	Undersized	0.000	1.082	6	0.142	0.03
21	112	60	112-60	SEWING OR	COUNTY OF PASSAIC	Class: 15C - Public Property	1.423	Pecman Preserve Park	0.000	1.423	6	0.142	0.03
22	112	50	112-50	CEADAR GROVE RD	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.037	Pecman Preserve	0.000	0.037	6	0.142	0.03
23	112	37	112-37	CEADAR GROVE RD	COUNTY OF PASSAIC	Class: 15C - Public Property	1.588	Pecman Preserve	0.000	1.588	6	0.142	0.03
24	112	58	112-58	SEWING OR	COUNTY OF PASSAIC	Class: 15C - Public Property	1.061	Pecman Preserve	0.000	1.061	6	0.142	0.03
25	112	43	112-43	WILMORE RD	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	1.450	Pecman Preserve	0.000	1.450	6	0.142	0.03
26	112	43	112-43	SEWING OR	COUNTY OF PASSAIC	Class: 15C - Public Property	1.450	Pecman Preserve	0.000	1.450	6	0.142	0.03
27	112	57	112-57	SEWING OR	COUNTY OF PASSAIC	Class: 15C - Public Property	1.450	Pecman Preserve	0.000	1.450	6	0.142	0.03
28	112	35	112-35	53 CEDAR GROVE RD	RIES, MARY E & RHINESMITH, DOROTHEA	Class: 1 - Vacant Land	0.125	Undersized	0.000	0.125	6	0.142	0.03
29	112	64	112-64	CEADAR GROVE RD	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	1.175	Undersized	0.000	1.175	6	0.142	0.03
30	112	42	112-42	CEADAR GROVE RD	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.010	Undersized	0.000	0.010	6	0.142	0.03
31	112	45	112-45	WILMORE RD	GUZZO, ROBERT E & DOROTHEA	Class: 1 - Vacant Land	0.081	Undersized	0.000	0.081	6	0.142	0.03
32	112	48	112-48	87 CEDAR GROVE RD	RHINESMITH, DOROTHEA	Class: 15C - Public Property	0.960	Undersized	0.000	0.960	6	0.142	0.03
33	112	36	112-36	57 CEDAR GROVE RD	COUNTY OF PASSAIC	Class: 15C - Public Property	0.190	Undersized	0.000	0.190	6	0.142	0.03
34	112	61	112-61	SEWING OR	COUNTY OF PASSAIC	Class: 15C - Public Property	1.031	Undersized	0.000	1.031	6	0.142	0.03
35	112	62	112-62	SEWING OR	COUNTY OF PASSAIC	Class: 15C - Public Property	0.954	Undersized	0.000	0.954	6	0.142	0.03
36	112	1	112-1	306 E MAIN ST	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.090	Undersized	0.000	0.090	6	0.142	0.03
37	123	14	123-14	PECKMAN RIVER	NORTH JERSEY DIST WATER SUPPLY COM	Class: 1 - Vacant Land	1.495	Wetlands, SFHA	1.073	0.422	6	0.142	0.03
38	123	13	123-13	VAN NISS AVE	NORTH JERSEY DIST WATER SUPPLY COM	Class: 1 - Vacant Land	3.882	Wetlands, SFHA	3.508	0.374	6	0.142	0.03
39	123	12	123-12	VAN NISS AVE	NORTH JERSEY DIST WATER SUPPLY COM	Class: 15C - Public Property	0.310	Undersized	0.000	0.310	6	0.142	0.03
40	124	2	124-2	E MAIN ST	NORTH JERSEY DIST WATER SUPPLY COM	Class: 1 - Vacant Land	0.559	Undersized	0.000	0.559	6	0.142	0.03
41	125	2	125-2	SMALLEY ST	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	1.459	Undersized	0.000	1.459	6	0.142	0.03
42	125	2	125-2	SMALLEY ST	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.000	Undersized	0.000	0.000	6	0.142	0.03
43	125	2	125-2	SMALLEY ST	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.000	Undersized	0.000	0.000	6	0.142	0.03
44	126	4	126-4	VAN NISS AVE	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.298	Pump Station, Undersized	0.000	0.298	6	0.142	0.03
45	126	13	126-13	SHIRLEY AVENUE	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.299	Recycling, Undersized	0.000	0.299	6	0.142	0.03
46	129	9	129-9	70 PATERSON AVE	NONWOOD & BRAUN & ASSOCIATES LLC	Class: 1 - Vacant Land	0.396	Undersized	0.000	0.396	6	0.142	0.03
47	129	7	129-7	70 PATERSON AVE	NONWOOD & BRAUN & ASSOCIATES LLC	Class: 1 - Vacant Land	0.396	Undersized	0.000	0.396	6	0.142	0.03
48	130	1	130-1	ROGERS AVE	ELIASZ, JOHN	Class: 1 - Vacant Land	0.046	Undersized	0.000	0.046	6	0.142	0.03
49	130	6	130-6	166 STEVENS AVE	SCHIELER, FRANCES	Class: 1 - Vacant Land	0.915	AND Overlaid Zone	0.000	0.915	6	0.142	0.03
50	14	1	14-1	TOWN LINE	UNKNOWN	Class: 15C - Public Property	0.012	Town Line, Undersized	0.000	0.012	6	0.142	0.03
51	148	58.01	148-58.01	32 VEWIMONT TERR	CALAMANDRA, CHRISTINE O	Class: 1 - Vacant Land	0.341	Undersized	0.000	0.341	6	0.142	0.03
52	148	42	148-42	381 WILMORE RD	FISCHBACH, JAMES L & MARIE A	Class: 1 - Vacant Land	0.358	Undersized	0.000	0.358	6	0.142	0.03
53	148	22	148-22	SECOND AVE	DONATO MACHIEL & LYNNMARGARET LR	Class: 1 - Vacant Land	0.387	Undersized	0.000	0.387	6	0.142	0.03
54	149	25	149-25	FOURTH AVE	RICH, JOHN W & WATHLEN	Class: 1 - Vacant Land	0.087	Undersized	0.000	0.087	6	0.142	0.03
55	15	8	15-8	VERANDA AVE	SWOFFORD, JOHN & RICHARD	Class: 1 - Vacant Land	0.050	Undersized	0.000	0.050	6	0.142	0.03
56	151	64	151-64	WILMORE RD	CALAFORNE, JOSEPH JR	Class: 1 - Vacant Land	0.048	Undersized	0.000	0.048	6	0.142	0.03
57	155	6	155-6	UNDERSLEY RD	CITY OF JERSEY CITY WATER DIV	Class: 1 - Vacant Land	0.031	Undersized	0.000	0.031	6	0.142	0.03
58	155	1	155-1	241 CEDAR GROVE RD	CARRIG, SHAUN	Class: 1 - Vacant Land	0.554	Undersized	0.000	0.554	6	0.142	0.03
59	155	4	155-4	UNDERSLEY RD	BROOKSIDE NOTION LLC	Class: 1 - Vacant Land	2.205	SFHA, Wetlands	1.619	0.586	6	0.142	0.03
60	156	16	156-16	FRANCISCO AVE	PRIG - ATTH: TAX DEPT 1-6B	Class: 1 - Vacant Land	4.652	PSE&G ROW	0.000	4.652	6	0.142	0.03
61	156	8	156-8	483 CEDAR GROVE RD	OSHAUN ASSOC C/O D. HOLCOMBACH BARR	Class: 1 - Vacant Land	0.895	AND Overlaid Zone	0.000	0.895	6	0.142	0.03
62	156	3	156-3	16 FRANCISCO AVE	WELTERSON, DAVID & BRENDA	Class: 1 - Vacant Land	0.487	Undersized	0.000	0.487	6	0.142	0.03
63	156	3	156-3	16 FRANCISCO AVE	WELTERSON, DAVID & BRENDA	Class: 1 - Vacant Land	0.487	Undersized	0.000	0.487	6	0.142	0.03
64	157	2	157-2	57 FRANCISCO AVE	NORTH JERSEY DIST WATER SUPPLY COM	Class: 1 - Vacant Land	2.768	AND Overlaid Zone	0.000	2.768	6	0.142	0.03
65	157	2	157-2	57 FRANCISCO AVE	CITY OF JERSEY CITY, WATER DIV	Class: 1 - Vacant Land	0.359	AND Overlaid Zone	0.000	0.359	6	0.142	0.03
66	16	4	16-4	49 STANLEY RD	KOZMA, JOHN	Class: 1 - Vacant Land	0.010	Undersized	0.000	0.010	6	0.142	0.03
67	164	14	164-14	CEADAR GROVE RD	TOWNSHIP OF LITTLE FALLS NJ	Class: 15C - Public Property	1.919	North Canal Greenway, C1 Stream	0.067	1.852	6	0.142	0.03
68	165	18	165-18	THOMAS ST	NORTH JERSEY DIST WATER SUPPLY COM	Class: 1 - Vacant Land	0.865	North Jersey Water Supply easement	0.000	0.865	6	0.142	0.03
69	165	25	165-25	35 CAMP BAL PL	SANTALLA, MAJIANE	Class: 1 - Vacant Land	0.385	Undersized	0.000	0.385	6	0.142	0.03
70	165	9	165-9	HUDSON ST	NORTH JERSEY DIST WATER SUPPLY COM	Class: 1 - Vacant Land	0.275	Undersized	0.000	0.275	6	0.142	0.03
71	166	9	166-9	E MAIN ST	NORTH JERSEY DIST WATER SUPPLY COM	Class: 1 - Vacant Land	1.132	SFHA	0.000	1.132	6	0.142	0.03
72	167	4	167-4	E MAIN ST	NORTH JERSEY DIST WATER SUPPLY COM	Class: 1 - Vacant Land	0.515	Undersized	0.000	0.515	6	0.142	0.03
73	17	22	17-22	TOWN LINE N CALDWELL	NORTH CALDWELL BOROUGH	Class: 15C - Public Property	0.014	Town Line, Undersized	0.000	0.014	6	0.142	0.03
74	17	21	17-21	11 COMEY ROAD	RODRIGUEZ, ERIK & BARRIOS, MARIA	Class: 1 - Vacant Land	0.069	Undersized	0.000	0.069	6	0.142	0.03
75	17	11	17-11	VERANDA AVE	ERAMER, LAWRENCE & CATHENINE BROWN	Class: 1 - Vacant Land	1.124	Undersized	0.000	1.124	6	0.142	0.03
76	170	9.01	170-9.01	9 JINWOOD DR	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	1.895	North Canal Greenway, C1 Stream	0.000	1.895	6	0.142	0.03
77	170	1	170-1	LONG HILL ROAD	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	2.000	North Canal Greenway, C1 Stream	0.000	2.000	6	0.142	0.03
78	178	17	178-17	BROWN TOWN RD	ELAN BAHU, YOUNG	Class: 1 - Vacant Land	0.805	Undersized	0.000	0.805	6	0.142	0.03
79	180	8.02	180-8.02	800 GERRITSE CT	TOWNSHIP OF LITTLE FALLS	Class: 1 - Vacant Land	0.000	Undersized	0.000	0.000	6	0.142	0.03
80	180	17	180-17	WOODCLIFFE AVE	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.032	Undersized	0.000	0.032	6	0.142	0.03
81	18	17	18-17	WOODCLIFFE AVE	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.032	Undersized	0.000	0.032	6	0.142	0.03
82	18	7	18-7	144 WOODCLIFFE AVE	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.037	Undersized	0.000	0.037	6	0.142	0.03
83	18	9	18-9	144 WOODCLIFFE AVE	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.037	Undersized	0.000	0.037	6	0.142	0.03
84	18	10	18-10	140 WOODCLIFFE AVE	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.035	Undersized	0.000	0.035	6	0.142	0.03
85	18	11	18-11	138 WOODCLIFFE AVE	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.030	Undersized	0.000	0.030	6	0.142	0.03
86	18	12	18-12	135 WOODCLIFFE AVE	TOWNSHIP OF LITTLE FALLS	Class: 1 - Vacant Land	0.027	Undersized	0.000	0.027	6	0.142	0.03
87	18	13	18-13	134 WOODCLIFFE AVE	PASSAIC RIVER COALITION INC	Class: 1 - Vacant Land	0.027	Undersized	0.000				

48	18	18	18-18	5 MIER AVE	TOWNSHIP OF LITTLE FALLS	Class 15C - Public Property	0.115	0.000	0.694	No
89	181	21	183-12	463 ROUTE 46 EAST	CITY OF NEWARK DIV WATER/SEWER UTIL	Class 15C - Public Property	1.001	0.000	6.6020	1.20
90	184	22	184-03	NOTCH RD RT 46	CITY OF NEWARK DIV WATER/SEWER UTIL	Class 15C - Public Property	0.201	0.000	1.706	0.24
91	185	1	185-5	634-636 JACKSON LN	NOTCH ROAD / JACKSON LN LLC	Class 1 - Vacant Land	0.313	0.000	1.877	0.38
92	185	2	185-2	RT 46 AT NOTCH	NOTCH ROAD / JACKSON LN LLC	Class 1 - Vacant Land	0.818	0.052	4.599	0.92
93	185	5	185-2	RT 46 AT NOTCH	NOTCH ROAD / JACKSON LN LLC	Class 1 - Vacant Land	0.520	0.024	2.975	0.60
94	186	8.04	186-8.04	ROUTE 46	QUICK QUALITY RESTAURANT	Class 1 - Vacant Land	0.562	0.085	4.478	0.65
95	186	8.01	186-8.01	ROUTE 46 E	STATE OF NJ DEPT OF TRANSPORTATION	Class 15C - Public Property	0.421	0.000	2.525	0.51
96	186	8.03	186-8.03	705-725 RT 46 E	STATE OF NJ DEPT OF TRANSPORTATION	Class 15C - Public Property	0.631	0.035	2.534	0.51
97	186	8.02	186-8.02	755 ROUTE 46 E	STATE OF NJ DEPT OF TRANSPORTATION	Class 15C - Public Property	0.457	0.016	3.688	0.74
98	187	4	187-4	MORRIS CANAL	TOWNSHIP OF LITTLE FALLS	Class 15C - Public Property	0.804	0.016	4.825	0.96
99	187	4	187-4	WOOLDFE AVE, REAR	PRESHING, DONALD R & LOURANE L	Class 1 - Vacant Land	0.192	0.014	1.068	0.21
100	19	6	19-6	TAYLOR AVE	PAVELCHAK, DAVID E & NINA MARIE	Class 1 - Vacant Land	0.058	0.000	0.000	0
101	194	3	194-3	1235 ROUTE 46 E	STATE OF NJ DEPT OF TRANSPORTATION	Class 15C - Public Property	2.133	0.033	8.882	1.78
102	194	5.01	194-5.01	ROSE ST	TOWNSHIP OF LITTLE FALLS	Class 15C - Public Property	1.793	0.000	1.000	0
103	194	5	194-5	ROSE ST	TOWNSHIP OF LITTLE FALLS	Class 15C - Public Property	4.775	0.066	1.000	0
104	20	17	20-17	VERANDA AVE	PHINNEY REALTY LLC	Class 1 - Vacant Land	0.084	0.000	0.000	0
105	20	19	20-19	VERANDA AVE	PHINNEY REALTY LLC	Class 1 - Vacant Land	0.084	0.000	0.000	0
106	20	19	20-19	VERANDA AVE	PHINNEY REALTY LLC	Class 1 - Vacant Land	0.084	0.000	0.000	0
107	20	5	20-5	VERANDA AVE	PHINNEY REALTY LLC	Class 15C - Public Property	0.228	0.000	0.000	0
108	201	1	202-1	1100 ROUTE 46 W	STATE OF NJ DEPT OF TRANSPORTATION	Class 15C - Public Property	0.164	0.000	0.000	0
109	201	1	202-1	1100 ROUTE 46 W	STATE OF NJ DEPT OF TRANSPORTATION	Class 15C - Public Property	0.164	0.000	0.000	0
110	201	1	202-1	1100 ROUTE 46 W	STATE OF NJ DEPT OF TRANSPORTATION	Class 15C - Public Property	0.164	0.000	0.000	0
111	203	3.01	203-3.01	228 BROMETOWN RD	A J WHITE ENTERPRISES LLC	Class 1 - Vacant Land	0.249	0.000	1.493	0.30
112	205	1	205-1	1000 ROUTE 46 WEST	EVERGREEN TREE ESTATES INC	Class 1 - Vacant Land	0.803	0.000	4.816	0.96
113	215	1	215-1	MC BRIDE AVE	TOWNSHIP OF LITTLE FALLS	Class 15C - Public Property	0.352	0.000	2.113	0.42
114	215	2	215-2	MC BRIDE AVE	TOWNSHIP OF LITTLE FALLS	Class 1 - Vacant Land	0.352	0.000	2.113	0.42
115	215.01	2.02	215.01-2.02	ROUTE 46 W REAR	CITY OF NEWARK DIV WATER/SEWER UTIL	Class 1 - Vacant Land	0.078	0.016	2.751	0.55
116	215.01-1.02	3.02	215.01-1.02	MC BRIDE AVE	TOWNSHIP OF LITTLE FALLS	Class 15C - Public Property	0.358	0.035	2.102	0.42
117	216	1	216-1	267 PATERSON AVE	TOWNSHIP OF LITTLE FALLS	Class 15C - Public Property	0.072	0.000	1.430	0.29
118	216	7	216-7	ROUTE 46 @ MC BRIDE AVE	PASSAGAMATED MEAT CUTTERS P & W	Class 1 - Vacant Land	0.282	0.000	0.493	0.09
119	216	2	216-2	271 PATERSON AVE	ANNUZATA ASSOCIATES, LP	Class 1 - Vacant Land	0.740	0.225	3.088	0.62
120	216	3	216-3	271 PATERSON AVE	ANNUZATA ASSOCIATES, LP	Class 1 - Vacant Land	0.267	0.000	1.000	0
121	218	11	218-11	PO SHULE AVE	TOWNSHIP OF LITTLE FALLS	Class 15C - Public Property	5.806	0.269	0.000	0
122	218	8.04	218-8.04	WOOLDFE AVE, REAR	TOWNSHIP OF LITTLE FALLS	Class 15C - Public Property	5.806	0.269	0.000	0
123	218	8.04	218-8.04	WOOLDFE AVE, REAR	TOWNSHIP OF LITTLE FALLS	Class 15C - Public Property	5.806	0.269	0.000	0
124	221	17	221-17	ROUTE 46	SUNSHINE PROPERTY MANAGEMENT	Class 1 - Vacant Land	0.267	0.000	1.430	0.29
125	221	17	221-17	ROUTE 46	SUNSHINE PROPERTY MANAGEMENT	Class 1 - Vacant Land	0.267	0.000	1.430	0.29
126	221	21	221-21	JACKSON ST	TOWNSHIP OF LITTLE FALLS	Class 15C - Public Property	0.083	0.000	0.000	0
127	225	33	225-33	HARRISON ST	TOWNSHIP OF LITTLE FALLS	Class 15C - Public Property	0.197	0.000	0.000	0
128	226	16	226-16	QUAK PL	BRENNEN, ELEANOR & DAVID	Class 1 - Vacant Land	0.065	0.000	0.348	0.08
129	226	1	226-1	HOUSTON RD	CESTONE, JAMES D	Class 1 - Vacant Land	0.066	0.000	0.066	0.008
130	230	57	230-57	HOUSTON RD	NOLLE, GLENNA G & WILLIAM B.	Class 1 - Vacant Land	1.505	0.283	1.722	1.47
131	232.03	4.02	232.03-4.02	ENE RR	TRANSCONTINENTAL GAS PIPE LINE CO	Class 1 - Vacant Land	0.412	0.000	2.472	0.49
132	232.03	4.0	232.03-4.0	ENE RR	TRANSCONTINENTAL GAS PIPE LINE CO	Class 1 - Vacant Land	0.412	0.000	2.472	0.49
133	232.03	5.01	232.03-5.01	SIGTUM DR	TOWNSHIP OF LITTLE FALLS	Class 1 - Vacant Land	2.233	0.000	13.999	2.80
134	233	9	233-9	RIDGE RD	PS&G ATTN: TAX DEPT F-68	Class 1 - Vacant Land	0.280	0.000	2.333	0.46
135	233	23	233-23	108 FRANCISCO AVE	PS&G ATTN: TAX DEPT F-68	Class 1 - Vacant Land	3.462	0.000	3.462	0.74
136	234	3	234-3	CLOVE RD	RD OF TRUSTEES MONTCLAIR STATE UNIV	Class 1 - Vacant Land	1.019	0.000	1.019	0.21
137	234	3	234-3	CLOVE RD	RD OF TRUSTEES MONTCLAIR STATE UNIV	Class 1 - Vacant Land	0.885	0.000	0.885	0.18
138	234	1	234-1	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class 15C - Public Property	0.885	0.000	0.885	0.18
139	234	8	234-8	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class 15C - Public Property	0.827	0.000	0.827	0.17
140	234	4	234-4	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class 15C - Public Property	0.880	0.000	0.880	0.19
141	234	4	234-4	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class 15C - Public Property	0.128	0.000	0.128	0.03
142	234	4	234-4	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class 15C - Public Property	2.645	0.000	2.645	0.54
143	235	50	235-50	NOTCH PARK RD	STATE OF NJ DEPT OF TREASURY	Class 15C - Public Property	1.322	0.000	1.322	0.28
144	235	34	235-34	NOTCH PARK RD	STATE OF NJ DEPT OF TREASURY	Class 15C - Public Property	1.302	0.000	1.302	0.28
145	235	2	235-2	NOTCH PARK RD	STATE OF NJ DEPT OF TREASURY	Class 15C - Public Property	0.365	0.000	0.365	0.08
146	235	1	235-1	RIDGE RD	VALSA ENTERPRISES, LLC	Class 1 - Vacant Land	9.132	0.000	6.841	8.21
147	235	1	235-1	RIDGE RD	VALSA ENTERPRISES, LLC	Class 1 - Vacant Land	31.381	0.000	2.931	41.045
148	236	17	236-17	21 BRGE RD	STATE OF NJ DEPT OF TREASURY	Class 15C - Public Property	0.922	0.000	12.734	18.648
149	236	32	236-32	7 RIDGE RD	SUNOWSKI, MIROSLAW & BARBARA	Class 1 - Vacant Land	0.389	0.000	0.389	0.08
150	237	49	237-49	LONG HILL RD	AMFUD, DOMINICK V & JANET M	Class 1 - Vacant Land	0.648	0.000	0.648	0.14
151	237	44	237-44	65 WOODS RD	STAMBAUGH, ROBERT F & SUZANNE	Class 1 - Vacant Land	0.389	0.000	0.389	0.08
152	237	30	237-30	33 WOODS RD	MARTORANO, ROBERT F & CARMELLA	Class 1 - Vacant Land	0.497	0.000	0.497	0.11
153	237	6	237-6	31 CLOVE RD	OKAMWOOD, EDWARD	Class 1 - Vacant Land	0.400	0.000	0.400	0.09
154	237	9	237-9	115 WOODS RD	OKAMWOOD, EDWARD	Class 1 - Vacant Land	0.400	0.000	0.400	0.09
155	237	6	237-6	115 WOODS RD	OKAMWOOD, EDWARD	Class 1 - Vacant Land	0.400	0.000	0.400	0.09
156	237	15	237-15	40 CLOVE RD	MONTCLAIR STATE UNIVERSITY	Class 15C - Public Property	0.118	0.000	0.118	0.03
157	237	15	237-15	40 CLOVE RD	MONTCLAIR STATE UNIVERSITY	Class 15C - Public Property	0.118	0.000	0.118	0.03
158	237	15	237-15	40 CLOVE RD	MONTCLAIR STATE UNIVERSITY	Class 15C - Public Property	0.118	0.000	0.118	0.03
159	237	12	237-12	108 WOODS RD	NOTCHWOOD, LLC	Class 1 - Vacant Land	0.205	0.000	0.205	0.05
160	237	19	237-19	CLOVE RD	NOTCHWOOD, LLC	Class 1 - Vacant Land	0.808	0.000	0.808	0.18
161	237	19	237-19	CLOVE RD	NOTCHWOOD, LLC	Class 1 - Vacant Land	0.808	0.000	0.808	0.18
162	237	22	237-22	95 CLOVE RD	RD OF TRUSTEES MONTCLAIR STATE	Class 15C - Public Property	0.748	0.000	0.748	0.16
163	237	34.01	237-34.01	WOODS RD	RD OF TRUSTEES MONTCLAIR STATE	Class 15C - Public Property	9.917	0.000	59.905	11.90
164	237	37	237-37	99 CLOVE RD	NEW JERSEY EDUCATIONAL FACILITIES	Class 15C - Public Property	0.307	0.000	0.307	0.07
165	237	38	237-38	45 CLOVE RD	NEW JERSEY EDUCATIONAL FACILITIES	Class 15C - Public Property	0.198	0.000	0.198	0.04
166	237	38	237-38	45 CLOVE RD	NEW JERSEY EDUCATIONAL FACILITIES	Class 15C - Public Property	0.198	0.000	0.198	0.04
167	237	64.01	237-64.01	35 HILL RD	NEW JERSEY EDUCATIONAL FACILITIES	Class 15C - Public Property	0.965	0.000	6.841	8.21
168	237	36	237-36	WOODS RD	SCHIERMAN, JANICE	Class 1 - Vacant Land	2.269	0.000	2.269	0.51
169	237	36	237-36	WOODS RD	SCHIERMAN, JANICE	Class 1 - Vacant Land	2.269	0.000	2.269	0.51
170	237.08	14	237.08-14	WOODS RD	NEW JERSEY EDUCATIONAL FACILITIES	Class 15C - Public Property	0.307	0.000	0.307	0.07
171	237.08	14	237.08-14	WOODS RD	NEW JERSEY EDUCATIONAL FACILITIES	Class 15C - Public Property	0.307	0.000	0.307	0.07
172	238	16	238-16	10 CLOVE RD	TOWNSHIP OF LITTLE FALLS	Class 15C - Public Property	0.622	0.000	0.622	0.14
173	238	16	238-16	10 CLOVE RD	TOWNSHIP OF LITTLE FALLS	Class 15C - Public Property	0.622	0.000	0.622	0.14
174	238	24	238-24	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class 15C - Public Property	0.198	0.000	0.198	0.04
175	238	24	238-24	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class 15C - Public Property	0.198	0.000	0.198	0.04
176	238	24	238-24	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class 15C - Public Property	0.198	0.000	0.198	0.04
177	238	24	238-24	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class 15C - Public Property	0.198	0.000	0.198	0.04
178	238	24	238-24	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class 15C - Public Property	0.198	0.000	0.198	0.04
179	238	24	238-24	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class 15C - Public Property	0.198	0.000	0.198	0.04
180	238	24	238-24	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class 15C - Public Property	0.198	0.000	0.198	0.04
181	238	24	238-24	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class 15C - Public Property	0.198	0.000	0.198	0.04
182	238	24	238-24	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class 15C - Public Property	0.198	0.000	0.198	0.04
183	238	24	238-24	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class 15C - Public Property	0.198	0.000	0.198	0.04
184	238	24	238-24	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class 15C - Public Property	0.198	0.000	0.198	0.04
185	238	24	238-24	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class 15C - Public Property	0.198	0.000	0.198	0.04
186	238	24	238-24	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class 15C - Public Property	0.198	0.000	0.198	0.04
187	238	24	238-24	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class 15C - Public Property	0.198	0.000	0.198	0.04
188	238	24	238-24	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class 15C - Public Property	0.198	0.000	0.198	0.04
189	238	24	238-24	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class 15C - Public Property	0.198	0.000	0.198	0.04
190	238	24	238-24	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class 15C - Public Property	0.198	0.000	0.198	0.04
191	238	24	238-24	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class 15C - Public Property	0.198	0.000	0.198	0.04
192	238	24	238-24	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class 15C - Public Property	0.198	0.000	0.198	0.04
193	238	24	238-24	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class 15C - Public Property	0.198	0.000	0.198	0.04
194	238	24	238-24	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class 15C - Public Property	0.198	0.000	0.198	0.04
195	238	24	238-24	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class 15C - Public Property	0.198	0.000	0.198	0.04
196	238	24	238-24	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class 15C - Public Property	0.198	0.000	0.198	0.04
197	238	24	238-24	CLOVE RD	STATE OF NJ DEPT OF TREASURY					

Vacant Land Assessment

177	238	32	238-32	611 LONG HILL RD	HALLACT, PATRICIA M.	Class: 1 - Vacant Land	0.037	Underzoned	0.000	0.037	6	0.224	0.04	No
178	240.01-2	7	240.01-2	HIGHLAND AVE	JACOBS, RICHARD & JANET F	Class: 1 - Vacant Land	0.372	Underzoned, Above 15% Slope	0.091	0.380	6	1.633	0.04	No
179	240.02-6	6	240.02-6	GLEN ROCE RD	MARCHAVATA, LORI	Class: 1 - Vacant Land	0.294	Underzoned	0.000	0.294	6	1.766	0.35	No
180	25	5	25-5	4 GARABRANT AVE	STATE OF NJ DEPT ENV. PROTECTION	Class: 15C - Public Property	0.051	Underzoned, SFHA	0.051	0.000	6	0.000	0	No
181	25-1	1	25-1	13 STINGON PL	NAVARRA, ANGELA	Class: 1 - Vacant Land	0.029	Underzoned, SFHA	0.029	0.000	6	0.000	0	No
182	250-5.01	5.01	250-5.01	CLOVE RD	NI EDUCATIONAL FACILITIES AUTHORITY	Class: 15C - Public Property	2.403	Monoclar State University, dead restricted	0.000	2.403	6	14.470	2.88	No
183	250-5.03	4.01	250-5.03	CLOVE RD	NI EDUCATIONAL FACILITIES AUTHORITY	Class: 15C - Public Property	1.080	Monoclar State University, dead restricted	0.000	1.080	6	6.479	1.30	No
184	250-5.04	4.01	250-5.04	CLOVE RD	NI EDUCATIONAL FACILITIES AUTHORITY	Class: 15C - Public Property	6.180	Monoclar State University, dead restricted - 20	0.000	6.180	6	37.082	7.42	No
185	250-5.05	5.05	250-5.05	ERIE RR FRONT OF	NI EDUCATIONAL FACILITIES AUTHORITY	Class: 15C - Public Property	0.059	Monoclar State University, dead restricted	0.000	0.059	6	0.316	0.06	No
186	250-5.06	5.06	250-5.06	ERIE RR FRONT OF	NI EDUCATIONAL FACILITIES AUTHORITY	Class: 15C - Public Property	0.059	Monoclar State University, dead restricted	0.000	0.059	6	0.316	0.06	No
187	250-5.07	5.07	250-5.07	LONG HILL RD	STATE OF NJ DEPT OF TREASURY	Class: 15C - Public Property	0.777	Volunteer Fire Co., Underzoned	0.000	0.777	6	4.511	1.03	No
188	250-5.08	5.08	250-5.08	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class: 15C - Public Property	1.664	Volunteer Fire Co., Underzoned	0.000	1.664	6	9.882	2.00	No
189	250-5.09	5.09	250-5.09	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class: 15C - Public Property	2.761	College, ROW	0.000	2.761	6	15.567	3.31	No
190	250-5.10	5.10	250-5.10	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class: 15C - Public Property	8.916	College, ROW	0.000	8.916	6	50.898	10.58	No
191	250-5.104	5.104	250-5.104	CLOVE RD	NI EDUCATIONAL FACILITIES AUTHORITY	Class: 15C - Public Property	11.773	Monoclar State University, Double Lights & Wel	0.000	11.773	6	70.639	14.13	No
192	250-5.106	5.106	250-5.106	CLOVE RD	NI EDUCATIONAL FACILITIES AUTHORITY	Class: 15C - Public Property	1.448	College, Student Rec Center	0.000	1.448	6	8.688	1.74	No
193	250-5.108	5.108	250-5.108	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class: 15C - Public Property	1.657	Volunteer Fire Co.	0.000	1.657	6	10.002	2.00	No
194	250-5.107	5.107	250-5.107	CLOVE RD	NI EDUCATIONAL FACILITIES AUTHORITY	Class: 15C - Public Property	1.568	Volunteer Fire Co.	0.000	1.568	6	9.411	1.88	No
195	250-5.1	5.1	250-5.1	ERIE RR FRONT OF	MONTCLAIR STATE UNIV. TRUSTEES	Class: 15C - Public Property	26.277	Monoclar State University, Deadgull Field	0.000	26.277	6	157.661	31.51	No
196	250-5	5	250-5	CLOVE RD	NI EDUCATIONAL FACILITIES AUTHORITY	Class: 15C - Public Property	18.471	College, dead restricted until 1036	0.000	18.471	6	110.873	22.16	No
197	250-5	5	250-5	CLOVE RD	NI EDUCATIONAL FACILITIES AUTHORITY	Class: 15C - Public Property	0.925	Monoclar State University, dead restricted - 20	0.000	0.925	6	5.511	1.11	No
198	250-5	5	250-5	CLOVE RD	NI EDUCATIONAL FACILITIES AUTHORITY	Class: 15C - Public Property	0.098	Underzoned	0.000	0.098	6	0.590	0.12	No
199	251-3	3	251-3	ROUTE 46 & OAK HILL RD	THETA HOLDING COMPANY LP	Class: 1 - Vacant Land	0.191	Underzoned	0.000	0.191	6	1.145	0.23	No
200	251-4	4	251-4	ROUTE 46 EAST	THETA HOLDING CO LP	Class: 1 - Vacant Land	0.078	Underzoned	0.000	0.078	6	0.467	0.09	No
201	251-5	5	251-5	ROUTE 46	NI EDUCATIONAL FACILITIES AUTH	Class: 15C - Public Property	0.560	Underzoned, Wetlands	0.000	0.560	6	3.346	0.67	No
202	251-10.01	10.01	251-10.01	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class: 15C - Public Property	2.804	Monoclar State University, Wetlands in rear	0.000	2.804	6	16.457	3.29	No
203	251-11	11	251-11	CLOVE RD	STATE OF NJ DEPT OF TREASURY	Class: 15C - Public Property	0.851	Underzoned	0.000	0.851	6	5.120	0.42	No
204	251-13	13	251-13	OAK HILL RD	NI EDUCATIONAL FACILITIES AUTH	Class: 15C - Public Property	0.119	Underzoned	0.000	0.119	6	0.744	0.06	No
205	251-13.01	13.01	251-13.01	CLOVE RD	PASSAIC VALLEY WATER COMMISSION	Class: 1 - Vacant Land	0.047	Underzoned	0.000	0.047	6	0.284	0.06	No
206	251-18	18	251-18	ROUTE 46	STATE OF NJ DEPT OF TRANSPORTATION	Class: 1 - Vacant Land	0.289	Underzoned	0.000	0.289	6	1.731	0.35	No
207	251-7	7	251-7	ROUTE 46	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.344	Underzoned	0.000	0.344	6	2.064	0.29	No
208	251-8	8	251-8	OAK HILL RD	THETA HOLDING CO. LP	Class: 1 - Vacant Land	5.210	Wetlands, Parking Area	0.598	4.612	6	27.672	5.53	Yes
209	251-10	10	251-10	CLOVE RD	NI EDUCATIONAL FACILITIES AUTH	Class: 15C - Public Property	9.711	College, Yoga Beta stadium	0.000	9.711	6	58.264	11.65	No
210	251-12	12	251-12	CLOVE RD	WELSH, JOHN	Class: 1 - Vacant Land	0.104	Underzoned	0.000	0.104	6	0.622	0.12	No
211	251-17	17	251-17	20 AMITY ST	Class: 15C - Public Property	0.097	Amity Street Rec Field, Underzoned	0.000	0.097	6	0.584	0.12	No	
212	28-2	2	28-2	AMITY ST REC FLD	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.077	Park Place Rec Field, Underzoned	0.000	0.077	6	0.459	0.09	No
213	28-2	2	28-2	PARK PL REC FLD	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.009	Underzoned	0.000	0.009	6	0.054	0.01	No
214	28-2.01	2.01	28-2.01	PARK PL	UNKNOWN	Class: 15C - Public Property	0.077	Cross Street Rec Field, Underzoned	0.000	0.077	6	0.464	0.09	No
215	28-4	4	28-4	CROSS ST REC FLD	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.058	Underzoned	0.000	0.058	6	0.335	0.07	No
216	28-15	15	28-15	AMITY ST REC FLD	JOHN H MUELLER ASSOC	Class: 1 - Vacant Land	0.081	Underzoned	0.000	0.081	6	0.484	0.10	No
217	28-25	25	28-25	AMITY ST	SHARR, LEONARD	Class: 1 - Vacant Land	0.100	Underzoned	0.000	0.100	6	0.600	0.12	No
218	29-26	26	29-26	AMITY ST	SHARR, LEONARD	Class: 1 - Vacant Land	0.057	Underzoned	0.000	0.057	6	0.340	0.07	No
219	29-14	14	29-14	AMITY ST	SHARR, LEONARD	Class: 1 - Vacant Land	0.246	Underzoned	0.000	0.246	6	1.478	0.30	No
220	29-15	15	29-15	600 PELT PL	SHARR, LEONARD	Class: 1 - Vacant Land	0.185	Underzoned	0.000	0.185	6	0.988	0.20	No
221	29-18	18	29-18	AMITY ST	CAMPAGNA, ANTHONY & JEAN	Class: 1 - Vacant Land	0.068	Underzoned	0.000	0.068	6	0.398	0.08	No
222	29-27	27	29-27	HUGHES RD	CAMPAGNA, ANTHONY & SHIRLEY	Class: 1 - Vacant Land	0.042	Underzoned	0.000	0.042	6	0.252	0.05	No
223	3-16	16	3-16	WOODCLIFFE AVE	SWEET, JONAH JR	Class: 1 - Vacant Land	0.118	Underzoned	0.000	0.118	6	0.708	0.14	No
224	30-1	1	30-1	WEAVER ST	ELIAN REAL ESTATE DEVELOPMENT CORP	Class: 15C - Public Property	0.017	Underzoned	0.000	0.017	6	0.102	0.02	No
225	30-25	25	30-25	WEAVER ST	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.017	Underzoned	0.000	0.017	6	0.102	0.02	No
226	31-23.01	23.01	31-23.01	WEAVER ST	KAVALICH, JOHN & SILVA	Class: 1 - Vacant Land	0.025	Underzoned	0.000	0.025	6	0.148	0.03	No
227	31-3	3	31-3	TOWN LINE CEDAR GROVE	KAVALICH, JOHN & SILVA	Class: 15C - Public Property	0.041	Town Line, Underzoned	0.000	0.041	6	0.248	0.05	No
228	34-16.01	16.01	34-16.01	VAN PELT PL	M PA	Class: 1 - Vacant Land	0.228	Underzoned	0.000	0.228	6	1.367	0.27	No
229	37-3	3	37-3	178 NWK POMPTON TPK	SENDOVSKI, PAMELA	Class: 1 - Vacant Land	0.111	Underzoned	0.000	0.111	6	0.668	0.13	No
230	4-1	1	4-1	MOZART AVE	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.022	Underzoned	0.000	0.022	6	0.131	0.03	No
231	4-6	6	4-6	MOZART AVE	CERCHIO, JAMES & MARY JANE	Class: 1 - Vacant Land	0.057	Underzoned	0.000	0.057	6	0.340	0.07	No
232	40-2	2	40-2	ERIE RR	R NEWELL & CO. INC.	Class: 1 - Vacant Land	2.597	Wetlands, accessible area of property landlock	1.267	1.330	6	7.978	1.60	No
233	5-26	26	5-26	CHERRY ST	MATTHIA, STEPHEN & CASALINO, LAUREN	Class: 1 - Vacant Land	0.040	Underzoned	0.000	0.040	6	0.238	0.05	No
234	52-8	8	52-8	STINGON PL	CATALDO, DOMENICO & DOROTHY	Class: 1 - Vacant Land	0.027	Underzoned	0.000	0.027	6	0.162	0.03	No
235	53-28	28	53-28	305 NWK POMPTON TPK	JIF REALTY, LLC	Class: 1 - Vacant Land	0.078	Underzoned	0.000	0.078	6	0.436	0.09	No
236	57-3	3	57-3	WILLER PL	BURDEKA, MARIE S	Class: 1 - Vacant Land	0.043	Underzoned	0.000	0.043	6	0.261	0.05	No
237	57-9	9	57-9	WILLER PL	BURDEKA, MARIE S	Class: 1 - Vacant Land	0.043	Underzoned	0.000	0.043	6	0.261	0.05	No
238	58-16	16	58-16	WILLER PL	BURDEKA, MARIE S	Class: 1 - Vacant Land	0.079	Underzoned	0.000	0.079	6	0.468	0.09	No
239	58-16	16	58-16	WILLER PL	BURDEKA, MARIE S	Class: 1 - Vacant Land	0.079	Underzoned	0.000	0.079	6	0.468	0.09	No
240	59-4	4	59-4	30 NWK POMPTON TPK	MALINOWSKI, CATHYRINE & BRUNO A	Class: 1 - Vacant Land	0.063	Underzoned	0.000	0.063	6	0.317	0.06	No
241	60-1-1	1	60-1-1	462 MAIN ST	GOLDMATT, EMANUEL C/O VOGEL	Class: 1 - Vacant Land	0.171	Underzoned, SFHA	0.002	0.169	6	1.012	0.20	No
242	60-1-1	1	60-1-1	TOWN LINE N CALDWELL	R NEWELL & CO. INC.	Class: 15C - Public Property	0.084	Town Line, Underzoned	0.000	0.084	6	0.504	0.04	No
243	65-1	1	65-1	DEWEY AVE	R NEWELL & CO. INC.	Class: 1 - Vacant Land	0.095	Underzoned	0.000	0.095	6	0.528	0.07	No
244	67-21	21	67-21	19 ZELUFF AVE	CURCIO, LUIGI & CATHERINA	Class: 15C - Public Property	0.047	Underzoned, SFHA	0.000	0.047	6	0.288	0	No
245	67-1	1	67-1	FAIRFIELD AVE	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.078	Underzoned, SFHA	0.000	0.078	6	0.468	0.09	No
246	68-48	48	68-48	3 LOUIS ST	LITTLE FALLS ASSOCIATES LLC	Class: 1 - Vacant Land	0.133	Underzoned, SFHA	0.000	0.133	6	0.800	0	No
247	68-28	28	68-28	45 LOUIS ST	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.047	Dedicated Open Space, Underzoned	0.000	0.047	6	0.282	0.06	No
248	68-33	33	68-33	33 LOUIS ST	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.076	Dedicated Open Space, Underzoned	0.000	0.076	6	0.458	0.09	No
249	68-21	21	68-21	DAIRY ST	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.161	Underzoned, SFHA	0.000	0.161	6	0.900	0	No
250	68-25	25	68-25	LOUIS ST	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.020	Playground, Underzoned	0.000	0.020	6	0.118	0.02	No
251	69-24	24	69-24	2 LOUIS ST	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.035	Louis Street Rec Field, Underzoned	0.000	0.035	6	0.213	0.04	No
252	69-19	19	69-19	2 LOUIS ST	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.109	Underzoned, SFHA	0.000	0.109	6	0.600	0	No
253	69-42	42	69-42	31 WILLIAM ST	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.094	Dedicated Open Space, Underzoned	0.000	0.094	6	0.567	0.11	No
254	69-10	10	69-10	31 WILLIAM ST	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.037	Underzoned, SFHA	0.000	0.037	6	0.200	0.04	No
255	7-22	22	7-22	WOODCLIFFE AVE	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.038	Underzoned, SFHA, Wetlands	0.000	0.038	6	0.200	0	No
256	7-13	13	7-13	WOODCLIFFE AVE	GAHO, JAMES	Class: 1 - Vacant Land	0.043	Underzoned, SFHA, Wetlands	0.000	0.043	6	0.200	0	No
257	7-25	25	7-25	5 TAYLOR AVE	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.038	Dedicated Open Space, Underzoned	0.000	0.038	6	0.231	0.05	No
258	7-18	18	7-18	186 WOODCLIFFE AVE	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.171	Dedicated Open Space, Underzoned, SFHA, Well	0.171	0.000	6	0.900	0.00	No
259	71-4	4	71-4	198 WILLIAM ST	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.067	Dedicated Open Space, Underzoned	0.000	0.067	6	0.405	0.08	No
260	71-1	1	71-1	200 WILLIAM ST										

Vacant Land Assessment

266	71	56	71-56	94 WILLIAM ST	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.035	Dedicated Open Space, Underutilized	0.000	0.035	6	0.212	0.04	No
267	71	12	71-12	184 WILLIAM ST	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.039	Dedicated Open Space, Underutilized	0.000	0.039	6	0.212	0.04	No
268	71	62	71-62	82 PARKWAY SEWER P STA	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.038	Dedicated Open Space, Underutilized	0.000	0.038	6	0.212	0.04	No
269	71	186	71-186	47 PARKWAY	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.057	Underutilized, SFHA	0.067	0.057	6	0.369	0.05	No
270	71	151	71-151	114 WILLIAM ST	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.036	Dedicated Open Space, Underutilized	0.000	0.036	6	0.215	0.04	No
271	71	46	71-46	27 PARKWAY	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.037	Dedicated Open Space, Underutilized	0.000	0.037	6	0.215	0.04	No
272	71	43	71-43	27 PARKWAY	TOWNSHIP OF LITTLE FALLS	Class: 1 - Vacant Land	0.060	Underutilized, SFHA	0.060	0.000	6	0.233	0.04	No
273	71	33	71-33	37 OGDEN ST	KANSAS, HANRI H. & SONIA S.	Class: 1 - Vacant Land	0.072	Underutilized	0.000	0.072	6	0.334	0.09	No
274	76	24	76-24	37 OGDEN ST	RAINBOW CATERERS	Class: 15C - Vacant Land	1.718	Post Office	0.000	1.718	6	10.307	2.06	No
275	77	17	77-17	319 MAIN ST	UNITED STATES POSTAL SERVICE	Class: 1 - Vacant Land	0.050	Underutilized, SFHA	0.018	0.050	6	0.192	0.04	No
276	79	2	79-2	MOZZART AVE	CAMPAGNA, GARY & ANNA	Class: 1 - Vacant Land	0.049	Underutilized, SFHA	0.000	0.049	6	0.000	0	No
277	8	5	8-5	WOODCLIFFE AVE	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.086	Underutilized, SFHA	0.086	0.000	6	0.000	0	No
278	8	10	8-10	60 JEFFREY AVE	HODGE, DIANE/TRUSTEE JOHN B SCANVONE	Class: 1 - Vacant Land	0.119	Underutilized, SFHA	0.119	0.000	6	0.000	0	No
279	80	23	80-23	37 E WOODCLIFFE AVE	ROSA, JAMES & MARY	Class: 1 - Vacant Land	0.037	Underutilized, SFHA	0.037	0.000	6	0.221	0.04	No
280	81	16	81-16	37 E WOODCLIFFE AVE	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.037	Underutilized, SFHA	0.037	0.000	6	0.000	0	No
281	81	18	81-18	2 ROSELLE ST	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.032	Underutilized, SFHA	0.032	0.000	6	0.331	0.04	No
282	81	46	81-46	54 JEFFREY AVE	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.039	Underutilized, SFHA	0.039	0.000	6	0.331	0.04	No
283	81	57	81-57	137 LOUIS ST	STATE OF NJ DEPT OF ENV. PROT.	Class: 15C - Public Property	0.076	Overlooked Residence, Underutilized	0.076	0.000	6	0.326	0.07	No
284	81	4	81-4	137 LOUIS ST	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.094	Pump Station, Underutilized	0.000	0.094	6	0.374	0.05	No
285	81	4	81-4	137 LOUIS ST	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.055	Developed Residence, Underutilized	0.000	0.055	6	0.327	0.05	No
286	81	22	81-22	4 GARDEN ST	STATE OF NJ DEPT	Class: 1 - Vacant Land	0.161	Underutilized, SFHA	0.161	0.000	6	0.000	0	No
287	82	36	82-36	100 E WOODCLIFFE AVE	CIRILKONIC, A & CRIN V & C	Class: 15C - Public Property	0.059	Developed Residence, Underutilized	0.000	0.059	6	0.354	0.07	No
288	82	9	82-9	137 LOUIS ST	STATE OF NJ DEPT OF ENV. PROT.	Class: 15C - Public Property	0.038	Underutilized, SFHA	0.038	0.000	6	0.000	0	No
289	82	1	82-1	137 LOUIS ST	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.039	Dedicated Open Space, Underutilized	0.000	0.039	6	0.235	0.05	No
290	82	4	82-4	137 LOUIS ST	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.036	Dedicated Open Space, Underutilized	0.000	0.036	6	0.215	0.04	No
291	82	20	82-20	99 WILLIAM ST	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.036	Dedicated Open Space, Underutilized	0.000	0.036	6	0.215	0.04	No
292	82	21	82-21	66 LOUIS ST	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.036	Dedicated Open Space, Underutilized	0.000	0.036	6	0.215	0.04	No
293	82	23	82-23	155 WILLIAM ST	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.038	Dedicated Open Space, Underutilized	0.000	0.038	6	0.215	0.04	No
294	83	8	83-8	30 RIVERVIEW CIR	STATE OF NJ DEPT OF ENV. PROTECTION	Class: 15C - Public Property	0.098	Dedicated Open Space, Underutilized	0.000	0.098	6	0.228	0.04	No
295	84	65	84-65	72 PARKWAY	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.076	Developed Residence, Underutilized	0.000	0.076	6	0.369	0.09	No
296	84	9	84-9	10 RIVERVIEW CIR	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.074	Developed Residence, Underutilized	0.000	0.074	6	0.369	0.09	No
297	84	11	84-11	10 RIVERVIEW CIR	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.095	Developed Residence, Underutilized	0.000	0.095	6	0.374	0.05	No
298	84	11	84-11	10 RIVERVIEW CIR	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.069	Developed Residence, Underutilized	0.000	0.069	6	0.327	0.05	No
299	84	39	84-39	10 RIVERVIEW CIR	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.103	Public Dock, Underutilized	0.000	0.103	6	0.412	0.08	No
300	84	39	84-39	10 RIVERVIEW CIR	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.072	Public Dock, Underutilized	0.000	0.072	6	0.412	0.08	No
301	84	59	84-59	10 RIVERVIEW CIR	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.104	Underutilized, SFHA	0.000	0.104	6	0.431	0.09	No
302	85	10	85-10	115 PATTERSON AVE	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.672	Underutilized, Wetlands, SFHA, Above 15% Slope	0.556	0.672	6	0.460	0.09	No
303	85	28	85-28	115 PATTERSON AVE	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	5.445	Water Canal Greenway	0.000	5.445	6	32.673	6.53	No
304	86	54	86-54	225 MAIN ST	TOWNSHIP OF LITTLE FALLS	Class: 1 - Vacant Land	2.280	Water Easement, Above 15% Slope, Wetland	1.395	2.280	6	5.309	1.06	No
305	87	11	87-11	51 UNION AVE	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.252	Parking Area, Underutilized	0.000	0.252	6	4.875	0.97	No
306	87	11	87-11	225 MAIN ST	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	1.331	Municipal Building, Underutilized	0.000	1.331	6	1.509	0.30	No
307	87	1	87-1	40 WARREN ST	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.072	Town Hall	0.000	0.072	6	2.388	1.60	No
308	87	1	87-1	40 WARREN ST	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.139	Underutilized	0.000	0.139	6	0.433	0.09	No
309	87	1	87-1	40 WARREN ST	TOWNSHIP OF LITTLE FALLS	Class: 15C - Public Property	0.139	Underutilized	0.000	0.139	6	0.433	0.09	No
310	89	2	89-2	101 CENTER AVE	DI TAMANTO, VINCENTO & DONA	Class: 1 - Vacant Land	0.838	Park	0.000	0.838	6	5.027	1.01	No
311	89	2	89-2	101 CENTER AVE	DI TAMANTO, VINCENTO & DONA	Class: 15C - Public Property	0.906	Park	0.000	0.906	6	5.027	1.01	No
312	89	5	89-5	101 CENTER AVE	DI TAMANTO, VINCENTO & DONA	Class: 15C - Public Property	0.906	Park	0.000	0.906	6	5.027	1.01	No
313	89	4	89-4	101 CENTER AVE	DI TAMANTO, VINCENTO & DONA	Class: 15C - Public Property	0.906	Park	0.000	0.906	6	5.027	1.01	No
314	89	6	89-6	101 CENTER AVE	DI TAMANTO, VINCENTO & DONA	Class: 15C - Public Property	0.906	Park	0.000	0.906	6	5.027	1.01	No
315	91	2	91-2	101 CENTER AVE	DI TAMANTO, VINCENTO & DONA	Class: 15C - Public Property	0.906	Park	0.000	0.906	6	5.027	1.01	No
316	91	2	91-2	101 CENTER AVE	DI TAMANTO, VINCENTO & DONA	Class: 15C - Public Property	0.906	Park	0.000	0.906	6	5.027	1.01	No
317	91	1	91-1	101 CENTER AVE	DI TAMANTO, VINCENTO & DONA	Class: 15C - Public Property	0.906	Park	0.000	0.906	6	5.027	1.01	No
318	91	7	91-7	101 CENTER AVE	DI TAMANTO, VINCENTO & DONA	Class: 15C - Public Property	0.906	Park	0.000	0.906	6	5.027	1.01	No
319	93	10	93-10	101 CENTER AVE	DI TAMANTO, VINCENTO & DONA	Class: 15C - Public Property	0.906	Park	0.000	0.906	6	5.027	1.01	No
320	95	16	95-16	101 CENTER AVE	DI TAMANTO, VINCENTO & DONA	Class: 15C - Public Property	0.906	Park	0.000	0.906	6	5.027	1.01	No
321	95	16	95-16	101 CENTER AVE	DI TAMANTO, VINCENTO & DONA	Class: 15C - Public Property	0.906	Park	0.000	0.906	6	5.027	1.01	No
322	96	48	96-48	101 CENTER AVE	DI TAMANTO, VINCENTO & DONA	Class: 15C - Public Property	0.906	Park	0.000	0.906	6	5.027	1.01	No
323	96	15	96-15	101 CENTER AVE	DI TAMANTO, VINCENTO & DONA	Class: 15C - Public Property	0.906	Park	0.000	0.906	6	5.027	1.01	No
324	97	9	97-9	101 CENTER AVE	DI TAMANTO, VINCENTO & DONA	Class: 15C - Public Property	0.906	Park	0.000	0.906	6	5.027	1.01	No
325	97	9	97-9	101 CENTER AVE	DI TAMANTO, VINCENTO & DONA	Class: 15C - Public Property	0.906	Park	0.000	0.906	6	5.027	1.01	No
326	97	6	97-6	101 CENTER AVE	DI TAMANTO, VINCENTO & DONA	Class: 15C - Public Property	0.906	Park	0.000	0.906	6	5.027	1.01	No
327	98	2	98-2	101 CENTER AVE	DI TAMANTO, VINCENTO & DONA	Class: 15C - Public Property	0.906	Park	0.000	0.906	6	5.027	1.01	No
328	98	4	98-4	101 CENTER AVE	DI TAMANTO, VINCENTO & DONA	Class: 15C - Public Property	0.906	Park	0.000	0.906	6	5.027	1.01	No
329	98	1	98-1	101 CENTER AVE	DI TAMANTO, VINCENTO & DONA	Class: 15C - Public Property	0.906	Park	0.000	0.906	6	5.027	1.01	No



00GOTI

RETURN TO:
 GLUCK WALRATH, LLP
 428 RIVER VIEW PLAZA
 TRENTON, NJ 08611

ABSTRACT OF LEASE AND AGREEMENT

KNOW ALL MEN BY THESE PRESENTS, that a Lease and Agreement, dated as of April 1, 2014 (the "Lease"), as it relates to the issuance by the New Jersey Educational Facilities Authority of its Revenue Bonds, Montclair State University Issue, Series 2014 A in the aggregate principal amount of \$189,365,000, has been entered into by and between the following parties for the term indicated and covering the premises set forth in Schedule A attached hereto and made a part hereof:

- I. **LANDLORD:** NEW JERSEY EDUCATIONAL FACILITIES AUTHORITY
 103 College Road East, Princeton, New Jersey 08540-6612
- II. **TENANT:** MONTCLAIR STATE UNIVERSITY
 1 Normal Avenue, Montclair, New Jersey 07043
- III. **TERM:** Until at Least July 1, 2044, unless Terminated Earlier Pursuant to the Terms of the Lease.

SUBJECT to matters and things set forth in a complete copy of the Lease, properly executed and acknowledged, in the possession of each of the parties hereto.

IN WITNESS WHEREOF, the Landlord has caused these presents to be properly signed by its duly Authorized Officers and sealed with its official common seal this 3rd day of April 2014.

(Seal)

NEW JERSEY EDUCATIONAL
 FACILITIES AUTHORITY

ATTEST:

By:

Jennifer Soyka
 Assistant Secretary

By:

Derek S. Hansel
 Executive Director

KRISTIN H. CORRADO
 CLERK
 PASSAIC COUNTY
 New Jersey

INSTRUMENT NUMBER
 2014032179
 RECORDED ON

AUG 01, 2014
 1:24:06 PM
 BOOK=02502
 PAGE=169
 Total Pages: 16

NJ PRESERVATION ACCOUNT	\$85.00
RECORDING FEES - RECORDER OF DEEDS	\$105.00
HOMELESSNESS TRUST FUND	\$3.00
TOTAL PAID	\$193.00

INW: 1051282 USER: SF

STATE OF NEW JERSEY

SS:

COUNTY OF MERCER

I CERTIFY that on this 3rd day of April 2014, Derek S. Hansel personally came before me and this person acknowledged under oath, to my satisfaction that:

(a) this person signed, sealed and delivered the attached document as Executive Director of the New Jersey Educational Facilities Authority, the public entity named in this document;

(b) the proper official common seal was affixed; and

(c) this document was signed and made by the Authority as its voluntary act and deed by virtue of action by Resolution of said Authority.


Notary Public of New Jersey

DEBRA LEE PATERSON
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 3/31/19

RECORD AND RETURN TO:

Debra L. Paterson
Senior Risk Manager
New Jersey Educational Facilities Authority
103 College Road East
Princeton, NJ 08540

KRISTIN M. CORRADO
CLERK
PASSAIC COUNTY
New Jersey
INSTRUMENT NUMBER
2015031501
RECORDED ON
Jul 14, 2015
9:11:18 AM
BOOK: 02656
PAGE: 282
Total Pages: 9

NJ PRESERVATION \$50.
ACCOUNT
RECORDING FEES - \$70.
RECORDED OF DEEDS
HOMELESSNESS TRUST \$3.
FUND
TOTAL PAID \$123.
INW: 110325 USER: SF



00HCDW

ABSTRACT OF LEASE AND AGREEMENT

KNOW ALL MEN BY THESE PRESENTS, that a Lease and Agreement, dated as of July 1, 2015 (the "Lease"), as it relates to the issuance by the New Jersey Educational Facilities Authority of its Revenue Refunding Bonds, Montclair State University Issue, Series 2015 D in the aggregate principal amount of \$73,770,000, has been entered into by and between the following parties for the term indicated and covering the premises set forth in Schedule A attached hereto and made a part hereof:

- I. LANDLORD: NEW JERSEY EDUCATIONAL FACILITIES AUTHORITY
103 College Road East, Princeton, New Jersey 08540-6612
- II. TENANT: MONTCLAIR STATE UNIVERSITY
855 Valley Road, Clifton, New Jersey 07013
- III. TERM: Until at Least July 1, 2036, unless Terminated Earlier Pursuant to the Terms of the Lease.

SUBJECT to matters and things set forth in a complete copy of the Lease, properly executed and acknowledged, in the possession of each of the parties hereto.

IN WITNESS WHEREOF, the Landlord has caused these presents to be properly signed by its duly Authorized Officers and sealed with its official common seal this 1st day of July 2015.

(Seal)

NEW JERSEY EDUCATIONAL FACILITIES
AUTHORITY

ATTEST:

By:

Katherine A. Newell
Assistant Secretary

By:

Sheryl A. Stitt
Acting Executive Director

STATE OF NEW JERSEY

SS:

COUNTY OF MERCER

I CERTIFY that on this 10 day of July 2015, Sheryl A. Stitt personally came before me and this person acknowledged under oath, to my satisfaction that:

(a) this person signed, sealed and delivered the attached document as Acting Executive Director of the New Jersey Educational Facilities Authority (the "Authority"), the public entity named in this document;

(b) the proper official common seal was affixed; and

(c) this document was signed and made by the Authority as its voluntary act and deed by virtue of action by Resolution of said Authority.


Notary Public of New Jersey

DEBRA LEE PATERSON
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 3/31/16



00GOTI

ABSTRACT OF LEASE AND AGREEMENT

RETURN TO:
 GLUCK WALRATH, LLP
 428 RIVER VIEW PLAZA
 TRENTON, NJ 08611

KNOW ALL MEN BY THESE PRESENTS, that a Lease and Agreement, dated as of April 1, 2014 (the "Lease"), as it relates to the issuance by the New Jersey Educational Facilities Authority of its Revenue Bonds, Montclair State University Issue, Series 2014 A in the aggregate principal amount of \$189,365,000, has been entered into by and between the following parties for the term indicated and covering the premises set forth in Schedule A attached hereto and made a part hereof:

- I. **LANDLORD:** NEW JERSEY EDUCATIONAL FACILITIES AUTHORITY
 103 College Road East, Princeton, New Jersey 08540-6612
- II. **TENANT:** MONTCLAIR STATE UNIVERSITY
 1 Normal Avenue, Montclair, New Jersey 07043
- III. **TERM:** Until at Least July 1, 2044, unless Terminated Earlier Pursuant to the Terms of the Lease.

SUBJECT to matters and things set forth in a complete copy of the Lease, properly executed and acknowledged, in the possession of each of the parties hereto.

IN WITNESS WHEREOF, the Landlord has caused these presents to be properly signed by its duly Authorized Officers and sealed with its official common seal this 3rd day of April 2014.

(Seal)

NEW JERSEY EDUCATIONAL
 FACILITIES AUTHORITY

ATTEST:

By:

Jennifer Szyka
 Jennifer Szyka
 Assistant Secretary

By:

Derek S. Hansel
 Derek S. Hansel
 Executive Director

KRISTIN M. CORRADO
 CLERK
 PASSAIC COUNTY
 New Jersey

INSTRUMENT NUMBER
 2014032179
 RECORDED ON

AUG 01, 2014
 1:24:06 PM
 BOOK: 02502
 PAGE: 169
 Total Pages: 16

NJ PRESERVATION
 ACCOUNT \$85.00

RECORDING FEES - \$105.00
 RECORDER OF DEEDS

HOMELESSNESS TRUST \$3.00
 FUND

TOTAL PAID \$193.00

IHW: 1051282 USER: SF

STATE OF NEW JERSEY

SS:

COUNTY OF MERCER

I CERTIFY that on this 3rd day of April 2014, Derek S. Hansel personally came before me and this person acknowledged under oath, to my satisfaction that:

(a) this person signed, sealed and delivered the attached document as Executive Director of the New Jersey Educational Facilities Authority, the public entity named in this document;

(b) the proper official common seal was affixed; and

(c) this document was signed and made by the Authority as its voluntary act and deed by virtue of action by Resolution of said Authority.


Notary Public of New Jersey

DEBRA LEE PATERSON
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 3/31/19



00GOZ1

Prepared By:

Katherine A. Newell, Esq.

DEED

This Deed made this 26th day of March 2014, between THE STATE OF NEW JERSEY, whose post office address is 125 West State Street, Trenton, New Jersey 08625, hereinafter known as the Grantor, and the NEW JERSEY EDUCATIONAL FACILITIES AUTHORITY, a body politic of the State of New Jersey, having its offices at 103 College Road East, Princeton, New Jersey 08540, hereinafter known as the Grantee.

The words "Grantor" and "Grantee" shall mean all Grantors and all Grantees listed above.

1. The Grantor does grant, bargain, sell and convey (transfers ownership of) the property (called the "Property") described herein to the Grantee, its successors and assigns. This transfer is made for the sum of ONE DOLLAR (\$1.00).

The Grantor acknowledges receipt of this money.

2. Tax Map Reference. (N.J.S.A. 46:15-1.1)

Block 250, Part of Lots 4.01 and 5.01 (Site of Partridge Hall)

3. The Property consists of the parcel of land and all the buildings and structures on the land in the Township of Little Falls, County of Passaic, State of New Jersey.

Please see attached legal description annexed hereto and made a part hereof.

4. The Grantor promises that the Grantor has done no act to encumber the Property. This promise is called a "covenant as to grantor's acts" (N.J.S.A. 46:4-6). This promise means that the Grantor has not allowed anyone else to obtain any legal rights which affect the Property (such as by making a mortgage or allowing a judgment to be entered against the Grantor).

KRISTIN M. CORRADO
CLERK
PASSAIC COUNTY
New Jersey

INSTRUMENT NUMBER
2014033274
RECORDED ON

AUG 08, 2014
12:06:01 PM
BOOK=D2505
PAGE=234

Total Pages: 6

NJ PRESERVATION ACCOUNT	\$35.00
RECORDING FEES - RECORDER OF DEEDS	\$35.00
HOMELESSNESS TRUST FUND	\$3.00
TOTAL PAID	\$73.00

INV: 1052352 USER: SF

APPENDIX F

Structural Conditions Survey Map & Preliminary Research



EXTERIOR HOUSING SURVEY

Municipality: Township of Little Falls

County: Passaic County

Date of Survey: _____

Performed By: Jeffrey L. Janota, PP, AICP- H2M
Nicole Venezia –Planner-H2M Associates
_____ - Little Falls Zoning

Areas of municipality surveyed:

The properties built prior to 1969 and areas surveyed are depicted on the appended map of Little Falls in highlighted notations as recommended for detailed inspection and listed on the summary of properties inspected.

Areas of municipality not surveyed:

The areas not surveyed are also depicted on the appended map as those properties outside the highlighted area.

Reason(s) for not surveying these areas:

The housing stock of Little Falls was considered by Township officials and consultants with years of experience working in the Township and their knowledge of housing conditions and development patterns. Based on this, the locations to receive a thorough inspection were narrowed to those where there was a reasonable expectation of finding housing stock in need of rehabilitation. The officials included:

- Dennis Lydnsey, PE- Township engineer, a 27-year resident, former Board of Adjustment chairman, Mayor, Councilman and planning board member and consultant;
- Phil Simone - DPW Public Works Manager, an employee and manager of the DPW for over 40 years, a township fireman and the Shade Tree Committee Chairman
- Joseph Macones - Construction Code Official, an employee for 9 years with daily routine inspection of properties in Little Falls for compliance with building codes, issuance of permits, responses to complaints, issuance of violations and other duties of a construction code official.

[illegible]

[illegible]

EXTERIOR HOUSING SURVEY														
MAJOR SYSTEMS					MINOR SYSTEMS									
Street Address	Block/Lot	Number of Dwelling Units	Tenure of Units i.e. owner occupied/ rental/ mixed occupancy	Year Built	Foundation	Weatherization			Roof and Chimney	Eaves/Soffits/ Gutters/Leader	Rails/Stairs/St eps/Porch	Fire Escape	Structure in Need of Repair (Mark "Yes" or "No")	If Yes, Provide Details
						Siding and Walls	Windows and Doors	Roofing						
13 STEPHEN PL	236-26			1949									N	
15 STEPHEN PL	236-27			1951									N	
30 STEWART AVE	186-29			1959									N	
4 STINSON PL	51-1			1900									N	
5 STINSON PL	25-10			1923									N	
13 STINSON PL	25-1			1938									N	
30 STINSON PL	52-1			1958									N	
201 WILLIAM ST	83-1			1924									N	
5 WILLOW AVE	219-30			1956									N	
23 WILLOW AVE	219-21			1960									N	
25 WILLOW AVE	219-24			1958									N	
27 WILLOW AVE	219-27			1960									N	
WILLOW AVE	218-10			1950									N	
51 WOODCLIFFE AVE	52-33.01			1960									N	
54 WOODCLIFFE AVE	51-5			1953 X		X							YES	
56 WOODCLIFFE AVE	51-4			1918		X							YES	
60 WOODCLIFFE AVE	51-3			1918		X	X	X		X			YES	
62 WOODCLIFFE AVE	51-2			1911		X	X	X		X			YES	
80 WOODCLIFFE AVE	25-3			1913									N	
84 WOODCLIFFE AVE	25-4			1948									N	
86 WOODCLIFFE AVE	25-12			1923									N	
88 WOODCLIFFE AVE	25-11			1923									N	
128 WOODCLIFFE AVE	18-16			1918									N	
130-132 WOODCLIFFE AVE	18-14			1928		X	X	X			X		YES	NEEDS REPAIR, VACANT
145 WOODCLIFFE AVE	19-49			1907									N	
146 WOODCLIFFE AVE	18-20			1928									N	
148 WOODCLIFFE AVE	18-19			1928		X	X	X					YES	ROOF PATCHES
149 WOODCLIFFE AVE	19-48			1966									N	
150 WOODCLIFFE AVE	18-21			1928									N	
151 WOODCLIFFE AVE	19-47			1966									N	
152 WOODCLIFFE AVE	18-6			1928									YES	ROOF LEAK
154 WOODCLIFFE AVE	18-22			1933									N	
158 WOODCLIFFE AVE	18-3			1950									N	
165 WOODCLIFFE AVE	19-1			1962									N	
171 WOODCLIFFE AVE	19-4			1995		X	X	X					YES	
174 WOODCLIFFE AVE	18-1	3 family		1920									N	

Little Falls, Passaic County

Date: May 24, 2016

EXTERIOR HOUSING SURVEY

Street Address	Block/Lot	Number of Dwelling Units	Tenure of Units i.e. owner occupied/ rental/ mixed occupancy	Year Built	MAJOR SYSTEMS			MINOR SYSTEMS				Structure In Need of Repair (Mark "Yes" or "No")	If Yes, Provide Details
					One major system is required to indicate that the structure is in need of repair			Two minor systems are required to indicate that the structure is in need of repair					
					Foundation	Weatherization		Roof and Chimney	Eaves/Soffits/ Gutters/Leader	Rails/Stairs/St eps/Porch	Fire Escape		
					Siding and Walls	Windows and Doors							
179 WOODCLIFFE AVE	12-41			1951								N	
191 WOODCLIFFE AVE	12-1			1959								N	
196 WOODCLIFFE AVE	7-14			1943								N	
208 WOODCLIFFE AVE	7-10			1943								N	
209 WOODCLIFFE AVE	8-12			1957								N	
211 WOODCLIFFE AVE	8-14			1913								N	
214 WOODCLIFFE AVE	7-6			1900								N	
220 WOODCLIFFE AVE	7-1	2-3 FAMILY		1909								N	
234 WOODCLIFFE AVE	2-27			1960								N	
235 WOODCLIFFE AVE	3-15			1918								N	
240 WOODCLIFFE AVE	2-23			1902								N	
245 WOODCLIFFE AVE	3-18			1960								N	
246 WOODCLIFFE AVE	2-20			1900								N	
250 WOODCLIFFE AVE	2-18			1909								N	
266 WOODCLIFFE AVE	2-11			1909								N	
268 WOODCLIFFE AVE	2-10			1893								N	
280 WOODCLIFFE AVE	2-2			1953								N	
45 WOODS RD	237-28.01			1964								N	
46 WOODS RD	237-27			1950								N	
47 WOODS RD	237-28			1910								N	
48 WOODS RD	237-58			1928								N	
51 WOODS RD	237-26			1950								N	
52 WOODS RD	237-25			1928								N	
54 WOODS RD	237-24			1928								N	
56 WOODS RD	237-21			1960								N	
58 WOODS RD	237-20.01			1964								N	
75 WOODS RD	237-52			1946								N	
79 WOODS RD	237-53			1956								N	
83 WOODS RD	237-54			1953								N	
116 WOODS RD	237-6			1933								N	

I verify that I have conducted this exterior housing survey according to the NJ

Signature Nicole Ventura, State Planner Print Name and Title: Nicole Ventura, State Planner

Little Falls, Passaic County

Date: May 24, 2018

EXTERIOR HOUSING SURVEY													
					MAJOR SYSTEMS				MINOR SYSTEMS				
					One major system is required to indicate that the structure is in need of repair				Two minor systems are required to indicate that the structure is in need of repair				
					Weatherization								
Street Address	Block-Lot	Number of Dwelling Units	Tenure of Units (owner/occupied/rental/mixed occupancy)	Year Built	Foundation	Siding and Walls	Windows and Doors	Roof and Chimney	Eaves/Soffit/ Gutters/Leader	Rails/Stairs/Steps/Porch	Fire Escape	Structure in Need of Repair (Mark "Yes" or "No")	If Yes, Provide Details
176 WOODCLIFFE AVE	12-41			1951								N	
191 WOODCLIFFE AVE	12-1			1959								N	
168 WOODCLIFFE AVE	7-14			1943								N	
208 WOODCLIFFE AVE	7-10			1943								N	
209 WOODCLIFFE AVE	8-12			1957								N	
211 WOODCLIFFE AVE	8-14			1913								N	
214 WOODCLIFFE AVE	7-8			1900								N	
220 WOODCLIFFE AVE	7-1	2-3 FAMILY		1909								N	
234 WOODCLIFFE AVE	2-27			1960								N	
235 WOODCLIFFE AVE	3-15			1918								N	
240 WOODCLIFFE AVE	2-23			1902								N	
243 WOODCLIFFE AVE	3-18			1965								N	
248 WOODCLIFFE AVE	2-20			1950								N	
250 WOODCLIFFE AVE	2-18			1909								N	
268 WOODCLIFFE AVE	2-11			1909								N	
268 WOODCLIFFE AVE	2-10			1893								N	
280 WOODCLIFFE AVE	2-2			1953								N	
45 WOODS RD	237-28 01			1964								N	
46 WOODS RD	237-27			1950								N	
47 WOODS RD	237-28			1910								N	
48 WOODS RD	237-28			1928								N	
51 WOODS RD	237-28			1950								N	
52 WOODS RD	237-25			1928								N	
54 WOODS RD	237-24			1928								N	
56 WOODS RD	237-21			1960								N	
58 WOODS RD	237-20 01			1964								N	
75 WOODS RD	237-52			1946								N	
79 WOODS RD	237-53			1956								N	
83 WOODS RD	237-54			1943								N	
116 WOODS RD	237-8			1933								N	

I verify that I have conducted this exterior housing survey according to the NJ

Signature: [Signature] Print Name and Title: ALICIA VERDEZ, Superintendent
 Signature: [Signature] Print Name and Title: RONALD CORDERO

EXTERIOR HOUSING SURVEY

Street Address	Block-Lot	Number of Dwelling Units	Tenure of Units i.e. owner occupied/ rental/ mixed occupancy	Year Built	MAJOR SYSTEMS				MINOR SYSTEMS				Structure In Need of Repair (Mark "Yes" or "No")	If Yes, Provide Details
					Foundation	Weatherization			Eaves/Soffits/ Gutters/Leader	Rails/Stairs/St eps/Porch	Fire Escape			
						Siding and Walls	Windows and Doors	Roof and Chimney						
11 CENTER AVE	93-2			1933								N		
15 CENTER AVE	93-5			1900								N		
23 CENTER AVE	93-6			1900								N		
24 CENTER AVE	97-10			1900								N		
40 CENTER AVE	98-4			1900								N		
53 CENTER AVE	95-1			1900								N		
54 CENTER AVE	99-37			1959								N		
57 CENTER AVE	95-7	2 Family		1900								N		
63 CENTER AVE	95-8			1900								N		
69 CENTER AVE	95-9			1900								N		
72 CENTER AVE	99-35			1918								N		
74 CENTER AVE	99-34			1918								N		
75 CENTER AVE	95-10			1900	X							YES		
77 CENTER AVE	95-11			1918								N		
80 CENTER AVE	99-33			1929								N		
83 CENTER AVE	95-12			1923								N		
84 CENTER AVE	99-32			1925								N		
86 CENTER AVE	99-31			1945		X				X		YES	VACANT	
89 CENTER AVE	95-13			1900								N		
94 CENTER AVE	99-30			1910								N		
97 CENTER AVE	95-14			1926								N		
100 CENTER AVE	99-29			1942								N		
101 CENTER AVE	95-17			1928								N		
103 CENTER AVE	95-18	2 Family		1900								N		
104 CENTER AVE	99-28			1900								N		
105 CENTER AVE	95-19	2 Family		1900								N		
107 CENTER AVE	95-15	2 Family		1900								N		
108 CENTER AVE	99-27			1926								N		
113 CENTER AVE	95-21			1949								N		
114 CENTER AVE	99-26			1927								N		
116 CENTER AVE	99-25			1929								N		
118 CENTER AVE	99-24			1930								N		
120 CENTER AVE	99-23			1900								N		
124 CENTER AVE	99-22			1918								N		
125 CENTER AVE	95-22			1942		X		X				N		
127 CENTER AVE	95-23			1900		X		X				YES	3	

[illegible]

EXTERIOR HOUSING SURVEY

Street Address	Block/Lot	Number of Dwelling Units	Tenure of Units i.e. owner occupied/ rental/ mixed occupancy	Year Built	MAJOR SYSTEMS				MINOR SYSTEMS				Structure In Need of Repair (Mark "Yes" or "No")	If Yes, Provide Details
					Foundation	Weatherization			Roof and Chimney	Eaves/Soffits/ Gutters/Leader	Ralls/Stairs/St eps/Porch	Fire Escape		
						Siding and Walls	Windows and Doors	One major system is required to indicate that the structure is in need of repair						
199 FIRST AVE	143-15			1950								N		
200 FIRST AVE	144-9			1954								N		
201 FIRST AVE	143-13			1954								N		
202 FIRST AVE	144-11			1951								N		
6 FIRST ST	56-13			1956								N		
9 FIRST ST	55-7.01			1930								N		
12 FIRST ST	56-8	2 family		1908								N		
15 FIRST ST	55-6			1915								N		
22 FIRST ST	56-7			1924								N		
25 FIRST ST	55-3			1924								N		
26 FIRST ST	56-7.01			1961								N		
30 FIRST ST	56-6			1928								N		
1 FOURTH AVE	149-23			1926								N		
2 FOURTH AVE	149-26			1954								N		
3 FOURTH AVE	148-23.01			1956								N		
4 FOURTH AVE	148-68.01			1956								N		
5 FOURTH AVE	148-68.02			1956								N		
1 GARDEN ST	81-39	already elevated		1964								N		
2 GARDEN ST	81-26			1964								N		
3 GARDEN ST	81-37			1966								N		
34 GARRABRANT AVE	26-6			1918								N		
38 GARRABRANT AVE	26-8			1918								N		
44 GARRABRANT AVE	26-11			1900								N		
1 GREY ROCK AVE	75-55			1920								N		
3 GREY ROCK AVE	75-46			1925								N		
6 GREY ROCK AVE	76-23			1918								N		
7 GREY ROCK AVE	75-44			1929								N		
10 GREY ROCK AVE	76-21			1909								N		
11 GREY ROCK AVE	75-42			1959								N		
12 GREY ROCK AVE	76-19			1918								N		
14 GREY ROCK AVE	76-17			1918								N		
14 1/2 GREY ROCK AVE	76-16			1918								N		
15 GREY ROCK AVE	75-39			1943								N		
16 GREY ROCK AVE	76-14			1918								N		
18 GREY ROCK AVE	76-12			1918								N		
19 GREY ROCK AVE	75-36			1942								N		
													9	

[illegible]

EXTERIOR HOUSING SURVEY

[illegible]

EXTERIOR HOUSING SURVEY

[illegible]

Little Falls, Passaic County

EXTERIOR HOUSING SURVEY

MAJOR SYSTEMS

MINOR SYSTEMS

One major system is required to indicate that the structure is in need of repair

Two minor systems are required to indicate that the structure is in need of repair

Weatherization

Siding and Walls

Windows and Doors

Roof and Chimney

Eaves/Soffits/Gutters/Leader

Rails/Stairs/St eps/Porch

Fire Escape

Structure In Need of Repair (Mark "Yes" or "No")

If Yes, Provide Details

376 MAIN ST	74-47		Tenure of Units i.e. owner occupied/ rental/ mixed occupancy	Year Built	Foundation	Siding and Walls	Windows and Doors	Roof and Chimney	Eaves/Soffits/Gutters/Leader	Rails/Stairs/St eps/Porch	Fire Escape	Structure In Need of Repair (Mark "Yes" or "No")	If Yes, Provide Details
378 MAIN ST	74-45			1928					X			N	
379 MAIN ST	77-17			1921						X		YES	
384 MAIN ST	71-181			1900								N	
410 MAIN ST	70-19			1955								N	
426 MAIN ST	70-25			1910								N	
430 MAIN ST	68-20	2 family		1918								N	
432 MAIN ST	68-19	2 family		1909		X	X					YES	
460 MAIN ST	59-1	business only		1909								N	
465 MAIN ST	56-9			1950								-	
471 MAIN ST	56-2			1957								N	
474-476 MAIN ST	57-27			1967								N	
486 MAIN ST	57-22	2 family		1820								N	
500 MAIN ST	57-16			1900								N	
512 MAIN ST	52-13	2 family		1935								N	
513 MAIN ST	53-4.01			1744								N	
515 MAIN ST	53-4			1909								N	
518 MAIN ST	52-12			1890								N	
522 MAIN ST	52-11			1900								N	
528 MAIN ST	52-10			1918								N	
534 MAIN ST	52-9			1922								N	
537 MAIN ST	27-27			1918								N	
538 MAIN ST	26-21			1954								N	
539 MAIN ST	27-28			1913								N	
542 MAIN ST	26-20			1933								N	
543 MAIN ST	27-29			1909								N	
544 MAIN ST	26-14			1950								N	
545 MAIN ST	27-39			1953								N	
547 MAIN ST	27-40			1939								N	
559 MAIN ST	27-30			1948								N	
561 MAIN ST	27-31			1963								N	
563 MAIN ST	27-32			1918								N	
569 MAIN ST	27-33			1900								N	
574 MAIN ST	22-24			1900								N	
578 MAIN ST	22-21			1918								N	
586 MAIN ST	22-18			1908								N	
				1960								N	15

Date: May 25, 2016

Little Falls, Passaic County

Date: May 25, 2016

EXTERIOR HOUSING SURVEY													
MAJOR SYSTEMS							MINOR SYSTEMS						
One major system is required to indicate that the structure is in need of repair							Two minor systems are required to indicate that the structure is in need of repair						
Street Address	Block/Lot	Number of Dwelling Units	Tenure of Units i.e. owner occupied/ rental/ mixed occupancy	Year Built	Foundation	Weatherization		Roof and Chimney	Eaves/Soffits/ Gutters/Leader	Ralls/Stairs/St eps/Porch	Fire Escape	Structure in Need of Repair (Mark "Yes" or "No")	If Yes, Provide Details
						Siding and Walls	Windows and Doors						
29 MICKLEJOHN AVE	19-31			1918								N	
35 MICKLEJOHN AVE	19-28			1926								N	
16 MONTCLAIR AVE	91-8			1900								N	
8 MONTCLAIR AVE	91-9			1900								N	
10 MONTCLAIR AVE	91-12			1900								N	
12 MONTCLAIR AVE	91-10			1900								N	
16 MONTCLAIR AVE	91-11			1956				X				N	
70 MONTCLAIR AVE	96-47			1954								N	
71 MONTCLAIR AVE	40-72			1951								N	
75 MONTCLAIR AVE	40-71			1951								N	
78 MONTCLAIR AVE	96-1			1900								N	
79 MONTCLAIR AVE	40-70			1900								N	
83 MONTCLAIR AVE	40-69.02			1900								N	
84 MONTCLAIR AVE	96-2			1900								N	
87 MONTCLAIR AVE	40-69.01			1909								N	
88 MONTCLAIR AVE	96-3			1900								N	
89 MONTCLAIR AVE	40-68			1918								N	
92 MONTCLAIR AVE	96-4.02			1909								N	
93 MONTCLAIR AVE	40-67			1885								N	
96 MONTCLAIR AVE	96-4			1918								N	
97 MONTCLAIR AVE	40-66			1900								N	
100 MONTCLAIR AVE	96-5			1912								N	
101 MONTCLAIR AVE	40-65			1900								N	
103 MONTCLAIR AVE	40-64			1900								N	
104 MONTCLAIR AVE	96-6			1931								N	
107 MONTCLAIR AVE	40-63			1951								N	
108 MONTCLAIR AVE	96-21			1967								N	
119 MONTCLAIR AVE	44-6			1951								N	
123 MONTCLAIR AVE	44-7			1951								N	
5 MOZART AVE	3-6			1953								N	
9 MOZART AVE	3-8			1953								N	
12 MOZART AVE	8-8			1950								N	
16 MOZART AVE	8-3			1928								N	
17 MOZART AVE	9-21			1928	X			X		X		YES	VACANT
32 MOZART AVE	3-10			1904								N	
MULLER PL	57-12	COMMERCIAL		1959							-	-	18

Little Falls, Passaic County

EXTERIOR HOUSING SURVEY

MAJOR SYSTEMS

MINOR SYSTEMS

One major system is required to indicate that the structure is in need of repair

Two minor systems are required to indicate that the structure is in need of repair

Weatherization

Foundation

Siding and Walls

Windows and Doors

Roof and Chimney

Eaves/Soffits/Gutters/Leader

Rails/Stairs/St eps/Porch

Fire Escape

Structure In Need of Repair (Mark "Yes" or "No")

If Yes, Provide Details

11 MULLER PL

57-10

COMMERCIAL

1927

</

[illegible]

[illegible]

Little Falls, Passaic County

EXTERIOR HOUSING SURVEY

MAJOR SYSTEMS

MINOR SYSTEMS

One major system is required to indicate that the structure is in need of repair

Two minor systems are required to indicate that the structure is in need of repair

Street Address	Block-Lot	Number of Dwelling Units	Tenure of Units i.e. owner occupied/ rental/ mixed occupancy	Year Built	Foundation	Weatherization			Roof and Chimney	Eaves/Soffits/ Gutters/Leader	Rails/Stairs/St eps/Porch	Fire Escape	Structure in Need of Repair (Mark "Yes" or "No")	If Yes, Provide Details						
						Siding and Walls	Windows and Doors	Roof and Chimney												
172 SECOND AVE	148-12			1913									N							
173 SECOND AVE	144-17			1925									N							
177 SECOND AVE	144-15			1920									N							
178 SECOND AVE	148-14			1917									N							
181 SECOND AVE	144-13			1925									N							
182 SECOND AVE	148-17			1918									N							
185 SECOND AVE	144-12			1939									N							
186 SECOND AVE	148-19			1913									N							
11 STANLEY RD	10-14			1908									N							
12 STANLEY RD	13-1			1923									N							
13 STANLEY RD	10-12			1900									N							
18 STANLEY RD	15-1			1910									N							
19 STANLEY RD	14-4	2 family		1900									N							
27 STANLEY RD	14-8			1918									N							
28 STANLEY RD	15-5			1928									N							
30 STANLEY RD	17-1			1959									N							
33 STANLEY RD	16-1			1928						X			N							
45 STANLEY ST	115-19	4 family		1956									N							
46 STANLEY RD	17-5			1909									N							
46 STANLEY ST	110-15			1964									N							
48 STANLEY ST	110-16			1918									N							
50 STANLEY RD	17-8			1928									N							
50 STANLEY ST	110-18			1900									N							
56-58 STANLEY ST	110-23			1918									N							
60 STANLEY ST	110-22			1900									N							
64-66 STANLEY ST	110-19			1880									N							
55 STEVENS AVE	98-9	2 family		1900	X								YES							
56 STEVENS AVE	101-13			1900									N							
60 STEVENS AVE	101-11			1900									N							
63 STEVENS AVE.	99-2	2 family		1900									N							
64 STEVENS AVE	101-9			1900									N							
67 STEVENS AVE	99-3			1900									N							
68 STEVENS AVE	101-1			1900									N							
69 STEVENS AVE	99-4			1880									N							
80 STEVENS AVE	101-1			1900									N							
81 STEVENS AVE	99-6			1918									N	28						

Date May 25, 2016

Little Falls, Passaic County

Date: May 25, 2016

EXTERIOR HOUSING SURVEY												
Street Address	Block/Lot	Number of Dwelling Units	Tenure of Units i.e. owner occupied/ rental/ mixed occupancy	MAJOR SYSTEMS			MINOR SYSTEMS					
				Foundation	Weatherization		Roof and Chimney	Eaves/Soffits/ Gutters/Leader	Ralls/Stairs/St eps/Porch	Fire Escape	Structure In Need of Repair (Mark "Yes" or "No")	If Yes, Provide Details
					Siding and Walls	Windows and Doors						
				One major system is required to indicate that the structure is in need of repair			Two minor systems are required to indicate that the structure is in need of repair					
85 STEVENS AVE	99-7		1918							N		
88 STEVENS AVE	102-15		1900							N		
89 STEVENS AVE	99-8		1907							N		
90 STEVENS AVE	102-13		1950							N		
93 STEVENS AVE	99-9		1900							N		
96 STEVENS AVE	102-11		1952							N		
99 STEVENS AVE	99-10		1918							N		
100 STEVENS AVE	102-9		1951							N		
101 STEVENS AVE	99-11		1927							N		
103 STEVENS AVE	99-12		1918							N		
105 STEVENS AVE	99-13		1918							N		
106 STEVENS AVE	102-7		1918							N		
107 STEVENS AVE	99-14		1918							N		
109 STEVENS AVE	99-15		1915							N		
111 STEVENS AVE	99-16		1900							N		
113 STEVENS AVE	99-17 01		1900							N		
115 STEVENS AVE	99-17		1918							N		
116 STEVENS AVE	102-1	2 family	1923	X	X			X		YES		
125 STEVENS AVE	99-18		1935							N		
126 STEVENS AVE	137-1		1918							N		
130 STEVENS AVE	137-3		1918							N		
132 STEVENS AVE	137-5		1900		X	X		X		YES		
133 STEVENS AVE	99-20		1918							N		
136 STEVENS AVE	137-14		1953							N		
140 STEVENS AVE	137-6		1953							N		
146 STEVENS AVE	137-7		1948							N		
166 STEVENS AVE	139-1		1952							N		
167 STEVENS AVE	138-5	2 family	1900							N		
170 STEVENS AVE	139-2		1960							N		
174 STEVENS AVE	139-3		1953							N		
175 STEVENS AVE	138-9		1949							N		
177 STEVENS AVE	138-8		1946							N		
178 STEVENS AVE	139-4		1967							N		
32 STINSON PL	52-3		1918							N		
33 STINSON PL	26-25		1953							N		
36 STINSON PL	52-5		1947							N	29	

[illegible]

[illegible]

Little Falls, Passaic County

EXTERIOR HOUSING SURVEY

MAJOR SYSTEMS

One major system is required to indicate that the structure is in need of repair

MINOR SYSTEMS

Two minor systems are required to indicate that the structure is in need of repair

Street Address	Block/Lot	Number of Dwelling Units	Tenure of Units i.e. owner occupied/ rental/ mixed occupancy	Year Built	Foundation	Weatherization		Roof and Chimney	Eaves/Soffits/ Gutters/Leader	Rails/Stairs/St eps/Porch	Fire Escape	Structure in Need of Repair (Mark "Yes" or "No")	If Yes, Provide Details
						Siding and Walls	Windows and Doors						
4 WALNUT ST	116-1.01	4 family		1955								N	
9 WALNUT ST	99-39			1910								N	
10 WALNUT ST	98-7			1900								N	
11 WALNUT ST	98-7			1910								N	
14 WALNUT ST	99-38			1900								N	
37 WALNUT ST	98-6			1900								N	
41 WALNUT ST	95-3			1908								N	
42 WALNUT ST	95-4			1890								N	
44 WALNUT ST	94-6	2 family		1900								N	
45 WALNUT ST	94-7			1908								N	
48 WALNUT ST	94-8			1880								N	
49 WALNUT ST	95-26			1916								N	
50 WALNUT ST	94-9			1935								N	
54 WALNUT ST	94-12			1966								N	
56 WALNUT ST	94-13			1966								N	
58 WALNUT ST	94-14			1966								N	
60 WALNUT ST	94-15			1966								N	
61 WALNUT ST	95-29			1956								N	
62 WALNUT ST	92-9			1965								N	
64 WALNUT ST	92-8			1965								N	
66 WALNUT ST	92-7			1965								N	
68 WALNUT ST	92-6			1965								N	
69 WALNUT ST	95-30	4 family		1953								N	
71 WALNUT ST	95-31			1965								N	
75 WALNUT ST	95-32			1900								N	
79 WALNUT ST	95-33			1958								N	
83 WALNUT ST	95-51			1962								N	
85 WALNUT ST	95-52			1959								N	
10 WARREN ST	97-9.01			1900								N	
12 WARREN ST	97-9			1900								N	
23 WARREN ST	94-1			1890								N	
29 WARREN ST	94-11			1890								N	
30 WARREN ST	93-7	2 family		1885								N	
32 WARREN ST	93-8			1900								N	
33 WARREN ST	94-2			1900								N	
35 WARREN ST	94-3			1880								N	33

Date: May 23, 2010

[illegible]

Little Falls, Passaic County

EXTERIOR HOUSING SURVEY

MAJOR SYSTEMS

MINOR SYSTEMS

One major system is required to indicate that the structure is in need of repair

Two minor systems are required to indicate that the structure is in need of repair

Street Address	Block/Lot	Number of Dwelling Units	Tenure of Units i.e. owner occupied/ rental/ mixed occupancy	Year Built	Weatherization			Minor Systems				Structure in Need of Repair (Mark "Yes" or "No")	If Yes, Provide Details
					Foundation	Siding and Walls	Windows and Doors	Roof and Chimney	Eaves/Soffits/Gutters/Leader	Rails/Stairs/Steps/Porch	Fire Escape		
5 ZELIFF AVE	67-33			1929								N	
6 ZELIFF AVE	68-15			1931								N	
7 ZELIFF AVE	67-32			1929								N	
8 ZELIFF AVE	68-14			1931								N	
9 ZELIFF AVE	67-31			1928								N	
10 ZELIFF AVE	68-13			1931			X					YES	
11 ZELIFF AVE	67-13			1929								N	
12 ZELIFF AVE	68-12			1925								N	
13 ZELIFF AVE	67-29			1929								N	
14 ZELIFF AVE	68-11			1928								N	
15 ZELIFF AVE	67-28			1929								N	
16 ZELIFF AVE	68-10			1928								N	
17 ZELIFF AVE	67-27			1929								N	
18 ZELIFF AVE	68-9			1928								N	
19 ZELIFF AVE	67-21			1959								N	
19 ZELIFF AVE	67-26			1929								N	
20 ZELIFF AVE	68-8			1933								N	
21 ZELIFF AVE	67-25			1929								N	
22 ZELIFF AVE	68-7			1928								N	
23 ZELIFF AVE	67-24			1929								N	
24 ZELIFF AVE	68-6			1928								N	
25 ZELIFF AVE	67-23			1929								N	
26 ZELIFF AVE	68-5			1928								N	
27 ZELIFF AVE	67-22			1929								N	
28 ZELIFF AVE	68-4			1918								N	
30 ZELIFF AVE	68-3			1928								N	
31 ZELIFF AVE	67-20			1929								N	
32 ZELIFF AVE	68-2			1928								N	
33 ZELIFF AVE	80-24			1900								N	
34 ZELIFF AVE	68-1			1928								N	
36 ZELIFF AVE	81-13			1928								N	
37 ZELIFF AVE	80-22	knocked down		1920								N	
38 ZELIFF AVE	81-12			1926								N	
39 ZELIFF AVE	80-21			1929								N	
40 ZELIFF AVE	81-11			1926								N	
41 ZELIFF AVE	80-20			1929								N	
												N	38

Date: May 25, 2016

Little Falls, Passaic County

Date: May 25, 2016

EXTERIOR HOUSING SURVEY											
MAJOR SYSTEMS					MINOR SYSTEMS						
Street Address	Block/Lot	Number of Dwelling Units	Tenure of Units i.e. owner/rental/mixed occupancy	Year Built	Weatherization			Two minor systems are required to indicate that the structure is in need of repair		Structure In Need of Repair (Mark "Yes" or "No")	If Yes, Provide Details
					Foundation	Siding and Walls	Windows and Doors	Roof and Chimney	Eaves/Soffits/Gutters/Leader		
42 ZELIFF AVE	81-10			1913						N	
43 ZELIFF AVE	80-19			1929						N	
44 ZELIFF AVE	81-9	knocked down		1900							
45 ZELIFF AVE	80-18			1929						N	
46 ZELIFF AVE	81-8			1928							
47 ZELIFF AVE	80-17	knocked down		1929						N	
48 ZELIFF AVE	81-7			1928						N	
49 ZELIFF AVE	80-16			1929						N	
50 ZELIFF AVE	81-6	knocked down		1925							
51 ZELIFF AVE	80-15			1929						N	
52 ZELIFF AVE	81-5			1928						N	
56 ZELIFF AVE	81-3			1942						N	
58 ZELIFF AVE	81-2			1900						N	

I verify that I have conducted this exterior housing survey according to the NJ Department of Community Affairs' criteria.

Signature: Nicole Veruiza Print Name and Title: Nicole Veruiza, Staff Planner



Little Falls, Passaic County

Date: May 25, 2016

EXTERIOR HOUSING SURVEY

Street Address	Block/Lot	Number of Dwelling Units	Tenure of Units i.e. owner occupied/ rental/ mixed occupancy	Year Built	MAJOR SYSTEMS One major system is required to indicate that the structure is in need of repair				MINOR SYSTEMS Two minor systems are required to indicate that the structure is in need of repair				Structure In Need of Repair (Mark "Yes" or "No")	If Yes, Provide Details
					Foundation	Weatherization		Roof and Chimney	Eaves/Soffit/ Gutters/Leader	Rails/Stairs/St eps/Porch	Fire Escape			
						Sliding and Walls	Windows and Doors							
42 ZELIFF AVE	81-10			1913									N	
43 ZELIFF AVE	80-19			1929									N	
44 ZELIFF AVE	81-9	knocked down		1900									.	
45 ZELIFF AVE	80-18			1929									N	
46 ZELIFF AVE	81-8			1928									N	
47 ZELIFF AVE	80-17	knocked down		1929									.	
48 ZELIFF AVE	81-7			1928									N	
49 ZELIFF AVE	80-16			1929									N	
50 ZELIFF AVE	81-6	knocked down		1925										
51 ZELIFF AVE	80-15			1929									N	
52 ZELIFF AVE	81-5			1928									N	
56 ZELIFF AVE	81-3			1942									N	
58 ZELIFF AVE	81-2			1900									N	

I verify that I have conducted this exterior housing survey according to the NJ Department of Community Affairs' criteria

Signature *Nicole Vanuizen*

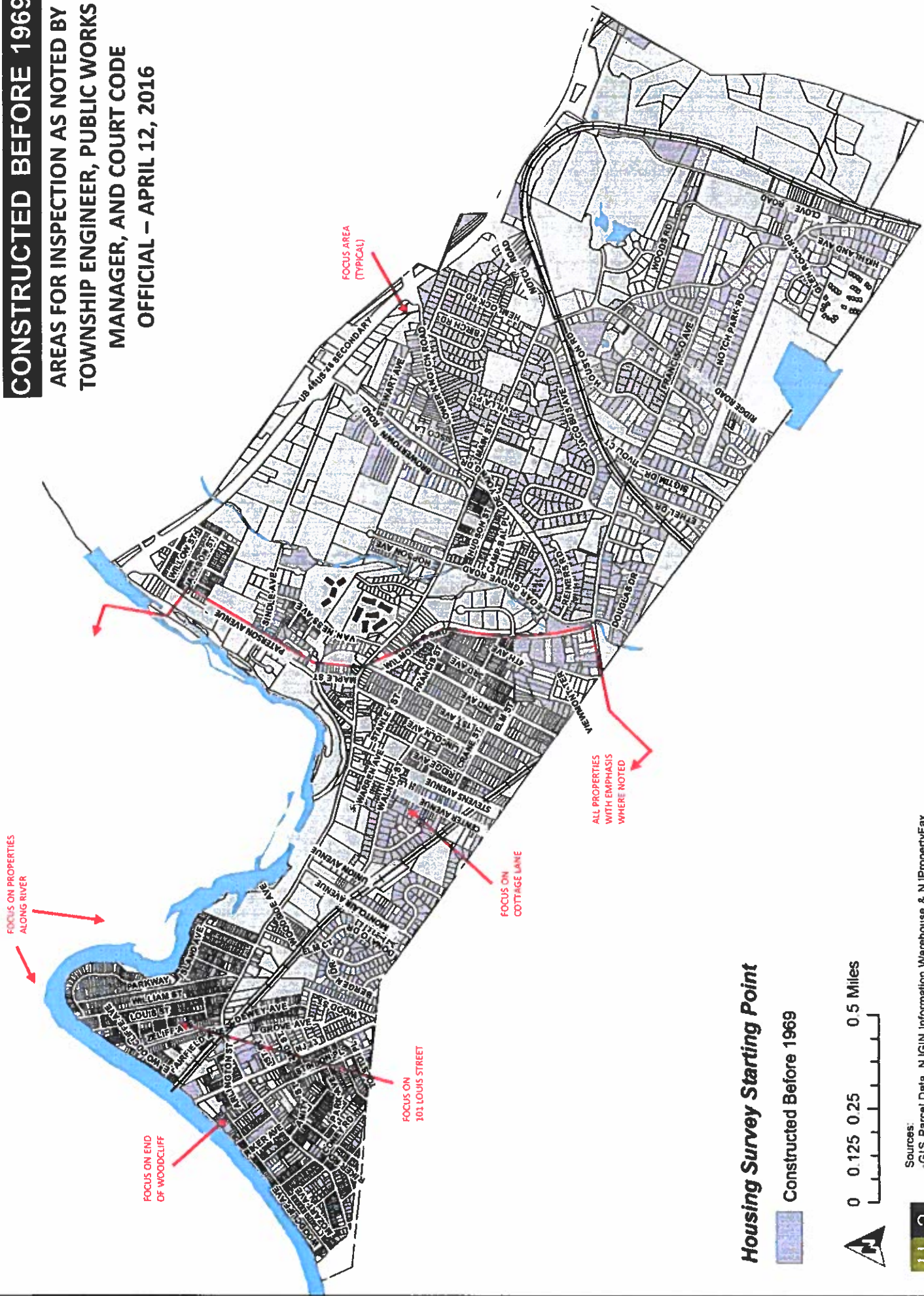
Print Name and Title NICOLE VANUIZEN, Staff Planner

Signature *Ronnie Cordero*

Print Name and Title RONNIE CORDERO CODE ENFORCEMENT OFFICER

CONSTRUCTED BEFORE 1969

AREAS FOR INSPECTION AS NOTED BY
TOWNSHIP ENGINEER, PUBLIC WORKS
MANAGER, AND COURT CODE
OFFICIAL – APRIL 12, 2016



Housing Survey Starting Point

Constructed Before 1969



Sources:
-GIS Parcel Data, NJGIN Information Warehouse & NJPropertyFax





APPENDIX G
DRAFT AFFORDABLE HOUSING ORDINANCE



Ordinance No. _____
Affordable Housing Ordinance
Township of Little Falls, Passaic County

AN ORDINANCE REPLACING AND SUPERSEDING CHAPTER 97 OF THE MUNICIPAL CODE OF THE TOWNSHIP OF LITTLE FALLS IN ITS ENTIRETY TO ADDRESS THE TOWNSHIP'S AFFORDABLE HOUSING OBLIGATIONS UNDER THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS (UHAC)

BE IT ORDAINED by the governing body of the Township of Little Falls, Passaic County, New Jersey, that Chapter 97 of the Municipal Code of the Township of Little Falls, is hereby replaced and superseded in its entirety, with this Ordinance, to address the Township's constitutional obligation to provide for its fair share of low- and moderate-income housing, as directed by the Superior Court and consistent with N.J.A.C. 5:93-1, et seq., as amended and supplemented, N.J.A.C. 5:80-26.1, et seq., as amended and supplemented, and the New Jersey Fair Housing Act of 1985. This Ordinance is intended to provide assurances that low- and moderate-income units ("affordable units") are created with controls on affordability over time and that low- and moderate-income households shall occupy those units. This Ordinance shall apply except where inconsistent with applicable law.

The Little Falls Township Planning Board has adopted a Housing Element and Fair Share Plan pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, et seq. The Housing Element and Fair Share Plan have been endorsed by the governing body. This Ordinance implements and incorporates the adopted and endorsed Housing Element and Fair Share Plan and addresses the requirements of N.J.A.C. 5:93-1, et seq., as amended and supplemented, N.J.A.C.5:80-26.1, et seq. as amended and supplemented, and the New Jersey Fair Housing Act of 1985.

Section 1. Definitions

The following terms when used in this Ordinance shall have the meanings given in this Section:

"Act" means the Fair Housing Act of 1985, P.L. 1985, c. 222 (N.J.S.A. 52:27D-301 et seq.)

"Adaptable" means constructed in compliance with the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7.

"Administrative agent" means the entity designated by the Township to administer affordable units in accordance with this Ordinance, N.J.A.C. 5:93, and UHAC (N.J.A.C. 5:80-26).

"Affirmative marketing" means a regional marketing strategy designed to attract buyers and/or renters of affordable units pursuant to N.J.A.C. 5:80-26.15.

“Affordability average” means the average percentage of median income at which new restricted units in an affordable housing development are affordable to low- and moderate-income households.

“Affordable” means, a sales price or rent level that is within the means of a low- or moderate-income household as defined within N.J.A.C. 5:93-7.4, and, in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.6, as may be amended and supplemented, and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.12, as may be amended and supplemented.

“Affordable housing development” means a development included in or approved pursuant to the Housing Element and Fair Share Plan or otherwise intended to address the Township’s fair share obligation, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable housing development.

“Affordable housing program(s)” means any mechanism in a municipal Fair Share Plan prepared or implemented to address a municipality’s fair share obligation.

“Affordable unit” means a housing unit proposed or created pursuant to the Act and approved for crediting by the Court and/or funded through an affordable housing trust fund.

“Agency” means the New Jersey Housing and Mortgage Finance Agency established by P.L. 1983, c. 530 (N.J.S.A. 55:14K-1, et seq.).

“Age-restricted unit” means a housing unit designed to meet the needs of, and exclusively for, the residents of an age-restricted segment of the population such that: 1) all the residents of the development wherein the unit is situated are 62 years of age or older; or 2) at least 80 percent of the units are occupied by one person who is 55 years of age or older; or 3) the development has been designated by the Secretary of the U.S. Department of Housing and Urban Development as “housing for older persons” as defined in Section 807(b)(2) of the Fair Housing Act, 42 U.S.C. § 3607.

“Alternative living arrangement” means a structure in which households live in distinct bedrooms, yet share kitchen and plumbing facilities, central heat and common areas. Alternative living arrangements include, but are not limited to: transitional facilities for the homeless; Class A, B, C, D and E boarding homes as regulated by the State of New Jersey Department of Community Affairs; residential health care facilities as regulated by the New Jersey Department of Health; group homes for the developmentally disabled and mentally ill as licensed and/or regulated by the New Jersey Department of Human Services; and congregate living arrangements.

“Assisted living residence” means a facility that is licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and to assure that assisted living services are available when needed for four or more adult persons unrelated to the proprietor and that offers units containing, at a minimum, one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance.

“Certified household” means a household that has been certified by an Administrative Agent as a low-income household or moderate-income household.

“COAH” means the Council on Affordable Housing, as established by the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301, et seq.).

“DCA” means the State of New Jersey Department of Community Affairs.

“Deficient housing unit” means a housing unit with health and safety code violations that requires the repair or replacement of a major system. A major system includes weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and/or load bearing structural systems.

“Developer” means any person, partnership, association, company or corporation that is the legal or beneficial owner or owners of a lot or any land included in a proposed development including the holder of an option to contract to purchase, or other person having an enforceable proprietary interest in such land.

“Development” means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any use or change in the use of any building or other structure, or of any mining, excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to N.J.S.A. 40:55D-1, et seq.

“Inclusionary development” means a development containing both affordable units and market rate units. This term includes, but is not limited to: new construction, the conversion of a non-residential structure to residential use and the creation of new affordable units through the gut rehabilitation or reconstruction of a vacant residential structure.

“Low-income household” means a household with a total gross annual household income equal to 50 percent or less of the median household income.

“Low-income unit” means a restricted unit that is affordable to a low-income household.

“Major system” means the primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a building which include but are not limited to, weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and load bearing structural systems.

“Market-rate units” means housing not restricted to low- and moderate-income households that may sell or rent at any price.

“Median income” means the median income by household size for the applicable housing region, as adopted annually by COAH or a successor entity approved by the Court.

“Moderate-income household” means a household with a total gross annual household income in excess of 50 percent but less than 80 percent of the median household income.

“Moderate-income unit” means a restricted unit that is affordable to a moderate-income household.

“Multifamily unit” means a structure containing five or more dwelling units.

“Non-exempt sale” means any sale or transfer of ownership other than the transfer of ownership between husband and wife; the transfer of ownership between former spouses ordered as a result of a judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor’s deed to a class A beneficiary and the transfer of ownership by court order.

“Random selection process” means a process by which currently income-eligible households are selected for placement in affordable housing units such that no preference is given to one applicant over another except for purposes of matching household income and size with an appropriately priced and sized affordable unit (e.g., by lottery).

“Regional asset limit” means the maximum housing value in each housing region affordable to a four-person household with an income at 80 percent of the regional median as defined by duly adopted Regional Income Limits published annually by COAH or a successor entity.

“Rehabilitation” means the repair, renovation, alteration or reconstruction of any building or structure, pursuant to the Rehabilitation Subcode, N.J.A.C. 5:23-6.

“Rent” means the gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with allowances published by DCA for its Section 8 program. In assisted living residences, rent does not include charges for food and services.

“Restricted unit” means a dwelling unit, whether a rental unit or an ownership unit, that is subject to the affordability controls of N.J.A.C. 5:80-26.1, as amended and supplemented, but does not include a market-rate unit financed under UHORP or MONI.

“UHAC” means the Uniform Housing Affordability Controls set forth in N.J.A.C. 5:80-26, et seq.

“Very low-income household” means a household with a total gross annual household income equal to 30 percent or less of the median household income for the applicable housing region.

“Very low-income unit” means a restricted unit that is affordable to a very low-income household.

“Weatherization” means building insulation (for attic, exterior walls and crawl space), siding to improve energy efficiency, replacement storm windows, replacement storm doors, replacement windows and replacement doors, and is considered a major system for purposes of a rehabilitation program.

Section 2. Applicability

1. The provisions of this Ordinance shall apply to all affordable housing developments and affordable housing units that currently exist and that are proposed to be created within the Township of Little Falls pursuant to the Township’s most recently adopted Housing Element and Fair Share Plan.
2. Where a developer is able to demonstrate that a 20% set-aside would warrant the project economically infeasible, the developer should submit an economic analysis and pro-forma to the Township for review. A real estate analysis expert hired by the Township through escrow funds provided by the developer, will evaluate the pro-forma and determine if the claim of economic infeasibility is valid. In the event the Township's review agrees with the developer, the Township will permit a 15% set-aside.
3. The following sections shall apply to all developments that contain low-and moderate-income housing units, including any currently unanticipated future developments that will provide low- and moderate-income housing units.
4. All affordable housing developments, including those intended to be funded through federal Low Income Housing Tax Credit programs, shall be deed restricted to comply with COAH and UHAC Rules pertaining to the income and bedroom distributions of the units.

Section 3. Reserved

Section 4. Alternative Living Arrangements

1. The administration of an alternative living arrangement shall be in compliance with N.J.A.C. 5:93-5.8 and UHAC, with the following exceptions:
 - a. Affirmative marketing (N.J.A.C. 5:80-26.15), provided, however, that the units or bedrooms may be affirmatively marketed by the provider in accordance with an alternative plan approved by the Court;
 - b. Affordability average and bedroom distribution (N.J.A.C. 5:80-26.3).
2. With the exception of units established with capital funding through a 20-year operating contract with the Department of Human Services, Division of Developmental Disabilities, alternative living arrangements shall have at least 30 year controls on affordability in accordance with UHAC.

3. The service provider for the alternative living arrangement shall act as the Administrative Agent for the purposes of administering the affirmative marketing and affordability requirements for the alternative living arrangement.

Section 5. Inclusionary Zoning

1. Rental Units: In inclusionary developments, all affordable units shall be family rental units, with the exception of inclusionary developments within the Multi Family Senior (MFS) Zone.
2. Phasing: In inclusionary developments the following schedule shall be followed:

Maximum Percentage of Market-Rate Units Completed	Minimum Percentage of Low- and Moderate-Income Units Completed
25	0
25+1	10
50	50
75	75
90	100

Section 6. New Construction

1. Low/Moderate Split and Bedroom Distribution of Affordable Housing Units:
 - a. The fair share obligation shall be divided equally between low- and moderate-income units, except that where there is an odd number of affordable housing units, the extra unit shall be a low income unit. At least 13 percent of all restricted rental units shall be very low income units (affordable to a household earning 30 percent or less of median income). The very low income units shall be counted as part of the required number of low income units within the development. At least 25 percent of the obligation shall be met through rental units, including at least half in rental units available to families. A maximum of 25 percent may be age restricted.
 - b. In each affordable development, at least 50 percent of the restricted units within each bedroom distribution shall be low-income units.
 - c. Affordable developments that are not age-restricted shall be structured in conjunction with realistic market demands such that:
 - 1) The combined number of efficiency and one-bedroom units shall be no greater than 20 percent of the total low- and moderate-income units;
 - 2) At least 30 percent of all low- and moderate-income units shall be two bedroom units;
 - 3) At least 20 percent of all low- and moderate-income units shall be three bedroom units; and

- 4) The remaining two and three bedroom units may be allocated at the discretion of the developer and township.
 - d. Affordable developments that are age-restricted shall be structured such that the number of bedrooms shall equal the number of age-restricted low- and moderate-income units within the inclusionary development. This standard may be met by having all one-bedroom units or by having a two-bedroom unit for each efficiency unit.
2. Accessibility Requirements:
- a. The first floor of all restricted townhouse dwelling units and all restricted units in all other multistory buildings shall be subject to the technical design standards of the Barrier Free SubCode, N.J.A.C. 5:23-7 and the following:
 - b. All restricted townhouse dwelling units and all restricted units in other multistory buildings in which a restricted dwelling unit is attached to at least one other dwelling unit shall have the following features:
 - 1) An adaptable toilet and bathing facility on the first floor; and
 - 2) An adaptable kitchen on the first floor; and
 - 3) An interior accessible route of travel on the first floor; and
 - 4) An adaptable room that can be used as a bedroom, with a door or the casing for the installation of a door, on the first floor; and
 - 5) If not all of the foregoing requirements in b.1) through b.4) can be satisfied, then an interior accessible route of travel must be provided between stories within an individual unit, but if all of the terms of paragraphs b.1) through b.4) above have been satisfied, then an interior accessible route of travel shall not be required between stories within an individual unit; and
 - 6) An accessible entranceway as set forth at P.L. 2005, c. 350 (N.J.S.A. 52:27D-311a, et seq.) and the Barrier Free SubCode, N.J.A.C. 5:23-7, or evidence that Little Falls has collected funds from the developer sufficient to make 10 percent of the adaptable entrances in the development accessible:
 - a) Where a unit has been constructed with an adaptable entrance, upon the request of a person with disabilities who is purchasing or will reside in the dwelling unit, an accessible entrance shall be installed.
 - b) To this end, the builder of restricted units shall deposit funds within the Township of Little Falls' Affordable Housing Trust Fund sufficient to install accessible

entrances in 10 percent of the affordable units that have been constructed with adaptable entrances.

- c) The funds deposited under paragraph 6) b) above shall be used by the Township of Little Falls for the sole purpose of making the adaptable entrance of an affordable unit accessible when requested to do so by a person with a disability who occupies or intends to occupy the unit and requires an accessible entrance.
- d) The developer of the restricted units shall submit a design plan and cost estimate to the Construction Official of the Township of Little Falls for the conversion of adaptable to accessible entrances.
- e) Once the Construction Official has determined that the design plan to convert the unit entrances from adaptable to accessible meet the requirements of the Barrier Free SubCode, N.J.A.C. 5:23-7, and that the cost estimate of such conversion is reasonable, payment shall be made to the Township's Affordable Housing Trust Fund in care of the Township Chief Financial Officer who shall ensure that the funds are deposited into the Affordable Housing Trust Fund and appropriately earmarked.
- f) Full compliance with the foregoing provisions shall not be required where an entity can demonstrate that it is "site impracticable" to meet the requirements. Determinations of site impracticability shall be in compliance with the Barrier Free SubCode, N.J.A.C. 5:23-7.

3. Design:

- a. In inclusionary developments, to the extent possible, low- and moderate-income units shall be integrated with the market units.
- b. In inclusionary developments, low- and moderate-income units shall have access to all of the same common elements and facilities as the market units.

4. Maximum Rents and Sales Prices:

- a. In establishing rents and sales prices of affordable housing units, the Administrative Agent shall follow the procedures set forth in UHAC, utilizing the regional income limits established by COAH or a successor entity.
- b. The maximum rent for restricted rental units within each affordable development shall be affordable to households earning no more than 60 percent of median income, and the average rent for restricted rental units shall be affordable to households earning no more than 52 percent of median income.
- c. The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units,

provided that at least 13 percent of all low- and moderate-income rental units shall be affordable to very low-income households, earning 30 percent or less of the regional median household income.

- d. The maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than 70 percent of median income, and each affordable development must achieve an affordability average of 55 percent for restricted ownership units; in achieving this affordability average, moderate-income ownership units must be available for at least three different sales prices for each bedroom type, and low-income ownership units must be available for at least two different sales prices for each bedroom type.
- e. In determining the initial sales prices and rent levels for compliance with the affordability average requirements for restricted units other than assisted living facilities and age-restricted developments, the following standards shall be used:
 - 1) A studio shall be affordable to a one-person household;
 - 2) A one-bedroom unit shall be affordable to a one and one-half person household;
 - 3) A two-bedroom unit shall be affordable to a three-person household;
 - 4) A three-bedroom unit shall be affordable to a four and one-half person household; and
 - 5) A four-bedroom unit shall be affordable to a six-person household.
- f. In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted units in assisted living facilities and age-restricted developments, the following standards shall be used:
 - 1) A studio shall be affordable to a one-person household;
 - 2) A one-bedroom unit shall be affordable to a one and one-half person household; and
 - 3) A two-bedroom unit shall be affordable to a two-person household or to two one-person households.
- g. The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the unit, including principal and interest (based on a mortgage loan equal to 95 percent of the purchase price and the Federal Reserve H.15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 28 percent of the eligible monthly income of the appropriate size household as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the price shall be subject to the

affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.

- h. The initial rent for a restricted rental unit shall be calculated so as not to exceed 30 percent of the eligible monthly income of the appropriate size household, including an allowance for tenant paid utilities, as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the rent shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.
 - i. The price of owner-occupied low- and moderate-income units may increase annually based on the percentage increase in the regional median income limit for each housing region. In no event shall the maximum resale price established by the Administrative Agent be lower than the last recorded purchase price.
 - j. The rent of low- and moderate-income units may be increased annually based on the permitted percentage increase in the Housing Consumer Price Index for the United States. This increase shall not exceed nine percent in any one year. Rents for units constructed pursuant to low- income housing tax credit regulations shall be indexed pursuant to the regulations governing low- income housing tax credits.
5. Minimum Presumptive Densities/Maximum Presumptive Set-asides for Multi-Family Development:

Affordable Housing Requirements

- a. For Sale and Rental Developments:

Any project not associated with a specific density or affordable housing requirement as outlined in a specific zone or redevelopment plan shall be required to provide a 20% set aside for affordable housing. Where a developer is able to demonstrate that a 20% set-aside would warrant the project economically infeasible, the developer should submit an economic analysis and pro-forma to the Township for review. A real estate analysis expert hired by the Township through escrow funds provided by the developer, will evaluate the pro-forma and determine if the claim of economic infeasibility is valid. In the event the Township's review agrees with the developer, the Township will permit a 15% set-aside.
- b. A project shall not be subdivided into two or more lots so as to fall below the threshold or avoid the set aside requirement by taking multiple actions.

Section 7. Utilities

1. Affordable units shall utilize the same type of heating source as market units within an inclusionary development.
2. Tenant-paid utilities included in the utility allowance shall be set forth in the lease and shall be consistent with the utility allowance approved by DCA for its Section 8 program.

Section 8. Occupancy Standards

In referring certified households to specific restricted units, the Administrative Agent shall, to the extent feasible and without causing an undue delay in the occupancy of a unit, strive to:

1. Provide an occupant for each bedroom;
2. Provide children of different sexes with separate bedrooms;
3. Provide separate bedrooms for parents and children; and
4. Prevent more than two persons from occupying a single bedroom.

Section 9. Control Periods for Restricted Ownership Units and Enforcement Mechanisms

1. Control periods for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.5, as may be amended and supplemented, and each restricted ownership unit shall remain subject to the requirements of this Ordinance for a period of at least thirty (30) years, until Little Falls takes action to release the unit from such requirements; prior to such action, a restricted ownership unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented.
2. The affordability control period for a restricted ownership unit shall commence on the date the initial certified household takes title to the unit.
3. Prior to the issuance of the initial certificate of occupancy for a restricted ownership unit and upon each successive sale during the period of restricted ownership, the Administrative Agent shall determine the restricted price for the unit and shall also determine the non-restricted, fair market value of the unit based on either an appraisal or the unit's equalized assessed value without the restrictions in place.
4. At the time of the initial sale of the unit, the initial purchaser shall execute and deliver to the Administrative Agent a recapture note obligating the purchaser (as well as the purchaser's heirs, successors and assigns) to repay, upon the first non-exempt sale after the unit's release from the restrictions set forth in this Ordinance, an amount equal to the difference between the unit's non-restricted fair market value and its restricted price, and the recapture note shall be secured by a recapture lien evidenced by a duly recorded mortgage on the unit.

5. The affordability controls set forth in this Ordinance shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to restricted ownership units.
6. A restricted ownership unit shall be required to obtain a Continuing Certificate of Occupancy or a certified statement from the Construction Official stating that the unit meets all Code standards upon the first transfer of title following the removal of the restrictions provided under N.J.A.C. 5:80-26.5(a), as may be amended and supplemented.

Section 10. Price Restrictions for Restricted Ownership Units, Homeowner Association Fees and Resale Prices

Price restrictions for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, including:

1. The initial purchase price for a restricted ownership unit shall be approved by the Administrative Agent.
2. The Administrative Agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the foregoing standards.
3. The master deeds of inclusionary developments shall provide no distinction between the condominium or homeowner association fees and special assessments paid by low- and moderate-income purchasers and those paid by market purchasers.
4. The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of anticipated capital improvements. Eligible capital improvements shall be those that render the unit suitable for a larger household or the addition of a bathroom. See Section 13.

Section 11. Buyer Income Eligibility

1. Buyer income eligibility for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, such that low-income ownership units shall be reserved for households with a gross household income less than or equal to 50 percent of median income and moderate-income ownership units shall be reserved for households with a gross household income less than 80 percent of median income.
2. Notwithstanding the foregoing, however, the Administrative Agent may, upon approval by the Township Council, and subject to the Court's approval, permit moderate-income purchasers to buy low-income units in housing markets if the Administrative Agent determines that there is an insufficient number of eligible low-income purchasers to permit prompt occupancy of the units. All such low-income units to be sold to moderate-income households shall retain the required pricing and pricing restrictions for low-income units.
3. A certified household that purchases a restricted ownership unit must occupy it as the certified household's principal residence and shall not lease the unit; provided, however, that

the Administrative Agent may permit the owner of a restricted ownership unit, upon application and a showing of hardship, to lease the restricted unit to another certified household for a period not to exceed one year.

4. The Administrative Agent shall certify a household as eligible for a restricted ownership unit when the household is a low-income household or a moderate-income household, as applicable to the unit, and the estimated monthly housing cost for the particular unit (including principal, interest, taxes, homeowner and private mortgage insurance and condominium or homeowner association fees, as applicable) does not exceed 33 percent of the household's eligible monthly income.

Section 12. Limitations on Indebtedness Secured by Ownership Unit; Subordination

1. Prior to incurring any indebtedness to be secured by a restricted ownership unit, the owner shall apply to the Administrative Agent for a determination in writing that the proposed indebtedness complies with the provisions of this Section, and the Administrative Agent shall issue such determination prior to the owner incurring such indebtedness.
2. With the exception of First Purchase Money Mortgages, neither an owner nor a lender shall at any time cause or permit the total indebtedness secured by a restricted ownership unit to exceed 95 percent of the maximum allowable resale price of the unit, as such price is determined by the Administrative Agent in accordance with N.J.A.C.5:80-26.6(b).

Section 13. Capital Improvements to Ownership Units

1. The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of capital improvements made since the purchase of the unit. Eligible capital improvements shall be those that render the unit suitable for a larger household or that add an additional bathroom. In no event shall the maximum sales price of an improved housing unit exceed the limits of affordability for the larger household.
2. Upon the resale of a restricted ownership unit, all items of property that are permanently affixed to the unit or were included when the unit was initially restricted (for example, refrigerator, range, washer, dryer, dishwasher, wall-to-wall carpeting) shall be included in the maximum allowable resale price. Other items may be sold to the purchaser at a reasonable price that has been approved by the Administrative Agent at the time of the signing of the agreement to purchase. The purchase of central air conditioning installed subsequent to the initial sale of the unit and not included in the base price may be made a condition of the unit resale provided the price, which shall be subject to 10-year, straight-line depreciation, has been approved by the Administrative Agent. Unless otherwise approved by the Administrative Agent, the purchase of any property other than central air conditioning shall not be made a condition of the unit resale. The owner and the purchaser must personally certify at the time of closing that no unapproved transfer of funds for the purpose of selling and receiving property has taken place at the time of or as a condition of resale.

Section 14. Control Periods for Restricted Rental Units

1. Control periods for restricted rental units shall be in accordance with N.J.A.C. 5:80-26.11, as may be amended and supplemented, and each restricted rental unit shall remain subject to the requirements of this Ordinance for a period of at least 30 years, until Little Falls takes action to release the unit from such requirements. Prior to such action, a restricted rental unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented. For new projects receiving nine percent Low Income Housing Tax Credits, a control period of not less than a 30 year compliance period plus a 15 year extended use period shall be required.
2. Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property, and the deed restriction shall be filed by the developer or seller with the records office of the County of Passaic. The deed shall also identify each affordable unit by apartment number and/or address and whether that unit is designated as a very low, low or moderate income unit. Neither the unit nor its affordability designation shall change throughout the term of the deed restriction. A copy of the filed document shall be provided to the Administrative Agent within 30 days of the receipt of a Certificate of Occupancy.
3. A restricted rental unit shall remain subject to the affordability controls of this Ordinance despite the occurrence of any of the following events:
 - a. Sublease or assignment of the lease of the unit;
 - b. Sale or other voluntary transfer of the ownership of the unit; or
 - c. The entry and enforcement of any judgment of foreclosure on the property containing the unit.

Section 15. Rent Restrictions for Rental Units; Leases

1. A written lease shall be required for all restricted rental units and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. A copy of the current lease for each restricted rental unit shall be provided to the Administrative Agent.
2. No additional fees or charges shall be added to the approved rent (except, in the case of units in an assisted living residence, to cover the customary charges for food and services) without the express written approval of the Administrative Agent.
3. Application fees (including the charge for any credit check) shall not exceed five percent of the monthly rent of the applicable restricted unit and shall be payable to the Administrative Agent to be applied to the costs of administering the controls applicable to the unit as set forth in this Ordinance.

4. No rent control ordinance or other pricing restriction shall be applicable to either the market units or the affordable units in any development in which at least 15 percent of the total number of dwelling units are restricted rental units in compliance with this Ordinance.

Section 16. Tenant Income Eligibility

1. Tenant income eligibility shall be in accordance with N.J.A.C. 5:80-26.13, as may be amended and supplemented, and shall be determined as follows:
 - a. Very low-income rental units shall be reserved for households with a gross household income less than or equal to 30 percent of median income.
 - b. Low-income rental units shall be reserved for households with a gross household income less than or equal to 50 percent of median income.
 - c. Moderate-income rental units shall be reserved for households with a gross household income less than 80 percent of median income.
2. The Administrative Agent shall certify a household as eligible for a restricted rental unit when the household is a very low-income household, low-income household or a moderate-income household, as applicable to the unit, and the rent proposed for the unit does not exceed 35 percent (40 percent for age-restricted units) of the household's eligible monthly income as determined pursuant to N.J.A.C. 5:80-26.16, as may be amended and supplemented; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:
 - a. The household currently pays more than 35 percent (40 percent for households eligible for age-restricted units) of its gross household income for rent, and the proposed rent will reduce its housing costs;
 - b. The household has consistently paid more than 35 percent (40 percent for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;
 - c. The household is currently in substandard or overcrowded living conditions;
 - d. The household documents the existence of assets with which the household proposes to supplement the rent payments; or
 - e. The household documents reliable anticipated third-party assistance from an outside source such as a family member in a form acceptable to the Administrative Agent and the owner of the unit.

3. The applicant shall file documentation sufficient to establish the existence of the circumstances in 1.a. through 2.e. above with the Administrative Agent, who shall counsel the household on budgeting.

Section 17. Municipal Housing Liaison

1. The Township of Little Falls shall appoint a specific municipal employee to serve as a Municipal Housing Liaison responsible for administering the affordable housing program, including affordability controls, the Affirmative Marketing Plan, monitoring and reporting, and, where applicable, supervising any contracted Administrative Agent. Little Falls shall adopt an Ordinance creating the position of Municipal Housing Liaison. Little Falls shall adopt a Resolution appointing a Municipal Housing Liaison. The Municipal Housing Liaison shall be appointed by the governing body and may be a full or part time municipal employee. The Municipal Housing Liaison shall be approved by the Court and shall be duly qualified through a training program sponsored by Affordable Housing Professionals of New Jersey before assuming the duties of Municipal Housing Liaison.
2. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for Little Falls, including the following responsibilities which may not be contracted out to the Administrative Agent:
 - a. Serving as Little Falls' primary point of contact for all inquiries from the State, affordable housing providers, Administrative Agents and interested households;
 - b. Monitoring the status of all restricted units in Little Falls' Fair Share Plan;
 - c. Compiling, verifying and submitting annual monitoring reports as may be required by the Court;
 - d. Coordinating meetings with affordable housing providers and Administrative Agents, as needed; and
 - e. Attending continuing education opportunities on affordability controls, compliance monitoring and affirmative marketing at least annually and more often as needed.
3. Subject to the approval of the Court, the Township of Little Falls shall designate one or more Administrative Agent(s) to administer newly constructed affordable units in accordance with UHAC. An Operating Manual for each affordable housing program shall be provided by the Administrative Agent(s) to be adopted by resolution of the governing body and subject to approval of the Court. The Operating Manual(s) shall be available for public inspection in the office of the Township Clerk, in the office of the Municipal Housing Liaison, and in the office(s) of the Administrative Agent(s). The Municipal Housing Liaison shall supervise the contracting Administrative Agent(s).

Section 18. Administrative Agent

The Administrative Agent shall be an independent entity serving under contract to and reporting to the municipality. For new sale and rental developments, all of the fees of the Administrative Agent shall be paid by the owners of the affordable units for which the services of the Administrative Agent are required. For resales, single family homeowners and condominium homeowners shall be required to pay three percent of the sales price for services provided by the Administrative Agent related to the resale of their homes. That fee shall be collected at closing and paid directly to the Administrative Agent. The Administrative Agent shall perform the duties and responsibilities of an Administrative Agent as set forth in UHAC, including those set forth in Sections 5:80-26.14, 16 and 18 thereof, which include:

1. Affirmative Marketing:

- a. Conducting an outreach process to affirmatively market affordable housing units in accordance with the Affirmative Marketing Plan of the Township of Little Falls and the provisions of N.J.A.C. 5:80-26.15; and
- b. Providing counseling or contracting to provide counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.

2. Household Certification:

- a. Soliciting, scheduling, conducting and following up on interviews with interested households;
- b. Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;
- c. Providing written notification to each applicant as to the determination of eligibility or non-eligibility;
- d. Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in Appendices J and K of N.J.A.C. 5:80-26.1 et seq.;
- e. Creating and maintaining a referral list of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are located; and
- f. Employing a random selection process as provided in the Affirmative Marketing Plan of the Township of Little Falls when referring households for certification to affordable units.

3. Affordability Controls:

- a. Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for recording at the time of conveyance of title of each restricted unit;
- b. Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded mortgage and note, as appropriate;
- c. Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and properly filed with the Passaic County Register of Deeds or County Clerk's office after the termination of the affordability controls for each restricted unit;
- d. Communicating with lenders regarding foreclosures; and
- e. Ensuring the issuance of Continuing Certificates of Occupancy or certifications pursuant to N.J.A.C. 5:80-26.10.

4. Resales and Rerentals:

- a. Instituting and maintaining an effective means of communicating information between owners and the Administrative Agent regarding the availability of restricted units for resale or rental; and
- b. Instituting and maintaining an effective means of communicating information to low- and moderate-income households regarding the availability of restricted units for resale or rental.

5. Processing Requests from Unit Owners:

- a. Reviewing and approving requests for determination from owners of restricted units who wish to take out home equity loans or refinance during the term of their ownership that the amount of indebtedness to be incurred will not violate the terms of this Ordinance;
- b. Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the depreciated cost of central air conditioning systems;
- c. Notifying the municipality of an owner's intent to sell a restricted unit; and
- d. Making determinations on requests by owners of restricted units for hardship waivers.

6. Enforcement:

- a. Securing annually from the municipality a list of all affordable housing units for which tax bills are mailed to absentee owners, and notifying all such owners that they must either move back to their unit or sell it;
 - b. Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the Administrative Agent;
 - c. The posting annually in all rental properties, including two-family homes, of a notice as to the maximum permitted rent together with the telephone number of the Administrative Agent where complaints of excess rent or other charges can be made;
 - d. Sending annual mailings to all owners of affordable dwelling units, reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.18(d)4;
 - e. Establishing a program for diverting unlawful rent payments to the municipality's Affordable Housing Trust Fund; and
 - f. Creating and publishing a written operating manual for each affordable housing program administered by the Administrative Agent, to be approved by the Township Council and the Court, setting forth procedures for administering the affordability controls.
7. Additional Responsibilities:
- a. The Administrative Agent shall have the authority to take all actions necessary and appropriate to carry out its responsibilities hereunder.
 - b. The Administrative Agent shall prepare monitoring reports for submission to the Municipal Housing Liaison in time to meet any monitoring requirements and deadlines imposed by the Court.
 - c. The Administrative Agent shall attend continuing education sessions on affordability controls, compliance monitoring, and affirmative marketing at least annually and more often as needed.

Section 19. Affirmative Marketing Requirements

- 1. The Township of Little Falls shall adopt by resolution an Affirmative Marketing Plan, subject to approval of the Court, that is compliant with N.J.A.C. 5:80-26.15, as may be amended and supplemented.
- 2. The 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, sponsor or owner 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 marketing activities toward Housing Region 2 and is required to be followed throughout the period of restriction.

3. The Affirmative Marketing Plan shall provide a regional preference for all households that live and/or work in Housing Region 3, comprised of Passaic, Hunterdon and Somerset Counties.
4. The municipality has the ultimate responsibility for adopting the Affirmative Marketing Plan and for the proper administration of the Affirmative Marketing Program, including initial sales and rentals and resales and rerentals. The Administrative Agent designated by the Township of Little Falls shall implement the Affirmative Marketing Plan to assure the affirmative marketing of all affordable units.
5. In implementing the Affirmative Marketing Plan, the Administrative Agent shall provide a list of counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
6. The Affirmative Marketing Plan shall describe the media to be used in advertising and publicizing the availability of housing. In implementing the Affirmative Marketing Plan, the Administrative Agent shall consider the use of language translations where appropriate.
7. The affirmative marketing process for available affordable units shall begin at least four months (120 days) prior to the expected date of occupancy.
8. Applications for affordable housing shall be available in several locations, including, at a minimum, the County Administration Building and/or the County Library for each county within the housing region; the municipal administration building and the municipal library in the municipality in which the units are located; and the developer's rental office. Pre-applications shall be emailed or mailed to prospective applicants upon request.
9. The costs of advertising and affirmative marketing of the affordable units shall be the responsibility of the developer, sponsor or owner.

Section 20. Enforcement of Affordable Housing Regulations

1. Upon the occurrence of a breach of any of the regulations governing the affordable unit by an Owner, Developer or Tenant, the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, tenant eviction, a requirement for household recertification, acceleration of all sums due under a mortgage, recuperation of any funds from a sale in violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.
2. After providing written notice of a violation to an Owner, Developer or Tenant of a low- or moderate-income unit and advising the Owner, Developer or Tenant of the penalties for such

violations, the municipality may take the following action(s) against the Owner, Developer or Tenant for any violation that remains uncured for a period of 60 days after service of the written notice:

- a. The municipality may file a court action pursuant to N.J.S.A. 2A:58-11 alleging a violation or violations of the regulations governing the affordable housing unit. If the Owner, Developer or Tenant is adjudged by the Court to have violated any provision of the regulations governing affordable housing units the Owner, Developer or Tenant shall be subject to one or more of the following penalties, at the discretion of the Court:
 - 1) A fine of not more than \$500.00 per day or imprisonment for a period not to exceed 90 days, or both, provided that each and every day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not a continuation of the initial offense;
 - 2) In the case of an Owner who has rented a low- or moderate-income unit in violation of the regulations governing affordable housing units, payment into the Township of Little Falls Affordable Housing Trust Fund of the gross amount of rent illegally collected;
 - 3) In the case of an Owner who has rented a low- or moderate-income unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's reasonable relocation costs, as determined by the Court.
- b. The municipality may file a court action in the Superior Court seeking a judgment that would result in the termination of the Owner's equity or other interest in the unit, in the nature of a mortgage foreclosure. Any such judgment shall be enforceable as if the same were a judgment of default of the First Purchase Money Mortgage and shall constitute a lien against the low- or moderate-income unit.
 - 1) The judgment shall be enforceable, at the option of the municipality, by means of an execution sale by the Sheriff, at which time the low- and moderate-income unit of the violating Owner shall be sold at a sale price which is not less than the amount necessary to fully satisfy and pay off any First Purchase Money Mortgage and prior liens and the costs of the enforcement proceedings incurred by the municipality, including attorney's fees. The violating Owner shall have his right to possession terminated as well as his title conveyed pursuant to the Sheriff's sale.
 - 2) The proceeds of the Sheriff's sale shall first be applied to satisfy the First Purchase Money Mortgage lien and any prior liens upon the low- and moderate-income unit. The excess, if any, shall be applied to reimburse the municipality for any and all costs and expenses incurred in connection with either the court action resulting in the judgment of violation or the Sheriff's sale. In the event that the proceeds from the Sheriff's sale are insufficient to reimburse the municipality in

full as aforesaid, the violating Owner shall be personally responsible for the full extent of such deficiency, in addition to any and all costs incurred by the municipality in connection with collecting such deficiency. In the event that a surplus remains after satisfying all of the above, such surplus, if any, shall be placed in escrow by the municipality for the Owner and shall be held in such escrow for a maximum period of two years or until such earlier time as the Owner shall make a claim with the municipality for such. Failure of the Owner to claim such balance within the two-year period shall automatically result in a forfeiture of such balance to the municipality. Any interest accrued or earned on such balance while being held in escrow shall belong to and shall be paid to the municipality, whether such balance shall be paid to the Owner or forfeited to the municipality.

- 3) Foreclosure by the municipality due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as the same apply to the low- and moderate-income unit. Title shall be conveyed to the purchaser at the Sheriff's sale, subject to the restrictions and provisions of the regulations governing the affordable housing unit. The Owner determined to be in violation of the provisions of this plan and from whom title and possession were taken by means of the Sheriff's sale shall not be entitled to any right of redemption.
- 4) If there are no bidders at the Sheriff's sale, or if insufficient amounts are bid to satisfy the First Purchase Money Mortgage and any prior liens, the municipality may acquire title to the low- and moderate-income unit by satisfying the First Purchase Money Mortgage and any prior liens and crediting the violating owner with an amount equal to the difference between the First Purchase Money Mortgage and any prior liens and costs of the enforcement proceedings, including legal fees and the maximum resale price for which the low- and moderate-income unit could have been sold under the terms of the regulations governing affordable housing units. This excess shall be treated in the same manner as the excess which would have been realized from an actual sale as previously described.
- 5) Failure of the low- and moderate-income unit to be either sold at the Sheriff's sale or acquired by the municipality shall obligate the Owner to accept an offer to purchase from any qualified purchaser which may be referred to the Owner by the municipality, with such offer to purchase being equal to the maximum resale price of the low- and moderate-income unit as permitted by the regulations governing affordable housing units.
- 6) The Owner shall remain fully obligated, responsible and liable for complying with the terms and restrictions of governing affordable housing units until such time as title is conveyed from the Owner.

Section 21. Appeals

Appeals from all decisions of an Administrative Agent appointed pursuant to this Ordinance shall be filed in writing with the Court.

Section 22. Reporting and Monitoring Requirements

1. On the first anniversary of the entry of the Order granting the Township a Final Judgment of Compliance and Repose, and every anniversary thereafter, through the end of the Repose period, the Township shall provide annual reporting of its Affordable Housing Trust Fund activity to the New Jersey Department of Community Affairs, Council on Affordable Housing or Local Government Services, or such other entity designated by the State of New Jersey, with copies provided to Fair Share Housing Center and the Intervenor in *IMO Application of the Township of Little Falls*, Docket No.: PAS-L-2348-15, and posted on the municipal website, using forms developed for this purpose by the New Jersey Department of Community Affairs, Council on Affordable Housing or Local Government Services. The reporting shall include an accounting of all Affordable Housing Trust Fund activity, including the source and amount of funds collected and the amount and purpose for which any funds have been expended.
2. On the first anniversary of the entry of the Order granting the Township a Final Judgment of Compliance and Repose, and every anniversary thereafter, through the end of the Repose period, the Township shall provide annual reporting of the status of all affordable housing activity within the Township through posting on the Township website with copies provided to Fair Share Housing Center and the Intervenor in *IMO Application of the Township of Little Falls*, Docket No.: PAS-L-2348-15, using forms previously developed for this purpose by the Council on Affordable Housing or any other forms endorsed by the Court-appointed Special Master and Fair Share Housing Center.
3. For the midpoint realistic opportunity review due on July 1, 2020, as required pursuant to N.J.S.A. 52:27D-313, the Township shall post on its Township website, with copies provided to Fair Share Housing Center and the Intervenor in *IMO Application of the Township of Little Falls*, Docket No.: PAS-L-2348-15, a status report as to its implementation of its Plan and an analysis of whether any unbuilt sites or unfulfilled mechanisms continue to present a realistic opportunity. Such posting shall invite any interested party to submit comments to the Township, with copies provided to Fair Share Housing Center and the Intervenor in *IMO Application of the Township of Little Falls*, Docket No.: PAS-L-2348-15, regarding whether any sites no longer present a realistic opportunity and should be replaced. Any interested party may, by motion, request a hearing before the Court regarding these issues.
4. For the review of very low income housing requirements required by N.J.S.A. 52:27D-329.1, within 30 days of the third anniversary of the entry of the Order granting the Township a Final Judgment of Compliance and Repose, and every third year thereafter, the Township shall post on its Township website, with copies provided to Fair Share Housing Center and the Intervenor in *IMO Application of the Township of Little Falls*, Docket No.: PAS-L-

2348-15, a status report as to its satisfaction of its very low income requirements, including the family very low income requirements referenced herein. Such posting shall invite any interested party to submit comments to the Township with copies provided to Fair Share Housing Center and the Intervenor in *IMO Application of the Township of Little Falls*, Docket No.: PAS-L-2348-15, on the issue of whether the municipality has complied with its very low income housing obligation.

REPEALER

All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SEVERABILITY

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

EFFECTIVE DATE

This Ordinance shall take effect upon passage and publication as provided by law.

ATTEST:

TOWNSHIP OF LITTLE FALLS

Township Clerk

_____, Mayor

APPENDIX H

PROPOSED DEVELOPMENT FEE ORDINANCE



Ordinance No.

**AN ORDINANCE REPLACING AND SUPERSEDING CHAPTER 57 OF THE
MUNICIPAL CODE OF THE TOWNSHIP OF LITTLE FALLS IN ITS ENTIRETY
REGARDING THE TOWNSHIP'S AFFORDABLE HOUSING DEVELOPMENT FEES**

BE IT ORDAINED by the governing body of the Township of Little Falls, Passaic County, New Jersey, that Chapter 57 of the Municipal Code of the Township of Little Falls, is hereby replaced and superseded in its entirety, with this Ordinance, to address the Township's Affordable Housing Development Fee requirements. This Ordinance shall apply except where inconsistent with applicable law.

57-1.1 Findings and Purpose.

- a. In Holmdel Builder's Ass'n 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 was 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 a Court of competent jurisdiction and have an approved spending plan may retain fees collected from non-residential development.
- c. This ordinance 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 ordinance shall be used for the sole purpose of providing low- and moderate- income housing. This ordinance shall be interpreted within the framework of COAH's prior round rules on development fees, codified at N.J.A.C. 5:93-8. and 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).

57-1.2 Basic Requirements

- a. This ordinance shall not be effective until approved by the Court.
- b. The Township of Little Falls shall not spend development fees until the Court has approved a plan for spending such fees in conformance with N.J.A.C. 5:93-5.1(c).

57-1.3 Definitions.

The following terms, as used in this ordinance, shall have the following meanings:

"Affordable housing development" means 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 100 percent affordable development.

"COAH" or the "Council" means the New Jersey Council on Affordable Housing established under the Fair Housing Act.

"Development fee" means money paid by a developer for the improvement of property as permitted in N.J.A.C. 5:93-8.

"Developer" means 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.

"Equalized assessed value" means 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" means 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.

57-1.4 Residential Development Fees.

a. Imposed Fees

1. Within all zoning district(s), residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of one 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 units to be constructed on a site that was zoned for two units, the fees could equal one and one-half (1.5%) percent of the equalized assessed value on the first two units; and the specified higher percentage up to six percent of the equalized assessed value for the two additional units, provided zoning on the site has not changed during the two-year period preceding the filing of such a variance application.

3. Eligible exactions, ineligible exactions, and exemptions for residential development.
 - i. 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.
 - ii. 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.
 - iii. Development fees shall be imposed and collected when an existing structure **undergoes a change to a more intense use, is demolished and replaced, unless the owner resided in the** previous dwelling for a period of one year or more prior to obtaining a demolition permit, or is expanded, if the expansion is not otherwise exempt from the development fee requirement. The development fee shall be calculated on the increase in the equalized assessed value of the improved or replaced structure **as compared to the previous structure.**
 - iv. Homes replaced as a result of a natural disaster (such as a fire or flood) shall be exempt from the payment of a development fee.

57-1.5 Non-Residential Development Fees.

1. Imposed Fees.

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

- ii. Non-residential developers, except for developers of the types of development specifically exempted below, shall also pay a fee equal to two and one-half percent (2.5%) of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.
 - iii. Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of two and a half percent (2.5%) 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. made an improvement, at the time final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the non-residential development fee shall be zero.
2. Eligible exactions, ineligible exactions, and exemptions for non-residential development.
- i. **The non-residential portion of a mixed-use inclusionary or market rate development shall be subject to the two and a half percent (2.5%) development fee, unless otherwise exempted below.**
 - ii. **The 2.5 percent fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within the existing footprint, reconstruction, renovations and repairs.**
 - iii. Non-residential 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.
 - iv. A developer of a non-residential development exempted from the non-residential 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 non-residential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the **non-residential development, whichever is later.**
 - v. If a property which was exempted from the collection of a non-residential 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 45 days of the termination of the property tax exemption. Unpaid non-residential development fees

under these circumstances may be enforceable by the Township of Little Falls as a lien against the real property of the owner.

57-1.6 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 non-residential 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 non-residential development shall complete Form N-RDF as per the instructions provided. The construction official shall verify the information submitted by the non-residential developer as per the instructions provided in the Form N-RDF. **The Tax assessor shall verify exemptions and prepare estimated and 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 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 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 Township of Little Falls fail to determine or notify the developer of the amount of the development fee within 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. Except as provided in Section 57-1.5a.3. above, 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 Township of Little Falls. 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 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 non-residential 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 45 days of receipt of the challenge, collected fees shall be placed in an interest bearing escrow account by the Township of Little Falls. 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 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

57-1.7 Affordable Housing Trust Fund.

- a. There is hereby created a separate, interest-bearing housing trust fund to be maintained by the Township of Little Falls Chief Financial Officer for the purpose of depositing development fees collected from residential and non-residential 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 percent (10%) 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 Township of Little Falls' affordable housing program.
- c. Within seven days from the opening of the trust fund account, the Township of Little Falls shall provide the State of New Jersey, Department of Community Affairs, Division of Local Government Services with **written authorization, in the form of a three-party escrow agreement** between the municipality, the bank, and NJDCA-LGS to permit NJDCA-LGS to direct the disbursement of the funds as provided for in N.J.A.C. 5:93-8.15, 8.18 and 8.19. This requirement shall be deemed to have been satisfied by a previously executed three-party escrow agreement with COAH, provided the bank remains the same **as in the original agreement.**

- d. All interest accrued in the housing trust fund shall only be used on eligible housing activities approved by the Court.

57-1.8 Use of Funds.

- a. The expenditure of all funds shall conform to a spending plan approved by the Court. Funds deposited in the housing trust fund may be used for any activity approved by the Court to address the Township of Little Falls' 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 non-residential 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. 5:93-8.16 and specified in the approved spending plan.
- b. Funds shall not be expended to reimburse the Township of Little Falls for past housing activities.
- c. At least 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 of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 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 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 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 Township of Little Falls 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.
- e. No more than 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 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 the reporting and monitoring requirements that have been approved by the Court. Legal or other fees related to litigation opposing affordable housing sites or objecting to or appealing Court's approval of Little Falls' Housing Element and Fair Share Plan are not eligible uses of the affordable housing trust fund.

57-1.9 Monitoring.

On an annual basis commencing with the first anniversary of the entry of the Order granting a Final Judgment of Compliance and Repose to Little Falls, the Township of Little Falls shall report all activity in connection with its Affordable Housing Trust Fund to the New Jersey Department of Community Affairs (either the Division of Local Government Services or the Council on Affordable Housing (COAH), whichever entity is designated by the State of New Jersey), with a copy provided to Fair Share Housing Center and to the Intervenor/Defendants IMO the Application of the Township of Little Falls for a Final Judgment of Compliance and Repose of its Obligations Under the Fair Housing Act and Approval of its Amended Spending Plan, Docket No.: PAS-L-2348-15, and with a posting of same on the municipal website, using forms previously developed for this purpose by COAH. The reporting shall include all sources and amounts collected/earned and the amounts and purposes for which funds have been expended.

57-1.10 Ongoing Collection of Fees.

- a. The ability for the Township of Little Falls to impose, collect and expend development fees shall expire with its Judgment of Compliance and Repose unless the Township of Little Falls has filed an adopted Housing Element and Fair Share Plan with the Court or with COAH or its successor agency designated by the State of New Jersey, has petitioned for a Judgment of Compliance and Repose or substantive certification, and has received the Court's or COAH's approval of its development fee ordinance. If the Township of Little Falls fails to renew its ability to impose and collect development fees prior to the expiration of its Judgment of Compliance and Repose, 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 Township of Little Falls shall not impose a residential development fee on a development that receives preliminary or final site plan approval after the expiration of its Judgment of Compliance and Repose, nor shall the Township of Little Falls retroactively impose a development fee on such a development. The Township of Little Falls shall not expend development fees after the expiration of its Judgment of Compliance and Repose.

- b. It is the intent of the Township Council to incorporate the additions, amendments and/or supplements contained in this Ordinance into the Code.
- c. **If any section, paragraph, subdivision, clause, sentence, phrase or provision of this Ordinance is declared** unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.
- d. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.
- e. This Ordinance shall take effect after twenty (20) days of its final passage by the Township Council, upon approval by the Mayor and publication as required by law.



APPENDIX I
PROPOSED ZONING ORDINANCES



AFFORDABLE MULTI-FAMILY ZONE (AMF)

Purpose.

The purpose of the AMF Zone is to create an opportunity for the construction of low- and moderate-income in the Township of Little Falls and thereby address the unmet-need portion of the fair share housing obligation of the Township of Little Falls under the New Jersey Fair Housing Act.

Geographic scope.

The AMF Zone is identified by the following properties: Block 251, Lots 1-8, the unimproved portions of Lot 10-11, all of Lot 14 and the unimproved portions of Lot 16, as they appear on the Township's official Tax Map.

Permitted uses and structures.

In the Affordable Multi-Family Zone (AMF),^[1] no lot, plot, parcel or tract of land shall be built on altered or have a structure erected and used for any purpose other than that of:

A. Multiple-family residential units

[1]: Editor's Note: See also the Schedule of Use, Area and Bulk Regulations included as an attachment to this chapter.

Permitted Accessory Uses.

- A. Accessory uses for low- and moderate-income housing and multi-family dwellings shall permit and may include the following:
 - (1) Public utilities and essentials services.
 - (2) Fences subject to the provisions of § 280-163 through § 280-167.
 - (3) Accessory surface parking.
 - (4) A sign identifying the multiple-family residential development and located at the entrance or entrances to such developments. The size, design, location, landscaping and maintenance of such sign or signs shall be in accordance with the requirements of Article XX, Signs, of this chapter and the specifications and conditions of the Planning Board.
 - (5) Retention and detention drainage facilities.

Low- and moderate-income housing requirements.

- A. The residentially zoned properties shall be permitted to be developed at a maximum gross density of thirty-five units per acre. Said development shall consist of multi-family residential.
- B. Twenty percent (20%) of the total number of units constructed within the AMF Zone shall be affordable to low- and moderate-income households. When calculating the required number of affordable units, any computation resulting in a fraction of less than 0.5 shall be rounded down; any computation resulting in a fraction of 0.5 or greater shall be rounded up; provided, however, that a minimum of one affordable unit shall be required as part of any project constructed within the AMF Zone.
- C. The housing units set aside for low- and moderate-income households shall be constructed, marketed, and rented or sold in accordance with applicable COAH regulations (or any other

applicable state regulations adopted to implement the requirements of the New Jersey Fair Housing Act), including;

- (1) Affordability;
- (2) Occupant eligibility;
- (3) Proportion of low-income units and moderate-income units;
- (4) Resale price controls;
- (5) Handicapped adaptability and accessibility;
- (6) Bedroom mix; and
- (7) Affirmative marketing.

Bulk standards.

The applicable bulk standards are as follows and also appear on the Township of Little Falls Bulk Schedule Table: ^[1]

- A. Min Lot area: 280,000 square feet.
- B. Min Lot width: 110 feet.
 - (1) Where frontage is along Oak Hill Road, located in the City of Clifton.
- C. Lot depth: 110 feet.
- D. Front yard: 15 feet.
- E. Side yard: 15 feet.
 - (1) Where the side yard setback shall be determined by using the existing private right-of-way as a pseudo lot-line.
- F. Rear yard: 10 feet.
 - (1) Where the rear yard setback shall be determined by using the start of the existing improved area as a pseudo lot-line.
- G. Maximum lot coverage: 70%
- H. Maximum height. 4 stories/50 feet.
- I. Minimum dwelling size: one-bedroom, 880 square feet; two-bedroom, 1,100 square feet.

[1]: Editor's Note: The Schedule of Use, Area and Bulk Regulations is included as an attachment to this chapter.

Buffer required.

A landscaped buffer a minimum of 15 feet in width and eight feet in height at planting shall be provided for any development permitted in this Affordable Multi-Family District which is adjacent to a residential use. Said buffer shall be subject to review and approval by the Planning Board/Zoning Board pursuant to site plan review.

- (1) No use or structure, including parking or loading areas, shall be permitted within the required buffer area, but the Planning Board may, upon a finding of reasons therefor, permit a portion of a buffer area to be used for utility easements or streets to ensure access to or from adjacent property, and the Board may also permit a portion of a buffer area to be used for detention or retention basin, provided that the basin is designed as a landscaping feature, and further provided that the landscaping plan for the buffer area is determined by the Planning Board to meet the objective of a buffer area.

PARKING

1. Parking may be provided as both surface parking and garage spaces.
2. All required parking must be provided on site.
3. Parking is prohibited in any required front yard setback.
4. Parking shall be located to the rear of a building and/or the interior of the site where its visual impact to adjacent properties and the public right-of-way will be minimized. Parking is prohibited in any front yard.
5. The minimum setback from a building to a parking area or paved area shall be five (10) feet.
6. Adequate fire and emergency access must be provided subject to the little Falls Fire Dept.
7. Parking spaces are to be a minimum of nine feet by eighteen (9x18) feet.
8. One-car garage spaces shall be a minimum of ten (10) feet wide and a maximum width of twelve (12) feet.
9. On-site parking shall not be provided for any use or to any party other than a resident of the site, nor shall parking areas be used for any purpose other than parking.
10. Required parking.
 - a. Apartment uses: Shall adhere to the standards in the Residential Site Improvement Standards.
 - b. Signage shall be provided where parking spaces are to be reserved for residents and/or for areas used for visitor parking.

Site plan review.

All of the foregoing shall be subject to site plan review.

ARTICLE IXA
MDR-Medium Density Residential Zone¹
[Added 12-22-2008 by Ord. No. 1058; amended 6-8-2009 by Ord. No. 1064;
11-8-2010 by Ord. No. 1108]

§ 280-73.1. Purpose.

The purpose of the MDR Zone is to create an opportunity for the construction of low- and moderate-income housing in the Township of Little Falls and thereby address the unmet-need portion of the fair share housing obligation of the Township of Little Falls under the New Jersey Fair Housing Act.

§ 280-73.2. Geographic scope.

The MDR Zone is specific for the property identified by Block 185, Lot 5, as it appears on the Township's official Tax Map.

§ 280-73.3. Permitted uses and structures.

In the Medium Density Residential Zone (MDR),² no lot, plot, parcel or tract of land shall be built on altered or have a structure erected and used for any purpose other than that of:

- A. Multiple-family residential units with self-contained parking located on the ground floor.
- B. Accessory surface parking.
- C. A sign identifying the multiple-family residential development and located at the entrance or entrances to such developments. The size, design, location, landscaping and maintenance of such sign or signs shall be in accordance with the requirements of Article XX, Signs, of this chapter and the specifications and conditions of the Planning Board. [Amended 6-9-2014 by Ord. No. 1194]

§ 280-73.4. Low- and moderate-income housing requirements. [Amended 6-9-2014 by Ord. No. 1194]

- A. Twenty percent of the total number of units constructed within the MDR Zone shall be affordable to low- and moderate-income households. When calculating the required number of affordable units, any computation resulting in a fraction of less than 0.5 shall be rounded down; any computation resulting in a fraction of 0.5 or greater shall be rounded up; provided, however, that a minimum of one affordable unit shall be required as part of any project constructed within the MDR Zone.

1. Editor's Note: This article was originally adopted as Article XXVIII, but was redesignated Article IXA, to fit into the organization of the Code.

2. Editor's Note: See also the Schedule of Use, Area and Bulk Regulations included as an attachment to this chapter.

- B. The housing units set aside for low- and moderate-income households shall be constructed, marketed, and rented or sold in accordance with applicable COAH regulations (or any other applicable state regulations adopted to implement the requirements of the New Jersey Fair Housing Act), including;
- (1) Affordability;
 - (2) Occupant eligibility;
 - (3) Proportion of low-income units and moderate-income units;
 - (4) Resale price controls;
 - (5) Handicapped adaptability and accessibility;
 - (6) Bedroom mix; and
 - (7) Affirmative marketing.

§ 280-73.5. Bulk standards.

The applicable bulk standards are as follows and also appear on the Township of Little Falls Bulk Schedule Table:³

- A. Lot area: 34,000 square feet. **[Amended 6-9-2014 by Ord. No. 1194]**
- B. Lot width: 185 feet.
- C. Lot depth: 185 feet.
- D. Front yard: 25 feet.
- E. Side yard: 25 feet.
- F. Rear yard: 10 feet.
- G. Maximum coverage: 60% (35% building).
- H. Maximum height: three stories/38 feet.
- I. Minimum dwelling size: one-bedroom, 880 square feet; two-bedroom, 1,200 square feet.

§ 280-73.6. Buffer required.

A landscaped buffer a minimum of 15 feet in width and eight feet in height at planting shall be provided for any development permitted in this Medium Density Residential District which is adjacent to a single-family residential use. Said buffer shall be subject to review and approval by the Planning Board/Zoning Board pursuant to site plan review.

3. Editor's Note: The Schedule of Use, Area and Bulk Regulations is included as an attachment to this chapter.

§ 280-73.7

§ 280-73.7

§ 280-73.7. Site plan review.

All of the foregoing shall be subject to site plan review.

ZONING

280 Attachment 7

Township of Little Falls Schedule of Use, Area and Bulk Regulations MDR-Medium Density Residential Zone [Amended 6-8-2009 by Ord. No. 1064; 6-9-2014 by Ord. No. 1194]

Principal Permitted Uses	Accessory Uses	Max Density (u/ac)	Min. Lot		Depth (ft.)	Min. Required Yards				Max Bldg. Height (stories s/ft.)	Max Cvg.	Min. Dwelling Sizes (sq. ft.)	
			Area (sq. ft.)	Width (ft.)		Front (ft.)	Side (ft.)	Rear (ft.)	Corner (ft.)			Type Apt.	Usable Floor Area
Midrise apartments with self-contained parking on ground floor	Surface parking; signs to identify midrise apartment development located at entrance or entrances to development	18	34,000	185	185	25	25	10	10	3/38	60% (35% building)	1 bedrm	880
												2 bedrm	1,200

MULTI-FAMILY/SENIOR ZONE (MF/S)

Purpose.

The purpose of the MFS Zone is to create an opportunity for the construction of low- and moderate-income and senior housing in the Township of Little Falls and thereby address the unmet-need portion of the fair share housing obligation of the Township of Little Falls under the New Jersey Fair Housing Act.

Geographic scope.

The MFS Zone is identified by the following properties: Block 168, Lots 35-41, Lots 46-63, and Lots 65-72, as they appear on the Township's official Tax Map.

Permitted uses and structures.

In the Multi-Family/Senior Zone (MFS),^[1] no lot, plot, parcel or tract of land shall be built on altered or have a structure erected and used for any purpose other than that of:

- A. Multiple-family residential units
- B. Senior housing with a minimum age for at least one occupant of 55 years.

Permitted uses, however, may be developed with more than one building. Senior residences must be developed in a separate building from any multifamily dwellings.

[1]: Editor's Note: See also the Schedule of Use, Area and Bulk Regulations included as an attachment to this chapter.

Permitted Accessory Uses.

- A. Accessory uses for low- and moderate-income housing and multi-family dwellings shall permit and may include the following:
 - (1) Public utilities and essentials services.
 - (2) Fences subject to the provisions of § 280-163 through § 280-167.
 - (3) Accessory surface parking.
 - (4) A sign identifying the multiple-family residential development and located at the entrance or entrances to such developments. The size, design, location, landscaping and maintenance of such sign or signs shall be in accordance with the requirements of Article XX, Signs, of this chapter and the specifications and conditions of the Planning Board.
 - (5) Retention and detention drainage facilities.
- B. Accessory uses for senior housing shall permit and may include:
 - (1) Off-street parking and loading.
 - (2) Public utilities and essential services.
 - (3) Fences subject to the provisions of § 280-163 through § 280-167.
 - (4) Indoor and outdoor recreation areas for residents for the facility and their guests.
 - (5) Indoor common laundry facilities for use by residents and staff.
 - (6) A sign identifying the senior housing development, and located at the entrance or entrances to such developments. The size, design, location, landscaping and

maintenance of such sign or signs shall be in accordance with the requirements of Article XX, Signs, of this chapter and the specifications and conditions of the Planning Board.

(7) Retention and detention drainage facilities.

Low- and moderate-income housing requirements.

- A. The residentially zoned properties shall be permitted to be developed at a maximum gross density of thirty units per acre. Said development shall consist of multi-family residential and senior housing facilities where the senior facility will have no more than ten units total on the site.
- B. Twenty percent (20%) of the total number of units constructed within the MFS Zone shall be affordable to low- and moderate-income households. When calculating the required number of affordable units, any computation resulting in a fraction of less than 0.5 shall be rounded down; any computation resulting in a fraction of 0.5 or greater shall be rounded up; provided, however, that a minimum of one affordable unit shall be required as part of any project constructed within the MFS Zone.
- C. Rooms. Each apartment unit in each apartment building shall contain separate bedroom, separate bathroom and separate kitchen/dining facilities. This provision shall not be interpreted to preclude efficiency apartments.

Bulk standards.

The applicable bulk standards are as follows and also appear on the Township of Little Falls Bulk Schedule Table: ^[1]

- A. Min Lot area: 79,000 square feet.
- B. Min Lot width: 325 feet.
- C. Lot depth: 200 feet.
- D. Front yard: 25 feet.
- E. Side yard: 25 feet.
- F. Rear yard: 25 feet.
- G. Maximum building coverage: 40%
- H. Maximum Impervious coverage: 75%
- I. Maximum height.
 - a. Multi-Family: 3 stories/40 feet
 - b. Senior Housing: 3 stories/40 feet
- J. Distance between buildings: The minimum distance between buildings shall be 50 feet, except that the side to side minimum distance between buildings shall be twenty (25) feet.

[1]: Editor's Note: The Schedule of Use, Area and Bulk Regulations is included as an attachment to this chapter.

Buffer required.

A landscaped buffer a minimum of 15 feet in width and eight feet in height at planting shall be provided for any development permitted in this Multi-Family/Senior District which is adjacent to a single-family

residential use. Said buffer shall be subject to review and approval by the Planning Board/Zoning Board pursuant to site plan review.

- (1) No use or structure, including parking or loading areas, shall be permitted within the required buffer area, but the Planning Board may, upon a finding of reasons therefor, permit a portion of a buffer area to be used for utility easements or streets to ensure access to or from adjacent property, and the Board may also permit a portion of a buffer area to be used for detention or retention basin, provided that the basin is designed as a landscaping feature, and further provided that the landscaping plan for the buffer area is determined by the Planning Board to meet the objective of a buffer area.

Parking.

1. Parking may be provided as both surface parking and garage spaces.
2. All required parking must be provided on site.
3. Parking is prohibited in any required front yard setback.
4. Parking shall be located to the rear of a building and/or the interior of the site where its visual impact to adjacent properties and the public right-of-way will be minimized. Parking is prohibited in any front yard.
5. The minimum setback from a building to a parking area or paved area shall be ten (10) feet.
6. Adequate fire and emergency access must be provided subject to the Little Falls Fire Dept.
7. Parking spaces are to be a minimum of nine feet by eighteen (9x18) feet.
8. One-car garage spaces shall be a minimum of ten (10) feet wide and a maximum width of twelve (12) feet.
9. On-site parking shall not be provided for any use or to any party other than a resident of the site, nor shall parking areas be used for any purpose other than parking.
10. Required parking.
 - a. Apartment uses: Shall adhere to the standards in the Residential Site Improvement Standards. However in accordance with those standards, that state that alternate parking standards shall be accepted if the applicant demonstrates that these standards better reflect local conditions and factors such as household characteristics, mass transit options, urban versus suburban location, and off-street parking resources, the Planning Board may grant deviations and exceptions.
 - b. Senior Units Parking shall be required at 1.5 per unit
 - c. Signage shall be provided where parking spaces are to be reserved for residents and/or for areas used for visitor parking.

Site plan review.

All of the foregoing shall be subject to site plan review.

APPENDIX J

DRAFT REDEVELOPMENT RESOLUTION



RESOLUTION H 16-10-17 - # 8

RESOLUTION OF THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC, NEW JERSEY AUTHORIZING THE PLANNING BOARD TO INVESTIGATE WHETHER THE PROPERTY COMMONLY KNOWN AS BLOCK 77, LOTS 1, 2, 2.01, 3, 4, 5, 6, 6.02, 7, 8, 8.01, 9, 17, 18, 20, 20.01 ON THE TAX MAP OF THE TOWNSHIP SHOULD BE DESIGNATED AS AN 'AREA IN NEED OF REDEVELOPMENT' AND/OR AN 'AREA IN NEED OF REHABILITATION' PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 et seq.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment and/or rehabilitation; and

WHEREAS, to determine whether certain parcels of land constitute areas in need of redevelopment or rehabilitation under the Redevelopment Law the Township council ("Township Council") of the Township of Little Falls (the "Township") must authorize the planning board of the Township (the "Planning Board") to conduct a preliminary investigation of the area and make recommendations to the Township Council; and

WHEREAS, the Township Council believes it is in the best interest of the Township that an investigation occur with respect to certain parcels within the Township and therefore authorizes and directs the Planning Board to conduct an investigation of the property commonly known as Block 77, Lots 1, 2, 2.01, 3, 4, 5, 6, 6.02, 7, 8, 8.01, 9, 17, 18, 20, and 20.01, on the tax map of the Township (hereinafter the "Study Area"), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-14, and should be designated as an area in need of redevelopment and/or rehabilitation; and

WHEREAS, if the Planning Board determines to recommend that the Study Area should be designated as an area in need of redevelopment or rehabilitation, pursuant to the Redevelopment Law, the Township Council requests that the Planning Board also prepare a redevelopment plan for the Study Area and submit same to the Township Council for its consideration; and

WHEREAS, the redevelopment area determination requested hereunder, in connection with the Study Area, authorizes the Township and Township Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, not including the power of eminent domain (hereinafter referred to as a "Non-condemnation Redevelopment Area").

NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, NEW JERSEY AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Planning Board is hereby authorized and directed to conduct an investigation pursuant to N.J.S.A. 40A:12A-6 to determine whether the Study Area satisfies the criteria set forth in N.J.S.A. 40A:12A-5 and/or N.J.S.A. 40A:12A-14 to be designated as an area in need of redevelopment and/or rehabilitation under the Redevelopment Law.

Section 3. As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the parcels contained therein, and appended thereto shall be a statement setting forth the basis of the investigation.

Section 4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically N.J.S.A. 40A:12A-6 & 12A-14, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment or rehabilitation. The notice of the hearing shall specifically state that the redevelopment area determination shall not authorize the Township or Township Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a possible Non-condemnation Redevelopment Area.

Section 5. At the public hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area. All objections to a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

Section 6. After conducting its investigation, preparing a map of the Study Area, and conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the Township Council as to whether the Township Council should designate all or some of the Study Area as an area in need of redevelopment.

Section 7. If the Planning Board recommends the Study Area be designated as a Non-condemnation Redevelopment Area, the Planning Board is further directed to prepare a redevelopment plan for the Study Area, pursuant to Section 7(f) of the Redevelopment Law. Upon completion of the redevelopment plan, the Planning Board shall transmit the plan to the Township Council for its consideration.

Section 8. This Resolution shall take effect immediately.

APPROVED: October 17, 2016

cc: Administrator; Planner; Attorney; Planning Board; Dept.

Certified To Be A
True Copy Of The Original



Township Clerk
Little Falls, N.J. 07424

APPENDIX K
DRAFT REHABILITATION MANUAL



Home Improvement Program

Policies and Procedures Manual

Township of Little Falls

New Jersey

October 21, 2016

Prepared by:



CGPH

Community Grants, Planning & Housing

Good People. Great Results.™

101 Interchange Plaza, Suite 301

Cranbury, NJ 08512

609/664-2769 www.cgph.net

Home Improvement Program

I. INTRODUCTION.....	3
A. Fair Housing and Equal Housing Opportunities	3
II. ELIGIBLE PARTICIPANTS	4
A. Program Area	4
B. Categories of Participants	4
C. Income Limits	4
D. Application Selection	5
III. ELIGIBLE ACTIVITIES	6
A. Eligible Improvements.....	6
B. Ineligible Improvements	7
C. Rehabilitation Standards	7
D. Certifications of Substandard/Standard.....	7
IV. FUNDING TERMS FOR OWNER OCCUPIED AND INVESTOR OWNED UNITS.....	8
A. Terms and Conditions for Owner Occupied Units	8
B. Terms and Conditions on Owner-Occupied Multi-Family Rental Units.....	9
C. Terms and Conditions on Investor-Owned Multi-Family Rental Units	10
D. Special Needs Waivers	11
E. Use of Recaptured Program Funds	11
V. IMPLEMENTATION PROCESS.....	12
A. Application/Interview	12
B. Eligibility Certification	12
C. What is Considered Income	12
D. What is Not Considered Income	13
E. How to Verify Income	13
F. Additional Income Verification Procedures	15
G. Other Eligibility Requirements	15
H. Requirements of Utilities & Taxes Paid Current.....	16
I. Sufficient Equity	16
J. Eligibility Scenarios of Multi-Family Structures.....	16
K. Eligibility Certification	17

L. Housing Inspection/Substandard Certification/Work Write Up/Cost Estimate	17
M. Contractor Selection.....	17
N. Pre-Construction Conference/Contract Signing	18
O. Initiate Township Voucher	19
P. Progress Inspections	19
Q. Change Orders	20
R. Final Inspection	20
S. Payment Structure and Process	21
T. Standard Certification	22
U. Record Mortgage Documentation	22
V. File Closing	22
W. Requests for Subordination	22
VI. CONTRACTOR REQUIREMENTS AND RECRUITMENT	23
A. Marketing	23
B. Contractor Qualifications	23
VII. LEAD BASED PAINT (LBP):.....	24
VIII. RENTAL PROCEDURES:.....	24
A. Determining Initial Affordable Rents	24
B. Pricing by Household Size.....	25
C. Determining Rent Increases	25
IX. MARKETING STRATEGY	26
X. MAINTENANCE OF RECORDS AND CLIENT FILES.....	27
A. Programmatic Recording	27
B. Participant Record keeping	27
C. Reporting to DCA.....	28
D. Financial Recordkeeping	29
XI. HOUSING ADVISORY COMMITTEE AND APPEALS PROCESS.....	29
XII. CONCLUSION	29
XIII. LIST OF PROGRAM FORMS	30

Home Improvement Program

Policies & Procedures Manual

I. INTRODUCTION

The purpose of this document is to establish policies, guidelines and procedures which will govern the Home Improvement Program (HIP). The HIP was created by the Township to assist properties occupied by low and moderate income households to correct all existing interior and exterior health, safety and code violations in conformity with the standards of the New Jersey State Housing Code, N.J.A.C. 5:28 and the Rehabilitation Subcode, N.J.A.C. 5:23-6. The HIP is guided by N.J.A.C. 5:97-6.2 and is subject to all laws, regulations, ordinances, and codes of the New Jersey Department of Community Affairs (DCA) and the Township of Little Falls. The Township of Little Falls has contracted with Community Grants, Planning & Housing LLC (CGP&H), a private consulting firm specializing in the implementation of publicly-funded housing rehabilitation programs, to manage and administer the HIP. It is anticipated that initially the program's funding source will be municipal housing trust funds. If and when the funding source changes, the manual will be updated to reflect the change as well as changes to regulation requirements, if any.

A. Fair Housing and Equal Housing Opportunities

It is unlawful to discriminate against any person making application to participate in the rehabilitation program or rent a unit with regard to race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, familial status, disability, nationality, sex, gender identity or expression or source of lawful income used for mortgage or rental payments.



For more information on discrimination or if anyone feels they are a victim of discrimination, please contact the New Jersey Division on Civil Rights at 1-866-405-3050 or <http://www.state.nj.us/lps/dcr/index.html>.

Fair Housing and Equal Housing Opportunities apply to both owner and tenant applications.

II. ELIGIBLE PARTICIPANTS

A. Program area

The Home Improvement Program is a Township wide program currently aimed at scattered site housing rehabilitation of housing occupied by low and moderate income households throughout the Township of Little Falls.

B. Categories of Participants

Both owner-occupied and renter-occupied housing units are eligible to receive funding for rehabilitation if it is their primary residency, the occupants of the units are determined to be low- or moderate-income households, and the units are determined to be substandard. Owners of rental properties do not have to be low- or moderate-income households. If a structure contains two or more units and an owner, who is not income eligible, occupies one unit, funding may be provided for the rehabilitation of the rest of the units if income-eligible households occupy those units. Rents must be affordable to low- or moderate-income households.

C. Income Limits

Household income is defined as the combined annual income of all family members over 18 years of age including wages, Social Security, disability insurance, unemployment insurance, pensions, dividend/interest income, alimony, etc. Each unit's total household income must fall within the State's low and moderate income limits based on family size as follows.

Table 1: 2016 Regional Income Limits (updated annually)

Household Size	Low Income Limit	Moderate Income Limit
1	\$29,548	\$41,277
2	\$33,769	\$54,030
3	\$37,990	\$60,784
4	\$42,211	\$67,538
5	\$45,588	\$72,941
6	\$48,965	\$78,344
7	\$52,342	\$83,747
8	\$55,719	\$89,150

These income guidelines are based on median income figures determined by the New Jersey Department of Community Affairs Income Limits for **Region 1** which includes **Passaic County**. The Program Administrator will ensure that this chart is updated whenever adjustments to these income figures become available.

D. Application Selection

The program will process new applicants added to the waiting list/applicant pool on a first-come, first served basis, to qualified applicants. The goal is to have a minimum of 50% of the properties assisted comprising of low income households. The HIP will establish the waiting list from the program marketing efforts identified in Section IX of this manual.

Emergency Processing Order

Properties with safety and/or health hazards, confirmed/certified as an emergency by the municipal Construction Official or Health Department, can by-pass the first-come, first served process however they must meet all the other program requirements including bringing the unit up to code.

The Program Administrator shall determine that an emergency situation exists based on the following:

- A. The repair problem is an immediate and serious threat to the health and safety of the building's residents
- B. The problem has been inspected and the threat verified by the appropriate local building inspector and/or health official

Please note that the loan agreement will state that if the homeowner takes the emergency funds to abate the safety/health hazards and then subsequently decides to voluntarily remove themselves from participation in the Township's rehabilitation program to complete the non-emergency substandard code violation components of their project, essentially negating any opportunity for the municipality to gain credit for a fully rehabilitated home for this unit, those public funds used for the emergency may be immediately due and payable back to the Township.

III. ELIGIBLE ACTIVITIES

A. Eligible Improvements

The purpose of the program is to bring substandard housing up to code. In order to qualify for participation in the program, the condition of each home must be certifiable as being "substandard" as defined in N.J.A.C. 5:97-1.4.

In other words, at least one of the following major systems must be in need of replacement or substantial repair:

- Roof
- Plumbing (including wells)
- Heating
- Electrical
- Sanitary plumbing (including septic systems)
- Load bearing structural systems
- Lead paint abatement
- Weatherization (building insulation for attic, exterior walls and crawl space, siding to improve energy efficiency, replacement storm windows and storm doors and replacement windows and doors)

The related work may include, but not be limited to the following:

- Interior trim work,
- Interior and/or exterior doors
- Interior and/or exterior hardware
- Window treatment
- Interior stair repair
- Exterior step repair or replacement
- Porch repair
- Wall surface repair
- Painting
- Exterior rain carrying system repair

B. Ineligible Improvements

Work not eligible for program funding includes but is not limited to luxury improvements (improvements which are strictly cosmetic), carpets, additions, conversions (basement, garage, porch, attic, etc.), repairs to structures separate from the living units (detached garage, shed, barn, etc.), furnishings, pools and landscaping. If determined unsafe, stoves may be replaced. The replacement or repair of other appliances is prohibited. The cost of removing any illegally converted living space (e.g., illegal bedrooms in the basement) are not eligible for assistance.

Rehabilitation work performed by property owners shall not be funded under this program.

C. Rehabilitation Standards

Funds are to be used for work and repairs required to make the unit standard and abate all interior and exterior violations of the New Jersey State Housing Code, N.J.A.C. 5:28 and the Rehabilitation Subcode, N.J.A.C. 5:23-6, (of which the more restrictive requirements will apply), and remove health and/or safety hazards; and any other work or repairs, including finishing and painting, which are directly related to the above listed objectives. For projects that require construction permits, the rehabilitated unit shall be considered complete at the date of final approval pursuant to the Uniform Construction Code.

Municipal rehabilitation investment for hard costs shall average at least \$10,000 per unit, and include the rehabilitation of at least one major system, as previously defined under eligible improvements.

D. Certifications of Substandard/Standard

The Program Building Inspector will inspect the property to determine which systems, if any, are substandard in accordance with sub-section A above and issue a Certification of Substandard. Upon program construction completion, all code deficiencies noted in the inspection report must be corrected and rehabilitated units must be in compliance with the standards proscribed in sub-section C above upon issuance of a municipal certificate of completion/approval.

IV. FUNDING TERMS FOR OWNER-OCCUPIED AND INVESTOR-OWNED UNITS

Funding will be provided on the following terms:

A. Terms and Conditions for Owner Occupied Units

Table 2 Owner-Occupied Single Family Home Terms & Conditions

Owner-Occupied Single Family Unit Terms and Conditions of Loan	
Minimum Loan Amount	\$8,000 per unit
Maximum Loan Amount	\$22,000 per unit
Interest Rate	0% (No monthly payments)
Payment Terms:	Principal repaid upon title transfer.
Mechanism for Securing Loan	Mortgage and Mortgage Note recorded against property

When the owner decides to sell the property, transfer title, or if the owner should die, the owner, heirs, executors or legal representatives must repay the loan upon a title change. Rental of house is allowable under certain conditions subject to approval by the Administrative Agent.

Exceptions to Loan Repayment Terms above during the lien period:

1. If the loan transfers due to inheritance by a Class A beneficiary who will take occupancy upon death of Program mortgagee/Borrower and assume the lien (income eligibility not a requirement); or if by inheritance by a qualified income eligible non-Class A beneficiary, or
2. If the house is sold at an affordable price pursuant to N.J.A.C. 5:97-9.3 to someone who can be qualified as income eligible, takes occupancy and agrees to assume the program lien, or
3. If the house is sold at an affordable price pursuant to N.J.A.C. 5:97-9.3 to an investor who assumes the lien and also signs a deed restriction for the remaining duration of the affordability period to rent the dwelling at the affordability controls restricted rental rate and according to the affirmative marketing requirements for re-rentals. When this occurs, the Township's Administrative Agent will be responsible for monitoring compliance over that unit.

B. Terms and Conditions on Owner-Occupied Multi-Family Properties including Tenant Units**Table 3 Owner-Occupied Multi-Family Home Terms & Conditions**

Owner-Occupied Multi-Family Including Tenant Unit(s) Terms and Conditions of Loan	
Minimum Loan Amount	\$8,000 per unit
Maximum Loan Amount	\$18,000 per unit
Interest Rate	0% (No monthly payments)
Payment Terms	Principal repaid upon title transfer. Original Principal is immediately due if not in compliance with rental affordability controls. Rental restrictions on the rental unit(s) transfer with property. See Restrictions below.
Mechanism for Securing Loan	Mortgage, Mortgage Note and Deed Restriction recorded on property

Each assisted unit(s) must be occupied by, and affordable to a household(s) that is(are) certified as low or moderate income as per DCA Low and Moderate Income Limits.

The owner will execute a Mortgage, Mortgage Note, and Deed Restriction, the latter which guarantees the continued availability of the rental unit to low or moderate income households for the terms of the ten-year deed restricted affordability period. The affordability terms for the rental units do not expire even in the event that the owner sells the property, transfers title to the property, or dies within the ten-year program deed restricted affordability period.

Moreover, if Program funds were expended on the owner-occupied unit, and the homeowner sells, transfers title, dies or is not in compliance during the ten-year deed restricted affordability period, unless ownership is transferred to another low or moderate income homeowner, any Program funds expended on work done on the owner's individual unit along with a pro-rata portion of the shared improvements must be fully repaid to the Township.

Additionally, for rental units in a multi-family owner-occupied home:

For tenant units, the maximum permitted rent is pursuant to N.J.A.C. 5:97-9 and UHAC. If a unit is vacant upon initial rental subsequent to rehabilitation, or if a renter-occupied unit is re-rented prior to the end of controls on affordability, the Deed Restriction shall require the unit to be rented to a low- or moderate- income household at an affordable rental price and will be affirmatively marketed in accordance with the Township of Little Falls' Affordable Housing Affirmative Marketing Plan.

For information regarding future rental increases: Please refer to Section VIII C of this manual.

C. Terms and Conditions on Investor-Owned Multi-Family Rental Units

Table 4 Investor-Owned Terms & Conditions

Investor-Owned Multi-Family Unit Terms and Conditions of Loan	
Minimum Loan Amount	\$8,000 per unit
Maximum Loan Amount	\$16,000 per rental unit
Interest Rate	0% (No monthly payments)
Payment Terms	Owner pays 20% of rehab cost at construction agreement signing. Municipal loan to landlord will be repaid upon first transfer of property following completion of ten year deed restriction.. Rental restrictions transfer with property during the ten year deed restriction period. See restrictions below.
Mechanism for Securing Loan	Mortgage, Mortgage Note and Deed Restriction recorded against property

The ten year affordability controls against the property will be recorded in a Deed Restriction. The property owner agrees to rental affordability controls for the life of the Deed Restriction. Additionally, the following conditions apply:

The assisted housing unit(s) is occupied by and affordable to a household that is certified as a low or moderate income household as per DCA Low and Moderate Income Limits. The maximum permitted rent is pursuant to N.J.A.C. 5:97-9 and UHAC.

Throughout the ten year affordability controls, if a rental unit is vacant upon initial rental subsequent to rehabilitation, or if a renter-occupied unit is re-rented prior to the end of controls on affordability, the Deed Restriction shall require the unit to be rented to a low- or moderate-income household at an affordable price and will be affirmatively marketed in accordance with the Township of Little Falls Affordable Housing Affirmative Marketing Plan by the Townships' current Administrative Agent at the rates and terms defined within that Agreement.

The owner Deed Restriction guarantees the continued availability of the unit to low or moderate income households for the terms of the ten-year lien affordability period. The owner will also execute a Mortgage and Mortgage Note, requiring loan repayment at zero percent interest at the first transfer of ownership after the ten year deed restriction is lifted.

Throughout the ten year deed restrictive period, the affordability terms do not expire even in the event that the owner sells the property, transfers title to the property, dies, or rents to other than low or moderate income renters, before the terms of the lien expire.

D. Special Needs Waivers

In cases of severe need:

- The Program will get confirmation of whether or not the homeowner can contribute personal funding.
- If needed, the Program will attempt to partner with other possible funding sources such as the Low-Income Home Energy Assistance Program (LIHEAP).
- The Program reserves the right to make an exception and allow the expenditure of up to an additional \$3,000 per unit to address code violations. The Township will consider other situations for special needs waivers. Individual files will be reviewed on a case-by-case basis. Upon Program and Township approval, a Special Needs Funding Limit Waiver may be issued.

E. Use of Recaptured Program Funds

All recaptured funds will be deposited into a Little Falls affordable housing trust fund in accordance with N.J.A.C. 5:97-8.6 and designated for the continuation of home improvements to income eligible households. Funds will be disbursed for the same purposes as the original program, using whatever approved terms and procedures are in place at the time.

V. IMPLEMENTATION PROCESS

A. Application/Interview

For each prospective applicant, this process starts with a homeowner either submitting an online preliminary application or the Case Manager pre-qualifies the interested homeowner by phone, whichever is the homeowner's preference. The information is entered in the program applicant pool/waiting list. If the homeowner passes the preliminary criteria review, program information, guidelines, and an application package will be mailed to the applicant when their name is reached on the program's waiting list.

Each prospective applicant is to complete the application and return it to the Case Manager, along with the required verification documents. Upon receipt of the completed application package, a case file will be opened for the applicant and a case file number will be assigned to the unit. The Case Manager will be available via a direct phone line to assist applicants during this and all other phases of the process. Additionally, as needed, a Case Manager will be available for face to face prescheduled appointments. Once a case is assigned a number, the cases are processed in the order of receipt of completed applications.

B. Eligibility Certification

In order to be eligible for assistance, households in each unit to be assisted must be determined to be income eligible. All adult members, 18 years of age and older, of both the owner household and tenant household (if any) must be fully certified as income-eligible before any assistance will be provided by the Program. The HIP will income qualify applicant, and when applicable tenant, households in accordance with N.J.A.C. 5:97-9 and the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-16.1 et seq., except for the asset test.

The following is a list of various types of wages, payments, rebates and credits. Those that are considered as part of the household's income are listed under Income. Those that are not considered as part of the household's income are listed under Not Income.

C. What is Considered Income

The following income sources are considered income and will be included in the income eligibility determination:

- Wages, salaries, tips, commissions
- Alimony
- Regularly scheduled overtime
- Pensions
- Social security

- Unemployment compensation TANF (Temporary Assistance For Needy Families)
- Verified regular child support
- Disability
- Net income from business or real estate
- Interest income from assets such as savings, certificates of deposit, money market accounts, mutual funds, stocks, bonds
- Imputed interest (using a current average annual rate of two percent) from non-income producing assets, such as equity in real estate. Rent from real estate is considered income, after deduction of any mortgage payments, real estate taxes, property owner's insurance.
- Rent from real estate is considered income
- Any other forms of regular income reported to the Internal Revenue Service

D. What is Not Considered Income

The following income sources are not considered income and will not be included in the income eligibility determination:

- Rebates or credits received under low-income energy assistance programs
- Food stamps
- Payments received for foster care
- Relocation assistance benefits
- Income of live-in attendants
- Scholarships
- Student loans
- Personal property such as automobiles
- Lump-sum additions to assets such as inheritances, lottery winnings, gifts, insurance settlements
- Part-time income of dependents enrolled as full-time students
- Court ordered payments for alimony or child support paid to another household shall be deducted from gross annual income

E. How to Verify Income

To calculate income, the current gross income of the applicant is used to project that income over the next 12 months. Income verification documentation should include, but is not limited to the following for each and every member of a household who is 18 years of age or older:

1. Four current consecutive pay stubs, including bonuses, overtime or tips, or a letter from the employer stating the present annual income figure or if self-employed, a current Certified Profit & Loss Statement and Balance Sheet.
2. A signed copy of regular IRS Form 1040 (Tax computation form), 1040A or 1040EZ (as applicable) and state income tax returns filed for the last three years prior to the date of interview or notarized tax waiver letter for respective tax year(s)- A Form 1040 Tax Summary for the past three tax years can be requested from the Internal Revenue Service Center by calling 1-800-829-1040 or visiting irs.gov to either obtain an online printout or to request a copy by mail, the latter which takes five to ten calendar days.
3. If applicable, a letter or appropriate reporting form verifying monthly benefits such as:
 - Social Security or SSI – Current award letter or computer printout letter
 - Unemployment – verification of Unemployment Benefits
 - Welfare -TANF current award letter
 - Disability - Worker's compensation letter or
 - Pension income (monthly or annually) – a pension letter
4. A letter or appropriate reporting form verifying any other sources of income claimed by the applicant, such as alimony or child support – copy of court order or recent original letters from the court (includes separation agreement or divorce papers) or education scholarship/stipends – current award letter;
5. Reports from at least the last two consecutive months that verify income from assets to be submitted by banks or other financial institutions managing savings and checking accounts (bank statements and passbooks), trust funds, money market accounts, certificate of deposit, stocks or bonds (In brokerage accounts – most recent statements and/or in certificate form – photocopy of certificates), whole life insurance. Examples include copies of all interest and dividend statements for savings accounts, interest and non-interest bearing checking accounts, and investments;
6. Evidence or reports of income from directly held assets, such as real estate or businesses owned by any household member 18 years and older.
7. Interest in a corporation or partnership – Federal tax returns for each of the preceding three tax years.
8. Current reports of assets – Market Value Appraisal or Realtor Comparative Market Analysis and Bank/Mortgage Co. Statement indicating Current Mortgage Balance. For rental property attach copies of all leases.

F. Additional Income Verification Procedures

Student Income

Only full-time income of full-time students is included in the income calculation. A full-time student is a member of the household reported to the IRS as a dependent who is enrolled in a degree seeking program for 12 or more credit hours per semester; and part-time income is income earned on less than a 35-hour workweek.

Income from Real Estate

If real estate owned by an applicant for affordable housing is a rental property, the rent is considered income. After deduction of any mortgage payments, real estate taxes, property owner insurance and reasonable property management expenses as reported to the Internal Revenue Service, the remaining amount shall be counted as income.

If an applicant owns real estate with mortgage debt, which is not to be used as rental housing, the Program Case Manager should determine the imputed interest from the value of the property. The Program Case Manager should deduct outstanding mortgage debt from the documented market value established by a market value appraisal. Based on current money market rates, interest will be imputed on the determined value of the real estate.

G. Other Eligibility Requirements

Applicant to submit the following in the application package:

- Copy of current homeowner's insurance declarations page (not the policy or receipt)
- Proof of flood insurance, if property is located in a flood zone
- Copy of recorded deed to the property to be assisted
- Proof of separate residency if a deed co-holder resides at another location (copy of driver's license, etc.)
- If you are a widow or widower, copy of Death Certificate should be included
- Copy of your most current property tax assessment
- Receipt for property taxes
- Signed Eligibility Release form
- Proof that all mortgage payments are current
- Copy of any and all other liens recorded against the property
- Personal identification (a copy of any of the following: Driver's License, Passport, Birth Certificate, social security card, Adoption Papers, Alien Registration Card, etc.)

H. Requirements of Utilities & Taxes Paid Current

All applicants' property tax and sewer accounts must be paid current. The Program reserves the right to make an exception to the requirement of paid up tax and/or sewer accounts. Individual files will be reviewed on a case-by-case basis. Upon approval by the appropriate municipal officials and the Program, a Special Needs Eligibility Requirements Waiver may be issued.

I. Sufficient Equity

Additionally, to be determined eligible, there must be sufficient equity in the home to cover the program lien plus the total of other liens. In other words, the market value of the house must be greater than the total of the liens combined. The Township may consider a Special Needs Waiver approved by the municipality on a case-by-case basis for limited equity, but not for negative equity.

J. Eligibility Scenarios of Multi-Family Structures

Several possibilities exist concerning the determination of eligibility in a multi-family structure.

Scenario 1. The Program Administrator determines that the owner is income eligible and the renters in each unit are income eligible. In this case, all of the units are eligible for rehabilitation.

Scenario 2. The Program Administrator determines that the owner is income eligible, but the renters are not. In this case, only the landlord's unit is eligible for rehabilitation. If a home improvement is undertaken which affects all the units in the house (e.g., replacement of a roof), the HIP will only cover a prorated percentage of the cost. For example, in a two family home with units of approximately equal size, only 50% of the cost of roof replacement will be covered. Where units differ by more than 10% in size, the proration should be based on percentage of square footage within each unit compared to the total interior square footage of all other units in the structure. Shared common areas should not be counted in the denominator for the pro rata calculation.

Scenario 3. The Program Administrator determines that the owner is not income eligible, but the renters are. In this case, the rental units are eligible for rehab, but the owner's is not. If a rehab activity is undertaken which affects all of the units in the house (e.g., replacement of roof), the HIP will only cover a prorated percentage of the cost. For example, in a four family home, only 75% of the cost of roof replacement would be covered. Where units differ in size, the proration is based on percentage of square footage.

If any of the conditions above apply to a particular applicant's case, CGP&H sends a letter that explicitly identifies which of the units is eligible for rehabilitation, as well as specifies any applicable percentage of the hard costs of rehabilitation between the program and the

homeowner. The homeowner's monetary contribution is to be paid prior to the start of construction at the preconstruction conference in the form of a money order or certified check made payable to the contractor. The payment is held by the program until the work is satisfactorily completed, at which time the program will release the payment to the contractor.

K. Eligibility Certification

After the Program Administrator has determined that the household is income eligible and meets all other eligible requirements, the Program Manager will complete and sign the Eligibility Certification. This certification is valid for six months starting from date of eligibility certification. A Construction Agreement must be signed within this time period. If not, the Program Administrator must reevaluate the household's eligibility.

After the household is certified as income eligible, the Homeowner/Program Agreement will be executed between the owner and the program.

L. Housing Inspection/Substandard Certification/Work Write Up/Cost Estimate

The Program Inspector will perform a comprehensive inspection to determine what work items are necessary to bring the home up to code, as identified in section III C. Photos will be taken at the comprehensive inspection to document existing conditions. As a result of the comprehensive inspection, the Program Inspector will prepare a work write-up and cost estimate. All repairs needed to bring the home up to code will be identified. This work write-up will include a breakdown of each work item by category and by location in the house. The work write-up will contain information as to the scope of work and specifics on materials such as type, quantity and cost. A total cost estimate will be calculated for each housing unit. The HIP's policy is to create Work Write-Ups and Cost Estimates that fall within the HIP funding caps. In unusual hardship cases and when the cost to correct all code violations exceeds the program funding limit, the HIP will seek the homeowner's monetary contribution. If the homeowner is unable to contribute funds or obtain funds from another funding source, the HIP will request additional funds from the Township of Little Falls. If the unit cannot be brought up to code with the combination of funds available, the unit may not proceed.

For houses built prior to 1978, refer to Section VII Lead Based Paint (LBP).

M. Contractor Selection

The homeowner, with the approval of the Program Inspector, will select the contractor. The Case Manager will provide the homeowner with a copy of the work write up and the Program contractor list. The homeowner will complete the Work Write-Up Review Form indicating review and approval of the work write-up and advising of any contractors currently on the Program contractor list that the homeowner does not wish to have notified of the availability of the bid

package. If the homeowner wishes to solicit a bid from a contractor not currently on the Program contractor list, the homeowner will provide the contractor's name, address and telephone number on the Work Write-Up Review Form. Any contractors that have not been previously qualified are eligible to participate but must submit their qualifications as well as their bid in the bid package.

The Case Manager will notify at least three (3) currently active contractors that a bid package for the property is available. Each contractor must contact the Case Manager to obtain a full bid package and the contractor must submit a bid to the Case Manager by the submission deadline (usually within three (3) weeks of the date of the bid notification letter). All submitted bids will be opened and recorded by the Program Administrator at a meeting open to all interested parties.

The submitted bids will be reviewed by the homeowner and the Program Inspector. Generally, the lowest responsible bid from a qualified contractor will be chosen. If the homeowner selects a higher bid, he/she must pay the difference between the chosen and the lowest responsible bid. Contractors will be notified of the results of the bidding within one (1) week of the date the homeowner makes his/her contractor selection.

Contractor award is passed via resolution by Township Council.

N. Pre-Construction Conference/Contract Signing

Upon issuance of contractor award, the Program Inspector will conduct a pre-construction conference with the homeowner and contractor. Prior to the pre-construction conference the homeowner will be provided with copies of the loan documents and the Construction Agreement and the contractor will be provided with a copy of the Construction Agreement for review. At the time of the pre-construction conference, the scope of work will once again be reviewed. The homeowner and contractor responsibilities will also be reviewed, as well as the program's construction procedures and program limitations. The homeowner and contractor will each sign the Construction Agreement and receive copies. The homeowner will sign and receive copies of the Mortgage and Mortgage Note in the amount of the HIP subsidy. For rental properties, the property owner will also sign the Deed Restriction (COAH form Appendix E-3).

If the homeowner is providing any funds for the rehabilitation of his/her home, those funds must be provided at the time of the pre-construction conference in the form of a certified check or money order made payable to the contractor. The check will be held by the Program and will be applied towards the contractor's first progress payment.

The contractor will be provided with information regarding the Lead-Based Paint Poisoning Prevention Act (4a.USC 483 1 (b)). The homeowner will be advised of the hazards of lead based

paint in houses built prior to 1978 and provided with the EPA booklet Renovate Right. Both contractor and homeowner will each sign the respective Certifications. Additionally, for houses built prior to 1978, Section VII Lead Based Paint (LBP) applies.

Following the pre-construction meeting, the Case Manager will provide the Township Administrator with 1) a copy of the first three pages of the Construction Agreement which includes identifying the homeowner, the property and the contractor, and an itemized price list of the work; and 2) the program scope of work for the Administrator to share with the Construction office to ensure the contractor makes application for the applicable permits. For each job, the Township's Construction office will notify the Case Manager which permits are required to compare to the permit documentation later provided by the contractor.

It is the contractor's responsibility to ensure all required permits are applied for prior to the start of construction and, if applicable, at the time of any change orders.

The construction permitting process is handled by the municipality's Construction office.

O. Initiate Township Voucher

The Township will provide the Case Manager with a blanket purchase order to create two purchase orders for each case for the contractor to sign at the pre-construction conference at time of contract signing. The contractor's signed purchase orders will be held by the Case Manager until construction progress is sufficient to submit to the municipality.

P. Progress Inspections

The Program Inspector will make the necessary inspections of the progress of property improvements. Inspections are necessary to ensure that the ongoing improvements coincide with the scope of work outlined in the work write-up. It is the contractor's responsibility to notify the Program Inspector when a minimum of 40% of the total contract work is completed. The Program Inspector will schedule the inspection with the homeowner, at which time the Program Inspector will also obtain verbal confirmation from the homeowner that the work is ready for inspection.

If work passes the satisfactory progress inspection, the Case Manager will follow the procedures spelled out in Section V subsection S, *Payment Structure and Process* to process a contractor's progress payment request.

The Program Inspector will notify the contractor and the homeowner in writing of any work deficiencies discovered during the progress inspection. Work deficiencies must be corrected prior to the contractor's request for the next inspection.

For houses built prior to 1978, a work item marked *EPA RRP Rule* cannot be paid for until the contractor provides a post renovation report to the program. Refer to Section VII Lead Based Paint (LBP) for the EPA regulation.

Q. Change Orders

If it is determined during rehabilitation that a change from the original work write-up is required, a Program Change Order Authorization form must be completed and approved by the Homeowner, the Contractor, and the Program. The Case Manager will forward the executed change order to the Township. The contractor will be notified by the Case Manager of the results, and no change order work should be undertaken by the contractor until he has received a copy of the fully executed Change Order Authorization or the contractor risks non-payment for the change order work.

R. Final Inspection

Prior to requesting a final inspection, it is the contractor's responsibility to:

- Properly close out all the permits and to provide proof of closed out permits to the Case Manager via the municipal Certificate of Approval;
- Deliver to the homeowner a complete release of all liens arising out of the Construction Agreement, a receipt in full covering all labor, materials and equipment for which a lien could be filed or a bond satisfactory to the owner indemnifying owner against any lien; and
- Provide the homeowner with all applicable warranties for items installed and work completed during the course of the rehabilitation.

Once the contractor has provided the Case Manager with all required job closeout forms, the contractor will be responsible to request the program's final inspection. The Program Inspector will schedule the final inspection with the homeowner, at which time the Program Inspector will also obtain verbal confirmation from the homeowner that the rehabilitation work has been completed and is ready for inspection. The Program Inspector will then conduct a final inspection to certify that the required property improvements are complete. The homeowner will be present during the final inspection and the contractor will be present if there are issues to resolve.

Only 100% completed line items will be inspected and considered for payment. If the work passes satisfactory final inspection, the Case Manager will follow the procedures spelled out in Section V subsection *S Payment Structure and Process* to process the contractor's final payment request.

For houses built prior to 1978, a work item marked *EPA RRP Rule* cannot be paid for until the contractor provides a post renovation report to the program. Refer to Section VII Lead Based Paint (LBP) for the EPA regulation.

If the Program Inspector identifies any work deficiencies during the final inspection, the Program Inspector will notify the contractor and the homeowner of the deficiencies in writing and the value of said deficiencies will be deducted from the final payment request. Work deficiencies discovered during the final inspection will require the Program Inspector to conduct a subsequent inspection upon contractor's correction of deficiencies. The Rehabilitation Program reserves the right to hold the contractor responsible to pay the cost of any additional inspections beyond the final inspection at a rate of \$350 per inspection for prematurely requesting the final inspection with the work not 100% completely done in a workman-like manner. Additional inspections are those in excess of the one progress inspection and the final inspection which are needed to inspect corrected deficiencies. The contractor must issue the failed final inspection penalty payment directly to CGP&H via a check prior to the program inspector scheduling and repeating the final inspection process. CGP&H will notify the municipality each time a penalty is levied.

The Program lien period will commence upon satisfactory completion of the final inspection. Photographs will be taken of the rehabilitated housing unit by the Program Inspector at the time of the satisfactory final inspection.

S. Payment Structure and Process

The Township will issue all payments, which may be made according to the following schedule:

One progress payment (representing a minimum of 40% of total contract work completed) will be paid. Upon completion of one hundred percent (100%) of the rehabilitation work, the contractor is eligible for final payment of the contract price.

Upon a satisfactory program inspection, and confirmation from the Case Manager that all contractor's documents have been submitted according to program procedures, the Case Manager will submit to the Township:

- Program's Request for Payment form with homeowner's and Program's written approval
- Contractor signed Township Purchase Order with payment amount identified
- Copy of change order, if one occurred
- Copy of contractor's business registration (only needed for contractor's first program job)

The payment request may be emailed to the Township Administrator/CFO. The Township will forward to the Case Manager a copy of the executed payment to the contractor for case file records.

Upon job completion, the combined Township payments will total the Construction Agreement, including all applicable change order(s) if any, and minus homeowner contribution, if any. The combined Township payments will also match the final Township Voucher amount. Progress and final payments will be made payable to the contractor.

T. Standard Certification

A Certificate of Approval issued by the municipal construction official at the time the contractor closes out the rehabilitation construction permits, will confirm the scope of rehabilitation work has been completed and that the housing unit is now up to code standard. The contractor is to provide the Certificate of Approval to the Case Manager when requesting the final inspection. The Case Manager will ensure that a copy of the Certificate of Approval is placed in the case file.

U. Record Mortgage Documentation

At construction completion, the Case Manager will insert the final inspection date into the program mortgage and forward the executed mortgage to the Township Attorney for recording. The Township will immediately file the mortgage with the County Clerk. For rental properties, the Deed Restriction will also be recorded.

V. File Closing

The Case Manager will close the homeowner's file after the final payment is made and the mortgage, and when applicable, Deed Restriction is/are returned from the County with recorded date, book and page. A program letter will be sent to the homeowner, thanking him/her for participating in the Program.

W. Requests for Subordination or Program Loan Payoff

Little Falls may agree to subordination of its program lien if the mortgage company supplies an appraisal showing that the new loan plus the balance(s) on all unpaid loans (including the value of the rehabilitation assistance) does not exceed eighty (80%) of the appraised value of the unit. If the homeowner is simply refinancing their primary mortgage to a lower interest rate and not "cashing out" any equity, Little Falls will subordinate up to 100% of the appraised value.

The fee to process subordination requests will be paid by the homeowner directly to CGP&H at a rate of \$150 per request.

VI. CONTRACTOR REQUIREMENTS AND RECRUITMENT

A. Marketing

The Program will coordinate with the Township to advertise the availability of construction work on the Township's website and display a contractor outreach poster and brochures in the municipal building, including the local construction office. If determined needed, additional outreach will be conducted in the local newspapers and through the posting of community notices. As necessary, the Program will advertise the availability of construction work by posting information at local building supply dealers. All interested contractors will have the opportunity to apply for inclusion on the Program contractor list, which will be made available for the homeowner's use in selecting rehabilitation contractors. The contractor outreach material will be posted on CGP&H's website.

B. Contractor Qualifications

To qualify, contractors must meet the following minimum requirements:

- Contractors must carry at least \$1,000,000 in general liability insurance. The Contractor shall carry full workmen's compensation coverage including Employer's Liability limits of at least \$500,000 and statutory state coverage for all of his/her employees and those of his/her subcontractors engaged in program rehab work. The Contractor must provide the Case Manager with a certificate of insurance naming the Program as Certificate Holder, and naming the Municipality and CGP&H as additional insureds at time of program job award.
- At least two favorable references on the successful completion of similar work; and
- A reference of permit compliance from a municipal inspector (building inspector, code official, etc.); and
- The Contractor's State Business Registration Certificate; and
- Current Consumer Affairs Home Improvement Contractor license; and
- Applicable lead certifications for contractors working on houses built prior to 1978. As identified in the scope of work, the contractor must comply with the EPA Renovation, Repair and Painting (RRP) Rule regarding certification; and
- If claiming prior experience with local, state or federally funding housing rehabilitation programs, a record of satisfactory performance in a neighborhood rehabilitation program or other federal/state programs; and
- Appropriate licenses; e.g. plumbing, electrical.

Contractors must also complete a Contractor Qualification Form. The contractor's qualifications will be reviewed and the references cited will be checked by the Program Inspector before the contractor is awarded a job.

VII. LEAD BASED PAINT (LBP):

For houses built prior to 1978, contractors must comply with the Environmental Protection Agency Renovation, Repair and Painting Rules (40 CFR Part 745) when any work item is marked with (EPA-RRP Rule) in the work specifications. The requirements are spelled out in the General Conditions of the work specifications.

VIII. RENTAL PROCEDURES:

Rental units are subject to the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5-80:26.1 et. seq. once the rental units are rehabilitated. In addition to the mortgage and mortgage note, the controls on affordability shall be in the form of a deed restriction.

DCA Substantive Rules 5:97 – 6.2 (C) states units in a rehabilitation program shall be exempt from the N.J.A.C. 5:97-9 and UHAC, but shall be administered in accordance with the following as it pertains to rentals:

- If a unit is vacant, upon initial rental subsequent to rehabilitation, or if a renter-occupied unit is re-rented prior to the end of controls on affordability, the deed restriction shall require the unit be rented to a low- or moderate-income household at an affordable rent and affirmatively marketed pursuant to N.J.A.C. 5:97-9 and UHAC.
- If a unit is renter-occupied, upon completion of the rehabilitation, the maximum rate of rent shall be the lesser of the current rent or the maximum permitted rent pursuant to N.J.A.C. 5:97-9 and UHAC.
- Rental Increases: See section VIII C, below.

The municipality's Administrative Agent will continue to administer the rental affordability controls during the 10-year affordability period for each rental property assisted.

A. Determining Initial Affordable Rents

The initial maximum affordable rent for a rehabilitated unit is determined by the program staff based on several NJ COAH rules and regulations. All initial rents will be set based on Fifty Two percent (52%) of the median income for the household size appropriate to the sized unit (N.J.A.C. 5:80-26.3 (d)). Thirty percent (30%) (N.J.A.C. 5:80-26-12 (a)) of that figure is considered the "maximum base rent." Subtracted from the maximum base rent is the cost of all tenant-paid

utilities as defined and calculated by the HUD Utilities Allowance figures (updated annually). The remainder becomes the maximum initial rent for that unit. The Home Improvement Program staff can provide potential applicants/landlords with a reasonable estimate of what the maximum base rent will be on their rental unit if they elect to participate in the program.

B. Pricing by Household Size

Initial rents are based on targeted "model" household sizes for each size home as determined by the number of bedrooms. Initial rents must adhere to the following rules. These rents are based on COAH's Annual Regional Income Limits Chart at the time of occupancy:

Table 5 Investor-Owned Terms & Conditions

Size of Unit	Household Size Used to Determined Max Rent
Studio/Efficiency	1
1 Bedroom	1.5
2 Bedrooms	3
3 Bedrooms	4.5
4 Bedrooms	6

- A studio shall be affordable to a one-person household;
- A one-bedroom unit shall be affordable to a one- and one-half person household;
- A two-bedroom unit shall be affordable to a three-person household;
- A three-bedroom unit shall be affordable to a four- and one-half person household; and
- A four-bedroom unit shall be affordable to a six-person household.

The above rules are only to be used for setting initial rents.

C. Determining Rent Increases

Rents in rehabilitated units may increase annually based on the standards in N.J.A.C. 5:97-9 or based on the language in the Courts Judgment of Compliance and Repose, and only upon written notification from the Township's Administrative Agent. In addition, the Township's Administrative Agent must be used by the Landlord to ensure that all appropriate affirmative marketing and all other affordable housing compliance procedures are followed and will continually oversee compliance for these affordable rental units throughout their restrictive term.

These increases must be filed with and approved by the Administrative Agent. Property managers or landlords who have charged less than the permissible increase may use the maximum allowable rent with the next tenant with permission of the Administrative Agent. Rents may not be increased more than once a year, may not be increased by more than one COAH-approved increment at a time, and may not be increased at the time of new occupancy if this occurs less than one year from the last rental. No additional fees may be added to the approved rent without the express written approval of the Administrative Agent.

IX. MARKETING STRATEGY

In coordination with the Township, the Program Administrator will employ a variety of proven strategies to advertise the program within Little Falls to establish the program's applicant pool/waiting list. The marketing strategy/plan possibilities include but are not limited to:

- Creation and distribution of program homeowner outreach posters, flyers and brochures
- Place program outreach material on the Township's website
- Place program outreach material on CGP&H's website
- Municipal E-newsletter and paper newsletter (if available)
- Appending announcements and/or flyers to other municipal mailings as they become available (tax, etc) or direct mailing, whenever available and appropriate
- Municipal email blasts and Twitter communication (if available)
- Program marketing will be distributed to local community organizations and major employers including religious organizations, civic groups, senior group, ethnic organizations, etc.
- Free local cable TV advertising (when available)
- Periodic Press releases
- Program group presentations to community organizations or at the Township Municipal Building to prospective homeowners and even to local contractors
- Paid newspaper advertisements (last resort) when deemed necessary and appropriate
- The order of method used will be analyzed to implement the most effective combination of strategies. Extensive marketing efforts are essential for all successful housing rehabilitation programs to meet their productivity objectives.

Available rental units assisted via the HIP will be affirmatively marketed in accordance with the Township of Little Falls Affordable Housing Affirmative Marketing Plan.

X. MAINTENANCE OF RECORDS AND CLIENT FILES

A. Programmatic Recording

The Program files will include:

- The policies and procedures manual, which will also be updated when applicable.
- An applicant pool will be maintained by the program staff to track intake of the people interested in the program and the corresponding outgoing application invites.
- A rehabilitation log will be maintained by the program staff that depicts the status of all applications in progress.

B. Participant Record keeping

The Program will be responsible for ensuring that individual files for each unit are established, maintained and then submitted to the municipality upon completion. Each completed file will contain a minimum of the following:

- Checklist
- Application form
- Tenant Application form (Rental Units Only) including rental lease
- Proof of ownership
- Income verification (for all households)
- Proof of currency of property tax and municipal water/sewer/electric accounts
- Proof of homeowner extended coverage/hazard insurance (Declaration Page)
- Proof that the municipal lien plus the total of other liens does not exceed the market value of the unit.
- Certification of Eligible Household or Notice of Ineligible Household (whichever is applicable)
- Homeowner/Program Agreement
- Certificate of Substandard
- Work Specifications/Cost Estimate aka Work Write-Up
- Bid Notice
- Contractor bids

- Bid Tabulation
- Construction Agreement
- Mortgage and Mortgage Note, and for rental properties, Deed Restriction
- Notice of Right of Rescission
- Homeowner Confirmation of Receipt of EPA Lead Information Pamphlet
- Contractor Confirmation of Receipt of Lead Paint Notice
- Copies of all required permits
- Change orders, if any
- Work progress and final inspection reports
- Copies of contractor payment documentation
- Photographs (Before and After)
- Close-out documents
- Certification of Approval

C. Reporting

For each unit, the following information must be retained to be reported annually:

- Street Address
- Block/Lot/Unit Number
- Owner/Renter
- Income: Very Low/Low/Mod
- Final Inspection Date
- Funds expended on Hard Costs
- Funds Recaptured
- Major Systems Repaired
- Unit Below Code & Raised to Code
- Effective date of affordability controls
- Length of Affordability Controls (yrs)
- Date Affordability Controls removed
- Reason for removal of Affordability Controls

The Program Administrator is responsible for entering each completed unit's data into the State's online CTM system.

D. Financial Recordkeeping

Financial recordkeeping through the State's online CTM system is the responsibility of the Municipal Housing Liaison.

XI. HOUSING ADVISORY COMMITTEE AND APPEALS PROCESS

In homeowner/contractor disputes, as well as disputes with regard to staff decisions, a Housing Advisory Committee formed by the Township will act as a mediator to resolve the differences. Homeowners involved in a dispute will be instructed to submit their concerns in writing. The homeowner may request a hearing conducted by the Housing Advisory Committee. All Housing Advisory Committee decisions are final.

If the reason for the mediation is due to the homeowner's refusal to pay the contractor and work has been done to work specification and to the satisfaction of the Program, it may authorize payment to the contractor directly. However, the Program will make a reasonable attempt to resolve the differences before taking this step.

Additionally, the Housing Advisory Committee may decide on cases that are not clearly determined via the Policy and Procedures Manual, requiring either a change to the Manual, a waiver approval or waiver denial. During this process, when discussing case specifics with and among Committee members, the confidentiality of the individual homeowner will be protected by use of case numbers rather than names.

XII. CONCLUSION

If the procedures described in this manual are followed, the Township of Little Falls's Home Improvement Program should operate smoothly and effectively. Where it is found that a new procedure will eliminate a recurring problem, that procedure may be incorporated into the program operation. In addition, this manual may be periodically revised to reflect changes in local, state and federal policies and regulations relative to the Home Improvement Program.

XIII. LIST OF PROGRAM FORMS

- Application Transmittal Letter
- Program Information Handout
- Application for Assistance- Homeowner
- Application for Assistance- Landlord (Investor)
- Application for Assistance- Tenant
- Eligibility Release Form
- Checklist
- Special Needs Waiver (Eligibility Requirements)
- Special Needs Waiver (Exceed Program Limit)
- Certification of Eligible Household
- Eligibility Determination Form
- Notification of Eligibility
- Notification of Ineligibility
- Homeowner/Program Agreement
- Certificate of Substandard
- Certificate of Substandard – Emergency Situation
- Letter: forward work write-up and contractor list to homeowner
- Work write-up review form
- Request for Rehabilitation Bid
- Affidavit of Contractor
- Subcontractor Bid Sheet
- Bid Tabulation/Contractor Selection
- Construction Agreement
- Mortgage
- Mortgage Note – single family, multi family, investor versions
- Notice of Right of Rescission
- COAH Deed Restriction (when applicable)
- Homeowner Confirmation of Receipt of EPA Lead Information Pamphlet
- Contractor Confirmation of Receipt of Lead Paint Notice
- Notice to Proceed
- Contractor's Request for Final Inspection
- Change Order Authorization
- Certificate and Release
- Closeout Statement



RESOLUTION H 16-10-17 - # 5

RESOLUTION OF THE TOWNSHIP OF LITTLE FALLS IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE SUBMISSION OF THE TOWNSHIP'S 2016 HOUSING ELEMENT AND FAIR SHARE PLAN TO THE NEW JERSEY SUPERIOR COURT FOR REVIEW AND APPROVAL

WHEREAS, on March 10, 2015, the New Jersey Supreme Court issued its decision, In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) (the "2015 Case"). In that decision, the New Jersey Supreme Court transferred primary jurisdiction over affordable housing matters from the New Jersey Council on Affordable Housing ("COAH") to the New Jersey Superior Court, and established a transitional process for municipalities, like the Township of Little Falls, to file declaratory judgment actions seeking to declare their Housing Element and Fair Share Plans ("HEFSP") as being constitutionally compliant and seeking judicial protections and immunity; and

WHEREAS, pursuant to N.J.S.A. 52:27D-313 and the 2015 Case, the New Jersey Superior Court has the authority to enter an Order granting protection and repose against exclusionary zoning litigation to a municipality that is in compliance with its affordable housing obligations under the Fair Housing Act, N.J.S.A. 52:27D-301, et seq.; and

WHEREAS, on July 7, 2015, the Township of Little Falls (the "Township") filed a declaratory judgment action with the New Jersey Superior Court seeking to declare its HEFSP as being constitutionally compliant and seeking protection and repose against exclusionary zoning litigation for a ten (10) year period (the "Declaratory Judgment Action"). In that filing, the Township also sought a determination from the Superior Court with respect to the Township's future use and disposition of the Township's Affordable Housing Trust Funds, as directed by the New Jersey Appellate Division in the case, In Re Failure of the Council on Affordable Housing to Adopt Trust Fund Commitment Regulations; and

WHEREAS, the Superior Court of New Jersey has ordered that municipalities that filed declaratory judgment actions must submit an updated HEFSP that address their affordable housing obligations as calculated by their respective municipal experts; and

WHEREAS, the Township's Planning Consultant, Jeffrey L. Janota, PP, AICP, of H2M Architects + Engineers, has prepared an updated HEFSP dated October 2016 (the "2016 HEFSP"), and an updated Spending Plan, that addresses the Township's affordable housing obligations in accordance with the Reports issued by the Special Court Master, Joseph H. Burgis, PP, AICP, of Burgis Associates, Inc. with respect to the Township's 2016 HEFSP; and

WHEREAS, Council has reviewed the 2016 HEFSP and authorizes its submission to the Court for review and approval; and

WHEREAS, upon approval of the 2016 HEFSP by the Court, the 2016 HEFSP will be submitted to the Planning Board of the Township for approval as an amendment to the Master Plan of the Township of Little Falls, and then submitted to Council for endorsement.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Little Falls, County of Passaic, State of New Jersey, they being the Governing Body thereof as follows:

1. The Council hereby approves the submission of the 2016 HEFSP to the New Jersey Superior Court for review and approval.
2. This Resolution shall take effect immediately.

APPROVED: October 17, 2016

cc: Administrator; Planner; Attorney; Planning Board; Dept.

**Certified To Be A
True Copy Of The Original**


Township Clerk
Little Falls, N.J. 07424

APPENDIX M

RESOLUTION TO CONTRACT WITH CGP&H



RESOLUTION D 16-10-17 - # 4

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING A CONTRACT WITH COMMUNITY GRANTS, PLANNING & HOUSING, LLC ("CGP&H") FOR PROVISION OF ADMINISTRATIVE AGENT SERVICES REGARDING THE TOWNSHIP'S AFFORDABLE HOUSING PLAN

WHEREAS, the Township of Little falls ("Township") is a public body corporate and politic of the State of New Jersey; and

WHEREAS, there is a need for the Township to procure the services of a qualified firm to serve as the Township's Administrative Agent regarding the Township's Affordable Housing Plan; and

WHEREAS, the Township has received a proposal from CGP&H, a firm with expertise and experience in providing such professional services; and

WHEREAS, the Township desires to award a contract to CGP&H to provide such services to the Township in accordance with their proposal; and

WHEREAS, the costs for such services shall not exceed \$17,500, and payment for such services will be made from the Township's Affordable Housing Trust Fund, and adequate funds are available for the provision of such services.


NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Little Falls, County of Passaic, and State of New Jersey, as follows:

1. The Township hereby awards a contract to CGP&H in an amount not to exceed \$17,500 to serve as the Township's Administrative Agent for the Township's Affordable Housing Plan.
2. This Resolution shall take effect immediately.

APPROVED: October 17, 2016

cc: Administrator; Planner; Attorney; Planning Board; Dept.

Certified To Be A
True Copy Of The Original



Township Clerk
Little Falls, N.J. 07424

