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NEW YORK

## Memorandum

**To:** Ed Rogan, Esq.  
Closter Borough Attorney

**From:** Caroline Reiter, P.P., AICP  
Closter Borough Planner

**Date:** June 29, 2020

### **Regarding: Borough of Closter Affordable Housing Midpoint Review**

As requested, we have completed Closter's Affordable Housing Midpoint Review for the Borough.

The Borough of Closter received a Final Judgment of Compliance and Repose on February 21, 2019. The Borough Planning Board adopted a Housing Element and Fair Share Plan, which was endorsed by the Governing Body. The Governing Body also adopted all affordable housing ordinances as required by Settlement.

Our responses to the list of questions provided by the Fair Share Housing Center follows. The Borough of Closter did not receive a Durational Adjustment; therefore, those questions are not included in the responses.

#### Conditions of Compliance

1. There are no unsatisfied conditions from the court's approval of the Housing Element/Fair Share Plan and the Judgment of Compliance and Repose.

#### Developments That Are Not Completed

2. The Corner Farm property is located at 515 Piermont Road, also known as Block 1605, Lot 17. The Corner Farm intervened in the Borough's Declaratory Judgment Action and eventually agreed to settle the litigation and present the settlement to the trial court.

In accordance with the Borough's Settlement, the property was rezoned to permit an overlay zone with 17% of the total development site set aside for affordable housing units. A total of twelve units, of which two would be affordable units, are permitted under the ordinance.

The Corner Farm has not yet applied for any municipal approvals to develop the subject property.

3. The Village School is a 100% inclusionary development that has been approved on Block 1316, Lot 9. The development will be an adaptive reuse of a former school building on a site that consists of approximately 1.57 acres.

The Borough purchased the property for development with affordable housing. Closter has entered into a Memorandum of Understanding with the Bergen County Housing Development Corporation to develop the property. The Borough has secured tax credit financing for the affordable development.

The Closter Zoning Board of Adjustment recently approved the Final Site Plan for Village School, which includes 35 affordable family rental units. The bedroom distribution and income split conforms to UHAC requirements, and the 13% very low income requirement will be met.

4. The Borough has not missed any deadlines from the approved Settlement Agreement or the Housing Element/Fair Share Plan.
5. The entire Borough of Closter is in a sewer service area.

### Rehabilitation

6. The Borough of Closter does not have a Rehabilitation obligation.

### For Municipalities with a Third Round Vacant Land Adjustment

7. a) Block 1608, Lot 1 received use variance approval for construction of a child care facility. This property exceeds 0.5 acres in size. The development does not have a residential component and, therefore, does not include affordable units. The mandatory set-aside ordinance was not applicable.
7. b) The Closter Zoning Board of Adjustment granted approval for apartments on Block 1301, Lot 9, also known as 162 Closter Dock Road. The property is located in an overlay inclusionary zone. The approval was for four residential apartments, of which one is a two-bedroom, low income affordable unit (25% affordable set-aside).
7. c) There are no changes regarding Closter's RDP.

Questions #8-10 do not apply because Closter does not have a Durational Adjustment.

We trust this memo and the accompanying spreadsheet satisfy the Borough of Closter's Midpoint Review requirements. All sites identified in the Borough's Settlement and Housing Element/Fair Share Plan continue to create a realistic opportunity for Closter.

**1. GENERAL INFORMATION AND TRUST FUND MONITORING**

<b>MUNICIPALITY NAME:</b>	Borough of Closter	
<b>COUNTY:</b>	Bergen County	
<b>Date through which funds reported:</b>		
<b>Name of person filling out form and affiliation/role:</b>	Caroline Reiter, P.P., AICP	
<b>Date of filling out form:</b>		28-Jun-20
<b>Email:</b>	<a href="mailto:crstattle@aol.com">crstattle@aol.com</a>	
<b>Municipal Housing Liaison for municipality:</b>	Dee Woods	
<b>Email:</b>		
<b>Income Limits Year Being Used by Municipality*:</b>		

(Note: Date in Approved Spending Plan = date through which revenues/expenditures are shown in the approved spending plan; if no approved spending plan, show revenues/expenditures through June 30, 2015 in Column B and beginning July 1, 2015 in Column C.)

TRUST FUND INFORMATION	Inception - 7/31/2018	8/1/2018 - 5/31/2020	Total
<b>REVENUE SUMMARY</b>			
Barrier Free Escrow			\$0
Development Fees	\$ 2,310,383	\$ 472,003	\$2,782,386
Interest Earned	\$ 142,197	\$ 19,269	\$161,466
Other Income			\$0
Payments-in-Lieu of Construction			\$0
<b>TOTAL</b>	<b>\$ 2,452,580</b>	<b>\$ 491,272</b>	<b>\$2,943,852</b>

<b>EXPENDITURE SUMMARY</b>			
Administration**	\$ 303,582	\$ 74,120	\$377,702
Affordability Assistance***	\$ -		\$0
Very Low-Income Affordability Assistance	\$ -		\$0
Barrier Free Conversions	\$ -		\$0
Housing Activity	\$ 1,639,999		\$1,639,999
<b>TOTAL</b>	<b>\$ 1,943,581</b>	<b>\$ 74,120</b>	<b>\$2,017,701</b>

ADMINISTRATION: 8/1/2018 - 5/31/2020		
Name	List types of administrative expenses	Amount
Stattle Associates	Planning consultant	\$24,167.50
Michael Bolan	Special Master	\$4,972.50
Rogan & Associates	Borough Attorney	\$14,841.50
Dezotlis, Fitzpatrick, Cole & Giblin	Planning Board Attorney	\$4,978.63
Boswell McClave Engineering	Borough Engineer	\$103.50
Fair Share Housing Center	Legal Fees	\$5,000.00
Advertising Fees	Advertising Fees	\$4,380.20
Borough Personnel	Personnel Fees/Record Keeping	\$15,676.33
<b>TOTAL</b>		<b>\$74,120</b>

AFFORDABILITY ASSISTANCE: Date in Approved Spending Plan to Present - N/A		
Name	List affordability assistance projects and programs	Amount
<b>TOTAL</b>		<b>\$0</b>

HOUSING ACTIVITY: Date in Approved Spending Plan to Present - N/A		
Type of Housing Activity	Specific Site or Program	Amount
<b>TOTAL</b>		<b>\$0</b>

**Comments:**

\*View 2020 income limits: [https://ahpnj.org/member\\_docs/Income\\_Limits\\_2020.pdf](https://ahpnj.org/member_docs/Income_Limits_2020.pdf)  
[https://ahpnj.org/member\\_docs/Income\\_Limits\\_2019\\_FINAL.pdf](https://ahpnj.org/member_docs/Income_Limits_2019_FINAL.pdf)  
[https://ahpnj.org/member\\_docs/Income\\_Limits\\_2018.pdf](https://ahpnj.org/member_docs/Income_Limits_2018.pdf)  
[https://ahpnj.org/member\\_docs/Income\\_Limits\\_2017.pdf](https://ahpnj.org/member_docs/Income_Limits_2017.pdf)

\*\*Administrative expenses cannot total more than 20% of collected revenues, less any Administrative expenses already disbursed.  
 \*\*\*Affordability Assistance must equal at least 30% of revenues collected after July 2008, with one-third of that dedicated to very low-income Affordability Assistance



3. PRIOR AND THIRD ROUND MONITORING

Site / Program Name:	Sample	Village School	Accessory Apartment Ordin.	Vantage Health Systems	Spectrum for Living	RCA	Vantage Health Systems	AH Zone Ordinance
Project developer:		Bergen County Housing Development Corporation		Vantage Health	Spectrum for Living	Fairview	Vantage Health	
Compliance Mechanism:	100% Affordable	100% Affordable		Supportive Housing - 100% Affordable	Supportive Housing - 100% Affordable	Regional Contribution Agreement	Supportive Housing - 100% Affordable	
Compliance Mechanism #2 (if project has multiple):								
Round:	Third Round	Third Round	Third Round	Third Round	Prior Round	Prior Round	Third Round	Prior Round
Block (if multiple separate by commas):		37	1316		1104	1104		1312
Lot (if multiple separate by commas):		19	9		18	14.01		19
Address:	123 Bergen Drive, Bergen, NJ 07047	511 Durie Ave, Closter, NJ		1 Railroad Ave, Closter NJ	1 Van Sciver Street		312 Harrington Street	
Construction required to begin by (for mechanisms other than inclusionary development):								
Status:	Under construction	Site Plan Approval	Ordinance Adopted	Constructed & Occupied	Constructed & Occupied	Constructed & Occupied	Constructed & Occupied	Ordinance Adopted
If project has site plan /or subdivision approval, date building permits received (DD/MM/YYYY):		1/20/2020						
If "approved not built" or "under construction," date of site plan and/or subdivision approval:		10/1/2019	6/17/2020					
If "under construction," expected date of completion:		5/1/2020						
Date of issuance of C.O.:					6/21/2012			
If "built," date controls began:								
Length of Affordability Controls (years):		30						
Administrative Agent or other entity responsible for affirmative marketing:	Name Address Phone Email	Piazza & Associates, Inc. 216 Rockingham Row Princeton, NJ 08540 t.609.786.1100						
Contribution (for payments in lieu)								
Total Affordable Housing Units Proposed		20	35					
Total Affordable Housing Units Completed to Date		20	0		16	16	26	3
Type of Affordable Units:								
Family	20	35						
Family For-Sale	0	0						
Family Rental	20	35						
Senior	0	0						
Senior For-Sale	0							
Senior Rental	0	0						
Supportive/Special needs	0	0						
Supportive For-Sale	0							
Supportive Rental	0	0			16	16		3

Bedroom/Income Splits:

1 BR/or Efficiency Affordable Units	4	7	0	0	0	0	0	0
Very Low-Income:	1							
Low-Income:	1							
Moderate-Income:	2							
2 BR Affordable Units	12	19	0	0	0	0	0	0
Very Low-Income:	1							
Low-Income:	5							
Moderate-Income:	6							
3+ BR Affordable Units	4	9	0	0	0	0	0	0
Very Low-Income:	1							
Low-Income:	1							
Moderate-Income:	2							
Supportive/Special Needs Units:	4	0	0	16	16	0	3	0
Very Low-Income:	1			16				
Low-Income:	1				16		3	
Moderate-Income:	2							

#### 4. VERY LOW INCOME REPORTING

Very Low Income Units approved and constructed since July 17, 2008				
Development/Compliance Mechanism	Total Affordable Units	VLI units constructed as of date of report	VLI units not constructed as of date of this report but still planned	Type of Very Low Income Unit (Family, Senior, Special Needs)
Vantage Health Systems - 1 Railroad Ave - Block 1104, Lot 18	16	16	0	Special Needs
Village School	35	0	5	Family Rental
<b>Total</b>	51	16	5	

This tab provides reporting required on very low income units, i.e. units affordable to and reserved for households at or below 30% of regional median income. See N.J.S.A. 52:27D-329.1.

**Compliance Mechanism(s)**

100% Affordable  
Accessory apartment program  
Assisted living residence  
Extension of expiring controls  
Inclusionary zoning  
Market-to-Affordable  
RCA (approved pre-2008)  
Redevelopment  
Support and special needs  
Other

**Status**

No approvals  
Approved not built  
Under construction  
Built

**Rounds**

Prior Round  
Third Round  
Prior and Third Round