

**Resolution 78-25 Committing To Round 4 Present An Prospective Need
Affordable Housing Obligations**

WHEREAS, the Borough has a demonstrated history of voluntary compliance as evidenced by its Round 3 record; and,

WHEREAS, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (Mount Laurel IV), on July 2, 2015, the Borough of Franklin Lakes (hereinafter “Franklin Lakes” or the “Borough”) filed a Declaratory Judgment Complaint in Superior Court, Law Division seeking, among other things, a judicial declaration that its Housing Element and Fair Share Plan (hereinafter “Fair Share Plan”), to be amended as necessary, satisfies its “fair share” of the regional need for low and moderate income housing pursuant to the “Mount Laurel doctrine,” and,

WHEREAS, that culminated in a Court-approved Housing Element and Fair Share Plan and a Final Judgment of Compliance and Repose, which precludes builder’s remedy lawsuits until July 1, 2025; and,

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2 (hereinafter “A4” or “Amended FHA”); and,

WHEREAS, A4 calculates the size of the regional affordable housing need as follows “projected household change for a 10-year round in a region shall be estimated by establishing the household change experienced in the region between the most recent federal decennial census, and the second-most recent federal decennial census. This household change, if positive, shall be divided by 2.5 to estimate the number of low- and moderate-income homes needed to address low- and moderate-income household change in the region, and to determine the regional prospective need for a 10-year round of low- and moderate-income housing obligations...”; and,

WHEREAS, this means that the regional need equates to 40% of regional household growth; and,

WHEREAS, the 1985 version of the Fair Housing Act and A4 both prohibit a result that would compel a municipality to spend its own money on compliance; and,

WHEREAS, the theory which permits a municipality to meet its obligations without municipal subsidy is zoning for “inclusionary zoning”; and,

WHEREAS, inclusionary zoning most typically requires a 15% or 20% set aside; and,

WHEREAS, it is not clear how a regional need predicated upon 40% of anticipated growth can be met with 15-20% set asides and without municipal subsidy; and,

WHEREAS, this is exacerbated by the fact that certain other municipalities in the region have an allocation of 0% of the prospective need (new construction obligation), irrespective of the growth in that particular municipality; and,

WHEREAS, A4 yields a statewide new construction obligation of over 8,400 affordable units per year; and,

WHEREAS, this is a substantially higher annual number than was imposed by COAH in the “Prior Round” or any iteration of its Round 3 regulations; and,

WHEREAS, A4 determines the size of the regional need, but does not calculate allocation of the need to individual municipalities; and,

WHEREAS, instead, A4 required the Department of Community Affairs (“DCA”) to produce non-binding estimates of need on or before October 20, 2024, which it did provide on October 18, 2024 (“DCA Report”); and,

WHEREAS, the DCA Report calculates the Borough’s Round 4 (2025-2035) obligations as follows: a Present Need or Rehabilitation Obligation of 65 units and a Prospective Need or New Construction Obligation of 497 units; and,

WHEREAS, the Borough accepts the conclusions in the DCA Report, except regarding the land capacity allocation factor; and,

WHEREAS, as to the **Land Capacity Allocation Factor**, the Borough notes that the DCA belatedly provided the data it used to establish this factor, i.e., on or about November 27, 2024 instead of by October 20, 2024; and,

WHEREAS, the Borough further notes that the link to the DCA GIS data that the DCA belatedly made available to municipalities includes the following language: The land areas identified in this dataset are based on an the best available data using publicly available data enumerated in N.J.S.A. 52:27D-304.3c.(4) to estimate the area of developable land, within municipal and regional boundaries, that may accommodate development. **It is important to note that the identified areas could be over or under inclusive depending on various conditions and that municipalities are permitted to provide more detailed mappings as part of their participation in the Affordable Housing Dispute Resolution Program.** (emphasis added); and,

WHEREAS, the DCA maintains that the areas the DCA identified as developable are indeed overinclusive and, consequently, the Borough’s Professional Planner has prepared a report, attached hereto as Exhibit A; and,

WHEREAS, correcting the allocation factors results in the Borough’s Round 4 Prospective Need Obligation being 463 units rather than the 497 units the DCA calculated; and,

WHEREAS, Section 3 of A4 provides that: “the municipality’s determination of its fair share obligation shall have a presumption of validity, if established in accordance with sections 6 and 7” of A4; and,

WHEREAS, Borough’s calculation of need is entitled to a “presumption of validity” because it complies with Sections 6 and 7 of A4; and,

WHEREAS, the Borough specifically reserves the right to adjust those numbers based on one or any of the foregoing adjustments: 1) a windshield survey or similar survey which accounts for a higher-resolution estimate of present need; 2) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; 3) a Durational Adjustment (whether predicated upon lack of sewer or lack of water); and/or 4) an adjustment predicated upon regional planning entity formulas, inputs or considerations, including, but not limited to the Highlands Regional Master Plan and its build out, the Pinelands or Meadowlands regulations and planning document; and,

WHEREAS, in addition to the foregoing, the Borough specifically reserves all rights to revoke or amend this resolution and commitment, as may be necessary, in the event of a successful challenge to A4 in the context of the Montvale case (MER-L-1778-24), any other such action challenging A4, or any legislation adopted and signed into law by the Governor of New Jersey that alters the deadlines and/or requirements of A4; and,

WHEREAS, in addition to the foregoing, the Borough reserves the right to take a position that its Round 4 Present or Prospective Need Obligations are lower than described herein in the event that a third party challenges the calculations provided for in this Resolution (a reservation of all litigation rights and positions, without prejudice); and,

WHEREAS, in light of the above, the Mayor and Council finds that it is in the best interest of Borough to declare its obligations in accordance with this binding resolution and in accordance with the Act and,

WHEREAS, in addition to the above, the Acting Administrative Director issued Directive #14-24, dated December 13, 2024, and made the directive available later in the week that followed; and,

WHEREAS, pursuant to Directive #14-24, a municipality seeking a certification of compliance with the Act shall file an action “in the form of a declaratory judgment complaint . . . within 48 hours after adoption of the municipal resolution of fair share obligations, or by February 3, 2025, whichever is sooner”; and,

WHEREAS, nothing in this Resolution shall be interpreted as an acknowledgment of the legal validity of the AOC Directive and the Borough reserves any and all rights and remedies in relation to the AOC Directive; and,

WHEREAS, the Borough seeks a certification of compliance with the Act and, therefore, directs its Affordable Housing Counsel to file a declaratory relief action within 48 hours of the adoption of this resolution; and,

NOW, THEREFORE, BE IT RESOLVED on this ___ day of January, 2025, by the Council of the Borough of Franklin Lakes, Bergen County, State of New Jersey, as follows:

I. All of the Whereas Clauses are incorporated into the operative clauses of this resolution.

2. The Mayor and Council hereby commit to a Present Need Obligation of 65 units and the Round 4 Prospective Need Obligation of 463 units as described in this resolution subject to all reservations of rights, which specifically include:

- a) The right to adjust the number based on a windshield survey, lack of land, sewer, water, regional planning inputs, or any combination thereof;
- b) As described in the WHEREAS section, all rights to revoke or amend this resolution in the event of a successful legal challenge, or legislative change, to A4;
- c) All rights to take any contrary position in the event of a third party challenge to the obligations.

3. The Borough hereby directs its Affordable Housing Counsel to file a declaratory judgment complaint within 48 hours after adoption this resolution attaching this resolution.

4. The Borough hereby directs its Affordable Housing Counsel to (a) file this Resolution with the "Program" pursuant to the requirements on A4.

5. The Borough hereby directs that this Resolution be published on the municipal website within 48 hours of its passage, pursuant to A4.

6. This resolution shall take effect immediately, according to law.

I, Gail M. Rulli, Municipal Clerk for the Borough of Franklin Lakes, do hereby certify that the above is a certified true copy of a resolution passed by the Mayor and Council on the 21st day of January 2025, at 7:30 P.M. in the Council Chambers of the Municipal Building, a quorum being present.



Gail M. Rulli, Municipal Clerk

January 22, 2025

Date



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Franklin Lakes Borough, Bergen County, Declares the Following Fourth Round Affordable Housing Obligation:

- 1. Present Need: 65**
- 2. Fourth Round / Prospective Need Obligation: 463**

As stated in the Amended Fair Housing Act (P.L. 2024, CHAPTER 2,) (hereinafter the “FHA”), municipalities must adopt a binding resolution declaring their fourth round affordable housing obligation prior to January 31, 2025 to maintain immunity from exclusionary zoning litigation and obtain a compliance certification through the Affordable Housing Dispute Resolution Program. This resolution shall describe the basis for the municipality’s determination of the obligation . Franklin Lakes Borough adopted said resolution, which references this Report at a January 2025 Governing Body meeting.

As stated in the FHA, the municipality shall determine its present and prospective fair share obligation for affordable housing in accordance with the formulas established therein. As also stated in the FHA, the municipality’s determination of the obligation shall have a presumption of validity, if established in accordance with the FHA. Franklin Lakes Borough’s declaration of its affordable housing obligation is consistent with the methodology set forth in the FHA.

Notwithstanding the following report, the Borough specifically reserves the right to adjust the stated obligation based on one or any of the following adjustments: 1) a windshield survey or similar survey which accounts for a higher-resolution estimate of present need; 2) a vacant land adjustment predicated upon a lack of vacant, developable and suitable land; 3) a durational adjustment (whether predicated upon lack of sewer or lack of water); and/or 4) an adjustment predicated upon regional planning entity formulas, inputs or considerations, including, but not limited to the Highlands Regional Master Plan and its build out, the Pinelands or Meadowlands regulations and planning document.

The Borough also specifically reserves all rights to revoke or amend this resolution and commitment, as may be necessary, in the event of a successful challenge to A4 in the context of the Franklin Lakes case (MER-L-1778-24), any other such action challenging A4, or any legislation adopted and signed into law by the Governor of New Jersey that alters the deadlines and/or requirements of A4.

Additionally, the Borough reserves the right to take a position that its Round 4 Present or Prospective Need Obligations are lower than described herein in the event that a third party challenges the calculations provided for in this Resolution (a reservation of all litigation rights and positions, without prejudice).



Present Need

Franklin Lakes Borough supports and accepts the methodology and calculation of the present need as set forth by the Department of Community Affairs in *Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background*, released on or about October 18, 2024. As such, the Borough declares its fourth round present need obligation to be 65.

Fourth Round Prospective Need

With one exception, Franklin Lakes Borough supports and accepts the methodology and calculation of the prospective need as set forth by the Department of Community Affairs in *Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background*, released on or about October 18, 2024 (hereinafter the “DCA Report”). The exception addresses the land capacity factor (hereinafter “LCF”); all other figures and calculations (regional need, income capacity factor, nonresidential valuation factor) used by Franklin Lakes Borough to calculate the prospective need are consistent with the DCA Report.

The LCF identifies developable land in each municipality and is used to allocate the regional affordable housing obligation to those municipalities with available land to accommodate the obligation (as one of three factors responsible for the allocation). The FHA states the LCF shall be *determined by estimating the area of developable land in the municipality’s boundaries and regional boundaries that may accommodate development through the use of the “land use / land cover data” most recently published by the Department of Environmental Protection, data from the American Community Survey and Comprehensive Housing Affordability Strategy dataset thereof, MOD-IV Property Tax List data from the Division of Taxation in the Department of the Treasury, and construction permit data from the Department of Community Affairs, and weighing such land based on the planning area type in which such land is located.* It goes on to state that developable land that may accommodate development shall be weighted based on the planning area in which such land is located.

The process for Fourth Round affordable housing compliance and the criteria, methodology and formulas each municipality must rely upon to determine its present and prospective need obligation are now set forth within N.J.S.A. 52:27D-304.1 thru -304.3 of the FHA. The March 8, 2018 unpublished decision of the Superior Court, Law Division, Mercer County, In re Application of Municipality of Princeton (“Jacobson Decision”) is also to be referenced as to datasets and methodologies that are not explicitly addressed in N.J.S.A. 52:27D-304.3. Furthermore, both the Jacobson Decision and N.J.S.A. 52:27D-304.3a of the FHA explain that the datasets and information must be reliable and updated to the greatest extent practicable. For example, N.J.S.A. 52:27D:304.3a explicitly states: “[t]hese calculations of municipal present and prospective need shall use necessary datasets that are updated to the greatest extent practicable.”

Consistent with sections 6 and 7 of P.L. 2024, c. 2 (N.J.S.A. 52:27D-304.2 and N.J.S.A. 52:27D-304.3), we have considered the DCA Report, along with the underlying data and data sets relied upon by the DCA in reaching its non-binding calculations for the Borough, and have further carefully considered and analyzed the most up-to-date localized data pertaining to the Borough, including amongst other verifiable information, land use approvals, environmental constraints (including wetlands, wetland buffers, and steep slopes) and other site specific information, construction permits, and MOD-IV data maintained and on file with the Borough.



The DCA issued the data that was the basis for the land allocation factor on November 27th, over a month after the DCA deadline to issue its non-binding numbers under the Amended FHA. The link to the DCA GIS data, and the description section¹ includes the following language:

The land areas identified in this dataset are based on an the best available data using publicly available data enumerated in N.J.S.A. 52:27D-304.3c.(4) to estimate the area of developable land, within municipal and regional boundaries, that may accommodate development. It is important to note that the identified areas could be over or under inclusive depending on various conditions and that municipalities are permitted to provide more detailed mappings as part of their participation in the Affordable Housing Dispute Resolution Program.

Based upon our analysis of the DCA Report, the data and data sets relied upon by the DCA and our analysis of the Borough's up-to-date localized verifiable data, we have determined that the DCA arrived at the Borough's land capacity factor using incorrect assumptions and outdated data and/or or incorrect or inaccurate data.

The areas identified as developable in the DCA's calculation of the Land Capacity factor are indeed overinclusive. Accordingly, the land capacity allocation factor should be adjusted from 60.11 acres to 52.66 acres. When this correction is made, Franklin Lakes Borough's round 4 prospective need number should be 463, not 497. For further details on the below two categories of corrections, see the table and mapping attached to this Report.

1. Flood Hazard Area – 5.99 acres of developable land identified by DCA are entirely or partially within the special flood hazard area. NJDEP limits residential development in a fluvial special flood hazard area such that the building and the access to it must be above the design flood elevation. While residential development may be *technically* permitted, construction in that area is often prohibited due to lack of "dry access". Furthermore, it is clearly inconsistent with State, as well as Federal, policy to direct growth to these environmental areas and it is inconsistent with affordable housing rules given that flood hazard areas are excluded in vacant land adjustment calculations (N.J.A.C. 5:93-4.2(e)2.ii). Consider also the importance of this State policy given the millions of dollars expended by the State's Blue Acres program to purchase properties which are subject to repetitive flooding in order to reduce the number of people living in a flood hazard area.

The following excerpt from the State's Flood Hazard Area Control Act Rules, N.J.A.C 7:13-11.3., further addresses the overarching policy of the State, which is to reduce development with lands subject to flooding, including both the floodway and special flood hazard area.

1. Flooding presents a significant risk to the public health, safety, and welfare due to loss of life, injury, and property damage. Unless properly controlled, development within flood hazard areas obstructs and displaces floodwaters, which exacerbates the frequency, intensity, duration, and extent of flooding. Loss of life, injury, and property damage also result from collapsed structures, unsecured materials, and other debris carried by floodwaters. Furthermore,

¹ <https://njdca.maps.arcgis.com/home/item.html?id=12acdfe0a5104f8f8a2f604e96063e74>



improperly built structures are subject to severe and repetitive flood damage, resulting in the displacement of residents and prolonged economic disruption or loss.

2. Vegetation adjacent to surface waters is essential for maintaining bank stability and water quality. The indiscriminate disturbance of such vegetation destabilizes the channels and banks of surface waters, which leads to increased erosion and sedimentation that exacerbates the intensity and frequency of flooding. The loss of vegetation adjacent to surface waters also reduces filtration of stormwater runoff and subjects surface waters to increased sun exposure, which causes water temperatures to rise and dissolved oxygen content to fall. Such impacts adversely affect the health and habitat of fish and wildlife that depend upon clean surface waters and therefore disrupt the ecological balance that is necessary for life. Humans are ultimately affected by this imbalance, since clean water is essential for all life.

2. Undevelopable Configurations – 3.79 acres of developable lands identified by DCA are within undevelopable configurations. These areas represent slivers of land that due to their configuration are not developable and/or do not otherwise signal development capacity in the Borough.
 - a. Side or Rear Yards – areas that serve as the regulated side or rear yard of single-family homes are not developable because the land is, in principle, included in the developed portion of the property in that it serves the important function of screening, setback, and mitigating noise and activity on the site. As such, the configuration of these areas is insufficient for hosting additional development while continuing to serve their buffer purpose. Additionally, should these areas be developed, they would be unable to accommodate an adequate buffer given their narrow configuration.
 - b. Remaining Land – areas that are surrounded by environmentally sensitive lands which are not developable are not developable since the necessary permits to provide access to the area are not achievable and/or the developable area is in adequately sized to host the amount of development necessary to justify extensive permitting and infrastructure costs. Consider for example, LCF ID 24 which is a sliver of land (.18 ac) on an island in a lake or LCF ID 3 which is a sliver of land (.11 ac) surrounded by undevelopable lands.
3. Preserved Open Space – 1.18 acres of developable lands identified by DCA are permanently preserved as they are listed on the Recreation and Open Space Inventory (ROSI) for Franklin Lakes that is maintained by the NJDEP Green Acres Program. The lack of development rights and developability for these properties should be recognized in the same manner as the DCA did for other preserved properties.

The above listed corrections are necessary to properly account for the amount of developable land within Franklin Lakes, as compared to the Region. These corrections are appropriate to best allocate the regional obligation proportionately to those municipalities that have the land capacity to fulfill the obligation. Application of accurate LCF to municipalities in a Region may reduce the extent of vacant land and durational adjustment obligations, resulting in the increased creation of affordable housing in the Region.



The Borough's corrections are consistent with the FHA and the approach in the DCA Report. The State Agency interpreted the FHA as was thought necessary to calculate an accurate LCF for each municipality. Franklin Lakes Borough's LCF calculation continues this principle by correcting the Agency's identification of "developable" property. The Program should recognize that the DCA took steps beyond those specified in the FHA it deemed necessary to calculate the LCF. There are multiple examples of the DCA deviating from the strict and minimum language in the FHA as necessary to calculate a reasonably accurate LCF. In each of the following examples, these features are not addressed in the NJDEP Land Use Land Cover data, FHA, or the "Jacobson Decision" but yet they are excluded from the DCA's calculation of the LCF.

- Minimum area of 2,500 s.f.;
- Steep slopes exceeding 15%;
- Category 1 waterway buffers; and
- Wetland buffers.

Additionally, the Borough's corrections are consistent with the following guiding language and documents:

- FHA: The law states, in N.J.S.A. 52:27D-304.3a, "calculations of municipal present and prospective need shall use necessary datasets that are updated to the greatest extent practicable." The Jacobson decision explained this point further: "Any reasonable methodology must have as its keystone three ingredients: reliable data, as few assumptions as possible, and an internal system of checks and balances. Reliable data refers to the best source available for the information needed and the rejection of data which is suspect. The need to make as few assumptions as possible refers to the desirability of avoiding subjectivity and avoiding any data which requires excessive mathematical extrapolation. An internal system of checks and balances refers to the effort to include all important concepts while not allowing any concept to have a disproportionate impact." The Borough serves as a check for this step in the DCA process to ensure an accurate calculation of developable land using all applicable and appropriate datasets. .
 - The Borough's corrections regarding the special flood hazard area are a correction to DCA's attempt to exclude environmentally sensitive lands. The Borough incorporated an additional publicly available data set – FEMA Flood Zones.
 - The Borough's corrections regarding undevelopable configurations are based on reliable and updated data that is reflected in the MOD IV database as well as publicly available and State-wide available aerial photography.
 - The Borough's corrections regarding preserved open space are based on the ROSI as maintained by and publicly available from the NJDEP Green Acres Program.



- FHA: The findings in N.J.S.A. 52:27D-302.2.s., states *[t]he Legislature, in amending and supplementing the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.), intends to facilitate comprehensive planning in alignment with smart growth principles, and the State Development and Redevelopment Plan.* (emphasis added)
 - An accurate LCF, one that reflects lands that are eligible for residential development, promotes comprehensive planning by allocating the regional obligation proportionately to those municipalities that have the land capacity to fulfill the obligation.
 - The Borough's corrections are consistent with the adopted State Development and Redevelopment Plan, including but not limited to, Flood Control Policy 28 (*Protect and enhance wetlands and avoid development and redevelopment in designated flood plains.*) and Open Space and Recreational Lands Policy 9 – Retention of Recreational and Open Space Land in Private Ownership (*Promote and encourage the protection and enhancement of privately owned tracts of open space...*). The Borough specifically reserves all rights to revoke or amend this statement of consistency with the State Development and Redevelopment Plan should it be amended in the future.
- Mt. Laurel II Decision²: This 1983 Supreme Court decision states municipal obligations should reflect conservation and environmental conditions,

We reassure all concerned that Mount Laurel is not designed to sweep away all land use restrictions or leave our open spaces and natural resources prey to speculators. Municipalities consisting largely of conservation, agricultural, or environmentally sensitive areas will not be required to grow because of Mount Laurel. No forests or small towns need be paved over and covered with high-rise apartments as a result of today's decision.
- AMG Decision³: This 1984 Superior Court decision sets forth the original basis for determining municipal affordable housing obligations. While subsequent efforts by COAH and the FHA provide alterations to the methodology, the basic framework remains – including the three allocation factors. The AMG decision refers to the “growth area” factor for what is now referred to at the LCF. This decision recognizes the need for an accurate accounting of developable land for the regional allocation.

Any reasonable methodology must account for a municipality's physical capacity to provide space for new construction. The growth area factor is designed to reflect that capacity. It identifies that area within the municipality which has been earmarked by the SDGP as an appropriate place for development.

...

² Southern Burlington County NAACP v. Borough of Mt. Laurel (II), 92 N.J. 158, 456 A.2d 390 (1983)

³ AMG Realty Co. v. Warren Tp., 207 N.J. Super. 388 (1984)



It should be recognized that a municipality's capacity to accept lower income housing would be better measured by a factor which identifies the amount of vacant developable land within the growth area. Not all growth area land is vacant or suitable for development. Some towns designated as growth are fully developed. Other vacant land is either physically constrained due to slopes, watercourses or other conditions or is inappropriate for Mount Laurel high density development because of other planning or environmental concerns.

(Emphasis added)

Opinions and Conclusions

As part of our analysis, this office has prepared a “Land Capacity Factor Correction” chart which details the parcels/land included in the DCA Report that must be corrected, as well as more detailed mappings of same. The “Land Capacity Correction” chart and mappings are incorporated at the end of this report.

The methodology used to identify and exclude parcel types listed in the analysis contained within this report is consistent with the published DCA Report. The data, data sources, methodology, criteria and formulas relied upon in completing this analysis and arriving at these opinions, including the calculation of the Borough’s Prospective Need Obligation, was performed in accordance with sections 6 and 7 of P.L. 2024, c. 2 (N.J.S.A. 52:27D-304.2 and N.J.S.A. 52:27D-304.3) and the Jacobson Decision. All opinions and conclusions set forth herein are within a reasonable degree of professional planning certainty. We reserve the right to amend and supplement our findings, opinions and conclusions should additional information be made available at a later date.

It is important to note that the analysis to correct the land allocation factor is different than the analysis to use the determine a municipality’s entitlement to vacant land adjustment. While the analysis to correct the Land Capacity factor focuses on developable land, the analysis to support a vacant land adjustment focuses on land suitable for inclusionary development . Therefore, just because a site was not removed for purposes of calculating the land capacity factor has no bearing on whether it should be removed to calculate entitlement to a vacant land adjustment.

The below table provides the summary calculation of fourth round obligation for the Borough of Franklin Lakes, Bergen County.

Franklin Lakes Borough Fourth Round Obligation Methodology Summary

Factor	DCA	Corrected
Region 1 Household Change 2010-2020	69,358	69,358
Region 1 Low & Mod Home Estimate	27,743	27,743
Franklin Lakes Nonresidential Valuation Factor	0.57%	0.57%
Franklin Lakes Regional Income Capacity Factor	1.78%	1.78%
<i>Franklin Lakes Land Capacity Factor</i>	3.04%	2.66%
<i>Average Factor</i>	1.79%	1.67%
Franklin Lakes Fourth Round Obligation	497	463

Franklin Lakes Land Capacity Correction							
LCF ID	Block	Lot	Property Location	Owner Address	DCA Identified Acreage	Borough Correction Acreage	
1	2709	17.02	260 GLEN PLACE	260 GLEN PL	0.08	Sliver of land between road and preserved (ROSI) open space; configuration does not permit development; portion of property is in the SFHA	0.00
2	2101.08	1	237 INDIAN TRAIL DRIVE	830 FRANKLIN LAKE ROAD	0.10	Property is part of a larger tract that is almost entirely encumbered with environmental constraints. This sliver of land does not represent a developable portion of the lot.	0.00
3	2101.08	1	237 INDIAN TRAIL DRIVE	830 FRANKLIN LAKE ROAD	0.11	Property is part of a larger tract that is almost entirely encumbered with environmental constraints. This sliver of land does not represent a developable portion of the lot.	0.00
4	2206	2	740 FRANKLIN LAKE ROAD	730 FRANKLIN LAKE ROAD	0.06	Rear yard of an existing single-family home and is not an oversized lot	0.00
4	2206	2.011	730 FRANKLIN LAKE ROAD	730 FRANKLIN LAKE ROAD	-		

Franklin Lakes Land Capacity Correction							DCA	Borough Correction	Borough Corrected Acreage
LCF ID	Block	Lot	Property Location	Owner Address	Identified Acreage				
5	3206	1.03	875 EWING AVENUE	875 EWING AVENUE	0.07	A portion of the property is within the SFHA - .066 ac.; the remaining area is less than 2500 sf		0.00	
6	2419.03	5.01	0	0	0.11		X	0.11	
7	2607	1.03	PARSONS POND ROAD	480 DE KORTE DRIVE	0.07		X	0.07	
8	1406	2	720 MCCOY ROAD	ONE PARKER PLAZA	0.13		X	0.13	
9	2607	1.03	PARSONS POND ROAD	480 DE KORTE DRIVE	0.11		X	0.11	
10	1608	5	790 SHADOW RIDGE ROAD	322 PULIS AVENUE	0.10		X	0.09	
11	2547.04	3.01	480 BENDER COURT	480 DEKORTE DRIVE	0.08		X	0.08	
12	2401.02	1.01	FRANKLIN AVENUE	698 FRANKLIN AVE	0.08	sliver of land is a side yard (no street frontage) of a residence and is not an oversized lot.		0.00	
13	2101.14	2	838 APACHE ROAD	PO BOX 909	0.13		X	0.13	
14	1407	1	620 COLONIAL ROAD	PO BOX 173	0.19		X	0.19	
15	1404.01	9	886 FRANKLIN AVENUE	510 COMMERCE STREET	0.10		X	0.10	
15	1513	1	864 FRANKLIN AVENUE	505 MAIN ST, STE 400	-				
16	3103.04	2	650 PAWNEE LANE	24 ROSALIE AVENUE	0.07		X	0.07	
17	2707	3	447 LAKE ROAD - REAR	2 NYDAM LN	0.07	Rear yard associated with a single family home in Wyckoff		0.00	

Franklin Lakes Land Capacity Correction							DCA	Borough Correction	Borough Corrected Acreage
LCF ID	Block	Lot	Property Location	Owner Address	Identified Acreage				
18	1211	3.05	249 MULBERRY WAY	249 MULBERRY WAY	0.07	sliver of land is a side yard (no street frontage) of a residence and is not an oversized lot.		0.00	
19	1601	8.11	PHELPS ROAD	160 JOHNSON AVE	0.12		X	0.12	
20	1512.01	13	717 MARDINLY AVENUE	1 BLUE HILL PLAZA	0.06		X	0.06	
21	1406	2	720 MCCOY ROAD	ONE PARKER PLAZA	0.08		X	0.08	
22	3103.04	1	642 PAWNEE LANE	24 ROSALIE AVENUE	0.12				
22	3103.04	2	650 PAWNEE LANE	24 ROSALIE AVENUE	-		X	0.12	
23	1520	1	470 PULIS AVENUE	454 PULIS AVENUE	0.11		X	0.11	
24	3204	1	INDUSTRIAL PARK	834 FRANKLIN LAKE RD	0.18	sliver of land in an island in Hoppers Lake; property is not developable		0.00	
24	1101	1	FRANKLIN LAKE RD - POND	834 FRANKLIN LAKE RD	-				
25	3103.04	2	650 PAWNEE LANE	24 ROSALIE AVENUE	0.07		X	0.07	
26	2707	1	700 PARSONS POND ROAD	480 DEKORTE DRIVE	0.08	Listed on ROSI; development prohibited		0.00	
27	2306.01	2	679 SUMMIT AVENUE	CRUWELLSTRASSE 7A 33615	0.12		X	0.12	
28	1426	1	789 HIGHWAY 208	ONE BECTON DRIVE	0.17	Property located within a jug handle; property is encumbered by SFHA - .171 ac.		0.00	

Franklin Lakes Land Capacity Correction

LCF ID	Block	Lot	Property Location	Owner Address	DCA Identified Acreage	Borough Correction	Borough Corrected Acreage
29	2707	5	1 NYDAM LANE - REAR	2 NYDAM LANE	0.09	side yard associated with a single family home in Wyckoff; entire property is within the SFHA	0.00
30	1426	1	789 HIGHWAY 208	ONE BECTON DRIVE	0.15	Entire property is encumbered by SFHA	0.00
31	2607	1.03	PARSONS POND ROAD	480 DE KORTE DRIVE	0.11	X	0.11
32	2301.01	1	596 SUMMIT AVENUE	509 FOREST GLEN	0.11	X	0.11
33	1427	1.01	747 HIGHWAY 208	747 HIGHWAY 208	0.13	X	0.13
33	1426	1	789 HIGHWAY 208	ONE BECTON DRIVE	-	X	0.13
34	2206	2.011	730 FRANKLIN LAKE ROAD	730 FRANKLIN LAKE ROAD	0.33	X	0.33
35	3103.01	15	515 RESERVOIR DRIVE	558 HIGH MOUNTAIN RD	0.14	sliver of land is a side yard (no street frontage) of a residences and is not an oversized lot.	0.00
35	3103.01	16	558 HIGH MOUNTAIN ROAD	515 RESERVOIR DRIVE	-		
36	1601.02	2.02	795 PONY TRAIL	767 BRIDLE WAY	0.22	X	0.22
37	3100	1	1 NATURE PRESERVE WAY	480 DE KORTE DRIVE	0.22	Listed on ROSI; development prohibited	0.00
38	1106.05	3	5 SHINNECOCK TRAIL	5 SHINNECOCK TRAIL	0.13	Lot is occupied with a single-family home	0.00
39	2547.05	3	479 BENDER COURT	480 DEKORTE DRIVE	0.40	X	0.40
40	2707	1	700 PARSONS POND ROAD	480 DEKORTE DRIVE	0.09	Listed on ROSI; development prohibited	0.00

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41	1406	2	720 MCCOY ROAD	ONE PARKER PLAZA	0.09	X	0.09
42	2607	1.03	PARSONS POND ROAD	480 DE KORTE DRIVE	0.23	X	0.23
43	1608	5	790 SHADOW RIDGE ROAD	322 PULIS AVENUE	0.27	X	0.27
44	1110.08	5	711 CHEYENNE DRIVE	711 CHEYENNE DR	0.20	rear yard (no street frontage) of existing single family home and is not part of an oversized lot	0.00
45	3302	2	645-49-51 EWING AVENUE	411 WYCKOFF AVENUE	0.21	X	0.21
46	2101.08	5	212 SEMINOLE LANE	PO BOX 166	0.42	X	0.42
47	2408	1.06	462 BLUE HILL TERRACE	480 DEKORTE DRIVE	0.37	Listed on ROSI; development prohibited	0.00
48	3304	3	551 FRANKLIN LAKE ROAD	530 SICOMAC AVENUE	0.21	rear yard (no street frontage) of existing single family home and is not part of an oversized lot	0.00
48	3304	3.01	FRANKLIN LAKE ROAD	50 OAKWOOD AVE	-	sliver of land is located to the rear of single family homes and does not have street frontage	0.00
49	1511	6.01	805 CIRCLE AVENUE	102 LAKEVIEW TERR	0.16		0.00
50	2403	4	550 SUMMIT AVENUE	ONE BECTON DRIVE	0.20	X	0.20

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LCF ID	Block	Lot	Property Location	Owner Address	DCA Identified Acreage	Borough Correction	Borough Corrected Acreage
51	1601	4	200 PULLIS AVENUE	662 JUNIPER PLACE	0.19	Property is encumbered by SFHA and wetlands associated with the Ho Ho Kus brook; this area is across the brook from the remaining lot and has no road frontage.	0.00
52	2712	3.02	286 AUTUMN TERRACE	375 PULLIS AVE	0.53	Rear yard of an existing single-family home and is not an oversized lot	0.00
53	2707	1	700 PARSONS POND ROAD	480 DEKORTE DRIVE	0.07	Listed on ROSI; development prohibited	0.00
53	2709	17.02	260 GLEN PLACE	260 GLEN PL	-		
54	2304.06	16	698 BUTTERNUT DRIVE	692 EAST DRIVE	0.78	X	0.78
55	1209	18	936 DOGWOOD TRAIL	163 E. MAIN ST, UNIT 151	0.23	X	0.23
55	1209	17	944 DOGWOOD TRAIL	937 DOGWOOD TRAIL	-	X	
56	1314.05	1.03	1004 CLARK ROAD	PO BOX 456	0.79		0.79
57	1107	2.04	933 LAURIE LANE	932 LAURIE LANE	0.76	portion of the property is encumbered by the SFHA - .06 ac.	0.69
58	1427	1.01	747 HIGHWAY 208	747 HIGHWAY 208	0.42	X	0.42
59	2607	1.03	PARSONS POND ROAD	480 DE KORTE DRIVE	0.50	X	0.50
60	1512.01	13	717 MARDINILY AVENUE	1 BLUE HILL PLAZA	0.53	X	0.53

Franklin Lakes Land Capacity Correction

LCF ID	Block	Lot	Property Location	Owner Address	DCA Identified Acreage	Borough Correction	Borough Corrected Acreage
61	1510	6.01	354 PULIS AVENUE	362 PULIS AVE	0.64	X	0.64
62	1106.05	3	5 SHINNECOCK TRAIL	5 SHINNECOCK TRAIL	0.51	Lot is occupied with a single-family home	0.00
63	2401.03	3	674-678 FRANKLIN AVENUE	ONE BECTON DRIVE	1.06	X	1.06
64	1504.03	24	733 NATURES WAY	506 WAVERLY ROAD	0.87	X	0.87
65	2504	1	461 PULIS AVENUE	747 SHOSHONE TRAIL	1.01	X	1.01
66	3302	2	645-49-51 EWING AVENUE	411 WYCKOFF AVENUE	0.42	X	0.42
67	2202.04	2.01	835 HIGH MOUNTAIN ROAD	787 FRANKLIN LAKE ROAD	0.48	X	0.48
68	2403	3	544 SUMMIT AVENUE	ONE BECTON DRIVE	0.86		0.86
68	2403	4	550 SUMMIT AVENUE	ONE BECTON DRIVE	-	X	0.86
69	1427	1.01	747 HIGHWAY 208	747 HIGHWAY 208	0.42	portion of the property is encumbered by the SFHA - .346 ac.	0.07
69	1426	1	789 HIGHWAY 208	ONE BECTON DRIVE	-		
70	3206	1.03	875 EWING AVENUE	875 EWING AVENUE	0.11	portion of the property is encumbered by the SFHA - .03 ac.	0.07
71	3103.01	16	558 HIGH MOUNTAIN ROAD	515 RESERVOIR DRIVE	0.99	X	0.99
72	1512.01	13	717 MARDINLY AVENUE	1 BLUE HILL PLAZA	0.96		0.96
72	1512.01	12	709 MARDINLY AVENUE	1 BLUE HILL PLAZA	-	X	0.96
73	1406	2	720 MCCOY ROAD	ONE PARKER PLAZA	0.36	X	0.36

Franklin Lakes Land Capacity Correction						
LCF ID	Block	Lot	Property Location	Owner Address	DCA Identified Acreage	Borough Correction Acreage
74	2707	1	700 PARSONS POND ROAD	480 DEKORTE DRIVE	0.34	Listed on ROSI; development prohibited
74	2707	1.02	800 PARSONS POND ROAD	800 PARSONS POND RD	-	
75	1427	1.01	747 HIGHWAY 208	747 HIGHWAY 208	0.97	X
76	2101.14	2	838 APACHE ROAD	PO BOX 909	0.71	X
76	3103.04	2	650 PAWNEE LANE	24 ROSALIE AVENUE	-	X
77	147.02	76.01	22 VICTORIA LANE	22 VICTORIA LN	1.44	X
77	1601	8.12	PHELPS ROAD	160 JOHNSON AVE	-	X
78	4304	6	19 MAPLE DR	19 MAPLE DR	1.12	
78	4304	5	210 FRANKLIN AVE	210 FRANKLIN AVE	-	
78	1403	3	948 FRANKLIN AVENUE	19 MAPLE DRIVE	-	X
78	4305	15	93 THACKERAY RD	93 THACKERAY RD	-	
78	4305	26	18 MAPLE DR	18 MAPLE DR	-	
79	1601	4	200 PULLIS AVENUE	662 JUNIPER PLACE	1.15	portion of the property is encumbered by the SFHA - .007 ac.
80	1110.03	4	353 ALGONQUIN ROAD	349 ALGONQUIN ROAD	0.98	X
81	3207	21	REAR-FRANKLIN LAKE ROAD	125 DELAWARE LANE	2.32	X
82	3207	29	FRANKLIN LAKE ROAD	132 DELAWARE LANE	2.47	X
83	1426	1	789 HIGHWAY 208	ONE BECTON DRIVE	2.79	portion of the property is encumbered by the SFHA - .194 ac.

Borough Corrected Acreage

Franklin Lakes Land Capacity Correction							
LCF ID	Block	Lot	Property Location	Owner Address	DCA Identified Acreage	Borough Correction	Borough Corrected Acreage
84	1427	1.01	747 HIGHWAY 208	747 HIGHWAY 208	0.70	Area is used as highway access road to the campus	0.00
85	1406	2	720 MCCOY ROAD	ONE PARKER PLAZA	1.64		
85	4202	2	0	0	-	X	0.16
86	3302	2	645-49-51 EWING AVENUE	411 WYCKOFF AVENUE	9.77	X	9.77
87	5505	6	180 MANITO AVE	180 MANITO AVE	7.37		
87	1501	1.02	731 SURREY LANE	809 POND BROOK ROAD	-		
87	5505	8	192 MANITO AVE	192 MANITO AVE	-		
87	5505	7	186 MANITO AVE	186 MANITO AVE	-		
87	1501	1	950 CHURCH LANE	1 CHURCH LN	-	X	7.37
87	1501	1.01	725 SURREY LANE	809 POND BROOK ROAD	-		
87	1501	1.03	737 SURREY LANE	809 POND BROOK ROAD	-		
88	1427	1.01	747 HIGHWAY 208	747 HIGHWAY 208	2.03	X	1.98
89	2607	1.03	PARSONS POND ROAD	480 DE KORTE DRIVE	3.44	X	3.44
Total Area					60.11		52.66