

# EXHIBIT 1

**RESOLUTION NO. 2025-1.114  
OF THE GOVERNING BODY OF  
THE BOROUGH OF BLOOMINGDALE**

**RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC AND STATE OF NEW JERSEY, ADOPTING BLOOMINGDALE'S AFFORDABLE HOUSING PRESENT AND PROSPECTIVE NEED OBLIGATIONS FOR THE PERIOD OF JULY 1, 2025 THRU JULY 1, 2035 IN ACCORDANCE WITH P.L. 2024 C.2, AND RESERVING ALL RIGHTS.**

**WHEREAS**, the Borough of Bloomingdale (hereinafter "Borough") has a demonstrated history of voluntary compliance with the Mount Laurel doctrine and the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq. ("FHA"); and

**WHEREAS**, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (Mount Laurel IV), in July 2015, the Borough filed a Declaratory Judgment Action in the Superior Court, Law Division, Passaic County, under Docket No. PAS-L-2360-15 ("2015 Action") seeking, among other things, a judicial declaration that the Borough's 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**, the Borough's 2015 Action ultimately culminated in the Court entering an Order Granting Third Round Certification on July 18, 2016 which entitles the Borough to immunity and precludes Mount Laurel lawsuits and exclusionary zoning litigation, including builder's remedy lawsuits, from being filed against the Borough until after July 1, 2025; and

**WHEREAS**, on March 20, 2024, Governor Murphy signed into law, P.L. 2024, c.2, which, among other things, amended various provisions of the FHA, abolished the Council on Affordable Housing ("COAH") and established the Affordable Housing Dispute Resolution Program ("Program"); and

**WHEREAS**, P.L. 2024, c.2, sets forth that the Fourth Round period of affordable housing obligations shall run from July 1, 2025 through June 30, 2035 ("Fourth Round" or "Round Four"); and

**WHEREAS**, pursuant to P.L. 2024, c.2, the Borough is located in Housing Region 1, which is comprised of Bergen, Hudson, Passaic and Sussex counties; and

**WHEREAS**, the amendments to the FHA require the Department of Community Affairs ("DCA") to prepare and publish a report on the calculations of the regional need and each municipality's present and prospective need affordable housing obligations for the Fourth Round within seven (7) months of March 20, 2024; and

**WHEREAS**, on October 18, 2024 the DCA published its report on the calculations with respect to Statewide regional need and municipal present and prospective need affordable housing obligations for the Fourth Round (the “DCA Report”); and

**WHEREAS**, pursuant to P.L. 2024, c.2, the DCA has calculated the total Statewide prospective need obligation to be 84,698 units, which equates to a Statewide new construction obligation of over 8,400 affordable units per year; and

**WHEREAS**, the DCA Report further calculates the Borough’s non-binding Fourth Round obligations as follows: 1) a present need or rehabilitation obligation of “0”; and 2) a prospective need or new construction obligation of “434”; and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-304.1e of the FHA, the calculations in the DCA Report are not binding on municipalities; and

**WHEREAS**, rather, pursuant to N.J.S.A. 52:27D-304.1 of the FHA, each municipality is required to ultimately determine its respective Fourth Round present and prospective need fair share obligations, and adopt a binding resolution committing to these obligations describing the basis for the municipality’s determination on or before January 31, 2025; and

**WHEREAS**, P.L. 2024, c.2, directs that each municipality shall determine its Fourth Round present and prospective need fair share obligations, with consideration of the calculations in the DCA Report, and in accordance with the formulas established in N.J.S.A. 52:27D-304.2 and -304.3 of the FHA using “necessary datasets that are updated to the greatest extent practicable”; and

**WHEREAS**, the Borough’s Planner and Municipal Attorney have reviewed and analyzed 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 carefully considered and analyzed the most up-to-date localized data pertaining to the Borough, including amongst other verifiable data, local land use approvals, environmental constraints and other site specific information, construction permits, and MOD-IV data maintained and on file with the Borough with regard to the land capacity and equalized non-residential valuation allocation factors; and

**WHEREAS**, based upon same, the Borough has determined to accept the estimate set forth in the DCA Report with respect to the Borough’s Present Need Obligation of “0” at this time; and

**WHEREAS**, however, based upon the above analysis, the Borough rejects the DCA’s non-binding calculation of the Borough’s Prospective Need Obligation of “434”, as based on the opinions of the Borough’s Planner, the DCA’s non-binding calculations and underlying data sources in arriving at the Borough’s allocated land capacity factor were incorrect and erroneous for multiple reasons; and

**WHEREAS**, in particular, the Borough Planner has confirmed that the DCA mistakenly arrived at the Borough’s land capacity factor using incorrect assumptions and inaccurate data to

erroneously determine that approximately 74.54 acres of land within the Borough is “developable”; and

**WHEREAS**, using the most up-to-date localized verifiable data and information available to the Borough, the Borough’s Planner has determined that only 39.20 acres of land within the Borough is “developable” after consideration is given to the applicable preserved land, deed restrictions, lack of available road access, consideration of prior round inclusionary development sites, environmental constraints and restrictions (including wetlands, wetland buffers, steep slopes, special flood hazard areas, and floodways), land use board approvals, construction permit data, and MOD-IV data, amongst other localized data and updated verifiable information; and

**WHEREAS**, the Borough’s Planner has further independently calculated the Borough’s Fourth Round Prospective Need affordable housing obligation based on the formulas, criteria, methodology and datasets required by sections 6 and 7 of P.L. 2024, c. 2 (N.J.S.A. 52:27D-304.2 and -304.3, and has arrived at a Fourth Round Prospective Need Obligation that accurately reflects the most up-to-date pertinent factual data specific to the Borough; and

**WHEREAS**, based upon the calculations and analysis performed by the Borough Planner, the Borough has determined that its Fourth Round Prospective Need or New Construction obligation is “269” and

**WHEREAS**, the Borough’s Planner has prepared report setting forth this analysis, a summary of all relevant factors, and the basis for such conclusions, which is/are summarily incorporated by reference above and which is attached hereto as Exhibit “A”; and

**WHEREAS**, N.J.S.A. 52:27D-304.1f(1)(b) 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 P.L. 2024, c.2 ... [;]” and

**WHEREAS**, the Borough’s calculation of its present need and prospective need obligations is entitled to a “presumption of validity” because it complies with sections 6 and 7 of P.L. 2024, c.2; and

**WHEREAS**, the Borough, however, specifically reserves the right to adjust its Present Need Obligation and/or Prospective Need Obligations, including for any of the foregoing adjustments: 1) a structural conditions survey or similar exterior survey which accounts for a lower 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; and

**WHEREAS**, in addition to the foregoing, the Borough specifically reserves all rights to revoke this Resolution and commitment to its Fourth Round affordable housing obligations herein, in the event of: (1) a successful challenge to P.L. 2024, c.2 as a result of the pending litigation entitled: Township of Montvale et al, v. State of New Jersey, et al., Docket No.: MER-L-1778-24;

(2) any other successful challenge to P.L. 2024, c.2, or any directive or regulation adopted pursuant thereto; and/or (3) any subsequent legislative or regulatory enactment which alters or changes the deadlines, calculations, methodology and/or other requirements of P.L. 2024, c.2; and

**WHEREAS**, the Borough further specifically reserves the right to take a position that its Fourth Round Present Need and/or Prospective Need Obligation(s) 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 addition, nothing in P.L. 2024, c. 2 requires or can require an increase in the Borough's Fourth Round Present Need and/or Prospective Need Obligation(s) based on a successful downward challenge of any other municipality in the Region since the plain language and clear intent of P.L. 2024, c.2, is to establish, for example, unchallenged numbers by default as of March 1, 2025; and

**WHEREAS**, in light of the above, the Mayor and Borough Council find that it is in the best interest of the Borough of Bloomingdale to declare its Fourth Round affordable housing obligations by resolution in accordance with P.L. 2024, c.2.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Bloomingdale, in the County of Passaic, and State of New Jersey as follows:

1. All of the Whereas Clauses set forth above are hereby incorporated into the operative clauses of this Resolution by reference.

2. The Mayor and Borough Council hereby commit to a Fourth Round Present Need Obligation of "0" and a Fourth Round Prospective Need Obligation of "269", and which such commitment to the Borough's Fourth Round Affordable Housing Obligations be and is hereby subject to the Borough's reservation of all rights it may have, as described in this Resolution or otherwise, to revoke, repeal, suspend, amend or modify this Resolution by further action of the Borough, including but not limited to, the following:

- a) The right to adjust, modify, cancel, withdraw or revoke the Borough's commitment to its Fourth Round Present Need and/or Prospective Need Obligation(s), and/or to otherwise revoke, repeal, suspend, amend, or modify this Resolution should additional information or evidence become available or discoverable to the Borough in the future;
- b) The right to adjust the Borough's Present Need and/or Prospective Need Obligation(s) based on lack of available vacant and developable land, sewer, water, and/or due to regional planning inputs, formulas or considerations, including, but not limited to the Highlands Regional Master Plan and its build out, or any combination of the above;
- c) All rights to revoke this Resolution in the event of a successful legal challenge to P.L. 2024, c.2, a legislative change to P.L. 2024, c. 2, or any successful

challenge to any directive or regulation adopted pursuant to P.L. 2024, c.2, or any change or amendment to such directives or regulations;

- d) All rights to take a position that the Borough’s Fourth Round Present Need and/or Prospective Need Obligation(s) are lower than described herein in the event that a third party challenges the calculations provided for or relied upon in this Resolution; and/or
- e) All rights to take a position that the Borough’s Fourth Round Present Need and/or Prospective Need Obligation(s) is/are lower than described herein in the event a third party claims the Borough’s Fourth Round Present Need and/or Prospective Need Obligation(s) require an increase based on a reallocation or modification of the Regional present need and/or prospective need obligation(s) allegedly due from a successful reduction of the allocated present and prospective need obligations assigned to any another municipality in the Region

3. The Borough’s calculation of present and prospective need obligations is/are entitled to a “presumption of validity” because it complies with sections 6 and 7 of P.L. 2024, c.2.

4. In accordance with N.J.S.A. 52:27D-304.1, the Borough hereby directs the Borough Attorney to file an action with the Affordable Housing Dispute Resolution Program along with this Resolution, and to take all necessary and proper steps to address any challenges to same by any interested parties.

5. The Borough further commits to adopt its Housing Element and Fair Share Plan pursuant to N.J.S.A. 52:27D-304.1f(2) based on this determination on or before June 30, 2025, and hereby further directs the Borough Attorney, Borough Planner and Borough Engineer to begin taking steps to prepare same.

6. A copy of this Resolution, along with filing date of the Borough’s action with the Program, shall be placed on the Borough’s website.


7. A copy of this Resolution shall remain on file in the Borough Clerk’s office and available for public inspection.

8. This Resolution shall take effect immediately, according to law.

***Record of Council Vote on Passage***

| COUNCIL PERSON | AYE | NAY | Abstain | Absent | COUNCIL PERSON | AYE | NAY | Abstain | Absent |
|----------------|-----|-----|---------|--------|----------------|-----|-----|---------|--------|
| Bronkhurst     | X   |     |         |        | Hudson         | X   |     |         |        |
| Catalano       | X   |     |         |        | Schubert       | X   |     |         |        |
| Graziano       | X   |     |         |        | Yazdi          | X   |     |         |        |

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the Borough of Bloomingdale at an Official Meeting held on January 21, 2025.

  
 Breeanna Smith, RMC  
 Municipal Clerk, Borough of Bloomingdale

## **EXHIBIT "A"**



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2 East Broad Street, 2<sup>nd</sup> Floor  
Hopewell, NJ 08525  
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info@kylemcmamus.com

**Bloomington Borough, Passaic County, Declares the Following Fourth Round Affordable Housing Obligation:**

- 1. Present Need: 0**
- 2. Fourth Round / Prospective Need Obligation: 269**

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. Bloomington 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. Bloomington 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 Bloomington 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 if a third party challenges the calculations provided for in this Resolution (a reservation of all litigation rights and positions, without prejudice.





### **Present Need**

Bloomingtondale 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 0.

### **Fourth Round Prospective Need**

With one exception, Bloomingtondale 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 Bloomingtondale 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, Passaic 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 section<sup>1</sup> includes the following language:

*The land areas identified in this dataset are based on 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 74.54 acres to 39.20 acres. When this correction is made, Bloomingdale Borough's round 4 prospective need number should be 269, not 434. For further details on the below two categories of corrections, see the table and mapping attached to this Report.

1. Flood Hazard Area – 7.56 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 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,*

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<sup>1</sup> <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 – 10.38 acres of developable lands identified by DCA are within undevelopable configurations. These areas are not served by road access and are not part of a larger tract that may be developed or redeveloped simultaneously and/or they are surrounded by environmental constraints that preclude the construction of road access. Note that in many cases, the closest road is a private road, rather than a public road for which a developer has the right to access (absent unusual road conditions or other circumstances). As such, the areas are not developable since there is no opportunity to provide road access or incorporate the lands into a larger redevelopment.
3. Third Round Sites – 21.01 acres of developable lands identified by DCA are located on the Borough’s premier third round site – one that is zoned and planned for satisfaction of the Borough’s third round obligation. The development of this site is set forth in multiple Court Orders and a redevelopers agreement. Utilizing these sites to meet the fourth round obligation would require amendment of these Court Orders addressing the third round. As such, these lands do not represent development capacity that may be used to meet the Borough’s fourth round obligation.
4. Preserved Land – 1.79 acres of developable lands identified by DCA is preserved by virtue of being common open space associated with development.

The above listed corrections are necessary to properly identify the developable land within Bloomingdale, 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. Bloomingdale 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 environmental 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 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 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 third round sites utilizes data that is available from the NJ Judiciary.
- 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, Water Resources - Flood Control Policy 28 (*Protect and enhance wetlands and avoid development and redevelopment in*



*designated flood plains.)* 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 Decision<sup>2</sup>: 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 Decision<sup>3</sup>: 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.*

...

*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.

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

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



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 Bloomingdale, Passaic County.

#### **Bloomingdale Borough Fourth Round Obligation Methodology Summary**

| <b>Factor</b>  | <b>DCA</b> | <b>Corrected</b> |
|--|------------|------------------|
| Region 1 Household Change 2010-2020                  | 69,358     | 69,358           |
| Region 1 Low & Mod Home Estimate                     | 27,743     | 27,743           |
| Bloomingdale Nonresidential Valuation Factor         | 0.16%      | 0.16%            |
| Bloomingdale Regional Income Capacity Factor         | 0.77%      | 0.77%            |
| <i>Bloomingdale Land Capacity Factor</i>             | 3.77%      | 1.98%            |
| <i>Average Factor</i>                                | 1.57%      | 0.97%            |
| <b><i>Bloomingdale's Fourth Round Obligation</i></b> | <b>434</b> | <b>269</b>       |

| Bloomingdale Borough Land Capacity Correction |       |       |                   |                  |                |                        |   |                           |  |
|---|-------|-------|-------------------|------------------|----------------|------------------------|---|---------------------------|--|
| LCF ID  | Block | Lot   | Property Location | Owner Address    | Property Class | DCA Identified Acreage | Borough Correction  | Borough Corrected Acreage |  |
| 1   | 5105  | 14.02 | OFF VAN DAM/UNION | 9 ENTIN ROAD     | 1              | 0.06                   |   | 0.06                      |  |
| 2   | 5066  | 24    | OFF RAFKIND ROAD  | 101 HAMBURG TPKE | 15C            | 0.07                   |   | 0.07                      |  |
| 3   | 5105  | 14.02 | OFF VAN DAM/UNION | 9 ENTIN ROAD     | 1              | 0.08                   |   | 0.08                      |  |
| 4   | 5105  | 14.01 | OFF VAN DAM/UNION | 101 HAMBURG TPKE | 15C            | 0.06                   | This property is a third round. Inclusionary housing site for which a Redevelopment Plan and Agreement have been executed, and that is addressed in Court Orders. |                           |  |
| 5   | 5105  | 14.01 | OFF VAN DAM/UNION | 101 HAMBURG TPKE | 15C            | 0.07                   | This property is a third round. Inclusionary housing site for which a Redevelopment Plan and Agreement have been executed, and that is addressed in Court Orders. |                           |  |
| 6   | 5105  | 14.02 | OFF VAN DAM/UNION | 9 ENTIN ROAD     | 1              | 0.066                  |   | 0.07                      |  |
|   | 5105  | 14.01 | OFF VAN DAM/UNION | 101 HAMBURG TPKE | 15C            | 0.004                  | This property is a third round. Inclusionary housing site for which a Redevelopment Plan and Agreement have been executed, and that is addressed in Court Orders. | 0.00                      |  |

| Bloomingdale Borough Land Capacity Correction |       |       |                   |                           |                |                        |   |                           |  |
|---|-------|-------|-------------------|---------------------------|----------------|------------------------|---|---------------------------|--|
| LCF ID  | Block | Lot   | Property Location | Owner Address             | Property Class | DCA Identified Acreage | Borough Correction  | Borough Corrected Acreage |  |
| 7   | 5105  | 14.02 | OFF VAN DAM/UNION | 9 ENTIN ROAD              | 1              | 0.06                   |   | 0.06                      |  |
| 8   | 5105  | 14.01 | OFF VAN DAM/UNION | 101 HAMBURG TPKE          | 15C            | 0.07                   | This property is a third round. Inclusionary housing site for which a Redevelopment Plan and Agreement have been executed, and that is addressed in Court Orders. |                           |  |
| 9   | 5105  | 14.01 | OFF VAN DAM/UNION | 101 HAMBURG TPKE          | 15C            | 0.06                   | This property is a third round. Inclusionary housing site for which a Redevelopment Plan and Agreement have been executed, and that is addressed in Court Orders. |                           |  |
| 10  | 5105  | 14.02 | OFF VAN DAM/UNION | 9 ENTIN ROAD              | 1              | 0.07                   |   | 0.07                      |  |
| 11  | 5105  | 14.01 | OFF VAN DAM/UNION | 101 HAMBURG TPKE          | 15C            | 0.08                   | This property is a third round. Inclusionary housing site for which a Redevelopment Plan and Agreement have been executed, and that is addressed in Court Orders. |                           |  |
| 12  | 5073  | 68    | UNION AVENUE      | 101 HAMBURG TURNPIKE      | 15C            | 0.06                   | This property does not have road access and is located between developed property; portion of it common area and buffer of developed residential site             |                           |  |
|   | 5073  | 67    | 267 UNION AVENUE  | 4040 WILSON BLVD STE 1000 | 1              |                        |   |                           |  |



| Bloomingdale Borough Land Capacity Correction |       |       |                        |                           |                |                        |   |                           |  |
|---|-------|-------|------------------------|---------------------------|----------------|------------------------|---|---------------------------|--|
| LCF ID  | Block | Lot   | Property Location      | Owner Address             | Property Class | DCA Identified Acreage | Borough Correction  | Borough Corrected Acreage |  |
| 13  | 5105  | 14.02 | OFF VAN DAM/UNION      | 9 ENTIN ROAD              | 1              | 0.08                   |   | 0.08                      |  |
| 14  | 5105  | 14.02 | OFF VAN DAM/UNION      | 9 ENTIN ROAD              | 1              | 0.06                   |   | 0.06                      |  |
| 15  | 5053  | 43    | 102<br>GLENWILD AVENUE | 164 PINE TREE ROAD        | 3B             | 0.10                   |   | 0.10                      |  |
| 16  | 3005  | 1     | MACOPIN ROAD           | 250 HAMBURG TURNPIKE      | 1              | 0.06                   |   | 0.06                      |  |
| 17  | 3038  | 1     | 2 GLADE ROAD           | 101 HAMBURG TPKE          | 15C            | 0.06                   |   | 0.06                      |  |
| 18  | 5105  | 14.01 | OFF VAN DAM/UNION      | 101 HAMBURG TPKE          | 15C            | 0.07                   | This property is a third round. Inclusionary housing site for which a Redevelopment Plan and Agreement have been executed, and that is addressed in Court Orders. |                           |  |
| 19  | 5073  | 67    | 267 UNION AVENUE       | 4040 WILSON BLVD STE 1000 | 1              | 0.09                   | Lot is fully developed with residential development; area constitutes common open space; no road frontage   |                           |  |
| 20  | 5105  | 14.02 | OFF VAN DAM/UNION      | 9 ENTIN ROAD              | 1              | 0.06                   |   | 0.06                      |  |

| Bloomingdale Borough Land Capacity Correction |       |       |                   |                      |                |                        |   |                           |  |
|---|-------|-------|-------------------|----------------------|----------------|------------------------|---|---------------------------|--|
| LCF ID  | Block | Lot   | Property Location | Owner Address        | Property Class | DCA Identified Acreage | Borough Correction  | Borough Corrected Acreage |  |
| 21  | 5105  | 14.02 | OFF VAN DAM/UNION | 9 ENTIN ROAD         | 1              | 0.10                   |   | 0.10                      |  |
| 22  | 5105  | 14.01 | OFF VAN DAM/UNION | 101 HAMBURG TPKE     | 15C            | 0.07                   | This property is a third round. Inclusionary housing site for which a Redevelopment Plan and Agreement have been executed, and that is addressed in Court Orders. |                           |  |
| 23  | 5105  | 14.01 | OFF VAN DAM/UNION | 101 HAMBURG TPKE     | 15C            | 0.07                   | This property is a third round. Inclusionary housing site for which a Redevelopment Plan and Agreement have been executed, and that is addressed in Court Orders. |                           |  |
| 24  | 3038  | 1     | 2 GLADE ROAD      | 101 HAMBURG TPKE     | 15C            | 0.11                   |   | 0.11                      |  |
| 25  | 5105  | 14.01 | OFF VAN DAM/UNION | 101 HAMBURG TPKE     | 15C            | 0.06                   | This property is a third round. Inclusionary housing site for which a Redevelopment Plan and Agreement have been executed, and that is addressed in Court Orders. |                           |  |
| 26  | 5073  | 65    | OFF UNION AVENUE  | 101 HAMBURG TURNPIKE | 15C            | 0.09                   | Lot is heavily encumbered by steep slopes and has no road frontage; note that road which dead-end proximate to lot line are private roads.                        |                           |  |

| Bloomingdale Borough Land Capacity Correction |       |       |                                   |                        |                |                        |                    |                           |  |
|---|-------|-------|-----------------------------------|------------------------|----------------|------------------------|--------------------|---------------------------|--|
| LCF ID  | Block | Lot   | Property Location                 | Owner Address          | Property Class | DCA Identified Acreage | Borough Correction | Borough Corrected Acreage |  |
| 27  | 5105  | 14.02 | OFF VAN DAM/UNION                 | 9 ENTIN ROAD           | 1              | 0.09                   |                    | 0.09                      |  |
| 28  | 5053  | 43    | <sup>102</sup><br>GLENWILD AVENUE | 164 PINE TREE ROAD     | 3B             | 0.08                   |                    | 0.08                      |  |
| 29  | 5105  | 14.02 | OFF VAN DAM/UNION                 | 9 ENTIN ROAD           | 1              | 0.08                   |                    | 0.08                      |  |
| 30  | 5105  | 14.02 | OFF VAN DAM/UNION                 | 9 ENTIN ROAD           | 1              | 0.08                   |                    | 0.08                      |  |
| 31  | 5105  | 14.02 | OFF VAN DAM/UNION                 | 9 ENTIN ROAD           | 1              | 0.07                   |                    | 0.07                      |  |
| 32  | 5053  | 43    | <sup>102</sup><br>GLENWILD AVENUE | 164 PINE TREE ROAD     | 3B             | 0.12                   |                    | 0.12                      |  |
|   | 5053  | 53    | 32 SANDRA LANE                    | 32 SANDRA LANE         | 2              |                        |                    |                           |  |
|   | 5053  | 54    | <sup>47</sup><br>HIGHLAND AVENUE  | PO BOX 7399            | 2              |                        |                    |                           |  |
| 33  | 3016  | 4     | <sup>47</sup><br>HIGHLAND AVENUE  | PO BOX 7399            | 1              | 0.13                   |                    | 0.13                      |  |
| 34  | 5105  | 46    | 172F/172R UNION AVENUE            | 172F/172R UNION AVENUE | 3B             | 0.15                   |                    | 0.15                      |  |

| Bloomingdale Borough Land Capacity Correction |       |       |                           |                                 |                |                        |   |                           |  |
|---|-------|-------|---------------------------|---------------------------------|----------------|------------------------|---|---------------------------|--|
| LCF ID  | Block | Lot   | Property Location         | Owner Address                   | Property Class | DCA Identified Acreage | Borough Correction  | Borough Corrected Acreage |  |
| 35  | 5053  | 43    | 102<br>GLENWILD<br>AVENUE | 164 PINE<br>TREE ROAD           | 3B             | 0.11                   |   | 0.11                      |  |
|   | 5053  | 53    | UNKNOWN                   | UNKNOWN                         | 2              |                        |   |                           |  |
| 36  | 3007  | 21    | OFF<br>MACOPIN<br>ROAD    | 45 APSHAWA<br>CROSS ROAD        | 1              | 0.28                   | Property is encumbered by the Peaquanock River Tributary, has no road access, but if access were provided it would need to cross the tributary, and is located along the rail line. |                           |  |
|   | 12601 | 3.02  |                           |                                 | 2              |                        |   |                           |  |
| 37  | 5105  | 14.02 | OFF VAN<br>DAM/UNION      | 9 ENTIN ROAD                    | 1              | 0.10                   |   | 0.10                      |  |
| 38  | 5066  | 24    | OFF<br>RAFKIND<br>ROAD    | 101<br>HAMBURG<br>TPKE          | 15C            | 0.16                   |   | 0.16                      |  |
| 39  | 5073  | 78    | OFF UNION<br>AVENUE       | 1037 ROUTE<br>46 E SUITE<br>205 | 1              | 0.23                   |   | 0.23                      |  |
|   | 5073  | 79    | 231 UNION<br>AVENUE       | 1037 RT 46<br>EAST SUITE<br>205 | 1              |                        |   |                           |  |
| 40  | 5105  | 14.02 | OFF VAN<br>DAM/UNION      | 9 ENTIN ROAD                    | 1              | 0.18                   |   | 0.18                      |  |

| Bloomingdale Borough Land Capacity Correction |       |       |                     |                    |                |                        |                    |                           |   |
|---|-------|-------|---------------------|--------------------|----------------|------------------------|--------------------|---------------------------|---|
| LCF ID  | Block | Lot   | Property Location   | Owner Address      | Property Class | DCA Identified Acreage | Borough Correction | Borough Corrected Acreage |   |
| 41  | 5105  | 14.01 | OFF VAN DAM/UNION   | 101 HAMBURG TPKE   | 15C            | 0.12                   |                    |                           | This property is a third round. Inclusionary housing site for which a Redevelopment Plan and Agreement have been executed, and that is addressed in Court Orders. |
| 42  | 5053  | 43    | 102 GLENWILD AVENUE | 164 PINE TREE ROAD | 3B             | 0.14                   |                    | 0.14                      |   |
| 43  | 5069  | 4.01  | 29 FOREST DRIVE     | 199 BALDWIN ROAD   | 1              | 0.22                   |                    | 0.22                      |   |
| 44  | 5105  | 14.02 | OFF VAN DAM/UNION   | 9 ENTIN ROAD       | 1              | 0.16                   |                    | 0.16                      |   |
| 45  | 5105  | 14.02 | OFF VAN DAM/UNION   | 9 ENTIN ROAD       | 1              | 0.148                  |                    | 0.15                      |   |
|   | 5105  | 14.01 | OFF VAN DAM/UNION   | 101 HAMBURG TPKE   | 15C            | 0.002                  |                    |                           | This property is a third round. Inclusionary housing site for which a Redevelopment Plan and Agreement have been executed, and that is addressed in Court Orders. |
| 46  | 5053  | 43    | 102 GLENWILD AVENUE | 164 PINE TREE ROAD | 3B             | 0.07                   |                    | 0.07                      |   |
| 47  | 5105  | 14.02 | OFF VAN DAM/UNION   | 9 ENTIN ROAD       | 1              | 0.14                   |                    | 0.14                      |   |

| Bloomingdale Borough Land Capacity Correction |       |       |                     |                           |                |                        |   |                           |  |
|---|-------|-------|---------------------|---------------------------|----------------|------------------------|---|---------------------------|--|
| LCF ID  | Block | Lot   | Property Location   | Owner Address             | Property Class | DCA Identified Acreage | Borough Correction  | Borough Corrected Acreage |  |
| 48  | 5105  | 14.02 | OFF VAN DAM/UNION   | 9 ENTIN ROAD              | 1              | 0.12                   |   | 0.12                      |  |
| 49  | 3016  | 9     | HIGHLAND AVENUE     | 1 HILLCREST TERRACE       | 1              | 0.22                   |   | 0.22                      |  |
| 50  | 5073  | 67    | 267 UNION AVENUE    | 4040 WILSON BLVD STE 1000 | 1              | 0.11                   | Lot is fully developed with residential development; area constitutes common open space; no road frontage |                           |  |
| 51  | 5105  | 14.02 | OFF VAN DAM/UNION   | 9 ENTIN ROAD              | 1              | 0.16                   |   | 0.16                      |  |
| 52  | 5053  | 77    | OFF VAN DAM/UNION   | 9 ENTIN ROAD              | 2              | 0.27                   |   | 0.27                      |  |
|   | 5053  | 43    | 102 GLENWILD AVENUE | 164 PINE TREE ROAD        | 3B             |                        |   |                           |  |
| 53  | 5105  | 14.02 | OFF VAN DAM/UNION   | 9 ENTIN ROAD              | 1              | 0.20                   |   | 0.20                      |  |
| 54  | 5073  | 67    | 267 UNION AVENUE    | 4040 WILSON BLVD STE 1000 | 1              | 0.28                   | Lot is fully developed with residential development; area constitutes common open space; no road frontage |                           |  |
| 55  | 5105  | 14.02 | OFF VAN DAM/UNION   | 9 ENTIN ROAD              | 1              | 0.17                   |   | 0.17                      |  |

| Bloomingdale Borough Land Capacity Correction |       |       |                   |                  |                |                        |   |                           |  |
|---|-------|-------|-------------------|------------------|----------------|------------------------|---|---------------------------|--|
| LCF ID  | Block | Lot   | Property Location | Owner Address    | Property Class | DCA Identified Acreage | Borough Correction  | Borough Corrected Acreage |  |
| 56  | 5105  | 14.02 | OFF VAN DAM/UNION | 9 ENTIN ROAD     | 1              | 0.16                   |   | 0.16                      |  |
|   | 5105  | 14.02 | OFF VAN DAM/UNION | 9 ENTIN ROAD     | 1              | 0.137                  |   | 0.14                      |  |
| 57  | 5105  | 14.01 | OFF VAN DAM/UNION | 101 HAMBURG TPKE | 15C            | 0.103                  | This property is a third round. Inclusionary housing site for which a Redevelopment Plan and Agreement have been executed, and that is addressed in Court Orders. | 0.00                      |  |
| 58  | 5105  | 14.02 | OFF VAN DAM/UNION | 9 ENTIN ROAD     | 1              | 0.22                   |   | 0.22                      |  |
| 59  | 5105  | 14.01 | OFF VAN DAM/UNION | 101 HAMBURG TPKE | 15C            | 0.17                   | This property is a third round. Inclusionary housing site for which a Redevelopment Plan and Agreement have been executed, and that is addressed in Court Orders. |                           |  |
| 60  | 5105  | 14.01 | OFF VAN DAM/UNION | 101 HAMBURG TPKE | 15C            | 0.31                   | This property is a third round. Inclusionary housing site for which a Redevelopment Plan and Agreement have been executed, and that is addressed in Court Orders. |                           |  |

| Bloomingdale Borough Land Capacity Correction |       |       |                        |                           |                |                        |  |                           |  |
|---|-------|-------|------------------------|---------------------------|----------------|------------------------|--|---------------------------|--|
| LCF ID  | Block | Lot   | Property Location      | Owner Address             | Property Class | DCA Identified Acreage | Borough Correction   | Borough Corrected Acreage |  |
| 61  | 3007  | 20.02 | 38 HILLCREST DRIVE     | 38 HILLCREST DRIVE        | 1              | 0.28                   |  | 0.28                      |  |
|   | 3007  | 21    | 172F/172R UNION AVENUE | 172F/172R UNION AVENUE    | 1              |                        |  |                           |  |
| 62  | 5105  | 14.02 | OFF VAN DAM/UNION      | 9 ENTIN ROAD              | 1              | 0.23                   |  | 0.23                      |  |
| 63  | 5104  | 8     | UNION AVENUE           | 101 HAMBURG TPKE          | 15C            | 0.37                   |  | 0.37                      |  |
| 64  | 3005  | 1     | MACOPIN ROAD           | 250 HAMBURG TURNPIKE      | 1              | 0.17                   |  | 0.17                      |  |
| 65  | 5066  | 8     | REEVE AVENUE           | 101 HAMBURG TPKE          | 15C            | 0.35                   | Portion of property is in the flood hazard area (.07 ac).  | .28                       |  |
| 66  | 5106  | 1     | AT SLATERS POND        | 700 GODWIN AVE, SUITE 320 | 1              | 0.14                   | Portion of property is in the flood hazard area (.10 ac); remaining area is less than 2500 sf  |                           |  |
| 67  | 5073  | 65    | OFF UNION AVENUE       | 101 HAMBURG TURNPIKE      | 15C            | 0.17                   | Lot is heavily encumbered by steep slopes and has no road frontage; note that road which dead-end proximate to lot line are private roads. |                           |  |
| 68  | 5105  | 14.02 | OFF VAN DAM/UNION      | 9 ENTIN ROAD              | 1              | 0.25                   |  | 0.25                      |  |



| Bloomingdale Borough Land Capacity Correction |       |       |                        |                           |                |                        |   |                           |  |
|---|-------|-------|------------------------|---------------------------|----------------|------------------------|---|---------------------------|--|
| LCF ID  | Block | Lot   | Property Location      | Owner Address             | Property Class | DCA Identified Acreage | Borough Correction  | Borough Corrected Acreage |  |
| 69  | 5073  | 68    | 102<br>GLENWILD AVENUE | 164 PINE TREE ROAD        | 15C            | 0.273                  | Area does not have road access and is located between developed property or is fully developed with residential development; area constitutes common open space.  |                           |  |
|   | 5073  | 67    | 267 UNION AVENUE       | 4040 WILSON BLVD STE 1000 | 1              | 0.087                  |   |                           |  |
| 70  | 5105  | 66    | UNION AVENUE           | 101 HAMBURG TPKE          | 15C            | 0.84                   |   | 0.84                      |  |
| 71  | 5105  | 14.02 | OFF VAN DAM/UNION      | 9 ENTIN ROAD              | 1              | 0.159                  |   | 0.16                      |  |
|   | 5105  | 14.01 | OFF VAN DAM/UNION      | 101 HAMBURG TPKE          | 15C            | 0.051                  | This property is a third round. Inclusionary housing site for which a Redevelopment Plan and Agreement have been executed, and that is addressed in Court Orders. |                           |  |
| 72  | 3025  | 19    | UNKNOWN                | 101 HAMBURG TPK           | 15C            | 0.26                   |   | 0.26                      |  |
| 73  | 3016  | 4     | 47<br>HIGHLAND AVENUE  | PO BOX 7399               | 1              | 0.53                   |   | 0.53                      |  |
| 74  | 5073  | 65    | OFF UNION AVENUE       | 101 HAMBURG TURNPIKE      | 15C            | 0.35                   | Lot is heavily encumbered by steep slopes and has no road frontage; note that road which dead-end proximate to lot line are private roads.                        |                           |  |

| Bloomingdale Borough Land Capacity Correction |       |       |                   |                           |                |                        |  |                           |  |
|---|-------|-------|-------------------|---------------------------|----------------|------------------------|--|---------------------------|--|
| LCF ID  | Block | Lot   | Property Location | Owner Address             | Property Class | DCA Identified Acreage | Borough Correction   | Borough Corrected Acreage |  |
| 75  | 5105  | 14.02 | OFF VAN DAM/UNION | 9 ENTIN ROAD              | 1              | 0.53                   |  | 0.53                      |  |
| 76  | 5105  | 14.02 | OFF VAN DAM/UNION | 9 ENTIN ROAD              | 1              | 0.21                   |  | 0.21                      |  |
| 77  | 5073  | 65    | OFF UNION AVENUE  | 101 HAMBURG TURNPIKE      | 15C            | 0.48                   | Lot is heavily encumbered by steep slopes and has no road frontage; note that road which dead-end proximate to lot line are private roads. |                           |  |
| 78  | 5105  | 14.02 | OFF VAN DAM/UNION | 9 ENTIN ROAD              | 1              | 0.33                   |  | 0.33                      |  |
| 79  | 5105  | 14.02 | OFF VAN DAM/UNION | 9 ENTIN ROAD              | 1              | 0.33                   |  | 0.33                      |  |
| 80  | 5105  | 14.02 | OFF VAN DAM/UNION | 9 ENTIN ROAD              | 1              | 0.56                   |  | 0.56                      |  |
| 81  | 5073  | 65    | OFF UNION AVENUE  | 101 HAMBURG TURNPIKE      | 15C            | 0.34                   | Lot is heavily encumbered by steep slopes and has no road frontage; note that road which dead-end proximate to lot line are private roads. |                           |  |
|   | 5073  | 67    | 267 UNION AVENUE  | 4040 WILSON BLVD STE 1000 | 1              |                        |  |                           |  |

| Bloomingdale Borough Land Capacity Correction |       |       |                     |                           |                |                        |   |                           |      |
|---|-------|-------|---------------------|---------------------------|----------------|------------------------|---|---------------------------|------|
| LCF ID  | Block | Lot   | Property Location   | Owner Address             | Property Class | DCA Identified Acreage | Borough Correction  | Borough Corrected Acreage |      |
| 82  | 5073  | 65    | OFF UNION AVENUE    | 101 HAMBURG TURNPIKE      | 15C            | 0.29                   | Lot is heavily encumbered by steep slopes and has no road frontage; note that road which dead-end proximate to lot line are private roads.                        |                           |      |
|   | 5073  | 67    | 267 UNION AVENUE    | 4040 WILSON BLVD STE 1000 | 1              |                        | Lot is fully developed with residential development; area constitutes common open space; no road frontage.  |                           |      |
| 83  | 5053  | 43    | 102 GLENWILD AVENUE | 164 PINE TREE ROAD        | 3B             | 0.28                   |   | 0.28                      |      |
|   | 5053  | 27    | OFF GLENWILD AVE    | 401 GRAND ST, ROOM 214    | 15C            |                        |   |                           |      |
| 84  | 5105  | 14.01 | OFF VAN DAM/UNION   | 101 HAMBURG TPKE          | 15C            | 0.38                   | This property is a third round. Inclusionary housing site for which a Redevelopment Plan and Agreement have been executed, and that is addressed in Court Orders. |                           |      |
| 85  | 5105  | 14.02 | OFF VAN DAM/UNION   | 9 ENTIN ROAD              | 1              | 0.38                   |   |                           | 0.38 |

| Bloomingdale Borough Land Capacity Correction |       |       |                     |                        |                |                        |   |                           |  |
|---|-------|-------|---------------------|------------------------|----------------|------------------------|---|---------------------------|--|
| LCF ID  | Block | Lot   | Property Location   | Owner Address          | Property Class | DCA Identified Acreage | Borough Correction  | Borough Corrected Acreage |  |
| 86  | 3007  | 6     | MACOPIN ROAD        | 101 HAMBURG TPKE       | 15C            | 0.43                   | Portion of property is in the flood hazard area (.13 ac). Property has not street access - abuts common open space and the Pequannock River                       |                           |  |
| 87  | 5105  | 14.02 | OFF VAN DAM/UNION   | 9 ENTIN ROAD           | 1              | 0.36                   |   | 0.36                      |  |
| 88  | 5105  | 14.02 | OFF VAN DAM/UNION   | 9 ENTIN ROAD           | 1              | 0.27                   | This property is a third round. Inclusionary housing site for which a Redevelopment Plan and Agreement have been executed, and that is addressed in Court Orders. |                           |  |
|   | 5105  | 14.01 | OFF VAN DAM/UNION   | 101 HAMBURG TPKE       | 15C            |                        |   |                           |  |
| 89  | 5105  | 14.02 | OFF VAN DAM/UNION   | 9 ENTIN ROAD           | 1              | 0.34                   |   | 0.34                      |  |
| 90  | 5105  | 14.02 | OFF VAN DAM/UNION   | 9 ENTIN ROAD           | 1              | 0.34                   | Property is partially in the flood hazard area (.10 ac).  | 0.24                      |  |
|   | 5105  | 15    | UNION AVENUE        | 101 HAMBURG TURNPIKE   | 2              |                        |   |                           |  |
| 91  | 5053  | 43    | 102 GLENWILD AVENUE | 164 PINE TREE ROAD     | 3B             | 0.39                   |   | 0.39                      |  |
|   | 5053  | 27    | OFF GLENWILD AVE    | 401 GRAND ST, ROOM 214 | 15C            |                        |   |                           |  |

| Bloomingdale Borough Land Capacity Correction |       |       |                        |                           |                |                        |   |                           |  |
|---|-------|-------|------------------------|---------------------------|----------------|------------------------|---|---------------------------|--|
| LCF ID  | Block | Lot   | Property Location      | Owner Address             | Property Class | DCA Identified Acreage | Borough Correction  | Borough Corrected Acreage |  |
| 92  | 5105  | 14.02 | OFF VAN DAM/UNION      | 9 ENTIN ROAD              | 1              | 0.35                   |   | 0.35                      |  |
| 93  | 5105  | 14.02 | OFF VAN DAM/UNION      | 9 ENTIN ROAD              | 1              | 0.40                   |   | 0.40                      |  |
| 94  | 3038  | 1     | 2 GLADE ROAD           | 101 HAMBURG TPKE          | 15C            | 0.43                   |   | 0.43                      |  |
| 95  | 5105  | 14.02 | OFF VAN DAM/UNION      | 9 ENTIN ROAD              | 1              | 0.57                   |   | 0.57                      |  |
| 96  | 5105  | 14.02 | OFF VAN DAM/UNION      | 9 ENTIN ROAD              | 1              | 1.55                   | Property is partially in the flood hazard area (.51 ac); property is entirely surrounded by wetlands and it is not feasible to obtain permitting to accommodate development in this area. |                           |  |
|   | 5105  | 46    | 172F/172R UNION AVENUE | 172F/172R UNION AVENUE    | 3B             |                        |   |                           |  |
| 97  | 5073  | 65    | OFF UNION AVENUE       | 101 HAMBURG TURNPIKE      | 15C            | 0.55                   | Lot is heavily encumbered by steep slopes and has no road frontage; note that road which dead-end proximate to lot line are private roads.  |                           |  |
|   | 5073  | 67    | 267 UNION AVENUE       | 4040 WILSON BLVD STE 1000 | 1              |                        |   |                           |  |

| Bloomingdale Borough Land Capacity Correction |       |       |                        |                           |                |                        |   |                           |  |
|---|-------|-------|------------------------|---------------------------|----------------|------------------------|---|---------------------------|--|
| LCF ID  | Block | Lot   | Property Location      | Owner Address             | Property Class | DCA Identified Acreage | Borough Correction  | Borough Corrected Acreage |  |
| 98  | 5105  | 14.02 | OFF VAN DAM/UNION      | 9 ENTIN ROAD              | 1              | 0.56                   |   | 0.56                      |  |
| 99  | 5106  | 1     | AT SLATERS POND        | 700 GODWIN AVE, SUITE 320 | 1              | 0.35                   | Property is partially in the flood hazard area (.32 ac); remaining area is less than 2500 sf.   |                           |  |
| 100   | 5105  | 49    | 216 UNION AVENUE       | 1260 STELTON ROAD         | 15C            | 1.25                   |   | 1.25                      |  |
|   | 5105  | 50    | AT SLATERS POND        | 700 GODWIN AVE, SUITE 320 | 15C            |                        |   |                           |  |
| 101   | 5105  | 14.02 | OFF VAN DAM/UNION      | 9 ENTIN ROAD              | 1              | 0.48                   |   | 0.48                      |  |
| 102   | 3038  | 1     | 2 GLADE ROAD           | 101 HAMBURG TPKE          | 15C            | 0.76                   |   | 0.76                      |  |
| 103   | 5105  | 46    | 172F/172R UNION AVENUE | 172F/172R UNION AVENUE    | 3B             | 0.73                   |   | 0.73                      |  |
| 104   | 5105  | 14.01 | OFF VAN DAM/UNION      | 101 HAMBURG TPKE          | 15C            | 0.48                   | This property is a third round. Inclusionary housing site for which a Redevelopment Plan and Agreement have been executed, and that is addressed in Court Orders. |                           |  |
| 105   | 5105  | 14.02 | OFF VAN DAM/UNION      | 9 ENTIN ROAD              | 1              | 0.68                   |   | 0.68                      |  |

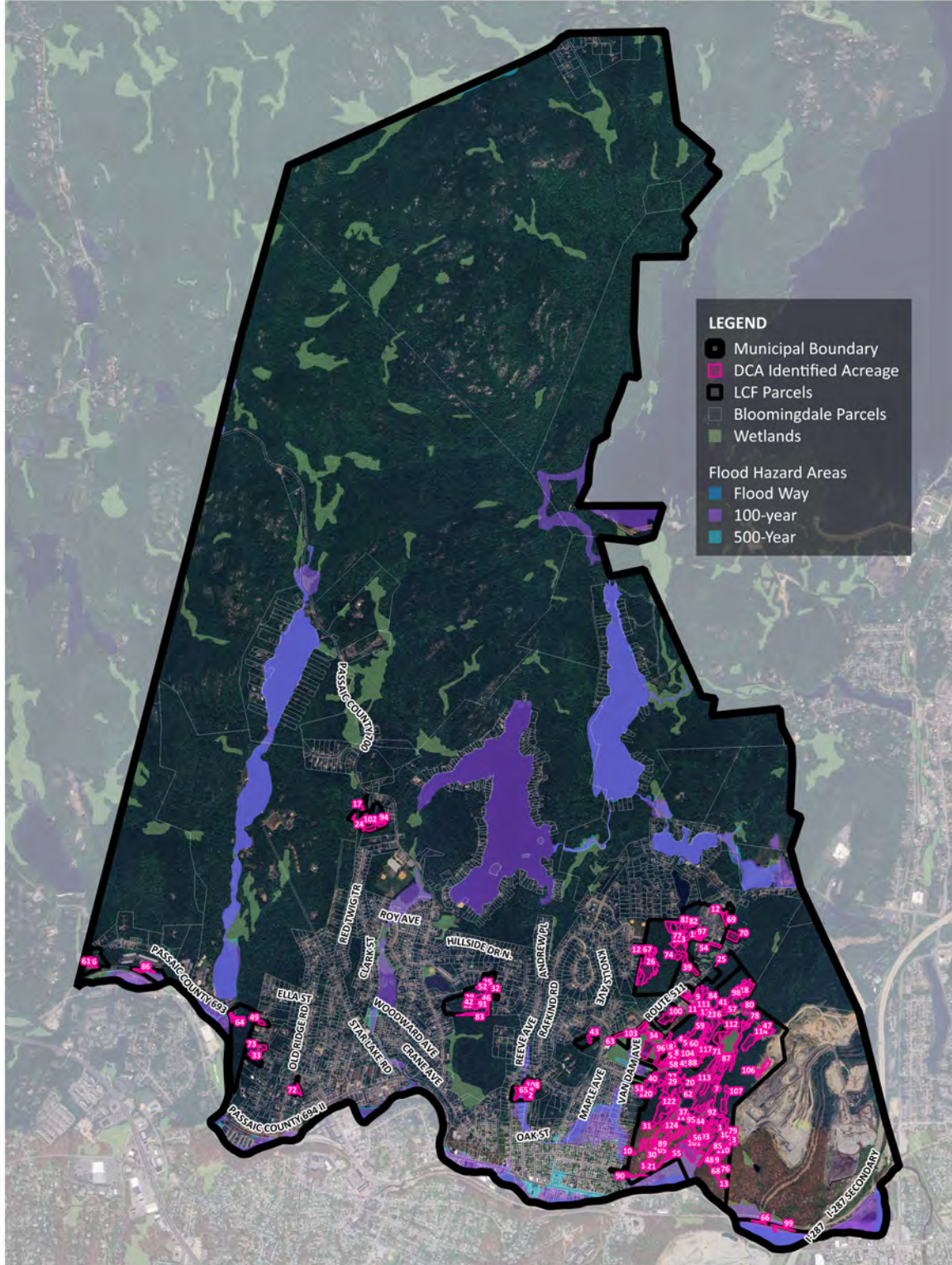
| Bloomingdale Borough Land Capacity Correction |       |       |                   |                           |                |                        |   |                           |  |
|---|-------|-------|-------------------|---------------------------|----------------|------------------------|---|---------------------------|--|
| LCF ID  | Block | Lot   | Property Location | Owner Address             | Property Class | DCA Identified Acreage | Borough Correction  | Borough Corrected Acreage |  |
| 106   | 5105  | 14.02 | OFF VAN DAM/UNION | 9 ENTIN ROAD              | 1              | 0.78                   |   | 0.78                      |  |
| 107   | 5105  | 14.02 | OFF VAN DAM/UNION | 9 ENTIN ROAD              | 1              | 1.12                   |   | 1.12                      |  |
| 108   | 5066  | 8     | 182 UNION AVE     | 101 HAMBURG TURNPIKE      | 15C            | 0.84                   | Property is partially in the flood hazard area (.10 ac).  | 0.74                      |  |
|   | 5066  | 10    | REEVE AVENUE      | 101 HAMBURG TPKE          | 15C            |                        |   |                           |  |
|   | 5066  | 9     | OFF UNION AVENUE  | 1037 ROUTE 46 E SUITE 205 | 15C            |                        |   |                           |  |
| 109   | 5105  | 14.02 | OFF VAN DAM/UNION | 9 ENTIN ROAD              | 1              | 0.99                   |   | 0.99                      |  |
| 110   | 5105  | 14.02 | OFF VAN DAM/UNION | 9 ENTIN ROAD              | 1              | 0.80                   |   | 0.80                      |  |
| 111   | 5105  | 55    | OFF UNION AVENUE  | 101 HAMBURG TURNPIKE      | 1              | 1.22                   | This property is a third round. Inclusionary housing site for which a Redevelopment Plan and Agreement have been executed, and that is addressed in Court Orders. |                           |  |
|   | 5105  | 14.01 | OFF VAN DAM/UNION | 101 HAMBURG TPKE          | 15C            |                        |   |                           |  |

| Bloomingdale Borough Land Capacity Correction |       |       |                   |                     |                |                        |   |                           |  |
|---|-------|-------|-------------------|---------------------|----------------|------------------------|---|---------------------------|--|
| LCF ID  | Block | Lot   | Property Location | Owner Address       | Property Class | DCA Identified Acreage | Borough Correction  | Borough Corrected Acreage |  |
| 112   | 5105  | 14.01 | OFF VAN DAM/UNION | 101 HAMBURG TPKE    | 15C            | 1.61                   | This property is a third round. Inclusionary housing site for which a Redevelopment Plan and Agreement have been executed, and that is addressed in Court Orders. |                           |  |
| 113   | 5105  | 14.02 | OFF VAN DAM/UNION | 9 ENTIN ROAD        | 1              | 0.90                   |   | 0.90                      |  |
| 114   | 5105  | 14.02 | OFF VAN DAM/UNION | 9 ENTIN ROAD        | 1              | 2.16                   |   | 2.16                      |  |
| 115   | 5105  | 14.01 | OFF VAN DAM/UNION | 101 HAMBURG TPKE    | 15C            | 1.28                   | This property is a third round. Inclusionary housing site for which a Redevelopment Plan and Agreement have been executed, and that is addressed in Court Orders. |                           |  |
| 116   | 5105  | 14.02 | OFF VAN DAM/UNION | 9 ENTIN ROAD        | 1              | 1.86                   |   | 1.86                      |  |
|   | 5105  | 46    | HIGHLAND AVENUE   | 1 HILLCREST TERRACE | 3B             |                        |   |                           |  |
|   | 5105  | 14.01 | OFF VAN DAM/UNION | 101 HAMBURG TPKE    | 15C            |                        |   |                           |  |



| Bloomingdale Borough Land Capacity Correction |       |       |                   |                           |                |                        |                    |                           |   |
|---|-------|-------|-------------------|---------------------------|----------------|------------------------|--------------------|---------------------------|---|
| LCF ID  | Block | Lot   | Property Location | Owner Address             | Property Class | DCA Identified Acreage | Borough Correction | Borough Corrected Acreage |   |
| 117   | 5105  | 14.01 | OFF VAN DAM/UNION | 101 HAMBURG TPKE          | 15C            | 1.09                   |                    |                           |   |
| 118   | 5105  | 14.02 | OFF VAN DAM/UNION | 9 ENTIN ROAD              | 1              | 2.01                   |                    | 2.01                      | This property is a third round. Inclusionary housing site for which a Redevelopment Plan and Agreement have been executed, and that is addressed in Court Orders. |
| 119   | 5105  | 14.02 | OFF VAN DAM/UNION | 9 ENTIN ROAD              | 1              | 3.56                   |                    | 0.80                      | Property is partially in the flood hazard area (2.76 ac).   |
| 120   | 5105  | 14.02 | OFF VAN DAM/UNION | 9 ENTIN ROAD              | 1              | 2.37                   |                    | 2.37                      |   |
| 121   | 5073  | 65    | OFF UNION AVENUE  | 101 HAMBURG TURNPIKE      | 15C            | 3.11                   |                    |                           | Lot is heavily encumbered by steep slopes and has no road frontage; note that road which dead-end proximate to lot line are private roads.                        |
| 122   | 5105  | 14.02 | OFF VAN DAM/UNION | 9 ENTIN ROAD              | 1              | 2.71                   |                    | 2.71                      |   |
| 123   | 5073  | 65    | 24 VAN DAM AVENUE | 24 VAN DAM AVENUE         | 15C            | 2.283                  |                    |                           | Area is heavily encumbered by steep slopes and has no road frontage; note that road which dead-end proximate to lot line are private roads.                       |
|   | 5073  | 76    | OFF UNION AVENUE  | 1037 ROUTE 46 E SUITE 205 | 1              | 0.092                  |                    | 0.09                      |   |

| Bloomingdale Borough Land Capacity Correction |       |       |                      |                      |                |                        |   |                           |  |
|---|-------|-------|----------------------|----------------------|----------------|------------------------|---|---------------------------|--|
| LCF ID  | Block | Lot   | Property Location    | Owner Address        | Property Class | DCA Identified Acreage | Borough Correction  | Borough Corrected Acreage |  |
|   | 5073  | 75    | 29 FOREST DRIVE      | 199 BALDWIN ROAD     | 1              | 0.245                  |   | 0.25                      |  |
| 124   | 5105  | 14.02 | OFF VAN DAM/UNION    | 9 ENTIN ROAD         | 1              | 2.95                   |   | 2.95                      |  |
| 125   | 5105  | 14.02 | UNION AVENUE         | 101 HAMBURG TPKE     | 1              | 13.32                  | This property is a third round. Inclusionary housing site for which a Redevelopment Plan and Agreement have been executed, and that is addressed in Court Orders. |                           |  |
|   | 5105  | 14.01 | 45 APSHAWA CROSSROAD | 45 APSHAWA CROSSROAD | 15C            |                        |   |                           |  |
| <b>Total Area</b>                             |       |       |                      |                      |                | <b>74.544</b>          |   | <b>39.20</b>              |  |

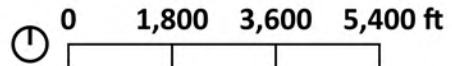


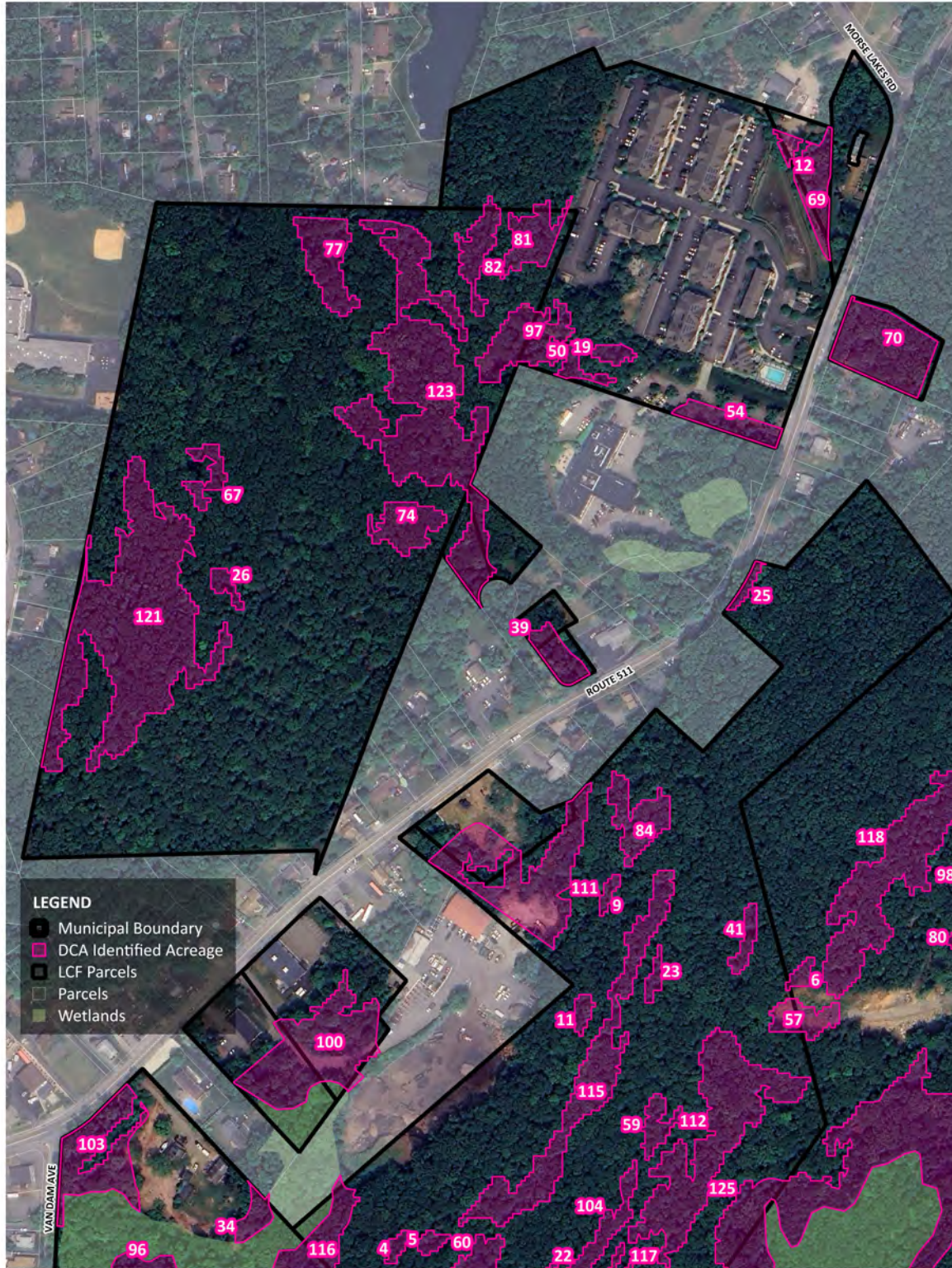
# LAND CAPACITY FACTOR ANALYSIS

## 4TH ROUND AFFORDABLE HOUSING

BOROUGH OF BLOOMINGDALE | PASSAIC COUNTY

DATA SOURCES: Google Earth 2023; NJGIN Parcels 2023



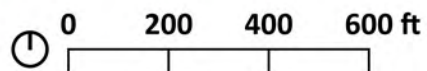


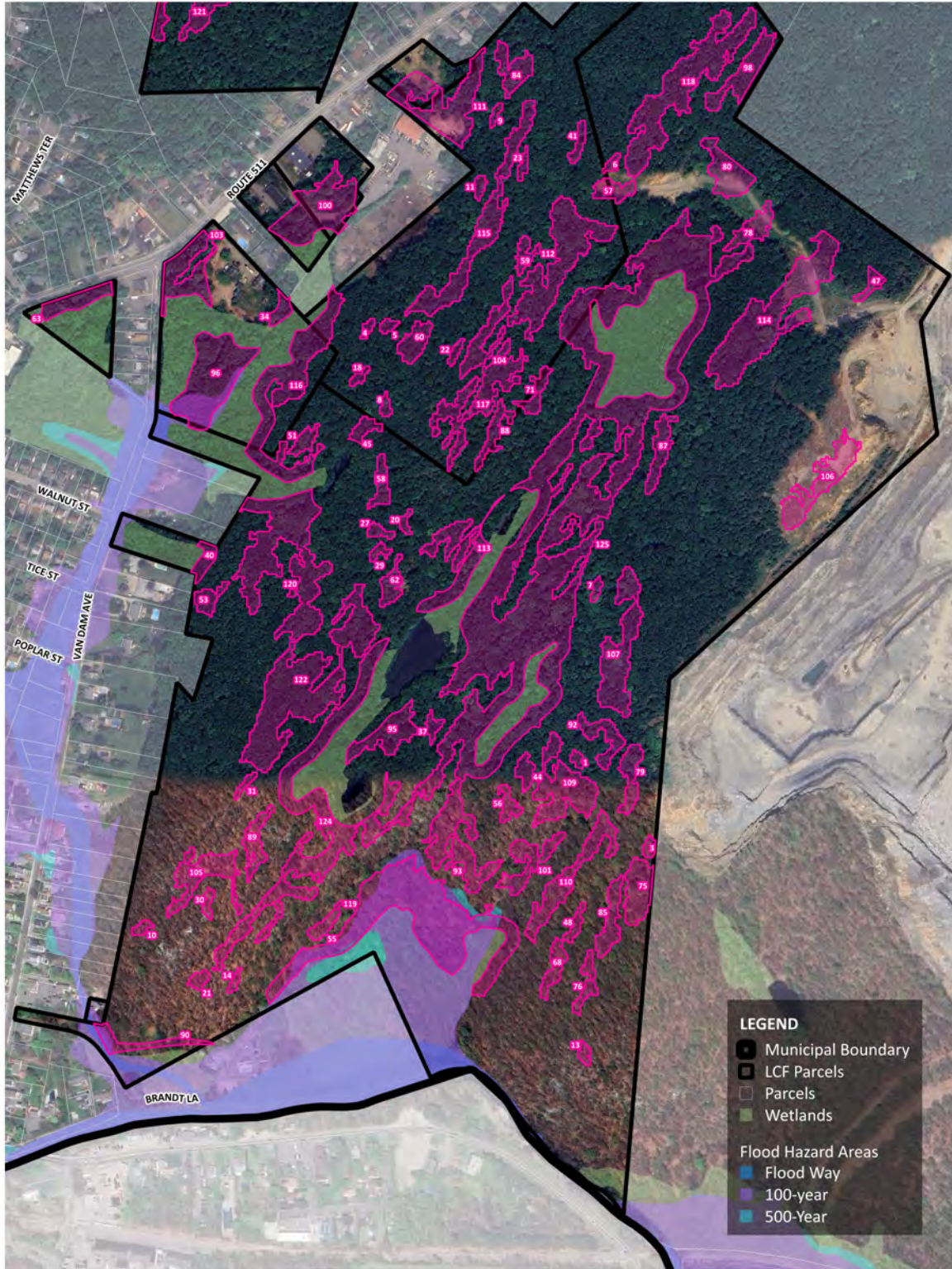
## LAND CAPACITY FACTOR ANALYSIS UNION AVE N

### 4TH ROUND AFFORDABLE HOUSING

BOROUGH OF BLOOMINGDALE | PASSAIC COUNTY

DATA SOURCES: Google Earth 2023; NJGIN Parcels 2023





## LAND CAPACITY FACTOR ANALYSIS MEER/QUARRY

### 4TH ROUND AFFORDABLE HOUSING

BOROUGH OF BLOOMINGDALE | PASSAIC COUNTY

DATA SOURCES: Google Earth 2023; NJGIN Parcels 2023

