



**BOROUGH OF WOODCLIFF LAKE
MAYOR AND COUNCIL AND LAND USE BOARD
JOINT SPECIAL MEETING AGENDA
411 Chestnut Ridge Road
Woodcliff Lake, NJ 07677
June 24, 2025
6:30 PM**

Join from PC, Mac, iPad, or Android:

<https://us02web.zoom.us/j/82733822972?pwd=oNERnQPoVwvxL9sZ1ISxZibS7oOY3Q.1>

Passcode:07677

CALL TO ORDER

Notice of this meeting in accordance with the "Open Public Meetings Law, 1975, C. "231" was posted at Borough Hall, and two newspapers, The Record and The Ridgewood News, were notified.

ROLL CALL

Mayor Carlos Rendo	Corrado Belgiovine, Chairman
Councilman Christopher Bonanno	Sanjeev Dhawan, Vice Chairman
Councilwoman Julie Brodsky	Carlos Rendo, Mayor
Councilwoman Jennifer Margolis	Thomas Panso
Councilwoman Nicole Marsh	Nicole Marsh
Councilman Benjamin Pollack	Jane Ann Whitchurch-Carluccio
Council President Josh Stern	Nilufer DeScherer
	Robert Friedberg
	Michael Kaufman

PLEDGE OF ALLEGIANCE

LAND USE BOARD RESOLUTIONS

- Resolution for Sparke Application
- Resolution for Vereby Application
- Resolution for Grossman Application

PUBLIC HEARING ON THE HOUSING ELEMENT AND FAIR SHARE PLAN- led by Dan Hauben from DMR Architects

PUBLIC COMMENT – (For Public Hearing Only)
(limited to 3 minutes per speaker)

RESOLUTION – LAND USE BOARD

Resolution No. 25-13 Resolution Approving and Adopting a Housing Element and Fair Share Plan to Satisfy the Borough’s Fourth Round Affordable Housing Obligation

RESOLUTIONS – MAYOR AND COUNCIL

Resolution No. 25-192 Resolution Endorsing the 2025 Housing Element and Fair Share Plan
Resolution No. 25-193 Resolution of Intent to Bond in the Event That There is a Shortfall in Funding to Effectuate Certain Affordable Housing Mechanisms in its Fourth Round Housing Element and Fair Share Plan
Resolution No. 25-194 Resolution Adopting Fourth Round Spending Plan

PUBLIC COMMENT
(limited to 3 minutes per speaker)

ADJOURNMENT

******Disclaimer******
Subject to Additions and/or Deletions

BOROUGH OF WOODCLIFF LAKE

LAND USE BOARD

RESOLUTION

MATTER OF: RICHARD SPARKE
23 MAPLE HILL DRIVE
BLOCK 1604, LOT 7

APPLICATION NO:

DECIDED: MAY 21, 2025

WHEREAS, application has been made by Richard Sparke, with respect to the premises known and designated as Block 1604, Lot 7 on the Tax Map of the Borough of Woodcliff Lake for variances to permit an accessory structure in a R-22.5 residential district contrary to the provisions of the Zoning Ordinance of the Borough of Woodcliff Lake; and

WHEREAS, a hearing was held before the Board on May 20, 2025 before members Nicole Marsh, Gerald Barbara, Thomas Panso, Jane Ann Whitchurch-Carluccio, Ariel Mazor, Peter Briskin, Michael Kaufman and Corrado Belgiovine having recused himself and stepped down from the dais; and

WHEREAS, Applicant has filed an affidavit showing compliance with all of the statutory requirements as to the giving of notice as well as all of the requirements of the Zoning Ordinance of this Borough.

NOW, THEREFORE, BE IT RESOLVED by the Land Use Board of the Borough of Woodcliff Lake as follows:

1. The applicant requested the following variances:
 - (a) § 380-14B(4) to permit maximum lot coverage of 16.92% where 15% is

permitted for a variance of 1.92%;

(b) § 380-14B(6)(c) to permit a rear yard of 13 feet where 40 feet is required for a variance of 27 feet amended at the hearing to request a rear yard of 20 feet for a variance of 20 feet.

2. Whereas, there currently exists nonconforming lot coverage of 15.46%.

WHEREAS, the applicant, without legal counsel, made application pursuant to N.J.S.A. 40:55D-70(c)(1), and

WHEREAS, the Board held a public hearing on May 20, 2025 at which time it heard testimony from Richard Sparke and considered the exhibits and evidence offered by the applicant which included exhibits marked A-1 (Construction Plans), A-2 (Exterior Elevations), A-3 (Notes, specifications, site plan and Code analysis prepared by Wayne J. Guskind, Registered Architect of WJG Architects, LLC dated June 3, 2024), A-4 (Application) and A-5 (Survey), A-6 (Eight photographs renderings of the proposed garage). The Board also considered the Neglia Engineering review letter dated April 4, 2025 marked WCL-1; and

WHEREAS, after hearing the testimony and the evidence presented by the applicant and after due consideration and deliberation, the Board has made the following findings of fact and conclusions:

1. The application for the variances was duly made to the Land Use Board and that all owners of property situated within 200 feet of the premises to be affected were duly notified in accordance with law.
2. The applicant presented satisfactory proof to the Land Use Board that notice of said hearing was duly published.
3. The applicant submitted plans and testimony concerning a proposed garage

as an accessory structure of 360 square feet.

4. Mr. Sparke testified he currently has a small two-car garage reduced in size due to a fireplace and he can only fit one car in it.
5. He will use the garage for 2 snowblowers, ride-on lawnmower, 2 electric bikes, power washer generator, lawn spreader and other equipment.
6. The topography of the property slopes downward from the home to the rear yard. He would like to place the garage 13 feet from the rear lot line where gravel currently exists.
7. There will not be any new ingress or egress to the garage by way of driveway or walkway. Mr. Sparke stated on the record that he was withdrawing the request for the 5-foot walkway and he amended his application to request a 20 foot rear yard setback for the garage.
8. Consideration was given to locating the garage in other areas; however, Mr. Sparke indicated his desire to keep open space in his backyard. He stated he will construct the garage with the design as set forth on the photos marked A-6.
9. His property slopes down from the house to the area where he wants to put the garage where it flattens out, however, he wants to maintain his grass area.
10. No trees will be removed as part of the construction.
11. Residents Katherine Murphy and Nick Murphy, 2 Hillcrest Road, Woodcliff Lake, New Jersey came forward and spoke against the applicant's application. Katherine Murphy under oath read a letter into the record

marked O-1 for identification. The letter included comments that their backyard and the applicant's yard back up to each other. There is a line of pine trees that allow some privacy along with a few mature Oaks, however, they can see portions of the property from their dining room, family room and deck on which they spend a significant amount of time. They feel that the large structure proposed is beyond the existing ordinance and should not be so close to the property line. Allowing the variance has direct impacts to them reducing the desirability and overall nature of the property. In addition to the letter, comments were made by Katherine Murphy that included that she doesn't believe that green giant arborvitaes would grow due to the existing trees and lack of sunlight and they prefer the natural existing landscaping.

WHEREAS, the Board found as follows:

1. This application is for two variances: (1) to permit maximum lot coverage of 16.92% where 15% is permitted for a variance of 1.92% and (2) to permit a rear yard of 20 feet where 40 feet is required for a variance of 20 feet.
2. At the public portion of the meeting, Katherine Murphy and Nicholas Murphy testified against and objected to the application.
3. By reason of physical features uniquely affecting the piece of property and extraordinary and exceptional conditions uniquely affecting the property and the structures thereon, a strict application of the regulation would result in peculiar and exceptional practical difficulties and/or exceptional and undue hardship upon the owners of the property. In particular the existing

construction and layout of the home, the current location of the home and the topography. Mr. Sparke offered to plant enhanced landscaping on the Murphy property to screen the garage. In his opinion they would grow better there; however, the Murphys declined because they don't believe they will grow and they prefer the natural trees.

WHEREAS, the Board determined that the variances can be granted without substantial detriment to the public good and it will not substantially impair the intent and purpose of the Zone Plan and Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED BY THE LAND USE BOARD OF THE BOROUGH OF WOODCLIFF LAKE THAT THE APPLICATION FOR PERMISSION TO DEVIATE FROM THE AFOREMENTIONED ZONING REQUIREMENTS SET FORTH ABOVE IN THIS RESOLUTION IS HEREBY GRANTED AND APPROVED, UPON THE FOLLOWING TERMS AND CONDITIONS:

1. Compliance with the requirements of this resolution set forth above and conformance with the plans as modified at the hearing to include a 20 foot rear yard setback. The rear yard variance is limited to the construction of a garage up to 360 square feet addition with a size no larger than 15 feet by 24 feet. There shall not be any driveway to the garage or a walkway to Hillcrest Road. The applicant shall comply with all recommendations as set forth in the Neglia Engineering review letter dated April 4, 2025 marked WCL-1. The architectural design of the garage shall be as shown on the renderings submitted to the Board marked as Exhibit A-6.
2. Applicant shall comply with the requirements of all structural, fire and

sanitary safety as provided in the current edition of the New Jersey Uniform Construction Code.

3. The applicant shall obtain approval of the Construction Code Official for its plan and all necessary permits and comply with all local, county and state ordinances and statutes, including the Woodcliff Lake Tree Preservation Ordinance Chapter 245.
4. The applicant shall obtain all such other governmental approvals as may be required by law.
5. The applicant shall commence the construction and complete all of the intended alterations and improvements no later than 12 months from the date of adoption of this resolution or this variance shall expire automatically, unless otherwise extended by the Board.
6. No trees shall be removed as part of the construction. All trees shall be protected from construction equipment and soil disruption within the area of the drip line of the tree by use of temporary fencing.
7. A drainage plan shall be submitted and approved by the Borough Engineer. A soil moving permit shall be required.
8. A copy of the resolution shall be forwarded to the applicant and to Construction Code Official of the Borough of Woodcliff Lake and the secretary to publish the required notice.
9. All fees of Board professionals including legal and engineering shall be paid before any permits and a C.O. is issued.

MOTION TO APPROVE INTRODUCED BY:

SECONDED BY:

IN FAVOR OF GRANTING: IN FAVOR OF GRANTING THE MOTION:

OPPOSED BY: THOMAS PANSO

ABSTAINING: CORRADO BELGIOVINE

MOTION APPROVED

MOTION TO APPROVE FORM OF RESOLUTION:

INTRODUCED BY:

SECONDED BY:

IN FAVOR OF APPROVING:

OPPOSED BY: NONE

Certified to be a true copy of the Resolution duly adopted by the Land Use Board of the Borough of Woodcliff Lake at its regular meeting on June 24, 2025.

CLAIRESSE AQUILINO
Board Secretary

BOROUGH OF WOODCLIFF LAKE

LAND USE BOARD

RESOLUTION

MATTER OF: TODD VEREBY
60 SHAW ROAD
BLOCK 1505, Lot 1

APPLICATION NO:

DECIDED: MAY 20, 2025

WHEREAS, application has been made by Todd Vereby, with respect to the premises known and designated as Block 1505, Lot 1 on the Tax Map of the Borough of Woodcliff Lake for variances to permit construction of a pool and patio in a R-22.5 residential district contrary to the provisions of the Zoning Ordinance of the Borough of Woodcliff Lake; and

WHEREAS, a hearing was held before the Board on May 20, 2025 before members Corrado Belgiovine, Nicole Marsh, Gerald Barbara, Thomas Panso, Jane Ann Witchurch-Carluccio, Ariel Mazor, Peter Briskin and Michael Kaufman; and

WHEREAS, Applicant has filed an affidavit showing compliance with all of the statutory requirements as to the giving of notice as well as all of the requirements of the Zoning Ordinance of this Borough.

NOW, THEREFORE, BE IT RESOLVED by the Land Use Board of the Borough of Woodcliff Lake as follows:

1. The applicant requested the following variances:
 - (a) 262-14A(6)(b)[2] to permit a rear yard of 12.6 feet where 20 feet is required for a variance of 7.4 feet for construction of a pool and to permit a rear yard of 8.6 feet for a patio

surrounding the pool in lieu of the required 20 feet for a variance of 12.4.

WHEREAS, the applicant, through his legal counsel, Lawrence H. Kleiner, Esq., made application pursuant to N.J.S.A. 40:55D-70(c)(1), and

WHEREAS, the Board held a public hearing on May 20, 2025 at which time it heard testimony from Todd Vereby and Michael Panayiotou, a representative of Pool Town and considered the exhibits and evidence offered by the applicant which included exhibits marked A-1 (Application), A-2 (Proposed Pool Plan prepared by Kiersten Osterkorn, N.J. P.E. & P.L.S. of Omland & Osterkorn, Inc. dated 11/23/22 and WCL-1 (Neglia Engineering Review letter dated February 13, 2025); and

WHEREAS, after hearing the testimony and the evidence presented by the applicant and after due consideration and deliberation, the Board has made the following findings of fact and conclusions:

1. The application for the variance was duly made to the Land Use Board and that all owners of property situated within 200 feet of the premises to be affected were duly notified in accordance with law.
2. The applicant presented satisfactory proof to the Land Use Board that notice of said hearing was duly published.
3. The applicant submitted plans and testimony concerning a proposed pool which will be 14 feet by 28 feet with a surrounding patio.
4. The pool cannot be located elsewhere due to a 40 foot drainage easement encumbering the property.
5. There is an extensive row of arborvitae trees 15-20 feet high buffering the entire rear property from the neighbors side and rear yard.

6. Anthony Kurus, engineer with Neglia Engineering stated he does not recommend that the pool be constructed in the drainage easement.
7. Consideration was given to installing the pool in other locations, however, none are possible.
8. No large trees will be removed as part of the construction.
9. No resident of Woodcliff Lake came forward and spoke in favor or against the applicant's application.
10. Michael Panayiotou, a pool installer, testified he has installed 1,000's of pools. The drainage easement takes up a good portion of the rear yard. The patio is approximately 3 to 4 feet wide. The patio is required for drainage and is the minimum. If the engineer requires an additional seepage pit, it will be provided.

WHEREAS, the Board found as follows:

1. This application is for a variance of 12.6 feet to permit the pool and a variance of 7.4 feet to permit the patio around the pool when 20 feet is required.
2. At the public portion of the meeting, no one testified against or objected to the application.
3. By reason of physical features uniquely affecting the piece of property and extraordinary and exceptional conditions uniquely affecting the property and the structures thereon, a strict application of the regulation would result in peculiar and exceptional practical difficulties and/or exceptional and undue hardship upon the owners of the property. In particular the existing

construction and layout of the home and the location of the 40 foot drainage easement; and

WHEREAS, the Board determined that the variances can be granted without substantial detriment to the public good and it will not substantially impair the intent and purpose of the Zone Plan and Zoning Ordinance, based upon the extensive landscaping which acts as a buffer between the applicant's property and the neighboring property.

NOW, THEREFORE, BE IT RESOLVED BY THE LAND USE BOARD OF THE BOROUGH OF WOODCLIFF LAKE THAT THE APPLICATION FOR PERMISSION TO DEVIATE FROM THE AFOREMENTIONED ZONING REQUIREMENTS SET FORTH ABOVE IN THIS RESOLUTION IS HEREBY GRANTED AND APPROVED, UPON THE FOLLOWING TERMS AND CONDITIONS:

1. Compliance with the requirements of this resolution set forth above and conformance with the plans submitted to the Board by the applicants as Exhibits A-1 and A-2. The variances are limited to the construction of the pool with a size no larger than 14 feet by 28 feet and patio as shown on the plans.
2. The applicant shall comply with all recommendations and requirements in the Neglia review letter dated February 13, 2025 marked WCL-1 including, but not limited to, the installation of perimeter drains, the installation of a seepage pit and application for a soil moving permit. An as-built survey shall be provided prior to the issuance of a C.O.
3. Applicant shall comply with the requirements of all structural, fire and sanitary safety as provided in the current edition of the New Jersey Uniform

Construction Code.

4. The applicant shall obtain approval of the Construction Code Official for its plan and all necessary permits and comply with all local, county and state ordinances and statutes, including the Woodcliff Lake Tree Preservation Ordinance Chapter 245.
5. The applicant shall obtain all such other governmental approvals as may be required by law.
6. The applicant shall commence the construction and complete all of the intended alterations and improvements no later than 12 months from the date of adoption of this resolution or this variance shall expire automatically, unless otherwise extended by the Board.
7. No trees shall be removed as part of the construction. All trees shall be protected from construction equipment and soil disruption within the area of the drip line of the tree by use of temporary fencing.
8. A drainage plan shall be submitted and approved by the Borough Engineer.
8. A copy of the resolution shall be forwarded to the applicant and to the Construction Code Official of the Borough of Woodcliff Lake and the secretary to publish the required notice.
9. No permits or C.O. shall be issued unless all legal fees and engineering fees by the Borough's professionals have been paid.

MOTION TO APPROVE INTRODUCED BY:

SECONDED BY: NICOLE MARSH

IN FAVOR OF GRANTING: IN FAVOR OF GRANTING THE MOTION:

OPPOSED BY: NONE

MOTION APPROVED

MOTION TO APPROVE FORM OF RESOLUTION:

INTRODUCED BY:

SECONDED BY:

IN FAVOR OF APPROVING:

OPPOSED BY: NONE

Certified to be a true copy of the Resolution duly adopted by the Land Use Board of the Borough of Woodcliff Lake at its regular meeting on June 24, 2025.

CLAIRESSE AQUILINO
Board Secretary

BOROUGH OF WOODCLIFF LAKE

LAND USE BOARD

RESOLUTION

MATTER OF: ALLISON AND MATTHEW GROSSMAN
11 OAKWOOD DRIVE
BLOCK 1603, LOT 11

APPLICATION NO:

DECIDED: MAY 20, 2025

WHEREAS, application has been made by Allison and Matthew Grossman, with respect to the premises known and designated as Block 1603, Lot 11 on the Tax Map of the Borough of Woodcliff Lake for variances to permit construction of a covered patio in a R-22.5 residential district contrary to the provisions of the Zoning Ordinance of the Borough of Woodcliff Lake; and WHEREAS, a hearing was held before the Board on May 21, 2025 before members Corrado Belgiovine, Nicole Marsh, Gerald Barbara, Thomas Panso, Jane Ann Whitchurch-Carluccio, Ariel Mazor, Peter Briskin and Michael Kaufman ; and

WHEREAS, Applicant has filed an affidavit showing compliance with all of the statutory requirements as to the giving of notice as well as all of the requirements of the Zoning Ordinance of this Borough.

NOW, THEREFORE, BE IT RESOLVED by the Land Use Board of the Borough of Woodcliff Lake as follows:

1. The applicant requested the following variances:
 - (a) a variance from the requirements of 262-14B(6)(b)[1] to permit a side yard of 18.6 feet in lieu of the required 20 feet for a requested variance of 1.4 feet, and

(b) 262-14C(4) to permit building coverage of 17.2% where only 15% is permitted for a variance 2.2%, and

(c) §380-14A(4) to permit surface coverage of 30.8 % where 30% is the limit, for a variance of 0.8%.

2. Whereas, there currently are no variances that have been granted to Applicant, and

WHEREAS, the applicant, through legal counsel, Matthew Capizzi, Esq, attorney with the firm of Capizzi Law Offices, made application pursuant to N.J.S.A. 40:55D-70(c)(1), and

WHEREAS, the Board held a public hearing on May 20, 2025 at which time it heard testimony from Christopher Lopez, AIA, a licensed architect in the State of New Jersey, and considered the exhibits and evidence offered by the applicants which included exhibits marked A-1 (Application); A-2 (Four photographs); A-3 (Survey prepared by Jeffrey S. Grunn, N.J. P.L.S. from Lakeland Surveying dated 9/9/2024); A-4 (Five-page conceptual design prepared by Daniel D'Agostino, A.I.A. from Plan Architecture dated February 20, 2025, VA.000, VA.100, VA.200, VA.300, VA.400). The Board also reviewed the Neglia Engineering letter dated April 2, 2025 marked WCL-1; and

WHEREAS, after hearing the testimony and the evidence presented by the applicant and after due consideration and deliberation, the Board has made the following findings of fact and conclusions:

1. The application for the variance was duly made to the Land Use Board and that all owners of property situated within 200 feet of the premises to be affected were duly notified in accordance with law.
2. The applicant presented satisfactory proof to the Land Use Board that notice of said hearing was duly published.

3. The applicant submitted plans and testimony concerning a proposed covered patio 26 feet by 18.7 feet.
4. The applicant's lot is located in a R-22.5 zone requiring a lot size of 22,500 square feet. Applicant's lot is 20,575 square feet and in addition has lot frontage of only 110 square feet where 150 feet is required.
5. Christopher Lopez, a licensed architect with Plan Architectural testified for the applicant. Proposed is a 1 story patio as open as possible. Height is 14.5 feet from grade, He testified about the existing first floor plan and how it integrates the patio. The architect testified due to the interior layout, the patio is located so as to be functional with the existing layout. The size is 12 feet x 18.7 feet. A wood burning fireplace is part of the plan. The encroachment is also due to the way the house is situated on the property.
6. A resident Joseph Santoro, 17 Oakwood Drive appeared and expressed concern about drainage and water run-off, and he objected to the side yard variance. He objected to the building coverage of 452 square feet and objected to the size of the proposed structure.
7. There is no formal landscape plan.
8. Mr. Lopez was asked about alternative designs and testified that it was designed to be accessible from the kitchen and the location is at the natural location. The encroachment area is roughly 20 square feet by his scaling,
9. No residents came forward and spoke in favor of the Applicant's

application.

WHEREAS, the Board found as follows:

1. This application is for three variances: (1) to permit a side yard of 18.6 feet in lieu of the required 20 feet for a requested variance of 1.4 feet, (2) to permit building coverage of 17.2% where only 15% is permitted for a variance of 2.2%, and (3) to permit surface coverage of 30.8 % where 30% is the limit, for a variance of 0.8%.
2. At the public portion of the meeting, resident Joseph Santoro, 17 Oakwood Drive objected to the application. He expressed concern about drainage and the visual impact from his patio and objected to the application.
3. The physical features of the property create an extraordinary and exceptional conditions uniquely affecting the property and the structures thereon, and a strict application of the regulation would result in peculiar and exceptional practical difficulties and/or exceptional and undue hardship upon the owners of the property. The hardship relates to the fact that the property size is less than required and the lot frontage is only 100 feet where the requirement is 150 feet causing the need for a side yard variance
4. The negative and positive criteria have been proven by the applicant, although objected to. The Board finds that there is no substantial detriment to granting the variance as the 1.4 feet is a very minor encroachment into the side yard, approximated to be only about 20 square feet and the variances are *de minimus*.

WHEREAS, the Board determined that the variances can be granted without substantial

detriment to the public good and it will not substantially impair the intent and purpose of the Zone Plan and Zoning Ordinance, based upon current development in the area and based upon all homes in the area.

NOW, THEREFORE, BE IT RESOLVED BY THE LAND USE BOARD OF THE BOROUGH OF WOODCLIFF LAKE THAT THE APPLICATION FOR PERMISSION TO DEVIATE FROM THE AFOREMENTIONED ZONING REQUIREMENTS SET FORTH ABOVE IN THIS RESOLUTION IS HEREBY GRANTED AND APPROVED, UPON THE FOLLOWING TERMS AND CONDITIONS:

1. Compliance with the requirements of this resolution set forth above and conformance with the plans submitted to the Board by the applicants as Exhibits A-1, A-3, A-4 and A-5. The side yard variance is limited to the open patio with a size no larger than 26 x 18.7 feet. The porch shall remain open. Applicant shall comply with all recommendations and requirements in the Neglia review letter dated April 2, 2025.
2. Applicant shall comply with the requirements of all structural, fire and sanitary safety as provided in the current edition of the New Jersey Uniform Construction Code. Applicant shall apply for a soil moving permit.
3. The applicant shall obtain approval of the Construction Code Official for its plan and all necessary permits and comply with all local, county and state ordinances and statutes, including the Woodcliff Lake Tree Preservation Ordinance Chapter 245.
4. The applicant shall obtain all such other governmental approvals as may be required by law.

5. The applicant shall commence the construction and complete all of the intended alterations and improvements no later than 12 months from the date of adoption of this resolution or this variance shall expire automatically, unless otherwise extended by the Board.
6. No trees shall be removed as part of the construction. All trees shall be protected from construction equipment and soil disruption within the area of the drip line of the tree by use of temporary fencing.
7. A drainage plan shall be submitted and approved by the Borough Engineer.
8. A copy of the resolution shall be forwarded to the applicant and to Construction Code Official of the Borough of Woodcliff Lake and the secretary to publish the required notice.
9. All of the Board's legal and engineering fees shall be paid before any permits or a C.O. is issued.

MOTION TO APPROVE INTRODUCED BY: NICOLE MARSH

SECONDED BY:

IN FAVOR OF GRANTING: IN FAVOR OF GRANTING THE MOTION: ALL

OPPOSED BY: NONE

MOTION APPROVED

MOTION TO APPROVE FORM OF RESOLUTION:

INTRODUCED BY:

SECONDED BY:

IN FAVOR OF APPROVING:

OPPOSED BY: NONE

Certified to be a true copy of the Resolution duly adopted by the Land Use Board of the Borough of Woodcliff Lake at its regular meeting on June 24, 2025.

CLAIRESSE AQUILINO
Board Secretary

**BOROUGH OF WOODCLIFF LAKE
LAND USE BOARD**

RESOLUTION NO. 25-13

**RESOLUTION APPROVING AND ADOPTING A HOUSING ELEMENT AND FAIR
SHARE PLAN TO SATISFY THE BOROUGH'S FOURTH ROUND AFFORDABLE
HOUSING OBLIGATION**

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L.2024, c.2, establishing a new framework for determining and enforcing municipal affordable housing obligations under the New Jersey Supreme Court's Mount Laurel doctrine and the New Jersey Fair Housing Act (the "FHA") (N.J.S.A. 52:27D-301, *et al.*); and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.1(f)(1)(b), each municipality was to adopt a binding resolution no later than January 31, 2025, determining and setting forth its present and prospective fair share obligations for the "Fourth Round" of affordable housing obligations ("Fourth Round"); and

WHEREAS, the Mayor and Council of the Borough of Woodcliff Lake ("Borough") adopted Resolution No. 25-55 on January 27, 2025, committing to a present need obligation as 0 units and prospective need obligation as 329 affordable units for the Fourth Round.

WHEREAS, in accordance with the FHA and Administrative Directive #14-24, issued by the Administrative Office of the Courts on December 13, 2024 ("Directive #14-24"), the Borough filed a Complaint for Declaratory Judgment with the Superior Court of New Jersey, Law Division, Bergen County, entitled In the Matter of the Application of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey, Docket No. BER-L-740-25 on January 29, 2025 (the "DJ Action"), identifying its present and prospective fair share obligations for the Fourth Round as set forth above, and committing to adopting and submitting a Fourth Round Housing Element and Fair Share Plan ("HEFSP") as required by the FHA; and

WHEREAS, the Borough received an objection to its Present and Prospective Need numbers from Fair Share Housing Center the New Jersey Builders Association prior to the February 28, 2025 deadline; and

WHEREAS, the Borough ultimately secured a determination by Order dated April 10, 2025 that its Present Need obligation is 0 and its Round 4 Prospective Need is 360 and further authorized the Borough to proceed with preparation and adoption of a proposed HEFSP to satisfy the Borough's affordable housing obligation; and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.1(f)(2)(a) and Directive #14-24, each municipality must adopt and file as part of its DJ Action a HEFSP, with associated resolutions and proposed drafts of the appropriate zoning and other ordinances, necessary to implement its HEFSP, no later than June 30, 2025; and

WHEREAS, the Borough's Affordable Housing Planner, DMR Architects, prepared a proposed HEFSP, entitled "Fourth Round Housing Element and Fair Share Plan" dated May 2025 (the "Fourth Round HEFSP"); and

WHEREAS, pursuant to N.J.S.A. 40:55D-28, the Borough of Woodcliff Lake Planning Board ("Board"), may prepare and adopt or amend a master plan or component parts thereof, after a public hearing, to guide the use of lands within the municipality in a manner which protects health and safety and promotes the general welfare; and

WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Board held a public hearing on the proposed Fourth Round HEFSP on June 24, 2025, during which the proposed Fourth Round HEFSP was presented to the Board and public, and opportunity for comments and questions was provided; and

WHEREAS, with the conclusion of the public hearing, the Board finds and hereby determines that the proposed Fourth Round HEFSP is consistent with the goals and objectives of the Master Plan of the Borough, will guide the use of lands in the municipality in a manner which protects public health and safety and promotes the general welfare in accordance with N.J.S.A. 40:55D-28, and is designed to achieve the goal of access to affordable housing to meet present and prospective housing needs in accordance with N.J.S.A. 52:27D-310; and

WHEREAS, by the adoption of this Resolution, the Board memorializes its adoption of the proposed Fourth Round HEFSP as the Housing Element and Fair Share Plan components of the Borough of Woodcliff Lake Master Plan, in accordance with N.J.S.A. 40:55D-28, the FHA and Directive #14-24.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Woodcliff Lake Planning Board that the plan entitled "Fourth Round Housing Element & Fair Share Plan", prepared by DMR Architects, dated May 2025 (the "Fourth Round HEFSP"), is hereby approved and adopted as the 2025 Housing Element and Fair Share Plan components of the Borough of Woodcliff Lake Master Plan.

BE IT FURTHER RESOLVED the Board Secretary is hereby authorized and directed to transmit a certified, electronic copy of the Fourth Round HEFSP and this resolution to the Borough's affordable housing counsel for further disposition

BE IT FURTHER RESOLVED the Board Secretary is hereby authorized and directed to provide a copy of the adopted Fourth Round HEFSP and a certified copy of this Resolution to the

Bergen County Planning Board and New Jersey Office of Planning Advocacy, in accordance with the requirements of N.J.S.A. 40:55D-13.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

ROLL CALL:

INTRODUCED BY:

SECONDED BY:

AYES:

NAYS:

ABSTAIN:

CERTIFICATION

Certified to be a true copy of the Resolution duly adopted by the Land Use Board of the Borough of Woodcliff Lake at its regular meeting on June 24, 2025.

CLAIRESSE AQUILINO
Board Secretary

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Bonanno						
Brodsky						
Margolis						
Marsh						
Pollack						
Stern						
Mayor Rendo						

RESOLUTION ENDORSING THE 2025 HOUSING ELEMENT AND FAIR SHARE PLAN

RESOLUTION NO. 25-192

JUNE 24, 2025

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L.2024, c.2, establishing a new framework for determining and enforcing municipal affordable housing obligations under the New Jersey Supreme Court’s Mount Laurel doctrine and the New Jersey Fair Housing Act (the “FHA”) (N.J.S.A. 52:27D-301, *et al.*); and

WHEREAS, among other things, the Act abolished the Council on Affordable Housing (hereinafter, “COAH”), and replaced it with seven retired, on recall judges designated as the Program and authorized the Director of the Administrative Office of the Courts, (hereinafter, respectively, “Director” and “AOC”) to create a framework to process applications for affordable housing compliance certification; and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.1(f)(1)(b), each municipality was to adopt a binding resolution no later than January 31, 2025, determining and setting forth its present and prospective fair share obligations for the “Fourth Round” of affordable housing obligations (“Fourth Round”); and

WHEREAS, the Mayor and Council of the Borough of Woodcliff Lake (“Borough”) adopted Resolution No. 25-55 on January 27, 2025, committing to a present need obligation as 0 units and prospective need obligation as 329 affordable units for the Fourth Round.

WHEREAS, in accordance with the FHA and Administrative Directive #14-24, issued by the Administrative Office of the Courts on December 13, 2024 (“Directive #14-24”), the Borough filed a Complaint for Declaratory Judgment with the Superior Court of New Jersey, Law Division,

Bergen County, entitled In the Matter of the Application of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey, Docket No. BER-L-740-25 on January 29, 2025 (the "DJ Action"), identifying its present and prospective fair share obligations for the Fourth Round as set forth above, and committing to adopting and submitting a Fourth Round Housing Element and Fair Share Plan ("HEFSP") as required by the FHA; and

WHEREAS, the Borough received objections to its Present and Prospective Need numbers from Fair Share Housing Center and the New Jersey Builders Association prior to the February 28, 2025 deadline; and

WHEREAS, the Borough ultimately secured a determination by the Program judge, the Honorable Ronald E. Bookbinder, A.J.S.C. (Ret.) confirming a mediated obligation consisting of a Present Need obligation of 0 and a Round 4 Prospective Need of 360; and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.1(f)(2)(a) and Directive #14-24, each municipality must adopt and file as part of its DJ Action a HEFSP, with associated resolutions and proposed drafts of the appropriate zoning and other ordinances, necessary to implement its HEFSP, no later than June 30, 2025; and

WHEREAS, the Borough of Woodcliff Lake Planning Board ("Board") adopted the HEFSP, entitled "Fourth Round Housing Element & Fair Share Plan" prepared by the Borough's affordable housing planner, DMR Architects, dated May 2025 (the "Fourth Round HEFSP"), as an amendment to the Borough's Master Plan on June 24, 2025; and

WHEREAS, the Governing Body desires to endorse the Fourth Round HEFSP adopted by the Board on June 24, 2025.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Woodcliff Lake, Bergen County as follows:

1. The Governing Body does hereby endorse the Fourth Round HEFSP adopted by the Borough of Woodcliff Lake Planning Board on June 24, 2025.
2. The Governing Body does hereby authorize the filing of this Resolution endorsing the Fourth Round HEFSP adopted by the Board on eCourts for review by the Program.
3. The Mayor and Clerk, together with other appropriate officers and employees of the Borough of Woodcliff Lake, are hereby authorized to take all steps necessary to effectuate the purposes of this Resolution.
4. This Resolution shall take effect immediately.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen, and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of June 24, 2025.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Bonanno						
Brodsky						
Margolis						
Marsh						
Pollack						
Stern						
Mayor Rendo						

RESOLUTION OF INTENT TO BOND IN THE EVENT THAT THERE IS A SHORTFALL IN FUNDING TO EFFECTUATE CERTAIN AFFORDABLE HOUSING MECHANISMS IN ITS FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN

**RESOLUTION NO. 25-193
JUNE 24, 2025**

WHEREAS, the Governing Body of the Borough of Woodcliff Lake desires to create a realistic opportunity for the creation of affordable housing within the Borough; and

WHEREAS, the Borough voluntarily brought a timely declaratory judgment action pursuant to the procedures set forth by Administrative Directive #14-24 seeking approval of a Housing Element and Fair Share Plan that satisfied the Borough’s obligation to provide for its fair share of the regional need of low- and moderate-income housing; and

WHEREAS, the Borough of Woodcliff Lake Planning Board has adopted a Fourth Round Housing Element and Fair Share Plan pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, et seq., which addresses the requirements of N.J.A.C. 5:93-1, et seq., as amended and supplemented, N.J.A.C. 5:80-26.1, et seq. as amended and supplemented, and the New Jersey Fair Housing Act; and

WHEREAS, the Fourth Round Housing Element and Fair Share Plan provides for expenditures to fund and support its affordable housing mechanisms; and

WHEREAS, the Borough has adopted a Development Fee Ordinance in order to generate revenue for the Borough’s Affordable Housing Trust Fund; and

WHEREAS, the Borough anticipates that monies collected and deposited in the Affordable

Housing Trust Fund, along with other permitted funding sources, will be sufficient to effectuate the above-referenced mechanisms; and

WHEREAS, the Borough is committed to securing approval of its Fourth Round Housing Element and Fair Share Plan; and

WHEREAS, the Borough acknowledges the affordable housing rules and regulations that provide that, although utilization of a mandatory development fee ordinance is an appropriate mechanism to raise money for the purpose of off-setting the expenses incurred in connection with the Housing Element and Fair Share Plan, there must be an alternative funding source in the event that insufficient monies are derived from the mandatory development fee ordinance or other resources, or the funds are not received in a timely fashion, for the purpose of effectuating the affordable housing mechanisms; and

WHEREAS, the Borough wishes to express its commitment to cover such funding shortfalls and to fully implement the mechanisms set forth in its Fourth Round Housing Element and Fair Share Plan through bonding or other lawful means.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Woodcliff Lake, in the County of Bergen, State of New Jersey, that it does hereby confirm its intent that in the event that the projected funding from the mandatory development fee ordinance the Borough has adopted is insufficient to complete the aforementioned affordable housing mechanisms, it is the intention of the Governing Body of the Borough of Woodcliff Lake to adopt appropriate bond ordinances in order to provide the requisite funding in an appropriate time frame.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen, and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of June 24, 2025.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Bonanno						
Brodsky						
Margolis						
Marsh						
Pollack						
Stern						
Mayor Rendo						

RESOLUTION ADOPTING FOURTH ROUND SPENDING PLAN

RESOLUTION NO. 25-194

JUNE 24, 2025

WHEREAS, in accordance with the Mount Laurel Doctrine every municipality has a constitutional obligation to create a realistic opportunity for producing a fair share of the regional present and prospective need for housing low and moderate income families; and

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L.2024, c.2, establishing a new framework for determining and enforcing municipal affordable housing obligations under the New Jersey Supreme Court’s Mount Laurel doctrine and the New Jersey Fair Housing Act (the “FHA”) (N.J.S.A. 52:27D-301, et al.); and

WHEREAS, among other things, the Act abolished the Council on Affordable Housing (hereinafter, “COAH”), and replaced it with seven retired, on recall judges designated as the Program and authorized the Director of the Administrative Office of the Courts, (hereinafter, respectively, “Director” and “AOC”) to create a framework to process applications for affordable housing compliance certification; and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.1(f)(1)(b), each municipality was to adopt a binding resolution no later than January 31, 2025, determining and setting forth its present and prospective fair share obligations for the “Fourth Round” of affordable housing obligations (“Fourth Round”); and

WHEREAS, the Mayor and Council of the Borough of Woodcliff Lake (“Borough”) adopted Resolution No. 25-55 on January 27, 2025, committing to a present need obligation as 0 units and prospective need obligation as 329 affordable units for the Fourth Round.

WHEREAS, in accordance with the FHA and Administrative Directive #14-24, issued by the Administrative Office of the Courts on December 13, 2024 (“Directive #14-24”), the Borough filed a Complaint for Declaratory Judgment with the Superior Court of New Jersey, Law Division, Bergen County, entitled In the Matter of the Application of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey, Docket No. BER-L-740-25 on January 29, 2025 (the “DJ Action”), identifying its present and prospective fair share obligations for the Fourth Round as set forth above, and committing to adopting and submitting a Fourth Round Housing Element and Fair Share Plan (“HEFSP”) as required by the FHA; and

WHEREAS, the Borough of Woodcliff Lake Planning Board (“Board”) adopted the HEFSP, entitled “Fourth Round Housing Element & Fair Share Plan” prepared by the Borough’s affordable housing planner, DMR Architects, dated May 2025 (the “Fourth Round HEFSP”), as an amendment to the Borough’s Master Plan on June 24, 2025; and

WHEREAS, the Fourth Round HEFSP includes a Fourth Round Spending Plan component, pursuant to the FHA and Directive #14-24, which project anticipated revenues to the Borough’s Affordable Housing Trust Fund, and describes estimated expenditures of funds to address its fair share obligations as set forth in the Fair Share plan and which specifically establishes that the expenditure of funds contemplated in the Fourth Round Spending Plan constitute a commitment for expenditure pursuant to N.J.S.A. 52:27D-329.2.d, with the four year time period beginning to run with the date of collection of the funds, as such time may be extended by virtue of the date of the Superior Court’s approval of this Fourth Round Spending Plan; and

WHEREAS, the Governing Body has reviewed the Fourth Round Affordable Housing Spending Plan appended to the Fourth Round HEFSP adopted by the Board on June 24, 2025, and wishes to adopt said plan.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Woodcliff Lake, Bergen County, New Jersey, hereby adopts the Affordable Housing Spending Plan prepared by DMR Architects; and,

BE IT FURTHER RESOLVED by the Governing Body of the Borough of Woodcliff Lake, Bergen County, New Jersey that this resolution shall take effect immediately.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen, and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of June 24, 2025.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK