

**2024 AFFORDABLE HOUSING  
ANNUAL MONITORING REPORT**  
**FOR THE THIRD ROUND HOUSING ELEMENT AND FAIR SHARE HOUSING PLAN**

***Borough of Totowa  
Passaic County, New Jersey***

***March 3, 2024***

***Prepared By:***



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***Borough of Totowa***  
***2024 ANNUAL REPORT***

**Purpose**

Paragraph 19 of the Borough of Totowa's (Borough) Settlement Agreement with the Fair Share Housing Center ("FSHC") requires that the Borough comply with the statutory annual reporting requirements of the Fair Housing Act ("FHA") as follows: "On the first Judgement of Repose/Compliance, and every anniversary thereafter through the end of this agreement, the Borough agrees to provide annual reporting of the status of all affordable housing activity within the municipality through posting on the municipal website with a copy of such posting provided to the New Jersey Department of Community Affairs, Council on Affordable Housing, or Local Government Services, or other entity designated by the State of New Jersey, using forms previously developed for this purpose by the Council on Affordable Housing or any other forms endorsed by the Special Master and FSHC."

**Relevant Background**

On July 8, 2015, the Borough filed a Declaratory Judgement Action seeking a declaration of its compliance with the Mount Laurel Doctrine and Fair Housing Act of 1985, N.J.S.A. 52:27D-301 et seq. The matter proceeded as a declaratory judgement action in accordance with In re N.J.A.C. 5:96 AND 5:97, supra. As a result of the declaratory judgment process, the Borough and the FSHC agreed to settle the ligation and to present that settlement to the trial court with jurisdiction over this matter to review. The Borough entered into a Settlement Agreement with the FSHC on April 24, 2018, which was approved by Order of the Court, after the required fairness hearing.

**Affordable Housing Obligation**

Pursuant to the 2018 FSHC Settlement Agreement and the Borough's Housing Element and Fair Share Plan (HEFSP), the Borough's Affordable Housing Obligation is as follows:

Rehabilitation Obligation:	8
Prior Round Obligation (1987-1999):	215
Prior Round Obligation RDP:	50
Prior Round Obligation Unmet Need:	165
Third Round Obligation (1999-2025):	454
Third Round Obligation RDP:	22
Third Round Obligation Unmet Need:	432

### **Trust Fund Monitoring**

The Borough adopted its Development Fee ordinance (Ord. No. 17-2018) on November 13, 2018, the proceeds of which are to be deposited in its Affordable Housing Trust Fund (AHTF).

Based on the most recent audit for the period of November 1, 2022 through October 31, 2023, performed by Lerch, Vinci & Bliss, LLP – Certified Public Accountants/Registered Municipal Accountants, the AHTF had a starting balance of \$2,340,536 and gained \$742,631 in fees and interest, and expended \$18,447 on administrative expenses for a ending balance of \$3,064,720.

**BOROUGH OF TOTOWA  
PROJECT/UNIT MONITORING – THROUGH DECEMBER 31, 2023**

Site/Program Name:	St. Joseph's Home for the Elderly	Devereux Facilities	Jawonio	Community Action for Independent Living
<b>Project Type:</b>	100% Affordable	Group Home	Group Home	Group home
<b>Block &amp; Lot/Street:</b>	Block 12 Lot 2 140 Shepherds Lane	169A Minnisink Rd. 169B Minnisink Rd. 653 Totowa Rd.	Block 133 Lot 12.02 S. Riverview Drive	Block 166 Lot 14.02
<b>Status:</b>	Completed and occupied	Completed and occupied	Complete and occupied	Completed and occupied
<b>Date:</b>	N/A	N/A	N/A	N/A
<b>Length of Controls:</b>	N/A	N/A	30 years	N/A
<b>Administrative Agent:</b>	N/A	N/A	N/A	N/A
<b>Contribution:</b>	N/A	N/A	N/A	N/A
<b>Type of Unit:</b>	Residential health care & independent living	Alternative living	Alternative Living	Alternative living
<b>Total Affordable Units:</b>	84	13	5	4
<b>Income/Bedroom Distribution:</b>	1 BR Very Low Income	2 BR Low Income	3BR Moderate Income	1 BR 2 BR 3BR All very-low income
				Income level unknown
<b>Comments:</b>	The facility accepts residents with an annual income of less than \$24,000. Unknown if units have more than one bedroom.			

**BOROUGH OF TOTOWA  
PROJECT/UNIT MONITORING – THROUGH DECEMBER 31, 2023**

Site/Program Name:	Rehabilitation Program	Sunset Ridge Development, LLC	95 Shepherds Lane	Forest Avenue Rezoning
Project Type:	Borough sponsored Rehabilitation Program	Inclusionary	Inclusionary	Inclusionary Rezoning
<b>Block &amp; Lot/Street:</b>	Unit #1 -21 Mair Avenue Unit #2 – 166 Winifred Drive	617 Preakness Ave. Block 2 Lots 1-4 Block 3 Lots 1, 1.01, 3, 6, 7 & 8	95 Shepherds Lane Block 11 Lot 9.01	Block 1 Lot1; Block 2 Lots 1-4; Block 3 Lots 1, 1.01, 3-9; Block 4 Lots 1, 3, 4.01, 5, 5.01, 6, 6.01, 8 Block 5 Lot 1-3; Block 6 Lots 1,2,4,5, & 12 Block 9 Lots 1, 1.01, 4-7
<b>Status:</b>	Advertising program through multiple mediums, including but not limited to flyers, direct mailings, and advertisements in local papers, which are placed 6 times +/- throughout the year.	The development was approved in late 2020 and construction ensued shortly thereafter. The development is now constructed, and all affordable units are now occupied as of 3/1/24. Agreement also required purchase of a 2-family dwelling still in progress.	Approved by Board on 4/27/17 for 54 total units including 10 affordables. The applicant appeared before the Board in July 2020 for Amended Site Plan Approval for 74 total units including 15 affordables. Additional plan modifications are to be considered by the Board   April 2024.	Rezoned via Ordinance 08-2016 on May 10, 2016.  Interlocals services agreement for required sanitary sewer service pending.
<b>Date:</b>	N/A	N/A	N/A	N/A
<b>Length of Controls:</b>	10	30	30	30
<b>Administrative Agent:</b>	Community Grants, Planning & Housing (aka CGP&H)	Community Grants, Planning & Housing (aka CGP&H)	TBD	TBD
<b>Contribution:</b>	N/A	N/A	N/A	TBD
<b>Type of Unit:</b>	Renovation	Family Rental	Family Rental	TBD
<b>Total Affordable Units:</b>	2	8	15	TBD
<b>Income/Bedroom Distribution:</b>	1 BR Very Low Income Low Income Moderate Income	2 BR 1 BR 3BR 1 2 2	3BR 1 2 1 1	2 BR 3BR 1 BR 2 BR 3BR 1 BR: 3 2 BR: 9 3 BR: 3 2 Very low, 6 low, 7 moderate
<b>Comments:</b>	8 units required. In 2023, three new applications were received and are being evaluated. Unit #2 above was added in 2023	The landlord has filed the deed restriction for recording.		TBD

**BOROUGH OF TOTOWA  
PROJECT/UNIT MONITORING – THROUGH DECEMBER 31, 2023**

Site/Program Name:	Riverview Drive Rezoning	670 Union Boulevard	50 and 80 Bomont Place	Union Blvd. Conditional Use
Project Type:	Inclusionary Rezoning	Inclusionary Overlay	Inclusionary Overlay	Inclusionary Development
Block & Lot/Street:	Block 133 Lots 10 & 11	Block 176 Lot 2 670 Union Blvd	Block 133 Lots 2 & 2.01 50 & 80 Bomont Place	Varies
Status:	Rezoned via Ordinance 08-2016 on May 10, 2016	Overlay Zone created April 24, 2018 via Ordinance 9-2018	Overlay Zone created April 24, 2018 via Ordinance 9-2018	Conditionally permitted inclusionary development created April 24, 2018 via Ordinance 10-2018
Date:	N/A	N/A	N/A	N/A
Length of Controls:	TBD	TBD	TBD	TBD
Administrative Agent:	TBD	TBD	TBD	TBD
Contribution:	TBD	TBD	TBD	\$40,000
Type of Unit:	TBD	TBD	TBD	TBD
Total Affordable Units:	TBD	TBD	TBD	TBD
Income/Bedroom Distribution:	1BR Very Low Income	2BR Low Income	3BR Moderate Income	1BR Project aka Walkers Hardware property
				2BR 3BR

BOROUGH OF TOTOWA PROJECT/UNIT MONITORING – THROUGH DECEMBER 31, 2023						
Site/Program Name:	20 Maple Ave. Lane	NJDC Urban Renewal LLC	Three Crown Development LLC	515 Union Blvd.		
Project Type:	Group Home	Assisted Living Facility	Inclusionary Development	TBD		
Block & Lot/Street:	Block 165 Lot 19	Block 154 Lot 19.07 169 Minnisink Road	Block 9 Lots 1 & 3 1 Otillo Terrace & 101 Forest Avenue	Block 100 Lot 1 Block 148 Lot 1		
Status:	Community Options Inc. purchased home in February 2020. Minor renovations were completed to create a four-bedroom very-low income group home, which is now occupied. The Borough is providing \$15,000 per bedroom in exchange for 30-year deed restriction.	Site Plan approval granted in March 2019. The applicant appeared before the Planning Board on October 22, 2020 seeking Amended Site Plan Approval to construct an assisted living and skilled nursing facility. The Board approved the application via Resolution memorialized on November 12, 2020.	Site Plan Approval granted in August 2021. The Applicant appeared before the Planning Board on June 24, 2021 seeking preliminary and final site plan approval to construct an 81 unit development. The application was approved via resolution memorialized on August 12, 2021.	In lieu of this project, the Borough secured a \$220,000 contribution to the Affordable Housing Trust Fund to help finance other affordable housing initiatives, while also advancing important transportation improvements in the area.		
Date:	Deed recorded 2/23/21					
Length of Controls:	30	30	TBD	TBD	TBD	TBD
Administrative Agent:	N/A	TBD	TBD	TBD	TBD	TBD
Contribution:	\$15,000 per unit	N/A	N/A	\$220,000		
Type of Unit:	Alternative Living	Assisted Living Facility	Family Sale		NA	NA
Total Affordable Units:	4		18		NA	NA
Income/Bedroom Distribution:	1BR	2BR	3BR	1BR	2BR	3BR
Very Low Income	4					
Low Income						
Moderate Income						
Comments:			10% of the assisted living units will be affordable units, complying with State licensing requirements.	14 -2 Bedrooms 4 -3 Bedrooms 13% Very low income		

**BOROUGH OF TOTOWA  
PROJECT/UNIT MONITORING – THROUGH DECEMBER 31, 2023**

<b>Site/Program Name:</b>	<i>Veteran Family Housing</i>		
<b>Project Type:</b>	100% Affordable/Market/Affordable		
<b>Block &amp; Lot/Street:</b>	Unit 1 - 78 Highview Ave. B78 L70 Unit 2 - 63 Rosengren Ave. B 80 L14 Unit 3 - 55 Mitchell Dr. B86 L2.02		
<b>Status:</b>	The Borough initiated acquisition of these three properties in 2021. Unit 3 was finalized in 2023.		
	These units have been deed restricted.		
<b>Date:</b>			
<b>Length of Controls:</b>	TBD		
<b>Administrative Agent:</b>	TBD		
<b>Contribution:</b>	TBD		
<b>Type of Unit:</b>	Family, Tenure TBD		
<b>Total Affordable Units:</b>	3		
<b>Income/Bedroom Distribution:</b>	1BR	2BR	3BR
Very Low Income			
Low Income			
Moderate Income			
<b>Comments:</b>			