

**BOROUGH OF NORTH CALDWELL PLANNING BOARD
ADOPTING AMENDMENTS TO THE MASTER PLAN AND THE FAIR
SHARE PLAN OF THE BOROUGH OF NORTH CALDWELL**

Approved: July 22, 2013

**ADOPTION OF AMENDMENTS TO THE LAND USE AND HOUSING ELEMENTS OF
THE MASTER PLAN AND AMENDING THE FAIR SHARE PLAN REGARDING
HILLTOP PARCEL 3, BLOCK 101, LOT 3.**

WHEREAS, on June 24, 2013, the Planning Board of the Borough of North Caldwell executed a Settlement Agreement with K. Hovnanian in the case entitled, In the Matter of the Application of the Borough of North Caldwell, Docket No. ESX-L-7622-06, which agreement was executed by the Mayor and Council on Behalf of the Borough of North Caldwell in June 25, 2013, and

WHEREAS, the Settlement Agreement provides for the Planning Board to conduct public hearings regarding the amending of the Land Use Element and the Housing Element of the Master Plan and amending the Fair Share Plan to consider changes to both as provided in the Settlement Agreement, and relating to Parcel 3 of the Hilltop, Block 101, Lot 3; and,

WHEREAS, on July 8, 2013, the Planning Board considered the proposed amendments to the Land Use Element, and the Housing Element of the Master Plan; and, to the Fair Share Plan attached hereto as Exhibits A and B and found them ready for public consideration; and,

WHEREAS, on July 22, 2013, the Planning Board, after giving notice to the public by publication, notice to the Clerks of adjacent communities and notice to the Essex County Planning Board as required by law, conducted a public hearing to consider the proposed amendments to the Land Use Element and the Housing Element of the Master Plan; and, to the Fair Share Plan attached hereto as Exhibits A and B the ("Public Hearing"); and,

WHEREAS, at the Public Hearing the Planning Board heard the presentation of Joseph Burgis, Professional Planner, of Burgis Associates, Inc. describing the reasons for the proposed amendments and recommending their adoption by the Planning Board; and,

WHEREAS, the Planning Board opened the Public Hearing for comments and questions from the public; and,

WHEREAS, the Planning Board has made the following findings of fact and conclusions of law:

1. The Borough of North Caldwell has a Constitutional obligation to provide realistic opportunities for the creation and construction of affordable housing within the Borough.
2. The Planning Board has reviewed the available land inventory in the Borough and has concluded that Parcel 3 of the Hilltop provides the best opportunity for the creation of an affordable housing zone.
3. The amending of the Land Use Element and Housing Element of the Master Plan will promote the development of affordable housing in the Borough and is consistent with and promotes the purposes of good planning.
4. The amending of the Fair Share Plan will create a specific parcel of land to be used for the development of affordable housing in the Borough and is consistent with the revisions to the Land Use and Housing Element amendments.

NOW, THEREFORE BE IT RESOLVED that the Planning Board of the Borough of North Caldwell on the 22nd day of July, 2013, does hereby adopt the amendments to the Land Use Element and the Housing Element of the Master Plan and the amendments to the Fair Share Plan attached hereto as Exhibits A and B.

The undersigned does hereby certify that the foregoing is a true copy of the action taken by the Planning Board at its meeting on July 22, 2013.



MEL LEVINE, Planning Board Secretary