

BOROUGH OF NORTH CALDWELL

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JOSHUA H. RAYMOND
MAYOR

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Dear North Caldwell Residents,

As your Mayor, I want to address concerns regarding the development of Green Brook Country Club (“GBCC”) and to ensure that every resident is fully informed of the status of the project.

In 2018, the members of GBCC elected to sell their property to a real estate developer. Shortly after the sale, the Borough’s prior administration entered into a settlement agreement which authorized the development of GBCC. As a result of the Borough’s previous approval of the development (over five (5) years ago) and a prior vote (in July 2020) to authorize residential zoning at this site, GBCC can, and will, be developed by its owners.

It is very important to note that the existing settlement agreement with GBCC and Fair Share Housing protects the Borough and satisfies our affordable housing obligations. If development of these affordable housing units is not completed, then there is a risk that a builder's remedy lawsuit could be brought against the Borough. This type of lawsuit could result in significantly increased development being enforced by a court order in an uncontrolled manner and in uncontrolled locations.

Please know that I and the Council would like nothing more than for GBCC to remain a golf course and an open green space. However, the developer has informed us that it has every intention of proceeding under their legally binding settlement agreement to develop the site. The developer has operated GBCC in good faith, for far longer than it was contractually obligated. The developer purchased the land with the intention to develop it, and it is their legal right to do so. Next year will likely be the last year the club will be in operation as a golf course.

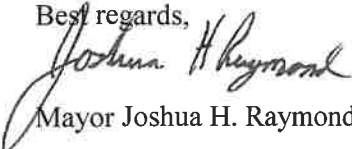
Since taking office in January 2023, my administration’s top priority has been to limit the impact of this development on our community and to attempt to improve the settlement agreement that I and the current Council inherited. Specifically, my administration has engaged in extensive negotiations with Green Brook Realty Associates LLC (“GB Realty”) for the past seven months. The result of these negotiations is a **revised agreement** which will drastically limit the impact of the development of GBCC on our community by the following:

- reducing the capacity of units to be built from 426 to 317 (109 units / 25% reduction)
- restricting the age of the residents on this site to occupants 55 and over, except for a total of 25 non-age restricted affordable housing units
- limiting all market rate age restricted buildings to two-stories, except for some townhomes that will include walk out basements
- receiving consideration, in exchange for 12 acres of land, in the amount of \$1,500,000 for the renovation of the Walker house and the installation of new tennis and pickleball courts.

This revised agreement represents a victory for the Borough and a greatly improved future. While we cannot undo the sale, the Borough has negotiated a far better outcome than that which was signed in 2018. Additionally, my administration continues to focus on preparing the Borough for the physical impact of the GBCC development and doing whatever it can to mitigate disruption to residents’ daily lives.

As your Mayor, I am available to discuss these details, and any Borough concerns you may have, in-person during my office hours on the first Wednesday of every month between 6pm and 8pm. I can always be reached at mayorraymond@northcaldwell.org or at 973-228-6431. I encourage you to visit the North Caldwell website at www.northcaldwell.org for updates and additional information.

Best regards,



Mayor Joshua H. Raymond

History and Timeline of the Purchase of Green Brook Country Club

- In 2018, GBCC was purchased by Green Brook Realty Associates, LLC (“GB Realty”). As the private owners of real estate zoned as a golf course, GB Realty desired to develop the property.
- December 11, 2018, Resolution R-212-18 was approved by the Council, 5-0 (with one recusal), authorizing an agreement for the development of GBCC.
- December 11, 2018, the Borough executed an agreement with GB Realty approving the development of GBCC.
- December 11, 2018, the Borough executed an agreement with the Fair Share Housing Center in order to settle litigation, which commenced in 2015 requiring the Borough to provide more affordable housing. The agreement with GB Realty allows the Borough to satisfy the Borough’s affordable housing obligation under the Mount Laurel doctrine. Any subsequent changes to these resolutions could open the Borough to additional litigation.
- The settlement agreements with Fair Share Housing and GB Realty protected the Borough and satisfied the Borough’s Affordable Housing obligations. The risk would be a builder’s remedy lawsuit in which MUCH more development could have been forced through a court order.
- June 2020, the Council introduced Ordinance O-8-2020 for the purpose of establishing a new Inclusionary Residential Overlay zone (“IRO”) at GBCC.
- July 21, 2020, in a 5-1 vote, the IRO Ordinance was approved by the Council.
- The rezoning of GBCC was a condition of the settlement agreements. Without the overlay zoning, the Borough would not have received a judgement of compliance and order for repose. Again, without these, any builder could potentially force an affordable housing project anywhere in town through a builders remedy lawsuit, *i.e.*, overdevelopment in an uncontrolled manner and in uncontrolled locations.
- The 2018 Agreement and IRO authorized the construction of a total of 439 residential units consisting of market rate age restricted and non-age restricted units, as well as assisted living and affordable age restricted and non-age restricted units. The IRO authorized the construction of buildings which would be as high as 4 stories. As part of the settlement, GBCC agreed to provide the Borough with 12 acres of buildable land to be used for a municipal purpose.