

Reexamination Report of the Master Plan

Adopted March 18, 2019

Borough of Midland Park





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Reexamination Report of the Master Plan

Borough of Midland Park
Bergen County, New Jersey

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Planning Board

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Introduction

The Borough of Midland Park has a longstanding tradition of planning. This can be dated back to 1970, when the Borough adopted its first master plan. In 1989, a new master plan was adopted and affirmed by subsequent reexamination reports adopted in 1995 and 1999. This 1999 reexamination report was later amended in 2000. In 2008, the Borough adopted a new land use element and reexamination report. Throughout the years, each of these planning documents have been designed to guide the development of the Borough in a manner consistent with sound planning criteria.

The following 2018 Borough of Midland Park Reexamination Report of the Master Plan is part of the community's continuing comprehensive planning process. This Reexamination Report represents the Borough's ongoing effort to ensure that the Borough's planning policies and land use goals remain effective, practical, and up-to-date with today's evolving landscaping. While this Reexamination Report does not radically depart from the policies and land use goals set forth in previous studies, it nevertheless acknowledges several issues that have the potential to impact the community. As such, it offers various recommendations for the Borough's master plan and zoning regulations.

The Legal Requirements for Master Plan

New Jersey's Municipal Land Use Law (MLUL) simply defines a master plan as:

"...a composite of one or more written or graphic proposals for the development of the municipality." (NJSA 40:55D-5)

More specifically, a master plan is a comprehensive, long-term plan that is intended to guide the growth and development of a community. In short, a master plan is a roadmap for the future. It maps out where a Township presently is, and where it wishes to be in the future. The master plan ultimately gives a community the legal basis to control development. This is accomplished through the adoption of development ordinances which are designed to implement the plan's recommendations.

The MLUL provides the legal requirements and criteria for the preparation and adoption of a master plan. It establishes that the Planning Board is responsible for the preparation of master plans, which must be adopted at a public hearing. The MLUL also identifies the mandatory contents of a master plan and reexamination report. The statute requires that a master plan must include, at a minimum, the following:

1. A statement of objectives, principles, assumptions, policies, and standards upon which the constituent proposals for the physical, economic, and social development of the municipality are based.

2. A land use plan element that takes into account physical features, identifying the existing and proposed location, extent, and intensity of development for residential and nonresidential purposes, and states the relationship of the plan to any proposed zone plan and zoning ordinance, and;
3. A recycling plan by the municipality.

In addition, the MLUL outlines a number of other plan elements that may be incorporated into a comprehensive master plan document. These optional elements include but are not necessarily limited to the following. While these elements are not obligatory, it should be noted that a municipality may not have a zoning ordinance if it does not have a housing element. The Borough's planning board adopted its most recent Housing Element and Fair Share Plan on January 22, 2018 and subsequently amended it on May 21, 2018.

Housing
Economic Development
Circulation

Open Space
Recreation

Community Facilities
Historic Preservation

The Legal Requirements for a Reexamination Report

In accordance with the Municipal Land Use Law, municipalities are required to periodically reexamine their master plans and development regulations at least once every ten (10) years. This reexamination is necessary to confirm that a community's master plans and zoning regulations are consistent with the applicable provisions of the MLUL. Likewise, the MLUL mandates that all local zoning regulations be substantially consistent with a regularly revised and updated land use element.

As such, the adoption of a reexamination report helps to ensure that a municipality's planning policies and practices are current and effective. The reexamination report is also intended to help guide the governing body, planning board, and zoning board of adjustment as they make land use and policy decisions to enhance and protect the character of the community.

The MLUL requires that a reexamination report must include, at a minimum, five (5) key elements which identify the following:

1. NJSA 40:55D-89.a: The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report;
2. NJSA 40:55D-89.b: The extent to which such problems and objectives have been reduced or have increased subsequent to such date;
3. NJSA 40:55D-89.c: The extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land use, housing conditions, circulation, conservation of natural features, energy conservation, collection, disposition and recycling of designated recyclable materials, and changes in State, County and municipal policies and objectives;
4. NJSA 40:55D-89.d: The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulation should be prepared;
5. NJSA 40:55D-89.e: The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," into the land use plan element of the municipal master plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.

1. Major Problems and Objectives, and Changes to Them

The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report;

NJSA 40:55D-89.a

The extent to which such problems and objectives have been reduced or have increased subsequent to such date;

NJSA 40:55D-89.b

As part of the overall reexamination analysis, the Municipal Land Use Law (MLUL) requires an identification of the major land use problems and objectives that were outlined in the most recently adopted master plan or reexamination report.

In addition to identifying the major land use problems and objectives that were outlined in the most recently adopted master plan or reexamination report, the MLUL also requires municipalities to track the extent to which those problems have been reduced or increased.

Accordingly, the following section outlines the goals and objectives of the 2008 Reexamination Report and Land Use Plan and provides updates to those goals and objectives. Furthermore, this section discusses the changes to the Borough's master plan and land use regulations that were proposed in the 2008 Reexamination Report and Land Use Plan, and whether any actions have been taken regarding those recommendations.

1.1: Land Use Goals and Policy Statements

1. Goal	Policy Statement
<i>To maintain and enhance existing areas of stability in the community and encourage a proper distribution of land uses by designating areas which have their own uniform development characteristics. A principal goal of this plan is to preserve and protect the residential character and moderate density of the community by restricting incompatible land uses from established residential areas, and limiting intensities of use to the level, and locations, prescribed herein.</i>	<i>The Borough of Midland Park recognizes that one of its most significant attributes is its uniform land use arrangement, with limited intrusions of non-residential development in residential neighborhoods. The plan's land use recommendations are designed to protect and reinforce the prevailing detached single family residential development patterns, encourage multifamily development only in those areas specified in the plan, preclude any introduction of incompatible non-residential uses in areas designated for residential use, and reinforce the intensities-of-use recommended in this plan.</i>

2018 Comment: This remains a relevant goal and policy of the Borough. It should be noted that the Borough recently adopted a new Housing Element and Fair Share Plan (HE&FSP) which establishes several overlay zones to permit for inclusionary multifamily housing. This plan is discussed in greater detail in Section 2.4.

2. Goal	Policy Statement
<i>To ensure that any prospective development and/or redevelopment is responsive to Midland Park's environmental features and can be accommodated by the existing infrastructure.</i>	<i>The Borough seeks to encourage development which is sensitive to the community's particular physical characteristics, and preserves the Borough's sensitive environmental elements. In particular, the Borough encourages development which preserves steeply sloped areas (defined to include any slope of minimally fifteen percent grade), protects wetlands, floodplains, and other areas prone to flooding, and retains vegetation (particularly trees of a caliper having minimally six inches, and clusters of trees). Additionally, the Borough takes cognizance of the fact that there are numerous sites in the municipality that are typified by extensive environmentally sensitive features and therefore may not be able to accommodate their full zoned development potential.</i>

2018 Comment: This remains a relevant goal and policy statement of the Borough. Notably, the Borough adopted Ordinance No. 08-11 on August 11, 2011. The intent of this ordinance was to provide compliance with N.J.A.C. 7:15-5.25(g)3, which required municipalities to adopt an ordinance that prevents new disturbance for projects or activities in riparian areas.

3. Goal

Policy Statement

To encourage and provide buffer zones to separate incompatible land uses.

The Borough recognizes the need to reinforce the delineation of boundaries separating residential and non-residential sections of the community. Appropriate buffer/screening devices are to be encouraged to separate incompatible land uses in order to minimize adverse impacts on residential properties. This should be accomplished primarily within the framework of appropriate open space buffer strips containing suitable planting elements (including such elements as multiple rows of plant material, planting clusters, etc.), in an effort to protect residential areas and to retain and reaffirm the community's overall landscape amenity.

2018 Comment: This remains a relevant goal and policy statement of the Borough. The Borough addressed buffers regarding solar panel arrays. Ordinance No. 07-16, which was adopted by the Borough on April 14, 2016, established regulations for solar panels. One such regulation was a requirement that a buffer be installed for all ground arrays. A buffer must consist of a solid or tightly woven fence or evergreen plantings at least six (6) feet in height.

4. Goal

Policy Statement

To provide a variety of housing types, densities and a balanced housing supply, in appropriate locations, to serve the Borough and region.

The Borough policies encourage a varied housing stock and recognize that the State has specifically refined the housing issues to direct attention to the specific need for lower income housing. The Borough seeks to continue its ongoing compliance with the affordable housing regulations set forth by the Council on Affordable Housing (COAH).

2018 Comment: This generally remains a relevant goal and policy statement of the Borough. As detailed in Section 2.4 of this Reexamination Report, COAH was ultimately declared to be dysfunctional by the New Jersey State Supreme Court in March of 2015, and consequently returned jurisdiction of affordable housing issues back to the trial courts where it had originally been prior to the creation of COAH in 1985. This decision has since been identified as the Mt. Laurel IV decision.

Ultimately, the Borough and the Fair Share Housing Center (FSHC) entered into a settlement agreement which established its affordable housing obligations. The Borough adopted a new Housing Element and Fair Share Plan to reflect this agreement. This HE&FSP is discussed in greater detail in Section 2.4

5. Goal

Policy Statement

To promote the continued maintenance and rehabilitation of the Borough's housing stock.

The Borough encourages improvements in the existing housing stock. The Borough seeks to fulfill this goal through the implementation of its housing plan which includes a rehabilitation component designed to provide funds for income-qualified residents to participate in a low interest loan program.

2018 Comment: This remains a relevant goal and policy statement. The Borough's latest Housing Element and Fair Share Plan identifies that the Borough will participate in the Bergen County Housing Improvement Program. This HE&FSP is discussed in greater detail in Section 2.4.

6. Goal

Policy Statement

To preserve and enhance the Borough's commercial area by: defining its functional role in the community and enhancing the quality of life within the commercial center through an appropriate mixture of activities which are oriented towards the Godwin Avenue corridor; encouraging the assemblage of small properties to foster an efficient and attractive design; encouraging the use of the design elements identified in the Borough's development regulations; and, encouraging the consolidation and expansion of off-street parking to provide greater convenience for shoppers and reduce conflicting traffic movements on Godwin Avenue.

The Borough encourages the continued development of the community's business district for retail and service commercial uses serving the daily needs of the resident population. The Borough's broad land use policy is to discourage strip development along the Godwin Avenue corridor. Additionally, this Plan seeks to encourage a building design which is oriented toward the Godwin Avenue corridor, to the extent possible, and discourage the construction of elongated buildings whose principal orientation is not towards the street, where alternatives are available. Consideration should be given to design features which encourage the integration of building, parking, landscaping and signage elements into a comprehensive and unified framework. Additionally, the Borough seeks the continued implementation of the adopted streetscape plan, which has already resulted in the aesthetic enhancement of certain business districts.

In regard to parking, the Borough supports the concept of shared parking. Shared parking not only allows for a more efficient provision of parking, but can also enhance the business areas where the sharing of rear yard parking is provided. This configuration requires fewer curb cuts, allowing additional spaces along the street.

2018 Comment: This remains a relevant goal and policy statement and is addressed through the Borough's subdivision and site plan review process. Shared parking is presently only specifically referenced in the Attached Single-Family Dwelling Zone (ASFD) Zone.

7. Goal

Policy Statement

To support the overall philosophy of the State Development and Redevelopment Plan (SDRP) as a means of providing growth management on a statewide basis while retaining the principles of home-rule.

The Borough maintains that the general intent of the SDRP, to manage growth within the framework of an assessment of needs and infrastructure capabilities, and the SDRP's specific Metropolitan Planning Area designation for Midland Park, represents a reasonable approach to growth management.

2018 Comment: This remains a relevant goal and policy statement. In October of 2011, the Draft State Strategic Plan (SSP) was developed as an update to the current State Development and Redevelopment Plan (SDRP). The Draft Final Plan was approved by the State Planning commission on November 14, 2011 by Resolution No. 2011-08. The SSP is discussed in greater detail in Section 2.4.

8. Goal

Policy Statement

To encourage an appropriate and functional arrangement of parcels in the Borough.

The Borough maintains that subdivisions where undersized lots are created, particularly where the minimum lot width is not met, and the creation of flag lots represent an improper land use arrangement which is inconsistent with the community's established development pattern, hindering emergency service access.

2018 Comment: This remains a relevant goal and policy statement and is addressed through the Borough's subdivision and site plan review process.

9. Goal

Policy Statement

Improve the overall condition of the existing industrial area, and provide for rehabilitation and redevelopment within the industrial corridor.

The Borough of Midland Park seeks to improve, where necessary, the functional character of the existing industrial developments by enforcing zoning, building and property maintenance regulations. Proposals for industrial development must be reviewed with respect to traffic, land use and general impact on the Borough.

2018 Comment: This remains a relevant goal and policy statement and is addressed through the Borough's subdivision and site plan review process.

10. Goal	Policy Statement
<i>Maintain adequate traffic circulation, improve safety and minimize general traffic impacts throughout the community.</i>	<i>The Borough must continue to provide for the maintenance of all roads and sidewalks throughout the Borough, provide necessary traffic control measures at critical intersections, and eliminate hazardous road alignments to improve traffic flow. In order to protect residential neighborhoods, all commercial and through traffic should be directed to arterial and collector roads. Additionally, adequate off-street parking and loading spaces should be required for all commercial land uses in a manner that will provide a sufficient amount of parking, and minimize traffic congestion in commercial areas.</i>

2018 Comment: This remains a relevant goal and policy of the Borough.

11. Goal	Policy Statement
<i>Provide the facilities and services necessary to meet the needs of local residents, landowners and commercial establishments.</i>	<i>The Borough seeks to provide for the maintenance of all public buildings and where necessary, improve the condition of existing facilities. This shall include the continued maintenance of all open space and recreation areas. The Borough seeks to ensure that the required amount of police, fire and emergency response services are available for all residential neighborhoods and commercial areas. Midland Park also seeks to continue to provide quality educational programs at all grade levels and assess facility demands based upon enrollment patterns. It is necessary to maintain the condition and improve, where necessary, the capacities and performance of the Borough's sewer and storm drainage systems. Further, Midland Park seeks to foster inter-local agreements with neighboring towns for mutual benefit in the form of community facilities and services, particularly the school system.</i>

2018 Comment: This remains a relevant goal and policy of the Borough.

12. Goal

Policy Statement

The Borough seeks to ensure that property along the railroad is not inappropriately used by those parcels abutting the railroad right-of-way.

It is recognized that in certain areas, property owners are using land along the railroad to store materials often not in accordance with an approved site plan. The Borough hereby seeks to ensure compliance with the local ordinance such that these areas do not become unsanitary, hazardous, or detrimental to the public in any way.

2018 Comment: This remains a relevant goal and policy of the Borough.

1.2: 2008 Recommendations

In addition to the above, the 2008 Reexamination Report and Land Use Element offered the following recommendations for the Borough's master plan and land use regulations:

1. **2008 Recommendation:** *The Borough's ordinance is inconsistent with the Residential Site Improvement Standards (RSIS). For example, the Borough's requirement for off-street parking in residential districts requires at least two off-street parking spaces together with a required garage. The RSIS requires parking based on the type of housing unit, and the number of bedrooms within a unit. The ordinance should be amended to implement the RSIS as required by the statute. It should also be noted that these standards govern residential development only. Borough requirements governing non-residential development are not affected by RSIS.*

2018 Update: The Borough has not yet updated its land development regulations to reflect the RSIS standards. Nevertheless, the Borough has referenced the RSIS in some of its newer zoning districts. The Attached Single-Family Dwelling Zone (ASFD) and the Multi-Family Overlay Zones 1 and 2 refer to RSIS standards. We further note that the Borough will incorporate the RSIS in its subdivision and site plan review process.

-
2. **2008 Recommendation:** *The Planning Board has discussed amending the zoning ordinance such that churches and other places of worship become conditional uses in all residential zones. It is noted that the ordinance does currently provide parking requirements specifically for church uses. The Board should review the conditions that are typically required to address potential concerns relating to churches, including parking and buffers. The Board should also consider if these regulations should be incorporated as conditional standards in non-residential zones as well.*

2018 Update: Churches and other places of worship have not been identified as conditional uses in the Borough's residential zones. Furthermore, it is noted that the Borough does not have any specific conditional use standards pertaining to churches or houses of worship.

3. **2008 Recommendation:** *Block 1, Lots 1 and 2, and Block 2.01 Lot 1, 2, and 3 on Lake Avenue have been placed in the Multifamily land use category. The zoning for the parcels must be changed to the R-2 Single Family Residential zone for consistency. Block 3 Lot 3 contains a commercial structure, has been placed in the Business/Retail/Offices land use category, and must be rezoned to the B-3 Business/Retail/Office zone for consistency.*

2018 Update: Ordinance No. 07-09, which was adopted on August 27, 2009, amended the zoning designations for these properties. Block 1 Lots 1 and 2, and Block 2.01 Lots 1, 2, and 3 were rezoned from the R-1 Residential Single Family Zoning District to the R-2 Residential Multi-Family Zoning District, and Block 3 Lot 3 was rezoned from the R-2 Residential Multi-Family Zoning District to the B-3 Business Retail/Office Zoning District.

4. **2008 Recommendation:** *It is recommended the Planning Board study the area including Blocks 22, 23 and 24, which is bound by Godwin Avenue, Chestnut Street, Center Street and Prospect Street. The Borough has historically sought to transform this area into a professional office zone where it is currently dominated by residential uses. A study should be undertaken by the Board to clearly identify an appropriate and desirable land use pattern. Once this has been determined, the Board should assess the methods available to implement the desired land use pattern.*

2018 Update: No such study has been conducted on these properties. These properties are still generally developed with residential uses and are located in the B-2 Professional Offices zone.

5. **2008 Recommendation:** *An amended zoning map, reflecting the changes noted above, is included at the end of [the 2008 Land Use Plan]. The Zoning Map must be adopted to ensure consistency between the Land Use Element and the Zoning Ordinance. For reference, an additional map is included to highlight the proposed changes to the zoning map from the current boundaries.*

2018 Update: The zoning map was amended to accurately address the zoning changes discussed under the third recommendation above.

6. **2008 Recommendation.** *As noted in the goals and objectives section of this report, the Borough supports the concept of shared parking and the development code should help to promote this parking concept where feasible. It is recommended that the criteria for shared parking be established to encourage and define the review of shared parking proposals in the development regulations.*

2018 Update. As previously noted, no such standards have been developed for shared parking arrangements.

2. Significant Changes

The extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land use, housing conditions, circulation, conservation of natural features, energy conservation, collection, disposition and recycling of designated recyclable materials, and changes in State, County and municipal policies and objectives;

NJSA 40:55D-89.c

Change matters. Understanding change is essential for planning. Without fully comprehending the trends which have shaped the past, it is impossible to adequately plan for the future.

As such, the Municipal Land Use Law (MLUL) requires that municipalities acknowledge change. One of the required components of a reexamination report is to "identify the extent to which there have been significant changes in the assumptions, policies, and objectives which form the basis of their master plans and development regulations."

Since the Township last adopted its 2008 Reexamination Report and Land Use Plan, there have been significant changes across the local, county, and state levels. These changes all have the potential to shape the landscape of Midland Park.

Information Regarding Data Sources

The information contained in Section 2.1 entitled “Demographic Changes,” Section 2.2 entitled “Housing Changes,” and Section 2.3 entitled “Economic Profile” was obtained from a variety of publicly available data sources. These are summarized below:

1. US Decennial Census

The US Census is described in Article I, Section 2 of the Constitution of the United States, which calls for an enumeration of the people every ten years for the apportionment of seats in the House of Representatives. Since the time of the first Census conducted in 1790, it has become the leading source of data about the nation’s people and economy. Please note that all incomes reported in the Census are adjusted for inflation.

2. American Community Survey (ACS).

The American Community Survey is a nationwide ongoing survey conducted by the US Census Bureau. The ACS gathers information previously contained only in the long form version of the decennial census, such as age, ancestry, educational attainment, income, language proficiency, migration, disability, employment, and housing characteristics. It relies upon random sampling to provide ongoing, monthly data collection. Please note that all incomes reported in the ACS are adjusted for inflation.

3. New Jersey Department of Health

The New Jersey Department of Health is a governmental agency of the State of New Jersey. The department contains the Office of Vital Statistics and Registry, which gathers data regarding births, deaths, marriages, domestic partnerships, and civil unions.

4. New Jersey Department of Community Affairs (DCA)

The New Jersey Department of Community Affairs is a governmental agency of the State of New Jersey. Its function is to provide administrative guidance, financial support, and technical assistance to local governments, community development organizations, businesses, and individuals to improve the quality of life in New Jersey.

5. New Jersey Department of Labor and Workforce Development

The New Jersey Department of Labor and Workforce Development is a governmental agency of the State of New Jersey. One of its roles is to collect labor market information regarding employment and wages throughout the state.

2.1: Demographic Changes

The study of demographic change is the centerpiece of any master plan or reexamination report. Such a study can shed light on a municipality's past trends and history as well as its anticipated growth in years to come. The following section provides details on the population, age, racial, and ethnic characteristics of the Township.

Population Changes

As indicated by the following table and figure, the Borough experienced consistent and rapid population growth between 1900 and 1970, in which its population increased approximately 505%, from 1,348 people in 1900 to 8,159 people in 1970.

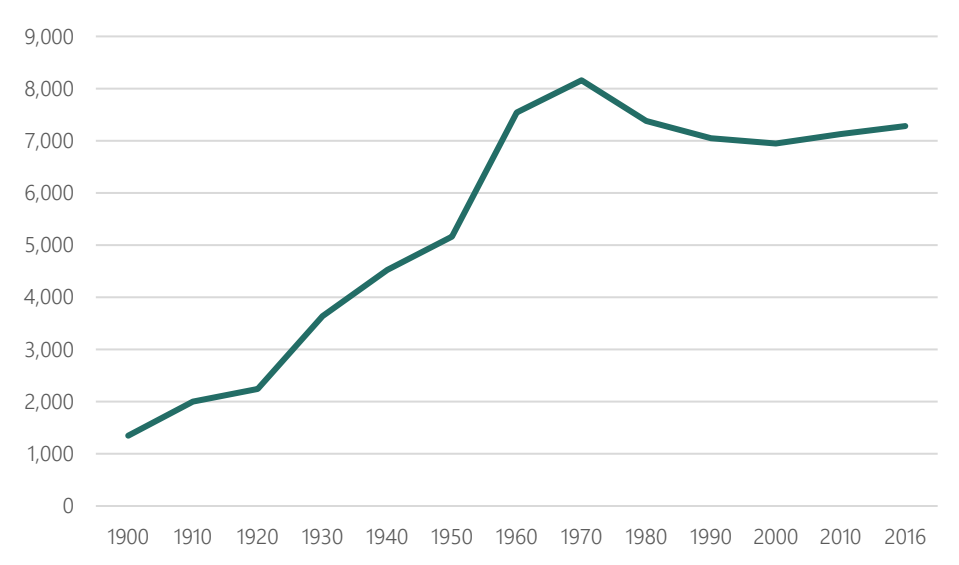
Nevertheless, this trend reversed itself after 1970 as the Borough began to experience decreases in its population. Between 1970 and 2000, the Borough's population decreased approximately 14%. Since that time, however, the Borough's population has experienced some modest increases. As indicated by the latest estimate data from ACS, the Borough's estimated 2016 population was 7,283 people.

Table 1: Population Growth, 1900-2016
Borough of Midland Park, New Jersey

Year	Population	Population Change	Percent Change
1900	1,348	--	--
1910	2,001	653	48.4%
1920	2,243	242	12.1%
1930	3,638	1,395	62.2%
1940	4,525	887	24.4%
1950	5,164	639	14.1%
1960	7,543	2,379	46.1%
1970	8,159	616	8.2%
1980	7,381	-778	-9.5%
1990	7,047	-334	-4.5%
2000	6,947	-100	-1.4%
2010	7,128	181	2.6%
2016	7,283	155	2.2%

Source: US Census Bureau; 2016 American Community Survey 5-Year Estimates.

Figure 1: Population Growth, 1900-2016
Borough of Midland Park, New Jersey

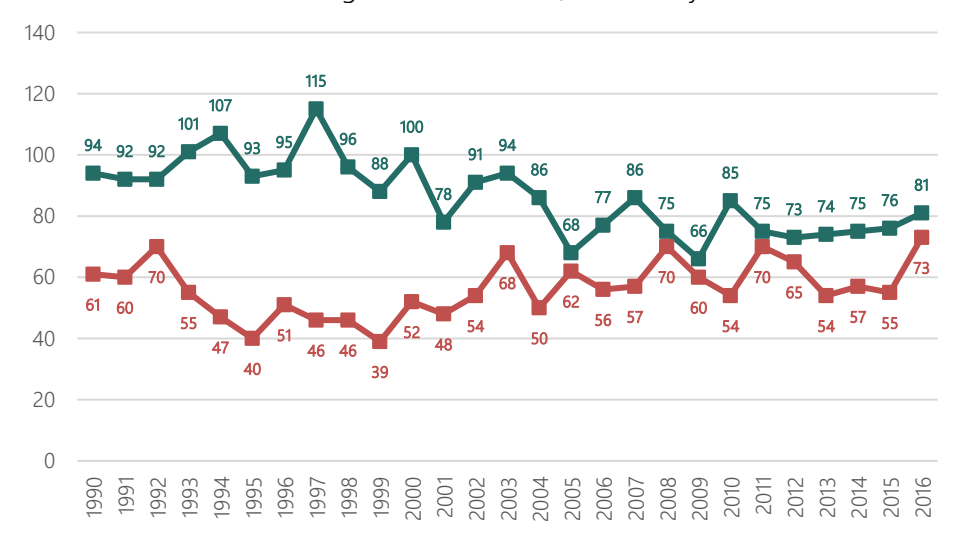


Source: US Census Bureau; 2016 American Community Survey 5-Year Estimates.

Births and Deaths

Information pertaining to the number of births and deaths in a community can provide insight into the future needs for community facilities and services, particularly regarding the school and recreation features. Figure 2 identifies the birth and death statistics for the Borough between 1990 and 2016. As shown, the number of births in the community has generally outweighed the number of deaths. Nevertheless, in recent years, the gap between the number of births and deaths has decreased.

Figure 2: Births and Deaths, 1990-2016
Borough of Midland Park, New Jersey



Source: State of New Jersey Department of Health, Center for Health Statistics and Informatics

Age Characteristics

The following table and figure illustrate changes to the Borough's age distribution between 2000 and 2016. As shown, the Borough's population is estimated to have aged during this period. Overall, the Borough's median age has increased approximately 11.8% between 2000 and 2016, from 38.8 years to 43.4 years. More specifically, the percentage of the Borough's population aged 65 and up is estimated to have increased from 14.5% of the total population in 2000 to 18.4% by 2016. Nevertheless, the percentage of those residents under the age of 14 has remained relatively stable during that same time period.

Table 2: Age Characteristics, 2000-2016
Borough of Midland Park, New Jersey

Age Group	2000		2010		2016	
	Number	Percent	Number	Percent	Number	Percent
Under 5	508	7.3%	401	5.6%	531	7.3%
5-9	484	7.0%	502	7.0%	507	7.0%
10-14	469	6.8%	526	7.4%	469	6.4%
15-19	359	5.2%	424	6.0%	252	3.5%
20-24	271	3.9%	274	3.9%	231	3.2%
25-29	353	5.1%	330	4.6%	279	3.8%
30-34	558	8.0%	376	5.3%	601	8.3%
35-39	640	9.2%	445	6.2%	473	6.5%
40-44	627	9.0%	625	8.8%	584	8.0%
45-49	524	7.5%	615	8.6%	556	7.6%
50-54	513	7.4%	572	8.0%	599	8.2%
55-59	358	5.2%	478	6.7%	401	5.5%
60-64	268	3.9%	418	5.9%	461	6.3%
65-69	262	3.8%	276	3.9%	669	9.2%
70-74	274	3.9%	217	3.0%	205	2.8%
75-79	218	3.1%	220	3.1%	111	1.5%
80-84	150	2.1%	200	2.8%	225	3.1%
85 and older	111	1.6%	229	3.2%	129	1.8%
Median Age (years)		38.8		42.3		43.4

Source: US Census Bureau; 2016 American Community Survey 5-Year Estimates.

Race and Ethnicity

The following tables provide a brief view of the racial and ethnic composition of the Borough. As shown, the majority of the Borough has identified as white. The portion of the Borough's population identifying as Asian had previously constituted the second largest racial group in 2000 and 2010; however, the number of residents identifying as two or more races now exceeds the portion identifying as Asian.

Table 3: Race and Ethnicity, 2000-2016
Borough of Midland Park, New Jersey

Race	2000		2010		2016	
	Number	Percent	Number	Percent	Number	Percent
White	6,656	95.8%	6,616	92.8%	6,921	95.0%
Black/African American	30	0.4%	60	0.9%	4	0.1%
American Indian/Alaskan Native	4	0.1%	9	0.1%	0	0.0%
Asian	154	2.2%	192	2.7%	105	1.4%
Native Hawaiian/Pacific Islander	1	0.0%	0	0.0%	49	0.7%
Some other Race	53	0.8%	134	1.9%	72	1.0%
2 or More Races	49	0.7%	117	1.6%	132	1.8%
Total	6,947	100.0%	7,128	100.0%	7,283	100.0%

Source: US Census Bureau; 2016 American Community Survey 5-Year Estimates.

The Borough's Hispanic population has increased during the same time period identified above. Specifically, those identifying as Hispanic increased from 3.7% in 2000 to 10.9% in 2016.

Table 4: Hispanic Population, 2000-2016
Borough of Midland Park, New Jersey

Ethnicity	2000		2010		2016	
	Number	Percentage	Number	Percentage	Number	Percentage
Hispanic or Latino of any race	256	3.7%	474	6.6%	793	10.9%
Not Hispanic or Latino	6,691	96.3%	6,654	93.4%	6,490	89.1%
Total	6,947	100.0%	7,128	100.0%	7,283	100.0%

Source: US Census Bureau; 2016 American Community Survey 5-Year Estimates.

2.2: Housing Changes

Housing data can provide valuable insights into the socioeconomic and population trends occurring in a community. The following subsection outlines the housing changes experienced by the Borough of Midland Park.

Number of Dwelling Units

The following table provides an overview of the number of dwelling units located within the Borough. As shown, the number of dwelling units is estimated to have increased approximately 13.0%, from 2,615 units in 1990 to 2,955 units in 2016.

Table 5: Number of Dwelling Units
Borough of Midland Park, New Jersey

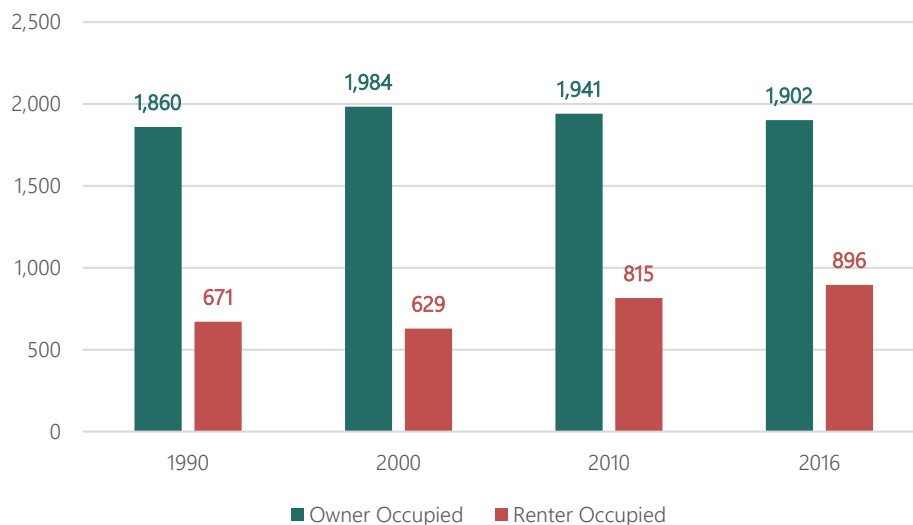
Year	Dwelling Units	Unit Change	Percent Change
1990	2,615		
2000	2,650	35	1.3%
2010	2,861	211	8.0%
2016	2,955	94	3.3%

Source: US Census Bureau; 2016 American Community Survey 5-Year Estimates.

Housing Tenure and Occupancy

The following figure provides additional insight into the Borough's housing stock by examining the tenure of occupied dwelling units. As shown, the majority of the Borough's housing stock has typically been owner-occupied. Nevertheless, the percentage of renter-occupied units has increased approximately 42.5% over the past sixteen years, from 24.1% of the Borough's housing stock in 2000 to 32.0% in 2016.

Figure 3: Housing Tenure, 1990-2016
Borough of Midland Park, New Jersey



Source: US Census Bureau; 2016 American Community Survey 5-Year Estimates.

Household Size

The following table provides an overview of the Borough's overall average household size, as well as the average household sizes of owner-occupied and renter-occupied units. As shown, the Borough's overall average household size decreased slightly over the past sixteen years, from 2.78 persons per household in 1990 to 2.60 persons in 2016. This trend held true for both owner-occupied units and renter-occupied units.

Table 6: Household Size, 1990-2016
Borough of Midland Park, New Jersey

Year	Overall Average Household Size	Average Household Size of Owner- Occupied Units	Average Household Size of Renter- Occupied Units
1990	2.78	3.00	2.19
2000	2.65	2.85	2.03
2010	2.68	2.97	1.75
2016	2.60	2.88	2.00

Source: US Census Bureau; 2010 and 2016 American Community Survey 5-Year Estimates.

Place of Residence

The following table provides additional insight into the tenancy stability of the Borough's housing stock, as it identifies the place of residents of respondents for the previous year. Overall, the percentage of the Borough's population which resided in the same residence one year ago has increased significantly over the past sixteen years, from 73.6% in 1995 to 92.2% to 2016. Out of those who resided in a different house in the 2016 estimate, 4.2% moved from a different county in New Jersey.

Table 7: Place of Residence, 1995-2016
Borough of Midland Park, New Jersey

Residence 1 Year Ago	Number	1995	Number	2010	Number	2016
		Percent		Percent		Percent
Same House	4,734	73.6%	6,463	93.0%	6,602	92.2%
Different House:						
Same Town	386	6.0%	31	0.4%	15	0.2%
Different Town, Same County	542	8.4%	137	2.0%	124	1.7%
Different County, Same State	416	6.4%	32	0.5%	299	4.2%
Different State	262	4.1%	203	2.9%	91	1.3%
Different Country	95	1.5%	86	1.2%	27	0.4%
Total	6,435	100.0%	6,952	100.0%	7,158	100.0%

Source: US Census Bureau; 2010 and 2016 American Community Survey 5-Year Estimates.

Purchase and Rental Value of Housing Units

The following two tables identify purchase values and rental values for the specified owner-occupied and renter-occupied units in Midland Park.

As shown in Table 8, the purchase values of the Borough's owner-occupied housing stock have typically exceeded those of Bergen County and the State of New Jersey as a whole. Over the past sixteen years, the median value of the Borough's owner-occupied housing stock has increased approximately 77.7%, from \$256,500 in 2000 to \$456,000 in 2016. This represents a similar percentage increase to that of the County (77.1%), and a slightly lower percentage increase than that experienced by the State (85.2%)

Table 8: Value of Owner Occupied Units, 2000-2016
Borough of Midland Park, New Jersey

Value Range	2000		2010		2016	
	Number	Percent	Number	Percent	Number	Percent
Less than \$50,000	0	0.0%	14	0.7%	45	2.4%
\$50,000 to \$99,999	0	0.0%	16	0.8%	0	0.0%
\$100,000 to \$149,999	47	2.6%	0	0.0%	0	0.0%
\$150,000 to \$199,999	313	17.5%	14	0.7%	13	0.7%
\$200,000 to \$299,999	899	50.3%	108	5.5%	159	8.3%
\$300,000 to \$499,999	500	28.0%	936	47.8%	983	51.7%
\$500,000 to \$999,999	29	1.6%	849	43.4%	702	36.9%
\$1,000,000 or More	0	0.0%	22	1.1%	0	0.0%
Total	1,788	100.0%	1,959	100.0%	1,902	100.0%
Township Median Value		\$256,500		\$484,100		\$456,000
Bergen County Median Value		\$250,300		\$482,300		\$443,400
New Jersey Median Value		\$170,800		\$357,000		\$316,400

Source: US Census Bureau; 2010 and 2016 American Community Survey 5-Year Estimates.

Table 9 provides further insight into the rental values of the Borough's housing stock. Similar to the value of the Borough's owner-occupied units, gross median rental values have typically remained higher than both Bergen County and the State of New Jersey as a whole. Over the past sixteen years, the median gross rent increased approximately 45%. This represents a lower percentage increase than that experienced by the County (58.2%) and the State (61.5%).

Table 9: Specified Renter Occupied Housing Units by Rent, 2000-2016
Borough of Midland Park, New Jersey

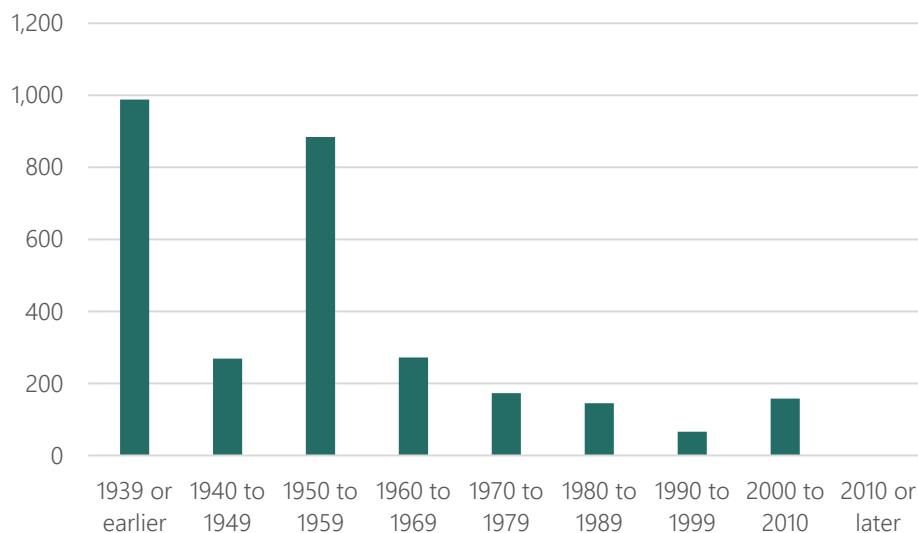
Value Range	2000		2010		2016	
	Number	Percent	Number	Percent	Number	Percent
Less than \$200	14	2.2%	0	0.0%	0	0.0%
\$200 to \$299	12	1.9%	0	0.0%	0	0.0%
\$300 to \$499	0	0.0%	0	0.0%	18	2.0%
\$500 to \$749	81	12.9%	0	0.0%	35	3.9%
\$750 to \$999	170	27.0%	90	12.9%	23	2.6%
\$1,000 to \$1,499	269	42.7%	230	32.9%	346	38.6%
\$1,500 to \$1,999	63	10.0%	234	33.4%	329	36.7%
\$2,000 or more	0	0.0%	88	12.6%	111	12.4%
No Cash Rent	21	3.3%	58	8.3%	34	3.8%
Total	630	100.0%	700	100.0%	896	100.0%
Township Median Value		\$1,044		\$1,502		\$1,514
Bergen County Median Value		\$872		\$1,236		\$1,380
New Jersey Median Value		\$751		\$1,092		\$1,213

Source: US Census Bureau; 2010 and 2016 American Community Survey 5-Year Estimates.

Decade Structure Built

The following figure identifies the decades in which the Borough's dwellings were built. As shown, the majority of the Borough's housing stock was built prior to 1959 (72.4%), while approximately one-third (33.4%) was constructed prior to 1939. This is demonstrative of the historic nature of the Borough.

Figure 4: Decade Structure Built
Borough of Midland Park, New Jersey



Source: 2016 American Community Survey 5-Year Estimates.

Recent Development Activity

Another way of examining the stability of a community's housing stock is by outlining the number of housing units certified and demolished every year. As shown on the accompanying table, there has generally been a very small level of growth since 2000, with the number of housing units certified typically ranging between zero (0) and nine (9). This is reflective of the historic nature of the Borough's housing stock, as also indicated in Figure 4. The exception to this trend is 2004, when the 160-unit Kentshire age-restricted development was constructed.

Table 10: Housing Units Certified and Demolish, 2000-2016
Borough of Midland Park, New Jersey

Year	Housing Units Certified	Demos	Net
2000	1	1	0
2001	2	1	1
2002	5	2	3
2003	4	1	3
2004	165	2	163
2005	7	3	4
2006	3	5	-2
2007	2	2	0
2008	9	1	8
2009	2	0	2
2010	2	1	1
2011	0	0	0
2012	0	0	0
2013	0	0	0
2014	1	4	-3
2015	1	2	-1
2016	7	0	7
Total	211	25	186

Source: Department of Community Affairs

2.3: Economic Changes

The following subsection examines the economic profile of the community. It offers valuable information on both the employment opportunities in the Township, the incomes of its residents, and the character of the local market.

Income Level

Household incomes have generally increased in the Township since 1999. This is particularly evident within upper-tier incomes. In 1999, those households making more than \$150,000 comprised approximately 10.9% of the Borough. By 2016, this percentage had increased to 26.1%. Overall, the Borough's median household income has historically been higher than median household incomes recorded by both Bergen County and the State of New Jersey as a whole. In addition, the Borough's median household income increased 32.1% between 1999 and 2016, which represents a higher rate than that experienced by the State (25.3%) and a slightly lower rate experienced by Bergen County (36.3%).

Table 11: Household Incomes, 1999 to 2016
Borough of Midland Park, New Jersey

Income Level	1999		2010		2016	
	Households	Percent	Households	Percent	Households	Percent
Less than \$10,000	61	2.3%	163	6.1%	83	3.0%
\$10,000 to \$14,999	57	2.2%	58	2.2%	23	0.8%
\$15,000 to \$24,999	189	7.2%	58	2.2%	155	5.5%
\$25,000 to \$34,999	198	7.5%	129	4.8%	137	4.9%
\$35,000 to \$49,999	302	11.5%	287	10.8%	279	10.0%
\$50,000 to \$74,999	459	17.4%	422	15.9%	323	11.5%
\$75,000 to \$99,999	579	22.0%	402	15.1%	422	15.1%
\$100,000 to \$149,999	499	19.0%	589	22.2%	647	23.1%
\$150,000 to \$199,999	147	5.6%	296	11.1%	349	12.5%
\$200,000 or more	139	5.3%	255	9.6%	380	13.6%
Total	2,630	100.0%	2,659	100.0%	2,798	100.0%
Median Income		\$75,238		\$87,905		\$99,436
Bergen County		\$64,912		\$81,708		\$88,487
New Jersey		\$58,820		\$69,811		\$73,702

Source: US Census Bureau; 2010 and 2016 American Community Survey 5-Year Estimates.

Employment Status

The following table provides an overview of the Borough's employment characteristics for residents aged 16 and over. While the population aged 16 and over in the labor increased approximately 2.6% between 2000 and 2016, the actual percentage of total residents within the labor force decreased slightly from 70.6% to 68.2%. Alternatively, the percentage of the population not in the labor force increased slightly, from 29.4% in 2000 to 31.8% in 2016. This may be attributed to the Borough's aging population and the percentage of those residents entering retirement age, which is largely reflective of general trends in New Jersey.

Table 12: Employment Status of Residents Age 16 and Over, 2000 to 2016
Borough of Midland Park, New Jersey

Employment Status	2000		2010		2016	
	Number	Percent	Number	Percent	Number	Percent
In labor force	3,806	70.6%	3,736	68.2%	3,908	68.2%
Civilian labor force	3,806	70.6%	3,736	68.2%	3,908	68.2%
Employed	3,740	69.4%	3,571	65.2%	3,788	66.1%
Unemployed	66	1.2%	165	3.0%	120	2.1%
Armed Forces	0	0.0%	0	0.0%	0	0.0%
Not in labor force	1,588	29.4%	1,740	31.8%	1,825	31.8%
Total Population 16 and Over	5,394	100.0%	5,476	100.0%	5,733	100.0%

Source: US Census Bureau; 2010 and 2016 American Community Survey 5-Year Estimates.

Employment Trends

The following two tables detail information on the employment characteristics of the Borough's employed population. Table 13 details occupation characteristics, while Table 14 details industry characteristics.

Most of the Borough's population has historically been employed in management, professional, and related occupations. An estimated 43.4% of the Borough's labor force was employed in this occupation in 2000; this percentage increased to 47.9% by 2016. Sales and office occupations have historically constituted the second largest occupation, while service occupations have constituted the third largest.

Table 14 provides additional details into the employment characteristics of the community. The largest industry represented by the Borough's employed residents has historically been in educational services, and health care and social assistance. Approximately 20.0% of the Borough's employed population was involved with this industry in 2000, while 23.8% were employed in the same industry by 2016. The second largest industry has historically been the professional, scientific, and management, and administrative and waste management industry.

Table 13: Employment Status by Occupation, 2000 to 2016
Borough of Midland Park, New Jersey

Occupation	2000		2010		2016	
	Number	Percent	Number	Percent	Number	Percent
Management, professional, and related occupations	1,625	43.4%	1,574	44.1%	1,813	47.9%
Service occupations	437	11.7%	491	13.7%	568	15.0%
Sales and office occupations	1,081	28.9%	1,172	32.8%	966	25.5%
Natural resources, construction, and maintenance occupations*	344	9.2%	113	3.2%	286	7.5%
Production, transportation, and material moving occupations	253	6.8%	221	6.2%	155	4.1%
Total	3,740	100.0%	3,571	100.0%	3,788	100.0%

Source: 2000 US Census Bureau; 2010 and 2016 5-Year American Community Survey

* Formerly called "Construction, extraction, and maintenance occupations"

Table 14: Employment Status by Industry, 2000 to 2016
Borough of Midland Park, New Jersey

Industry	2000		2010		2016	
	Number	Percent	Number	Percent	Number	Percent
Agriculture, forestry, fishing and hunting, and mining	9	0.2%	0	0.0%	0	0.0%
Construction	235	6.3%	118	3.3%	359	9.5%
Manufacturing	447	12.0%	295	8.3%	167	4.4%
Wholesale trade	200	5.3%	386	10.8%	150	4.0%
Retail trade	428	11.4%	428	12.0%	392	10.4%
Transportation and warehousing, and utilities	208	5.6%	120	3.4%	136	3.6%
Information	260	7.0%	201	5.6%	150	4.0%
Finance and insurance, and real estate and rental leasing	323	8.6%	248	6.9%	262	6.9%
Professional, scientific, and management, and administrative and waste management services	461	12.3%	361	10.1%	558	14.7%
Educational services, and health care and social assistance	749	20.0%	840	23.5%	903	23.8%
Arts, entertainment, and recreation, and accommodation and food services	139	3.7%	114	3.2%	354	9.3%
Other services, except public administration	211	5.7%	210	5.9%	195	5.1%
Public administration	70	1.9%	250	7.0%	162	4.3%
Total	3,740	100.0%	3,571	100.0%	3,788	100.0%

Source: 2000 US Census Bureau; 2010 and 2016 5-Year American Community Survey

Means of Transportation

The following table details how the Borough's employed residents travel to work. The percentage of residents who travel alone in a private automobile decreased slightly, from 80.8% in 2000 to 76.7% in 2016. Those who carpooled and utilized public transportation accounted for the second and third largest categories, respectively.

Table 15: Means of Transportation to Work
Borough of Midland Park, New Jersey

Transportation Method	2000		2010		2016	
	Number	Percent	Number	Percent	Number	Percent
Drove Alone: Car, Truck, or Van	3,020	80.8%	2,736	79.3%	2,856	76.7%
Carpooled: Car, Truck, or Van	239	6.4%	142	4.1%	258	6.9%
Public Transportation	272	7.3%	201	5.8%	241	6.5%
Walked	59	1.6%	95	2.8%	157	4.2%
Other Means*	21	0.6%	40	1.2%	80	2.1%
Worked From Home	126	3.4%	235	6.8%	132	3.5%
Total	3,737	100.0%	3,449	100.0%	3,724	100.0%

Source: 2000 US Census Bureau; 2010 and 2016 5-Year American Community Survey

Educational Attainment

The levels of educational attainment for residents aged 25 years or older have steadily increased throughout the Borough over the past sixteen years. In 2000, approximately 6.9% of the population had no high school diploma, while 45.1% of the population had an associate's degree or higher. By 2016, the percentage of residents who had no high school diploma dropped to 4.8%, while those with an associate's degree or higher increased to 57.0%.

Table 16: Educational Attainment (25 years and older), 2000 to 2016
Borough of Midland Park, New Jersey

Educational Attainment	2000		2010		2016	
	Number	Percent	Number	Percent	Number	Percent
Less than 9th grade	166	3.4%	91	1.9%	21	0.4%
9th to 12th grade, no diploma	169	3.5%	162	3.3%	231	4.4%
High school graduate (includes equivalency)	1,447	29.7%	1,229	25.2%	1,365	25.8%
Some college, no degree	892	18.3%	850	17.4%	657	12.4%
Associate's degree	299	6.1%	374	7.6%	294	5.5%
Bachelor's degree	1,371	28.2%	1,416	29.0%	1,725	32.6%
Graduate or professional degree	523	10.8%	763	15.6%	1,000	18.9%
Total	4,867	100.0%	4,885	100.0%	5,293	100.0%

Source: 2000 US Census Bureau; 2010 and 2016 5-Year American Community Survey

Covered Employment

Figures 5 and 6 provide data on the Township's covered employment trends between 2004 and 2017, as reported by the New Jersey Department of Labor and Workforce Development. "Covered employment" refers to any employment covered under the Unemployment and Temporary Disability Benefits Law. Generally, nearly all employment in the state is considered to be "covered employment."

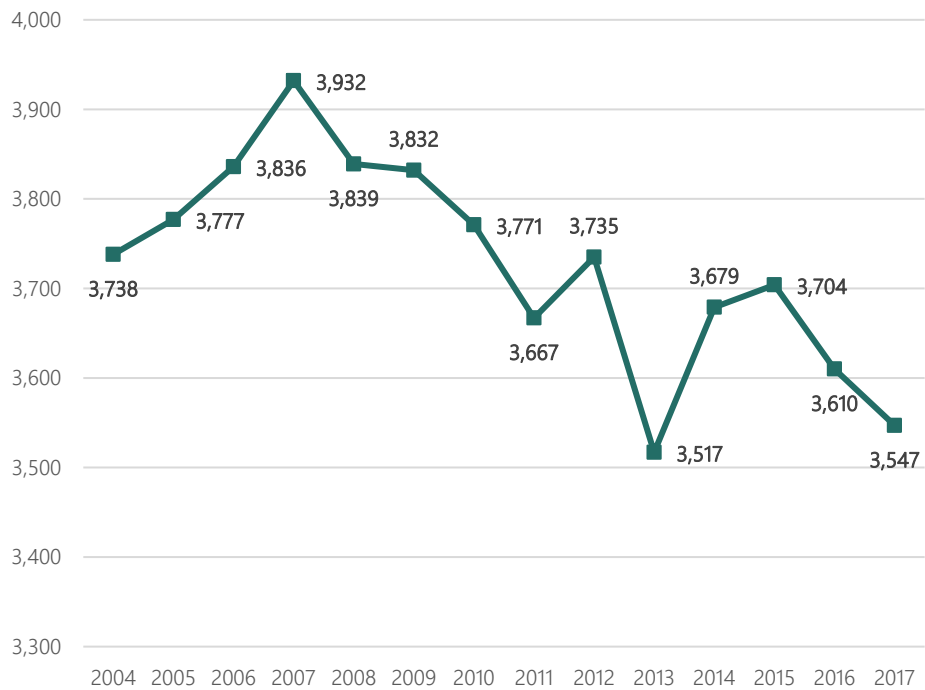
Figure 5 depicts the number of "employment units" within the Borough. An "employment unit" is defined as an individual or organization which employs one or more workers. As shown, the number of employment units in Midland Park peaked in 2010, when the Borough had a reported 380 units. Since that time, however, the Borough has experienced consistent decreases in the number of its employment units. By 2017, the Borough had 331 employment units. This represents a decrease of approximately 12.8% since 2010.

Figure 6 depicts the average number of covered employees by year within the Borough. As shown, it generally reflects those trends identified in Figure 5. The average number of covered employees peaked in 2007 at 3,932 individuals. Since that time, and similarly to the Borough's employment units, there has been consistent decreases in the average number of employees. By 2017, the Borough had a reported 3,547 average number of employees, which represents a decrease of approximately 9.7%.

Figure 5: Employment Units, 2004 to 2017
Borough of Midland Park, New Jersey



Figure 6: Average Employment, 2004 to 2017
Borough of Midland Park, New Jersey



Source: Department of Labor and Workforce Development

2.4: Changes at the State Level

The following subsection discusses legislative and regulatory changes at the state level that will affect the land use and development policies of the Borough.

Council on Affordable Housing

In May 2008, COAH adopted revised Third Round (growth share) regulations which were published and became effective on June 2, 2008. Coincident to this adoption, COAH proposed amendment to the rules they had just adopted, which subsequently went into effect in October 2008. These 2008 rules and regulations were subsequently challenged, and in an October 2008 decision the Appellate Division invalidated the Growth Share methodology, and indicated that COAH should adopt regulations pursuant to the Fair Share methodology utilized in Rounds One and Two. A 2010 Appellate Division case, which was affirmed by the New Jersey Supreme Court in 2013, invalidated the third iteration of the Third Round regulations and sustained the invalidation of growth share. As a result, the Court directed COAH to adopt new regulations pursuant to the methodology utilized in Rounds One and Two.

Deadlocked with a 3-3 vote, COAH failed to adopt its newly revised Third Round regulations in October 2014. The Fair Share Housing Center, who was a party in the 2008, 2010 and 2013 cases, responded by filing a motion in aid of litigants' rights with the New Jersey Supreme Court. The Court heard the motion in January 2015 and issued its ruling on March 20, 2015. The Court ruled that COAH was effectively dysfunctional, and consequently returned jurisdiction of affordable housing issues back to the trial courts where it had originally been prior to the creation of COAH in 1985. This decision has since been identified as the Mt. Laurel IV decision.

This Court decision created a process for municipalities that had participated in the process before COAH and had received substantive certification, but due to the inertia of COAH never obtained Third Round substantive certification of their Housing Element and Fair Share Plan (HE&FSP). It allowed municipalities to file a declaratory judgment that their HE&FSP was constitutionally compliant and receive temporary immunity from affordable housing builders remedy lawsuits while they prepared a new or revised HE&FSP to ensure their plan continued to affirmatively address their local housing need as may be adjusted by new housing-need numbers promulgated by the Court or COAH. In addition, while the Supreme Court's decision did set up a process for municipalities to address their Third Round obligation, it did not assign those specific obligations.

Subsequently, the New Jersey Supreme Court issued an additional decision on January 17, 2017 regarding the "gap period." Commonly referred to as the Mt. Laurel V decision, the Supreme Court found that the "gap period," defined as 1999-2015, generated an affordable housing obligation which must be addressed under the Present Need obligation.

Accordingly, the municipal affordable housing obligation is now functionally comprised of four (4) parts, which include:

1. Present Need (rehabilitation)
2. Prior Round (1987-1999)
3. Gap Present Need (1999-2015)
4. Prospective Round (2015-2025)

Initially, two (2) sets of numbers were promulgated and widely discussed. These included numbers prepared by Econsult Solutions on behalf of a consortium of municipalities known as the Municipal Consortium, and numbers prepared by David Kinsey on behalf of the Fair Share Housing Center (FSHC). A third set of numbers was prepared by Special Master Richard Reading pursuant to the Ninth Revised Case Management Order regarding the declaratory judgment actions filed by municipalities in the Ocean County affordable housing matter. Most recently, on March 8, 2018, Judge Mary C. Jacobson issued a decision in the Matter of Princeton and West Windsor Township (herein referred to as the Mercer County Trial). Ultimately, the Court found a statewide aggregate affordable housing need of 154,581 affordable housing units, thus promulgating a fourth set of numbers. These numbers are summarized below:

Table 17: Statewide Affordable Housing Projections
Borough of Midland Park, New Jersey

	Approximate # of Additional Affordable Housing Units Required
Econsult	91,225
FSHC	309,691
Reading	120,415
Mercer County Trial	154,581

Ultimately, a Settlement Agreement was executed by the Borough of Midland Park and FSHC on June 13, 2017. This agreement sets forth the extent of Midland Park's prior and prospective round obligations. The following table summarizes these obligations:

Table 18: Affordable Housing Obligations Pursuant to Settlement Agreement
Borough of Midland Park, New Jersey

Round	Obligation
Rehabilitation Share	8
Prior Round Obligation	54
Third Round Prospective Need	198

To address this obligation, the Borough adopted a Housing Element and Fair Share Plan (HE&FSP) on January 22, 2018 and amended it on May 21, 2018. The HE&FSP establishes the following components:

1. Rehabilitation Share. To satisfy its rehabilitation obligation, the Borough will participate in the Bergen County Housing Improvement Program.
2. Prior Round Obligation. Based upon a vacant land adjustment (VLA) approved by COAH as part of the Borough's Second Round substantive certification, Midland Park's realistic development potential (RDP) was established at thirteen (13) units. The Borough has fully satisfied its prior round RDP through new construction. The prior round unmet need of forty-one (41) units is discussed in greater detail below.
3. Third Round Prospective Need Obligation. Midland Park has a total Unmet Need Obligation of two hundred and thirty-nine (239) units, which is comprised of forty-one (41) units of unmet need from the Prior Round and one hundred and ninety-eight (198) units of unmet need from the Third Round.

The Borough has constructed seventy (70) affordable housing units. Based upon these 70 units, the Borough has satisfied its Prior Round Unmet Need (41 units) and is entitled to a 16-unit credit towards its Third Round Unmet Need. Consequently, the Borough has a remaining Unmet Need of 182 units. The Borough will address this obligation with the following mechanisms:

- a. Overlay Zones. Pursuant to Ordinance No. 03-18 adopted on March 22, 2018, the Borough created two overlay zones (MFO-1 and MFO-2) over portions of the Borough comprising a total of thirty-one (31) parcels. These overlay zones encompass a total of 20.34 acres and include the properties identified in the table below. Those parcels fronting on or near Godwin Avenue are permitted to develop at a density of ten (10) units per acre. The remaining parcels are permitted to develop at a density of eighteen (18) units per acre. The overlay zones require an affordable housing set of fifteen percent (15%) of all residential units where those units will be for rent, or twenty percent (20%) of all residential units where those affordable units will be for sale.

Table 19: MFO-1 and MFO-2 Overlay Zones
Borough of Midland Park, New Jersey

Zone	Block	Lot
MFO-1	3	1.01, 1.02, 2, 3, 23.01, 24.01, 24.03, 24.04
MFO-2	32	2, 3.02, 3.03, 3.04, 5.01
	33	1, 2, 3, 4, 5, 6, 7.01
	36	1.01, 1.02, 2
	52	1
	53	1, 2.01, 2.02, 2.03, 3, 3.03, 4

- b. Mandatory Set-Aside Ordinance. The Borough adopted Ordinance No. 04-18 on March 22, 2018 which established a mandatory set-aside for multifamily developments of five (5) units or more or with a density of six (6) dwelling units per acre or higher. These developments are required to provide an affordable housing set-aside at a rate of fifteen percent (15%) where the affordable units will be for rent, or twenty percent (20%) where the affordable units will be for sale.

State Strategic Plan

In October of 2011, the Draft State Strategic Plan (SSP) was developed as an update to the current State Development and Redevelopment Plan (SDRP). The intent of the SSP is to increase focus on policies aimed to foster job growth, support effective regional planning, and preserve the State's critical resources. The four overarching goals that serve as the blueprint of the Plan are summarized as follows:

Goal 1:
Targeted Economic Growth.

Enhance opportunities for attraction and growth of industries of statewide and regional importance;

Goal 2:
Effective Planning for Vibrant Regions.

Guide and inform regional planning so that each region of the State can experience appropriate growth according to the desires and assets of that region;

Goal 3:
Preservation and Enhancement of Critical State Resources.

Ensure that strategies for growth include preservation of the State's critical natural, agricultural, scenic, recreation, and historic resources.

Goal 4:
Tactical Alignment of Government.

Enable effective resource allocation, coordination, cooperation, and communication amongst governmental agencies on local, regional, and state levels.

Unlike the existing SDRP, the SSP did not contain any mapping. Thus far in its draft form, the SSP appears to have a greater emphasis on the State's overall economic framework and provide information and goals for New Jersey's various industry clusters.

The Draft Final Plan was approved by the State Planning commission on November 14, 2011 by Resolution No. 2011-08. When and if the SSP is formally adopted, the Township should examine how its Master Plan is consistent with the SSP.

Local Redevelopment and Housing Law (LRHL)

The Local Redevelopment and Housing Law (LRHL) provides the basis for the redevelopment and rehabilitation process throughout New Jersey. Specifically, it provides the statutory authority for municipalities to designate an "area in need of redevelopment," prepare and adopt redevelopment plans, and implement redevelopment projects.

In 2013, an amendment to the LRHL Law was approved by the State Legislature which permits the option of designating a redevelopment area with or without condemnation powers. Specifically, the amendment notes the following (amended section is underlined):

"The governing body of a municipality shall assign the conduct of the investigation and hearing to the planning board of the municipality. The resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a "Non-Condensation Redevelopment Area") or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a "Condensation Redevelopment Area")."

The LRHL amendment also establishes additional notice requirements when designating an area in need of redevelopment, provides guidelines regarding challenges to condemnation redevelopment designations, and allows for additional options for designating an area in need of rehabilitation.

Municipal Land Use Law

The following substantive changes have been made to the Municipal Land Use Law (MLUL).

1. Green Elements and Environmental Plan Element (Green Plan). In 2008, the MLUL was amended to identify the Green Buildings and Environmental Sustainability Plan Element (Green Plan Element) as a potential component of a master plan. This element is designed to: encourage and promote the efficient use of natural resources and the installation and usage of renewable energy systems; consider the impact of buildings on the local, regional, and global environment; allow ecosystems to function naturally; conserve and reuse water; treat storm water on-site, and; optimize climatic conditions through site orientation and design.
2. Renewable Energy Facilities. Several amendments have been made to the MLUL to encourage the continued utilization of renewable energy facilities, including wind and solar facilities. Most notably, the MLUL was amended in 2009 (S1303/A3062) to classify "wind, solar, or photovoltaic" facilities as inherently beneficial uses, which are defined as uses which are "universally considered of value to the community because it fundamentally serves the public good and promotes the general welfare." In that same year, the MLUL was also amended (A2550/S1299) to permit renewable energy facilities in industrial zones as a use by right on "parcels of land comprising 20 or more contiguous acres that are owned by the same person or entity."

Legislation (S1538/A2859) was also adopted in 2009 that extended the protections of the Right to Farm Act to the generation of solar energy on commercial farms within certain standards. Specifically, this legislation provides protection against local ordinances and regulations for those

commercial farms seeking to generate solar energy. Farms seeking to utilize this legislation must be reviewed by the State Agriculture Development Committee (SADC), and must also comply with Agricultural Management Practices.

Finally, the MLUL was amended in 2014 (S921/A2289) to specify that an ordinance requiring approval by the planning board of either subdivision, site plans, or both, shall not include solar panels in any calculation of impervious surface or impervious cover.

3. Statement of Strategy. Legislation (S2873/A4185) was adopted on January 8, 2018 which requires any new land use element to incorporate a statement of strategy concerning the following issues:
 - a. Smart growth which, in part, shall consider potential locations for the installation of electric vehicle charging stations;
 - b. Storm resiliency with respect to energy supply, flood-prone areas, and environmental infrastructure, and;
 - c. Environmental sustainability.
4. Time of Decision Rule. Perhaps the most significant change in the MLUL since the time of the previous Reexamination Report was the abolishment of the “time of decision” rule in 2010. This previously established rule had favored municipalities during the hearing process by allowing them to make zoning ordinance amendments up until the final moment of a land use approval. The new rule, which went into effect in 2011, establishes that the zoning in place at the time of the filing of a development application will govern the review and approval of said application. Any ordinance amendments adopted after the date of submission of the application will not be applicable to that application.

3. Specific Changes

The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared

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The previous sections of this Reexamination Report identified the major planning issues which were discussed in the Borough's prior reexamination report and master plan, as well as the significant changes experienced on both a local and regional level. Utilizing this information as a foundation, this section offers changes and recommendations to the Borough's master plan and development regulations.

As shown, this Reexamination Report largely reiterates the goals and policies of the prior 2008 Reexamination Report and Land Use Plan.

3.1 Land Use Goals and Policy Statements

1. Goal	Policy Statement
<i>To maintain and enhance existing areas of stability in the community and encourage a proper distribution of land uses by designating areas which have their own uniform development characteristics. A principal goal of this plan is to preserve and protect the residential character and moderate density of the community by restricting incompatible land uses from established residential areas, and limiting intensities of use to the level, and locations, prescribed herein.</i>	<i>The Borough of Midland Park recognizes that one of its most significant attributes is its uniform land use arrangement, with limited intrusions of non-residential development in residential neighborhoods. The plan's land use recommendations are designed to protect and reinforce the prevailing detached single family residential development patterns, encourage multifamily development only in those areas specified in the plan and in the Borough's Housing Element and Fair Share Plan, preclude any introduction of incompatible non-residential uses in areas designated for residential use, and reinforce the intensities-of-use recommended in this plan.</i>

2. Goal	Policy Statement
<i>To ensure that any prospective development and/or redevelopment is responsive to Midland Park's environmental features and can be accommodated by the existing infrastructure.</i>	<i>The Borough seeks to encourage development which is sensitive to the community's physical characteristics and preserves the Borough's sensitive environmental elements. The Borough encourages development which preserves steeply sloped areas (defined to include any slope of minimally fifteen percent grade), protects wetlands, floodplains, and other areas prone to flooding, and retains vegetation (particularly trees of a caliper having minimally six inches, and clusters of trees). Additionally, the Borough takes cognizance of the fact that there are numerous sites in the municipality that are typified by extensive environmentally sensitive features and therefore may not be able to accommodate their full zoned development potential.</i>

3. Goal

To encourage and provide buffer zones to separate incompatible land uses.

Policy Statement

The Borough recognizes the need to reinforce the delineation of boundaries separating residential and non-residential sections of the community. Appropriate buffer/screening devices are to be encouraged to separate incompatible land uses to minimize adverse impacts on residential properties. This should be accomplished primarily within the framework of appropriate open space buffer strips containing suitable planting elements (including such elements as multiple rows of plant material, planting clusters, etc.), in an effort to protect residential areas and to retain and reaffirm the community's overall landscape amenity.

4. Goal

To provide a variety of housing types, densities and a balanced housing supply, in appropriate locations, to serve the Borough and region.

Policy Statement

The Borough policies encourage a varied housing stock and recognize that the State has specifically refined the housing issues to direct attention to the specific need for very-low-, low-, and moderate-income housing. Through its Housing Element and Fair Share Plan, the Borough seeks to continue its ongoing compliance with the affordable housing regulations set forth by the Council on Affordable Housing (COAH), the New Jersey Fair Housing Act (FHA), the Uniform Housing Affordability Controls (UHAC), and the applicable requirements of the Courts of the State of New Jersey.

5. Goal

To promote the continued maintenance and rehabilitation of the Borough's housing stock.

Policy Statement

The Borough encourages improvements in the existing housing stock. The Borough seeks to fulfill this goal through the implementation of its housing plan which includes a rehabilitation component designed to provide funds for income-qualified residents to participate in a low interest loan program.

6. Goal

Policy Statement

To preserve and enhance the Borough's commercial area by: defining its functional role in the community and enhancing the quality of life within the commercial center through an appropriate mixture of activities which are oriented towards the Godwin Avenue corridor; encouraging the assemblage of small properties to foster an efficient and attractive design; encouraging the use of the design elements identified in the Borough's development regulations; and, encouraging the consolidation and expansion of off-street parking to provide greater convenience for shoppers and reduce conflicting traffic movements on Godwin Avenue.

The Borough encourages the continued development of the community's business district for retail and service commercial uses serving the daily needs of the resident population. The Borough's broad land use policy is to discourage strip development along the Godwin Avenue corridor. Additionally, this Plan seeks to encourage a building design which is oriented toward the Godwin Avenue corridor, to the extent possible, and discourage the construction of elongated buildings whose principal orientation is not towards the street, where alternatives are available. Consideration should be given to design features which encourage the integration of building, parking, landscaping and signage elements into a comprehensive and unified framework. Additionally, the Borough seeks the continued implementation of the adopted streetscape plan, which has already resulted in the aesthetic enhancement of certain business districts.

Regarding parking, the Borough supports the concept of shared parking. Shared parking not only allows for a more efficient provision of parking, but can also enhance the business areas where the sharing of rear yard parking is provided. This configuration requires fewer curb cuts, allowing additional spaces along the street.

7. Goal

Policy Statement

To support the overall philosophy of the State Development and Redevelopment Plan (SDRP) as a means of providing growth management on a statewide basis while retaining the principles of home-rule, and to consider the goals of the State Strategic Plan should it be adopted.

The Borough maintains that the general intent of the SDRP, to manage growth within the framework of an assessment of needs and infrastructure capabilities, and the SDRP's specific Metropolitan Planning Area designation for Midland Park, represents a reasonable approach to growth management.

8. Goal

To encourage an appropriate and functional arrangement of parcels in the Borough.

Policy Statement

The Borough maintains that subdivisions where undersized lots are created, particularly where the minimum lot width is not met, and the creation of flag lots represent an improper land use arrangement which is inconsistent with the community's established development pattern, hindering emergency service access.

9. Goal

Improve the overall condition of the existing industrial area, and provide for rehabilitation and redevelopment within the industrial corridor.

Policy Statement

The Borough seeks to improve, where necessary, the functional character of the existing industrial developments by enforcing zoning, building and property maintenance regulations. Proposals for industrial development must be reviewed with respect to traffic, land use and general impact on the Borough.

10. Goal

Maintain adequate traffic circulation, improve safety and minimize general traffic impacts throughout the community.

Policy Statement

The Borough must continue to provide for the maintenance of all roads and sidewalks throughout the Borough, provide necessary traffic control measures at critical intersections, and eliminate hazardous road alignments to improve traffic flow. In order to protect residential neighborhoods, all commercial and through traffic should be directed to arterial and collector roads. Additionally, adequate off-street parking and loading spaces should be required for all commercial land uses in a manner that will provide a sufficient amount of parking and minimize traffic congestion in commercial areas.

11. Goal

Provide the facilities and services necessary to meet the needs of local residents, landowners and commercial establishments.

Policy Statement

The Borough seeks to provide for the maintenance of all public buildings and where necessary, improve the condition of existing facilities. This shall include the continued maintenance of all open space and recreation areas. The Borough seeks to ensure that the required amount of police, fire and emergency response services are available for all residential neighborhoods and commercial areas. The Borough also seeks to continue to provide quality educational programs at all grade levels and assess facility demands based upon enrollment patterns. It is necessary to maintain the condition and improve, where necessary, the capacities and performance of the Borough's sewer and storm drainage systems. Further, the Borough seeks to foster inter-local agreements with neighboring towns for mutual benefit in the form of community facilities and services, particularly the school system.

12. Goal

The Borough seeks to ensure that property along the railroad is not inappropriately used by those parcels abutting the railroad right-of-way.

Policy Statement

It is recognized that in certain areas, property owners are using land along the railroad to store materials often not in accordance with an approved site plan. The Borough hereby seeks to ensure compliance with the local ordinance such that these areas do not become unsanitary, hazardous, or detrimental to the public in any way.

3.2: Recommendations

The following recommendations are offered:

1. The Borough's ordinance is inconsistent with the Residential Site Improvement Standards (RSIS). For example, the Borough's requirement for off-street parking in residential districts requires at least two off-street parking spaces together with a required garage. The RSIS requires parking based on the type of housing unit, and the number of bedrooms within a unit. The ordinance should be amended to implement the RSIS as required by the statute. It should also be noted that these standards govern residential development only. Borough requirements governing non-residential development are not affected by RSIS.
2. The Borough should consider amending its land development regulations such that churches and other places of worship become conditional uses in all residential zones. The Board should review the conditions that are typically required to address potential concerns relating to places of worship, including parking and buffers. The Board should also consider if these regulations should be incorporated as conditional standards in non-residential zones as well.
3. As noted in the goals and objectives section of this report, the Borough supports the concept of shared parking. As such, the Borough's land development regulations should help to promote this parking concept where feasible. It is recommended that the criteria for shared parking be established to encourage and define the review of shared parking proposals in the development regulations.
4. In order to encourage and promote economic development and revitalization of its industrial areas, the Borough should consider permitting additional uses in its I-1 and I-2 Industrial Zones. Such uses may include physical fitness, sports training, indoor recreation, microbreweries, and microdistilleries.
5. In order to ensure consistency between its master planning documents, the Borough should amend its Land Use Plan and incorporate the MFO-1 and MFO-2 Districts which were created by the 2017 Housing Element and Fair Share Plan (amended May 21, 2018).

4. Incorporation of Redevelopment

Recommendations concerning the incorporation of redevelopment plans into the Land Use Plan Element and recommended changes in the local development regulations necessary to effectuate the redevelopment plans of the municipality

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In 1992, the Local Redevelopment and Housing Law (LRHL) was enacted into law. The LRHL replaced a number of former redevelopment statutes, including the Redevelopment Agencies Law, Local Housing and Redevelopment Corporation Law, Blighted Area Act, and Local Housing Authorities Law, with a single comprehensive statute. At the same time, the MLUL was also amended to require, as part of a master plan reexamination, that the issues raised in the LRHL be addressed.

The LRHL provides the statutory authority for municipalities to designate areas in need of "redevelopment or rehabilitation," prepare and adopt redevelopment plans, and implement redevelopment projects. Specifically, the governing body has the power to initially cause a preliminary investigation to determine if an area is in need of redevelopment or rehabilitation, determine that an area is in need of redevelopment or rehabilitation, adopt a redevelopment plan, and/or, determine that an area is in need of rehabilitation.

A planning board has the power to conduct, when authorized by the governing body, a preliminary investigation and hearing and make a recommendation as to whether an area is in need of redevelopment. The planning board is also authorized to make recommendations concerning a redevelopment plan, and prepare a plan as determined to be appropriate. The board may also make recommendations concerning a determination if an area is in need of rehabilitation.

The LRHL establishes eight statutory criteria to determine if an area qualifies as being in need of redevelopment. While properties may often qualify for more than one of the criteria, the LRHL establishes that only one is needed for that area to be determined in need of redevelopment.

The criteria are outlined as follows.

***The “a” Criterion:
Deterioration***

The generality of buildings in the area are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.

***The “b” Criterion: Abandoned
Commercial/Industrial Buildings***

The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable.

***The “c” Criterion:
Public and Vacant Land***

Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography or nature of the soil, is not likely to be developed through the instrumentality of private capital.

***The “d” Criterion:
Obsolete Layout and Design***

Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.

***The “e” Criterion: Property
Ownership and Title Issues***

A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real properties therein or other similar conditions which impeded land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to have a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general.

***The “f” Criterion:
Fire and Natural Disasters***

Areas in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.

***The “g” Criterion:
Urban Enterprise Zones***

In any municipality in which an enterprise zone has been designated pursuant to the “New Jersey Urban Enterprise Zone Act,” the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment for the purpose of granting tax exemptions or the adoption of a tax abatement and exemption ordinance.

***The “h” Criterion:
Smart Growth Consistency***

The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

The statute defines redevelopment to include: "clearance, replanning, development and redevelopment; the conservation and rehabilitation of any structure or improvement, the construction and provision for construction of residential, commercial, industrial, public or other structures and the grant or dedication of spaces as may be appropriate or necessary in the interest of the general welfare for streets, parks, playgrounds, or other public purposes, including recreational and other facilities incidental or appurtenant thereto, in accordance with a development plan."

It is noteworthy that the statute in Section #3 specifically states that a redevelopment area may include lands which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is necessary for the effective redevelopment of an area.

As of date, the Borough has not adopted any redevelopment plans. As such, there is no need to incorporate any redevelopment plans into the Borough's Land Use Plan Element, nor is there a need to recommend any changes in the local development regulations necessary to effectuate the redevelopment plans of the municipality.