



COMMUNITY PLANNING
LAND DEVELOPMENT AND DESIGN
LANDSCAPE ARCHITECTURE

B U R G I S
A S S O C I A T E S , I N C .

PRINCIPALS:

Joseph H. Burgis PP, AICP
Edward Snieckus, Jr. PP, LLA, ASLA
David Novak PP, AICP

LAND USE PLAN AMENDMENT
BOROUGH OF ALPINE, NEW JERSEY
BERGEN COUNTY, NEW JERSEY

MAY 23, 2024

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PREPARED FOR:

BOROUGH OF ALPINE PLANNING BOARD
BA# 4128.01

The original document was appropriately signed and sealed on May 23, 2024 in accordance with Chapter 41 of Title 13 of the New Jersey State Board of Professional Planners.

Joseph H. Burgis PP, AICP
Professional Planner # 2450

INTRODUCTION

The Borough of Alpine Planning Board seeks to adopt an amendment to the Borough's 2002 Land Use Plan Element of the Master Plan in order to have it reflect the Settlement Agreement the Borough of Alpine entered into on November 1, 2023 with Sylco Investments #4, LLC, et al (referred to herein as the 'Developer' or 'Sylco') which settled the Borough's litigation captioned Sylco Investments #4 et al v. Borough of Alpine, Docket No. BER-L-0293-20. The settlement is designed to permit the development of a forty-unit townhouse development on the Sylco property on Closter Dock Road which will create a realistic opportunity for eight affordable housing units to be developed on site within the context of a comprehensive integrated inclusionary development design.

The 2002 Land Use Plan, along with subsequent master plan reexamination reports, details the manner in which future development in the Borough is to occur, identifying the location of residential and non-residential uses and their intensities of use, and enumerates a series of goals and objectives that form the underlying basis for its land use recommendations.

The Planning Board adopted master plan reexamination reports in 2010 and 2020 that, pursuant to the applicable provisions of the New Jersey Municipal Land Use Law ("MLUL"), identified the major problems and objectives of the 2002 Plan, the extent to which the problems and objectives identified in that plan had been reduced or increased, enumerated significant changes in the assumptions, policies and objectives since the adoption of the 2002 Plan, and offered recommended changes to the master plan and zoning ordinance.

Additionally, subsequent to the adoption of the 2002 land use plan element the Planning Board adopted a number of housing elements and fair share plans to reflect the Borough's response to its Third-Round constitutional obligation to address its affordable housing obligations.

The purpose of this 2024 Land Use Plan Element amendment is to amend the 2002 Borough Land Use Plan by identifying the Sylco site as an affordable housing site, thereby ensuring the Borough's various planning documents (i.e.. the land use plan and a forthcoming updated housing element and fair share plan that is required to implement the Settlement Agreement with Fair Share Housing Center) are current and consistent with each other and that the construction of affordable housing in the Borough is not delayed.

BACKGROUND

In 1975, the New Jersey Supreme Court decided So. Burlington Cty NAACP v. Borough of Mount Laurel, 67 N.J. 151 (1975) (Mount Laurel I) and in 1983 the New Jersey Supreme Court decided So. Burlington Cty NAACP v. Borough of Mount Laurel, 92 N.J. 158 (1983) (Mount Laurel II). These cases held that every municipality in New Jersey has an affirmative obligation to provide for its fair share of affordable housing. While there have been many court cases since then, along with the adoption of the Fair Housing Act of 1985, and creation of a state-wide affordable housing council (COAH) that was charged with establishing municipal housing-need numbers for all municipalities and the review of housing elements and fair share plans, the one constant refrain has been that municipalities have this *constitutional* obligation that must be addressed.

Alpine sought to address its obligation in a manner that was fair to the needs of low- and moderate-income households, participated in the process, and obtained a judgment of compliance and repose for the Second Round Plan. However, during the pendency of the Third Round, Sylco sought to have its site considered for inclusionary development for the purposes of participating in the Borough's effort to meet its Third-Round affordable housing obligations. The end result was the above noted litigation, which has now been settled.

The Settlement Agreement was signed by the parties on November 1, 2023. It resulted in the Borough's permitting the development of a forty-unit townhouse development on the Sylco property on Closter Dock Road inclusive of eight affordable housing units, with the site to be developed within the context of a comprehensive integrated inclusionary development design. This is detailed in the following section of this report.

LAND USE PLAN AMENDMENT

The Settlement Agreement necessitates modifications to the Land Use Plan Element of the Master Plan to ensure the Borough's various planning documents are current and consistent with each other. The principal modifications to the Land Use Plan Element are as following:

1. Amend the Goals section of the 2002 Land Use Plan by amending Goal #7 and its associated Policy Statement to read as follows:

Goal #7: To comply with the Borough's obligation to provide for its fair share of low- and moderate-income housing consistent with New Jersey's Fair Housing Act.

Policy Statement: The State of New Jersey has established pre-credited housing need numbers for every municipality in the State. The Borough of Alpine has adopted a housing plan that addresses its Second-Round affordable housing obligations, as adjusted by the COAH vacant land adjustment methodology, and has settlement agreements that will result in the adoption of a Third Round HE&FSP. Consequently, the Borough land use policy is designed to complement the settlement agreement provisions and incorporate the Sylco site as designated therein.

2. Change the land use designation for the Sylco site, identified as Block 55 Lots 25.01 and 26 through 30, as detailed below.

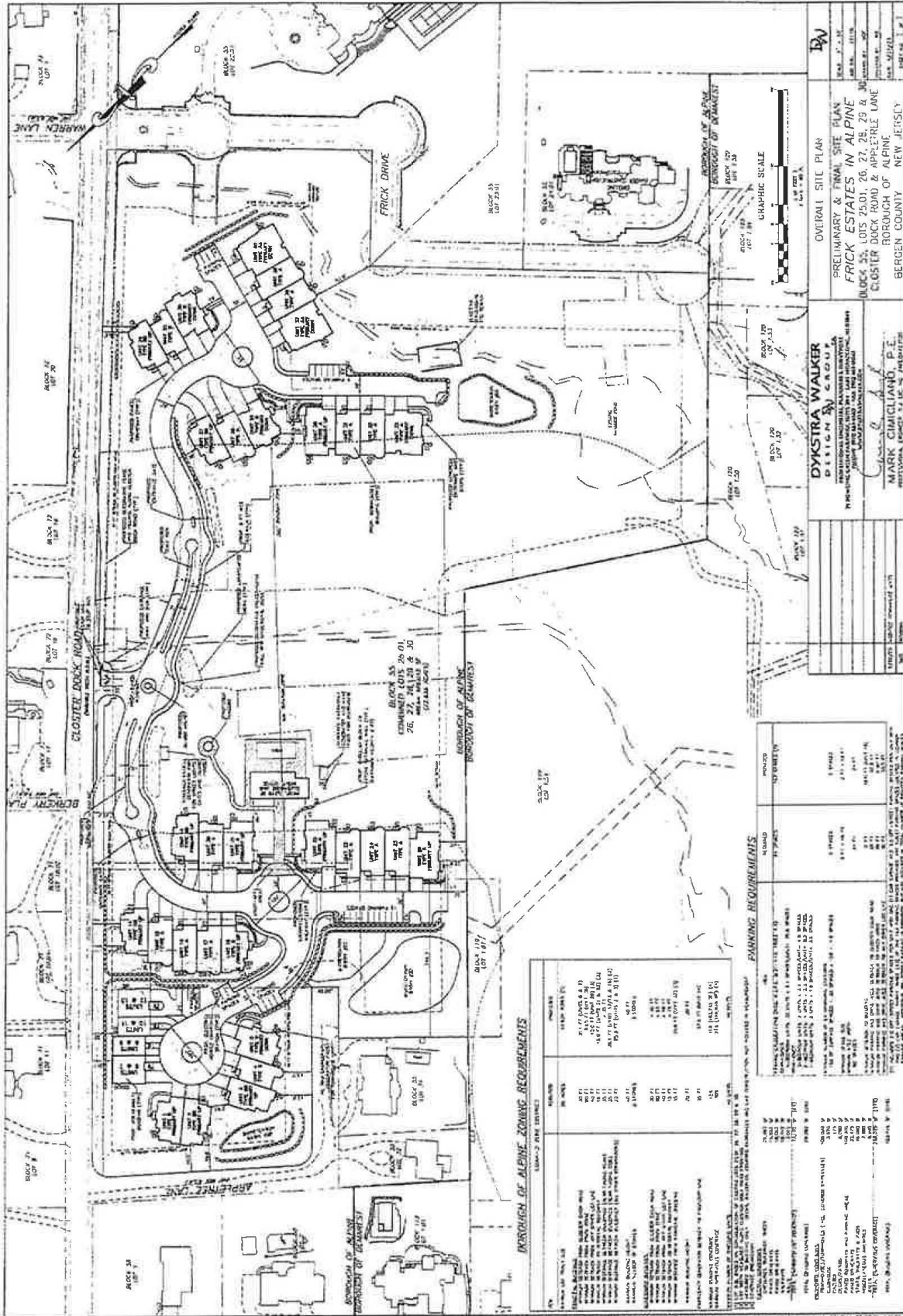
Land Use Designation Amendment Regarding the Sylco Site

1. Block 55 Lots 25.01 and 26 through 30. The Borough has entered into a settlement agreement with the owners of this 22.62-acre property for the development of 40 townhouse dwellings including eight affordable units. The density is a function of the site containing significant wetlands and C-1 stream buffer acreage that serves to limit the developable portion of the property.

The property is located on the easterly side of Closter Dock Road, between Frick Drive and Appletree Lane.

The Plan for this site is to have the eight affordable rental units integrated in with the market rate units. There are to be two very low-income units, two low-income units and four moderate-income units. The affordable bedroom distribution includes one one-bedroom unit, five two-bedroom units, and two-three-bedroom units. A concept plan for the site is shown on accompanying pages.

The 2002 Land Use Plan places this site in a Low-Density Single Family Residential land use category calling for detached single family dwellings. This amendment calls for this designation to be changed to a Townhouse Inclusionary Housing land use category. As noted above, it specifically provides for a maximum of forty dwellings on site, including eight affordable units. The intent of this designation is to have this site developed consistent with the Borough's recently adopted ordinance that is appended to the Borough's 2024 HE&FSP. Attached is a Concept Layout for the site.



BOROUGH OF ALPINE ZONING REQUIREMENTS

USE	MINIMUM SETBACKS	MINIMUM LOT AREA	MINIMUM LOT WIDTH	MINIMUM LOT DEPTH	MINIMUM FRONT YARD SETBACK	MINIMUM SIDE YARD SETBACK	MINIMUM REAR YARD SETBACK	MINIMUM FRONT SETBACK	MINIMUM SIDE SETBACK	MINIMUM REAR SETBACK	MINIMUM FRONT SETBACK	MINIMUM SIDE SETBACK	MINIMUM REAR SETBACK
RESIDENTIAL SINGLE-FAMILY (R-1)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL TWO-FAMILY (R-2)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL THREE-FAMILY (R-3)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL FOUR-FAMILY (R-4)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL FIVE-FAMILY (R-5)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL SIX-FAMILY (R-6)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL SEVEN-FAMILY (R-7)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL EIGHT-FAMILY (R-8)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL NINE-FAMILY (R-9)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL TEN-FAMILY (R-10)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL ELEVEN-FAMILY (R-11)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL TWELVE-FAMILY (R-12)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL THIRTEEN-FAMILY (R-13)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL FOURTEEN-FAMILY (R-14)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL FIFTEEN-FAMILY (R-15)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL SIXTEEN-FAMILY (R-16)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL SEVENTEEN-FAMILY (R-17)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL EIGHTEEN-FAMILY (R-18)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL NINETEEN-FAMILY (R-19)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL TWENTY-FAMILY (R-20)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL TWENTY-ONE-FAMILY (R-21)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL TWENTY-TWO-FAMILY (R-22)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL TWENTY-THREE-FAMILY (R-23)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL TWENTY-FOUR-FAMILY (R-24)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL TWENTY-FIVE-FAMILY (R-25)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL TWENTY-SIX-FAMILY (R-26)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL TWENTY-SEVEN-FAMILY (R-27)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL TWENTY-EIGHT-FAMILY (R-28)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL TWENTY-NINE-FAMILY (R-29)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL THIRTY-FAMILY (R-30)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL THIRTY-ONE-FAMILY (R-31)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL THIRTY-TWO-FAMILY (R-32)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL THIRTY-THREE-FAMILY (R-33)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL THIRTY-FOUR-FAMILY (R-34)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL THIRTY-FIVE-FAMILY (R-35)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL THIRTY-SIX-FAMILY (R-36)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL THIRTY-SEVEN-FAMILY (R-37)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL THIRTY-EIGHT-FAMILY (R-38)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL THIRTY-NINE-FAMILY (R-39)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT
RESIDENTIAL FORTY-FAMILY (R-40)	10 FT	10,000 SQ FT	30 FT	100 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT	10 FT	5 FT	5 FT

PARKING REQUIREMENTS

USE	MINIMUM PARKING SPACES PER 1,000 SQ FT OF GROSS FLOOR AREA	MINIMUM PARKING SPACES PER UNIT	MINIMUM PARKING SPACES PER 100 SQ FT OF GROSS FLOOR AREA
RESIDENTIAL SINGLE-FAMILY	1.0	1.0	1.0
RESIDENTIAL TWO-FAMILY	1.5	1.5	1.5
RESIDENTIAL THREE-FAMILY	2.0	2.0	2.0
RESIDENTIAL FOUR-FAMILY	2.5	2.5	2.5
RESIDENTIAL FIVE-FAMILY	3.0	3.0	3.0
RESIDENTIAL SIX-FAMILY	3.5	3.5	3.5
RESIDENTIAL SEVEN-FAMILY	4.0	4.0	4.0
RESIDENTIAL EIGHT-FAMILY	4.5	4.5	4.5
RESIDENTIAL NINE-FAMILY	5.0	5.0	5.0
RESIDENTIAL TEN-FAMILY	5.5	5.5	5.5
RESIDENTIAL ELEVEN-FAMILY	6.0	6.0	6.0
RESIDENTIAL TWELVE-FAMILY	6.5	6.5	6.5
RESIDENTIAL THIRTEEN-FAMILY	7.0	7.0	7.0
RESIDENTIAL FOURTEEN-FAMILY	7.5	7.5	7.5
RESIDENTIAL FIFTEEN-FAMILY	8.0	8.0	8.0
RESIDENTIAL SIXTEEN-FAMILY	8.5	8.5	8.5
RESIDENTIAL SEVENTEEN-FAMILY	9.0	9.0	9.0
RESIDENTIAL EIGHTEEN-FAMILY	9.5	9.5	9.5
RESIDENTIAL NINETEEN-FAMILY	10.0	10.0	10.0
RESIDENTIAL TWENTY-FAMILY	10.5	10.5	10.5
RESIDENTIAL TWENTY-ONE-FAMILY	11.0	11.0	11.0
RESIDENTIAL TWENTY-TWO-FAMILY	11.5	11.5	11.5
RESIDENTIAL TWENTY-THREE-FAMILY	12.0	12.0	12.0
RESIDENTIAL TWENTY-FOUR-FAMILY	12.5	12.5	12.5
RESIDENTIAL TWENTY-FIVE-FAMILY	13.0	13.0	13.0
RESIDENTIAL TWENTY-SIX-FAMILY	13.5	13.5	13.5
RESIDENTIAL TWENTY-SEVEN-FAMILY	14.0	14.0	14.0
RESIDENTIAL TWENTY-EIGHT-FAMILY	14.5	14.5	14.5
RESIDENTIAL TWENTY-NINE-FAMILY	15.0	15.0	15.0
RESIDENTIAL THIRTY-FAMILY	15.5	15.5	15.5
RESIDENTIAL THIRTY-ONE-FAMILY	16.0	16.0	16.0
RESIDENTIAL THIRTY-TWO-FAMILY	16.5	16.5	16.5
RESIDENTIAL THIRTY-THREE-FAMILY	17.0	17.0	17.0
RESIDENTIAL THIRTY-FOUR-FAMILY	17.5	17.5	17.5
RESIDENTIAL THIRTY-FIVE-FAMILY	18.0	18.0	18.0
RESIDENTIAL THIRTY-SIX-FAMILY	18.5	18.5	18.5
RESIDENTIAL THIRTY-SEVEN-FAMILY	19.0	19.0	19.0
RESIDENTIAL THIRTY-EIGHT-FAMILY	19.5	19.5	19.5
RESIDENTIAL THIRTY-NINE-FAMILY	20.0	20.0	20.0
RESIDENTIAL FORTY-FAMILY	20.5	20.5	20.5

OVERALL SITE PLAN

PRELIMINARY & FINAL SITE PLAN
FRICK ESTATES IN ALPINE
 BLOCKS 35, LOTS 25.01, 26, 27, 28, 29 & 30
 CLOSTER DOCK ROAD & APPLETRE LANE
 BOROUGH OF ALPINE
 BERGEN COUNTY, NEW JERSEY

DATE: 11/11/11
 SCALE: 1" = 40'
 DRAWN BY: J. J. J.
 CHECKED BY: J. J. J.
 APPROVED BY: J. J. J.

DYKSTRA WALKER
 DESIGN GROUP

PROFESSIONAL ENGINEER, PLANNING & SURVEYING
 1000 WEST 17TH STREET, SUITE 200
 NEW YORK, NY 10011
 TEL: (212) 850-1000
 WWW.DYKSTRAWALKER.COM

MARK CIMICLIANO, P.E.
 PROFESSIONAL ENGINEER
 1000 WEST 17TH STREET, SUITE 200
 NEW YORK, NY 10011
 TEL: (212) 850-1000
 WWW.DYKSTRAWALKER.COM