



*Contact:* Brian Aberback, Public Information Officer  
(201) 460-4619; (201) 615-8570 (cell)  
[brian.aberback@njmeadowlands.gov](mailto:brian.aberback@njmeadowlands.gov)

FOR IMMEDIATE RELEASE:

Sept. 19, 2007

## **NJMC Advances Court-Mandated Affordable Housing Guidelines Retains Jurisdiction of Housing Issues, Protects Municipalities from potential Court Takeover**

**LYNDHURST, N.J.** – The Board of the New Jersey Meadowlands Commission today approved guidelines ensuring that District municipalities are able to meet their affordable housing obligations as mandated under state law and protecting municipalities from past examples of court takeovers of municipal land use.

“By approving these guidelines the Board has ensured that properly planned growth will meet the needs of all our residents,” said Robert Ceberio, Executive Director of the NJMC. “This Board has also decided to support our municipalities and the affordable housing obligations that rest on their shoulders, rather than expose them to the potential of losing home rule to court supervision.”

The guidelines comply with an Appellate Court ruling delivered in May that directed the NJMC to ensure that affordable housing is provided within its jurisdiction and that interim guidelines be designed to address this. The ruling stated that the NJMC has “a constitutional responsibility to plan and zone for affordable housing.”

Under the NJMC’s new guidelines, developable land in the Meadowlands District – which does not include environmental conservation areas - will be assessed for its potential to host affordable housing. Properties deemed suitable for affordable housing will be prohibited from any development that does not address the requisite affordable housing obligations until the state Council on Affordable Housing (COAH) issues its revised third-round rules.

With the support of the Meadowlands municipalities the NJMC had put new affordable housing guidelines in place in February, but these were put on hold pending adoption of the new rules that are currently being drafted by COAH. Today’s requisite interim measure ensures that District municipalities will be able to meet their fair-share housing obligations and mitigates the likelihood of builder’s remedy lawsuits. In 2005, Bergen

County Superior Court Judge Jonathan Harris stripped the Boroughs of Carlstadt and East Rutherford of their zoning powers after a builder's remedy lawsuit was filed against both municipalities.

Adoption of the new guidelines is one of several actions that the NJMC has taken recently to aid District towns in meeting their affordable housing obligations. In July the NJMC created a Sustainable Communities Planning Service consisting of a special unit of staff planners who will work with towns free of charge to help prepare their affordable housing plans for state certification. Previously a total of \$840,000 was made available to municipalities to prepare Fair Share Housing Plans.