

ORDINANCE NO. 1170-25

ORDINANCE OF THE BOROUGH OF DEMAREST ADOPTING THE AMENDED REDEVELOPMENT PLAN PRODUCED BY COLLIERS ENGINEERING (FORMERLY MASER CONSULTING) ON BEHALF OF THE BOROUGH OF DEMAREST

**WHEREAS**, the Borough of Demarest (hereinafter 'the Borough') filed a complaint for declaratory and injunctive relief seeking a judgment of compliance and repose on July 8, 2015 under Docket number BER-L-6301-15 (hereinafter the 'Litigation'); and

**WHEREAS**, the Borough of Demarest agreed to settle the said Litigation with all parties through a negotiated Settlement Agreement (hereinafter the 'Agreement') on December 27, 2017, executed by the Borough on January 27, 2018; and

**WHEREAS**, as part of the Agreement, in Section 12c, the Borough agreed to adopt a Redevelopment Plan for the Downtown Area previously designated an Area in Need of Rehabilitation as that term is defined by statute; and

**WHEREAS**, the Borough of Demarest (hereinafter "the Borough") by Council resolution dated July 24, 2017, designated the following tax lots as an area in need of rehabilitation: Block 23, Lots 9, 10, 12, 13, 14, 15, 16, 17.01, 17.02, 19, 20, 21 and 23, Block 46, Lots 39.01, 40.01, 41.02, 41.01, 50, 51, 52, 664, 760 and 764, Block 49.01, Lots 43.01, 43.02, 44, 45 and 47.02, and

**WHEREAS**, the Borough Council authorized MaserConsulting to prepare a Redevelopment Plan for the Rehabilitation Area; and

**WHEREAS**, Maser Consulting developed and delivered a Redevelopment Plan for the aforementioned area dated September 12, 2019, and

**WHEREAS**, said plan was adopted by the Borough Council, after a public hearing, on December 16, 2019; and

**WHEREAS**, the plan was by Ordinance #1075-20, adopted by the Borough Council, after a hearing, on February 22, 2020; and

**WHEREAS**, the plan was thereafter amended by Ordinance #1094-21, adopted by the Borough Council, after a hearing, on July 26, 2021; and

**WHEREAS**, on March 20, 2024, Governor Philip Murphy signed into law P.L.2024, c.2, establishing a new framework for determining and enforcing municipal affordable housing obligations under the New Jersey Supreme Court's Mount Laurel doctrine and the New Jersey Fair Housing Act (the "FHA") (N.J.S.A. 52:27D-301, et al.); and

**WHEREAS**, among other things, the Act abolished the Council on Affordable Housing (hereinafter, "COAH"), and replaced it with seven retired, on recall judges designated as the Program and authorized the Director of the Administrative Office of the Courts, (hereinafter, respectively, "Director" and "AOC") to create a framework to process applications for affordable housing compliance certification; and

**WHEREAS**, the Borough filed a timely Fourth Round Declaratory Judgment complaint ("DJ Complaint") with the Affordable Housing Dispute Resolution Program ("the Program"), on January 29,

2025; and

**WHEREAS**, the Borough's Joint Planning Board ("Board") adopted the HEFSP, entitled Housing Element and Fair Share Plan prepared by Darlene A. Green, P.P., AICP of Colliers Engineering & Design, dated May 16, 2025 ("2025 HEFSP"), as an amendment to Borough's Master Plan on June 5, 2025; and

**WHEREAS**, having reconsidered the Redevelopment Plan, the Borough Council has concluded that the Redevelopment Plan requires revisions and amendments to conform to the goals set forth in the 2025 HEFSP; and

**WHEREAS**, a revised and amended Downtown Redevelopment Plan dated October 6, 2025, has been drafted and submitted by Colliers Engineering & Design; and

**WHEREAS**, the revised Redevelopment Plan conforms to the Borough's Master Plan and the adopted 2025 HEFSP and will provide realistic opportunity for the construction of affordable dwellings units in the above referenced area.

**NOW THEREFORE BE IT ORDAINED** by the Mayor and Borough Council of the Borough of Demarest, Bergen County, State of New Jersey, hereby adopt the revised and amended Redevelopment Plan dated October 6, 2025, prepared by Colliers Engineering & Design on behalf of the Borough; and

**BE IT FURTHER ORDAINED**, that a copy of this Ordinance, and the Redevelopment Plan, shall be served upon the Planning Board of the Borough of Demarest for review and comment after introduction on first reading hereof; and

**BE IT FURTHER ORDAINED**, that upon adoption, this Ordinance, and the Redevelopment Plan shall be served upon the Commissioner of Community Affairs.

Borough of Demarest



BY: BRIAN BERNSTEIN, MAYOR

Attest:



Julie Falkenstern, RMC  
Borough Clerk

Introduced: October 27, 2025

Adopted: November 10, 2025