

# PRIME TUVEL & MICELI

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ATTORNEYS AT LAW

May 12, 2025

**VIA OVERNIGHT AND E-MAIL**

Mayor and Council of the Township of Teaneck  
c/o Doug Ruccione, Township Clerk  
818 Teaneck Rd.,  
Teaneck, New Jersey 07666

**Re: Request for Inclusionary Development Pursuant to N.J.S.A. 52:27D-310(f)  
Block 5003, Lot 16  
1387 Hill Street**

Dear Mr. Ruccione:

Our office represents Hill Street Realty, LLC (“Hill Street”), the owner of property within the Township of Teaneck (the “Township”), located at 1387 Hill Street, and officially designated on the Township tax maps as Block 5003, Lot 16 (the “Property”). By way of background, the Property is approximately 0.22 acres and is currently vacant, unimproved and adjacent to multifamily residential uses. The Property is located in the Township’s RM Residential Multifamily zone, which permits multifamily dwellings on a minimum lot size of 1.5 acres at a density of 12 units per acre. Previously, the Property received approval from the Zoning Board to permit a residential development with a density of 31.8 units per acre (7 units). However, that prior approval has since expired. For the reasons set forth herein, please accept this letter as Hill Street’s request that the Township rezone the Property for inclusionary zoning to assist the Township in meeting its constitutional affordable housing obligations.

As the Township is aware, it has a constitutional obligation to provide a realistic opportunity for the production of its fair share of the region’s need for affordable housing. That constitutional obligation is commonly referred to as the Mount Laurel Doctrine.<sup>1</sup> Pursuant to the

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<sup>1</sup> The Mount Laurel Doctrine is collectively embodied by the judicial precedent established in Southern Burlington Cty. N.A.A.C.P. v. Tp. of Mt. Laurel, 67 N.J. 151 (1975)(“Mount Laurel

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FHA, that affordable housing obligation was to be quantified by COAH utilizing an accepted methodology, which methodology would provide each New Jersey municipality, including the Township, a definitive affordable housing obligation for a given period, known as the Mount Laurel Obligation. Those time periods, known as “Rounds” were delineated as the First Round (1987-1993) the Second Round (1993-1999) (the First Round and Second Round collectively “Prior Round”) and the Third Round (1999-2025).

In 2024, Legislature adopted revisions to the FHA which included the elimination of COAH (the “2024 FHA”). In October 2024, the New Jersey Department of Community Affairs (“DCA”) issued the statewide and regional affordable housing needs for the Fourth Round (2025-2035), which assigned the Township a Present Need of 214 units and a Fourth Round Prospective Need of 431 units. On January 30, 2025, the Township adopted a resolution determining its Fourth Round Prospective Need obligation to be 384 units. The Township’s determination has been challenged before the Affordable Housing Dispute Resolution Program (the “Program”) and a decision from the Program is pending. However, regardless of the outcome of that decision, the Township has a substantial need for affordable housing to meet its Fourth Round obligation.

Given the Township’s imminent need for realistic affordable housing opportunities to meet its Fourth Round Mount Laurel Obligation, we request that pursuant to N.J.S.A. 52:27D-310(f), the Township rezone the Property for a realistic opportunity for inclusionary development, as the Property remains available, suitable, approvable and developable for such an inclusionary development. Hill Street proposes a 20 unit inclusionary development, with a substantial set aside of twenty percent (20%), which would provide 4 on-site units of affordable housing. A concept plan is enclosed herewith for your review.

Upon your review of the enclosed plan, we would appreciate the opportunity to meet with the Township at their earliest convenience to discuss the next steps to include the Property in the Township’s Fourth Round Housing Element and Fair Share Plan and rezoning the Property to accommodate the proposed inclusionary development. Thank you for your time and attention to this matter.

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I”), Southern Burlington Cty. N.A.A.C.P. v. Tp. of Mt. Laurel, 92 N.J. 189 (1983)(“Mount Laurel II”) and their judicial progeny, the Legislature’s enactment of the Fair Housing Act, N.J.S.A. 52:27D-301, et seq (“FHA”) and the First (1987-1993) and Second (1993-1999) Round regulations adopted by the New Jersey Council on Affordable Housing (“COAH”), N.J.A.C. 5:91-1, et seq., N.J.A.C. 5:92-1, et seq. and N.J.A.C. 5:93-1, et seq., (the “Rules”).

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Very truly yours,

/s/ Jason R. Tuvel  
Jason R. Tuvel, Esq.  
Danielle Kinback, Esq.

Encl.

cc: Scott D. Salmon, Esq., Township Attorney (via e-mail)  
Jaclyn Hashmat, Township Manager (via e-mail)