

**MANSFIELD TOWNSHIP PLANNING BOARD  
BURLINGTON COUNTY**

**RESOLUTION 2021-7-12**

**APPROVING AND ADOPTING HOUSING ELEMENT AND FAIR SHARE PLAN**

**WHEREAS**, in accordance with the various Mount Laurel decisions by the New Jersey Supreme Court, Mansfield Township has a constitutional obligation to provide a realistic opportunity for its regional share of affordable housing; and

**WHEREAS**, the Mansfield Township Committee (“Township”) and the Mansfield Township Planning Board (“Board”) were defendants in litigation in the Superior Court of New Jersey, Law Division, entitled Tower Gate Associates v. Township of Mansfield, et al, Docket # L-1739-18, filed by developers challenging the Township's satisfaction of its affordable housing obligation; and

**WHEREAS**, as part of the settlement of said litigation, the Township developed an affordable housing Fair Share Plan to satisfy the Township’s constitutional obligation, including preparation of a new Housing Element of the Township Master Plan with rezoning of the Tower Gate property (Block 70, Lot 6.02) and Pulte/Carty property (Block 42, Lots 1 & 2.02) as affordable housing sites, and providing for other affordable housing programs including additional group homes, rehabilitation of existing affordable housing, and converting market housing to affordable housing; and

**WHEREAS**, by adoption of Resolution 2020-4-8 on April 15, 2020, the Mansfield Township Planning Board had originally approved and adopted the Mansfield Township Housing Element and Fair Share Plan that included the Tower Gate Amendment to Settlement Agreement and the rezoning of the Tower Gate property for affordable housing; and

**WHEREAS**, on February 18, 2020, the Hon. Jeanne T. Covert, A.J.S.C., Burlington County Superior Court of New Jersey, Law Division, after the required “Fairness Hearing”, entered and filed an Order (“Fairness Order”) conditionally approving Mansfield Township's Housing Element and Fair Share Plan dated December 19, 2019; and

**WHEREAS**, on January 2, 2021, the Court Master David J. Banisch, PP/AICP, had provided the Court with an updated Compliance Report advising the Court of the Township’s compliance with the Fairness Order and setting forth the remaining conditions for the Township to obtain a Final Judgment of Compliance and Judgment of Repose, including the adoption of an updated HEFSP, requiring an approval of the latest version of the Township’s HEFSP; and

**WHEREAS**, the Township Planner has prepared a revised HEFSP dated June 2, 2021, incorporating the Tower Gate Zoning Ordinance and the Pulte Zoning Ordinance and the

Township and Planning Board approval of same, together with the remaining conditions of the Court Master Compliance Report, including technical revisions to the tables and texts.

**NOW, THEREFORE, BE IT RESOLVED**, by the Planning Board of the Township of Mansfield, County of Burlington, and State of New Jersey, sitting as a Joint Land Use Board pursuant to N.J.S. 40:55D-25.c(1), that the updated and revised Mansfield Township Housing Element and Fair Share Plan dated June 2, 2021, attached hereto and made a part hereof as Exhibit A, is hereby approved and adopted, and recommended for endorsement by the Mansfield Township Committee.

**ROLL CALL VOTE:**

Those in Favor: Borgstrom, Tsiknakis, Herbert, Higgins, tahirak, wainwright,  
Those Opposed: Grouser, Pinto, Schwartz  
Not Eligible to Vote: None

**CERTIFICATION**

I, **LINDA SEMUS**, hereby certify that this foregoing Resolution is a true memorializing resolution, as adopted by the Consolidated Land Use Board of the Township of Mansfield in accordance with its decision at its special meeting on July 12, 2021.

**THE CONSOLIDATED  
LAND USE BOARD OF THE  
TOWNSHIP OF MANSFIELD**

  
**EFTHIMIOS TSIKNAKIS, CHAIRMAN**



**LINDA SEMUS, SECRETARY**

**Dated:** 7-13-21

**Date of Approval:** 7-12-21