

**MANSFIELD TOWNSHIP PLANNING BOARD  
BURLINGTON COUNTY**

**RESOLUTION 2021-7-13**

**REVIEWING MANSFIELD TOWNSHIP ORDINANCE 2021-12, AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE TOWNSHIP OF MANSFIELD TO ADDRESS THE REQUIREMENTS OF THE SUPERIOR COURT REGARDING COMPLIANCE WITH THE TOWNSHIP'S AFFORDABLE HOUSING OBLIGATIONS, DELETING AND REPEALING CERTAIN ORDINANCES AND ADOPTING AND REPLACING THEM WITH THE "MANSFIELD TOWNSHIP AFORDABLE HOUSING ORDINANCE" AND RECOMMENDING ADOPTION BY THE MANSFILED TOWNSHIP COMMITTEE AS CONSISTENT WITH THE TOWNSHIP MASTER 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**, 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, 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; and

**WHEREAS**, one of the conditions of the Court Master's Compliance Report was the adoption by the Township of an updated Affordable Housing Ordinance, and repealing the prior Township Affordable Ordinance; and

**WHEREAS**, the Mansfield Township Committee has introduced Ordinance 2021-12, a copy attached hereto as Exhibit A, to adopt an updated Affordable Housing Ordinance and repealing the prior Township Affordable Housing Ordinance and older affordable housing ordinances and has referred said Ordinance 2021-12 to the Planning Board as required by the New Jersey Municipal Land Use Law, pursuant to N.J.S. 40:55D-64; and

**WHEREAS**, by adoption of Resolution 2021-6-11, the Planning Board has adopted and approved the updated and revised Mansfield Township Housing Element of the Township's Master Plan and Fair Share Plan (HEFSP) dated June 2, 2021.

**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, given the background, rationale and provisions of Mansfield Township Ordinance 2021-12, and the Township's constitutional obligation to provide for its regional share of affordable housing, and the Planning Board having approved the Township's Housing Element and Fair Share Plan, the Mansfield Township Planning Board does hereby report to the governing body that Ordinance 2021-12, copy attached hereto as Exhibit A is substantially consistent with the Mansfield Master Plan, and recommends its adoption by the Mansfield Township Committee.

**ROLL CALL VOTE:**

Those in Favor: Tsiknakis, Borgstrom, Herbert, Higgin, Tahirak, Wainwright, Grouser  
Pinto, Schwartz  
Those Opposed: None  
Not Eligible to Vote: None

**CERTIFICATION**

I, LINDA SEMUS, Secretary, 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