

**TOWNSHIP OF CINNAMINSON
COUNTY OF BURLINGTON
RESOLUTION 2025 – 82**

**RESOLUTION ENDORSING THE FOURTH ROUND
HOUSING ELEMENT AND FAIR SHARE PLAN AND APPROVING DRAFT
ZONING ORDINANCE REVISIONS/AMENDMENTS**

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, which amended the 1985 New Jersey Fair Housing Act (hereinafter the “Amended FHA”); and

WHEREAS, pursuant to the Amended FHA and the Administrative Office of the Court’s Directive No. 14-24, the Township of Cinnaminson (“Township”) Committee adopted Resolution 2025-41, accepting a Present Need obligation of thirty-two (32) units and a Prospective Need obligation of eighty-six (86) units based on the Township’s Affordable Housing Planner (“Planner”), Francis J. Banisch, III, P.P., A.I.C.P.’s calculations using the methodology in the Amended FHA; and

WHEREAS, the Township filed a timely Fourth Round Declaratory Judgment action (“DJ Action”) with the Affordable Housing Dispute Resolution Program (“Program”), along with its binding resolution, on January 30, 2025; and

WHEREAS, the filing of the DJ Action gave the Township automatic, continued immunity from all exclusionary zoning lawsuits, including builder’s remedy lawsuits, which is still in full force and effect; and

WHEREAS, the New Jersey Builders Association (“NJBA”) filed a timely challenge to the DJ Action; and

WHEREAS, the Honorable Ronald E. Bookbinder, A.J.S.C. (Ret.) was assigned to manage the proceedings, host settlement conferences, and make recommendations to the Mount Laurel Judge of Burlington Vicinage; and

WHEREAS, the Township reached a settlement agreement with NJBA, which was placed on the record on March 26, 2025, at a settlement conference before Judge Bookbinder; and

WHEREAS, on April 7, 2025, the Township Committee approved Resolution 2025-54 that amended Resolution 2025-41 to change the Township’s Prospective Need obligation from eighty-six (86) to eighty-nine (89) units; and

WHEREAS, the Present Need obligation of thirty-two (32) units remained the same; and

WHEREAS, on April 17, 2025, the Honorable Terrence R. Cook, A.J.S.C., the designated Mount Laurel Judge for the Burlington Vicinage, issued an order fixing the Township’s obligation and authorized the Township to proceed with preparing and adopting its Housing Element and Fair Share Plan for the Fourth Round (“Fourth Round HEFSP”); and

WHEREAS, the Township’s Planner has prepared a Fourth Round HEFSP that addresses the Township’s Fourth Round affordable housing obligation; and

LAW OFFICE
Parker McCay P.A.

WHEREAS, the Township of Cinnaminson Planning Board, at a duly noticed meeting held on June 9, 2025, reviewed the Fourth Round HEFSP and determined that it was consistent with the Master Plan and that implementation of the Fourth Round HEFSP is in the public interest and would promote the general welfare and, by Resolution No. 2025-12, dated June 9, 2025, adopted the Fourth Round HEFSP; and

WHEREAS, the Township Committee acknowledges that existing zoning ordinances already provide for the means by which to satisfy a portion of the Fourth Round Affordable Housing obligation, and has reviewed and approved the draft zoning ordinance revisions/amendments which will implement the means by which to satisfy remainder of the Plan.

NOW, THEREFORE, BE IT RESOLVED by the Committee of the Township of Cinnaminson, County of Burlington, State of New Jersey, on this 16th day of June 2025, that:

1. The Township Committee hereby endorses the Fourth Round HEFSP as adopted by the Planning Board as an amendment to the Township's Master Plan and agrees to implement the Fourth Round HEFSP by adopting applicable ordinances.
2. The Township Committee has reviewed and approved the drafts of the zoning ordinance revisions/amendments needed to implement the Plan.
3. The Mayor, Township Administrator and Township Clerk, together with all other officers, professionals and employees of the Township are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution.
4. This Resolution shall take effect immediately.

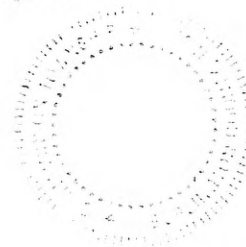
CERTIFICATION

Certified to be a true copy of a Resolution adopted by the Cinnaminson Township Committee on the 16th day of June, 2025.



Lisa A. Passione, Municipal Clerk

4921-8986-8356, v. 1



ARAH Zone Draft Ordinance For Township Review**June 13, 2025****Age Restricted Affordable Housing (ARAH) District**

The purpose of the ARAH Zone is to permit inclusionary senior housing development on undeveloped acreage at Cinnaminson Harbor. When ARAH inclusionary development is proposed, expedited development application review and cooperation in the granting reasonable variances is to be provided, pursuant to N.J.A.C. 5:93-10.1.

A. Permitted development shall include a total of 153 age restricted multiple family apartments, provided at least 23 affordable units are provided.

B. Dimensional requirements are as follows:

- (1) Maximum impervious surface ratio: 70%.
- (2) Minimum lot area: six acres.
- (3) Minimum building setback:
 - [a] From street right-of-way: 50 feet.
 - [b] From common parking: 15 feet.
- (4) Building spacing: 40 feet minimum if more than one building.
- (5) Minimum street frontage: 300 feet.
- (6) Maximum building height: three stories, not to exceed 45 feet.
- (7) Minimum building setback: 50 feet.
- (8) Minimum parking setback: 20 feet to local road, 40' to County road.

C. Buffer area requirements.

(1) Buffer areas shall be provided between roadways and proposed residential land uses and may contain landscaped stormwater basins. Buffers shall be a minimum of 20 feet wide and shall be designed, planted, graded and landscaped to provide an aesthetically pleasing separation of uses. In meeting this standard, the applicant may employ one or more of the following:

- (a) Fencing or wall screening in landscaped areas.
- (b) Evergreen tree or shrubbery screening in a landscaped area.
- (c) A landscaped berm up to six feet in height with side slopes of 4:1.

(2). Buffer material and natural foliage. All buffer areas shall be planted and maintained with either grass or ground cover, together with a screen of live shrubs or scattered planting of live trees, shrubs or other plant material. The preservation of all natural wooded tracts shall be an integral part of all development plans and may be included as part of the required buffer area, provided that the growth is of a density and the area has sufficient width to serve the purpose of a buffer. Additional plantings may be required by the approving authority to establish an appropriate tone for an effective buffer.

(3) Screening.

- (a) Screening shall be provided to provide a year-round visual or partial acoustical barrier to conceal the view or sounds of various utilitarian operations and uses from the street or adjacent properties.
- (b) Screening shall be so placed that at maturity it will not be closer than two feet to any right-of-way, property line or access easement.

ARAH Zone Draft Ordinance For Township Review**June 13, 2025**

(c) All plants for screening shall be balled/burlapped nursery stock free of insects and disease. Plants which do not live shall be replaced within two years or two growing seasons. Buffered screen plantings shall be broken at points of vehicular and pedestrian ingress and egress to assure a clear sight triangle at all street and driveway intersections.

(d) Screening shall consist of the following materials:

(1) Solid masonry. A solid masonry wall, a maximum of six feet above ground level.

(2) Solid fencing. A solid fencing of natural durable material, such as cedar, cypress or redwood, a maximum height of six feet above ground level and open to the ground to a height of not more than four inches above ground level.

(3) Shrubbery shall be a minimum of three feet high when planted and of such density as will obscure, throughout the full course of the year, the glare of automobile headlights emitted from the premises.

(4) Trees. Trees for screening shall be evergreens having a minimum height of eight feet above the ground when planted. Trees shall be placed 15 feet on center in two or more staggered rows with a five-foot separation between rows. Evergreens may be supplemented with deciduous trees having a minimum height of eight feet at time of planting, with a minimum caliper of two inches.

D. Architectural theme - Each multiple-dwelling building shall be designed to provide a cohesive design theme and attractiveness to the development. Landscaping, building orientation to the site and to other structures, topography, natural features, staggered building setbacks and other design features shall reinforce the theme. Open spaces shall be arranged to compliment the appearance and function of the development.

E. Refuse storage. Refuse collection may be managed within the building or at outdoor refuse storage areas. All outdoor refuse storage areas shall be screened and suitably located and arranged for access and ease of collection and shall not be part of, restrict or occupy any parking aisle and shall not be located farther than 300 feet from the entrance to any multifamily unit which it is intended to serve.

F. Open space requirements - Passive recreational activities may include, but are not limited to, pedestrian paths, sitting areas and naturally preserved areas. Active recreational areas may include, but are not limited to, such facilities as swimming pools, bocce courts, bicycle paths and such facilities shall be located not less than 50 feet from any boundary line.

G. Affordable housing requirements - Inclusionary developments in the ARAH District shall conform to standards of the Fair Housing Act, the rules of the Council on Affordable Housing (COAH) and the Uniform Housing Affordability Controls (UHAC) as enumerated in the Cinnaminson Affordable Housing Ordinance