

**Fair Share Housing Center**

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**In the Matter of the Application  
of the Township of Edgewater  
Park, County of Burlington.**

SUPERIOR COURT OF NEW JERSEY  
Law Division, Burlington  
County  
Docket No. BUR-L-155-25

**CIVIL ACTION  
(Mount Laurel)**

**Consent Order Final Compliance  
Certification (N.J.S.A.  
52:27D-304 (q))**

**THIS MATTER** having come before the Court via the joint request of the Township via counsel Kelly A. Grant Esq. (of Malamut and Associates LLC), as well as Fair Share Housing Center, via counsel Laura S. Smith-Denker, Esq. (on behalf of Fair Share Housing Center), seeking a certification of compliance with the Fair Housing Act ("FHA"); and

**WHEREAS**, the Township of Edgewater Park (the "Township" or "Edgewater Park") having filed a resolution of participation in the Affordable Housing Dispute Resolution Program (the "Program") and a declaratory judgment action on January 22, 2025; and

**WHEREAS**, the above-named parties having previously presented a consent order to the Court which was entered on February 13,

2026, and which consent order is incorporated herein by reference; and

**WHEREAS**, the Township having filed its Housing Element and Fair Share Plan ("HEFSP") on May 16, 2025 and implementing ordinances and resolutions on March 4, 2026; and

**WHEREAS**, Fair Share Housing Center ("FSHC") having reviewed the Township's filing in accordance with the parties' consent order and confirmed that the Township has complied with all terms outlined in the consent order; and

**WHEREAS**, no other interested-party filed a challenge by the August 31, 2025 statutory deadline or any other communication in the matter; and

**WHEREAS**, the Court having reviewed the Township's HEFSP, attachments, and implementing ordinances and resolutions, incorporating therein any changes from the Court's prior order(s) and determined that they meet the "objective standard" and are in compliance with the Fair Housing Act and the Mount Laurel doctrine so long as the conditions set forth in this order are met; and

**WHEREAS**, the Court incorporates the Court's prior orders and for good cause shown:

**IT IS** on this 29<sup>th</sup> day of April, 2026, **ORDERED** as follows:

1. The Township's Fourth Round HEFSP, attachments, and applicable implementing ordinances and resolutions,

collectively referenced at SCHEDULE-1 hereto as Exhibit P-1 through Exhibit P-8 (inclusive) and herein as the "Implementing Ordinances & Resolutions", are hereby admitted into evidence and entered into the record.

2. Subject to the satisfaction of the Conditions of this Order and the deadlines established therein, the Township of Edgewater Park's Fourth Round HEFSP (Exhibit P-1) is hereby approved and deemed to meet the "objective standard" pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) of complying with the Fair Housing Act and the Mount Laurel doctrine and the Township is granted a Fourth Round Compliance Certification as to its Fourth Round Rehabilitation Obligation ("Present Need"), its Prior Round Obligation (1987-1999), its Third Round Obligation (consisting of both its Gap Obligation for 1999-2015 and its Prospective Need Obligation for 2015-2025), and its Fourth Round Prospective Need Obligation pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301, et seq.) ("FHA"), the Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1, et seq.) ("UHAC"), applicable Council on Affordable Housing (hereinafter "COAH") substantive rules, and Mount Laurel case law, including the New Jersey Supreme Court's Mount Laurel IV decision.
3. The Township's Compliance Certification shall remain in effect for ten (10) years beginning on July 1, 2025 and ending

on June 30, 2035, and during this ten (10) year period the Township shall have repose from exclusionary zoning litigation, including, but not limited to, Builder's Remedy lawsuits, as provided for in the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq. The Township's Compliance Certification shall remain subject, however, to possible revocation or other Order of the Court that it does or may hereafter issue, on notice of motion to the Township and all interested parties and good cause shown, at any time during the pendency of the Fourth Round Housing cycle.

4. As per the Township's HEFSP and earlier court orders, the Township's Fourth Round Present Need or Rehabilitation Obligation is 72, the Township's Prior Round Obligation (1987-1999) is 30, the Township's Third Round Obligation (1999-2025) is 120, and the Township's Fourth Round Prospective Need (2025-2035) is 59.
5. The Township will address its Fourth Round Present Need/ Rehabilitation Obligation via continued participation in Burlington County's Home Improvement Loan Program and implementation of the Township's local rental rehabilitation program.
6. The Township's Prior Round Obligation is 30 and has been met with the following mechanisms:

<b>Edgewater Park's Prior Round Compliance Mechanisms: 30 Prior Round Obligation</b>	<b>Credits</b>	<b>Rental Bonuses</b>	<b>Total</b>
<i>Inclusionary Development – Completed</i>			
The Courtyards – Affordable Family Rentals (8 of 39 units)	8	8, cap	16
<i>Supportive/Special Needs - Completed</i>			
Oaks Integr./Family Service – Group Homes (2 of 6 bedrooms)	2	..	2
The Affordable Homes Group/S&L family supp. rental (1 unit)	1	..	1
A.D.E.P.T./Prince Assoc. – Group Home (4 bedrooms)	4	..	4
<i>100% Affordable Site – approved, LIHTC award</i>			
Edgewater Park Senior/Supp. Apts. (Walters Group) senior affordable rentals (7 of 58)	7		7
<b>Total</b>	<b>22</b>	<b>8</b>	<b>30</b>

7. The Township's Third Round Obligation is 120 and shall be met with the following mechanisms:

<b>Edgewater Park's Third Round Compliance Mechanisms: 120 Third Round Obligation</b>	<b>Credits</b>	<b>Rental Bonuses</b>	<b>Total</b>
<i>Inclusionary Development – Completed</i>			
The Courtyards – Affordable Family Rentals, 31 bal., of 39	31	30, cap	61
<i>Inclusionary Development – Completed</i>			
Fox Run (Ryan Homes) – Affordable Family For-Sale, 19 of 20	19	..	19
<i>Inclusionary Development – Under Construction</i>			
Eagle Chase/Abergel Site – Affordable Family Rentals (4 of 24)	4	..	4
<i>Market-to-Affordable Program - Completed</i>			
Salt & Light – Affordable Family Supportive Rentals	2	..	2
<i>Supportive/Special Needs - Completed</i>			
Oaks Integrated/Family Service – Group Homes (4 of 6 bedrooms)	4	..	4
<i>100% Affordable Site – approved, LIHTC award</i>			
Edgewater Park Senior/Supp. Apts. (Walters Group) senior affordable rentals (30 of 58)	30	..	30
<b>Total</b>	<b>90</b>	<b>30</b>	<b>120</b>

8. The Township's Fourth Round Prospective Need Obligation is 59 and shall be met with the following mechanisms:

<b>Edgewater Park's Fourth Round Compliance Mechanisms: 59- Fourth Round Obligation</b>	<b>Credits</b>	<b>Bonuses</b>	<b>Total</b>
<i>Inclusionary Development – Completed</i>			
Fox Run (Ryan Homes) – Affordable Family For-Sale (1 bal., of 20)	1	..	1
<i>Inclusionary Development – Under Construction</i>			
Eagle Chase/Abergel – Affordable Family Rentals (20 bal., of 24)	20	..	20
<i>Inclusionary Mixed-Use Development – Approved</i>			
Ariel/Rt. 130 Mixed Use – Affordable Family Rentals	7	..	7
<i>Inclusionary Development – Amended Zoning</i>			
Varsaci Site – Affordable Family Rental – surplus	..	..	..
<i>Supportive/Special Needs – Under Renovation</i>			
Oaks Integrated/Perkins Lane – New Group Home (4 bedrooms)	4	1, cap	5
<i>100% Affordable Site – approved, LIHTC award</i>			
Edgewater Park Senior/Supp. Apts. (Walters Group) senior (5) and supportive (8) affordable rentals (13 bal., of 58)	13	13	26
<b>Total</b>	<b>45</b>	<b>14</b>	<b>59</b>
<i>Surplus Varsaci family inclusionary zoning for future round: 16 (20% of 80 total multi-family units; an amended developer's agreement would be needed for rentals)</i>			
<i>Excess Edgewater Park 100% Senior (Walters Group) site = 8 excess senior affordable rentals [58 total – 7 (Prior Round) – 30 (Third Round) – 13 (Fourth Round) = 8 excess senior affordable rentals</i>			

9. The Township and FSHC agree that the following short term condition remains to be met after the Court's grant of Fourth Round Compliance Certification:

- The Township shall provide updated general for-sale and rental administrative manuals within one (1) year.

10. The Township's Compliance Certification shall be subject to required ongoing monitoring as follows:

- The Township by February 15, 2026, and annually, agrees to electronically enter data into the AHMS system of the Department of Community Affairs of a detailed accounting of all development fees and any other payments into its trust fund that have been collected including residential and non-residential development fees, along

with the current balance in the municipality's affordable housing trust fund as well as trust funds expended, including purposes and amounts of such expenditures, in the previous year from January 1st to December 31st.

- The Township by February 15, 2026, and annually, shall provide the Department of Community Affairs with an up-to-date municipal status report based on its collection and publication of information concerning the number affordable of housing units actually constructed, construction starts, certificates of occupancy granted, the start and expiration dates of deed restrictions, and residential and non-residential development fees collected and expended, including purposes and amounts of such expenditures, along with the current balance in the municipality's affordable housing trust funds. With respect to units actually constructed, the information shall specify the characteristics of the housing, including housing type, tenure, affordability level, number of bedrooms, date and expiration of affordability controls, and whether occupancy is reserved for families, senior citizens, or other special populations.
- For the midpoint realistic opportunity review as of July 1, 2030, pursuant to N.J.S.A. 52:27D-313, the

municipality or other interested party may file an action through the program seeking a realistic opportunity review and shall provide for notice to the public, including a realistic opportunity review of any inclusionary development site in the housing element and fair share plan that has not received preliminary site plan approval prior to the midpoint of the 10-year round. Any such filing shall be through eCourts or any similar system set forth by the Program with notice to any party that has appeared in this matter.

11. The Court shall retain jurisdiction for the purpose of enforcing the terms and conditions of this Certification of Compliance and Repose and the Township's adopted Fourth Round HEFSP.

12. A copy of this Order shall be entered on eCourts and shall be effective as of the date of filing

  
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Hon. Terrence R. Cook, A.J.S.C.

On behalf of the Township of Edgewater Park:

/s/ Kelly A. Grant  
Kelly A. Grant Esq.

On behalf of Fair Share Housing Center:

Laura S. Smith-Denker, Esq.  
Laura S. Smith-Denker, Esq.

## Schedule-1

- P-1 - Edgewater Park Township Fourth Round Housing Element and Fair Share Plan ("HEFSP"), Adopted May 15, 2026
- P-2 - Edgewater Park Township Planning Board Resolution No. P-10-2025 Adopting Fourth Round HEFSP
- P-3 - Edgewater Park Township Governing Body Resolution 2025-79 Endorsement of Fourth Round Adopted HEFSP
- P-4 - Edgewater Park Township Governing Body Resolution 2025-80 Adopting Fourth Round Spending Plan
- P- 5 - Edgewater Park Township Governing Body Adopting Affordable Housing Ordinance 2026-02
- P-6 - Edgewater Park Township Governing Body Resolution 2026-46 Adopting Affirmative Marketing Plan
- P-7 - Edgewater Park Township Governing Body Resolution 2026-45 Designating CGP&H as Administrative Agent
- P-8 - Edgewater Park Township Planning Board Resolution No. P-5-2026 Repealing and Replacing Chapter 120 "Affordable Housing" of the Code of the Township of Edgewater Park