

Fair Share Housing Center

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In the Matter of the
Application of the Township of
Hainesport, County of
Burlington.

SUPERIOR COURT OF NEW JERSEY
Law Division, Burlington
County
Docket No. BUR-L-237-25

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 John C. Gillespie, Esq. (of Parker McCay P.A.), 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 Hainesport (the "Township" or "Hainesport") having filed a resolution of participation in the Affordable Housing Dispute Resolution Program (the "Program") and a declaratory judgment action on January 30, 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 June 27, 2025 and implementing ordinances and resolutions on March 12, 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 partially complied with all terms outlined in the consent order; and

WHEREAS, no other interested-party filed a challenge or any other communication; 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 29th 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-10 (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 Hainesport's Fourth Round Fair Share Plan (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 Compliance Certification as to its 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 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 revocation or other Order of the Court that 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 Present Need or Rehabilitation Obligation is 0, the Township's Prior Round Obligation (1987-1999) is 150, the Township's Third Round Obligation (1999-2025) is 197, and the Township's Fourth Round Prospective Need (2025-2035) is 74 units.
5. The Township's Prior Round Obligation is 150 and has been met with the following mechanisms:

Hainesport Township						
Prior Round Obligation: 150						
Block	Lot	Compliance Mechanism	Type	Status	Units	Bonuses
9.01	43	Davenport Village	Family Rent	Complete 2001	56	38
101.08 101.01	1-11 2-29	Glenn at Mason's Creek	Senior Sale	Complete	35	0
11	5.02	ARC of Burlington County	SSN	Complete	4	0
9	3.02	ARC of Burlington County	SSN	Complete	4	0
86	9	Market to Affordable	Family Sale	Complete	1	0
86	6	Market to Affordable	Family Sale	Complete	1	0
N/A	N/A	RCA with Mt Holly	-	Complete	7	0
TOTAL					108	38
					146	

6. The Township's Third Round Obligation is 197 and shall be met with the following mechanisms:

Hainesport Township Round 3 Prospective Need: 197								
Block	Lot	Name & Location	Unit Type	Sale/Rent	VL/Low/Mod	Status	#Units	#Bonus
104	1.06	Walters Cornerstone at Hainesport	Family	Rent	10/26/36	Under Construction	72	49
9.01	43	Davenport Village Expansion	Family	Rent	3/5/8	Complete 2024	16	0
24	10	Randolph Senior Marne Highway ⁴	Senior	Rent	5/11/16	Under construction	32	0
101.08 101.07	1-11 2-29	Glen at Mason's Creek (39 total) ⁵	Senior	Sale	4 Mod	Complete	4	0
59	1.01	Habitat for Humanity 2312 Walnut	Family	Sale	1 Low	Complete	1	0
101.08 101.07		Glen at Mason's Creek (Extended Controls)	Senior	Sale	13 Mod	Complete	13	0
72	6	Supportive/Special Needs Home	SSN	Rent	4 VL	Pending Approval	4	0
72.01 71.01	1 6	Haines Mobile Home Park 1476 Route 38	Family	TBD	1 L/2M	Approved	3	0
24.02	12.04	Supportive Housing Marne & By-pass (total 8)	SSN	Rent	4 VL	Proposed	4	0
TBD		Market to Affordable	Family	Sale	2 L/1 M	Proposed	3	0
							152	49
Total (197 Round 3 credits + 4 Prior Round credits)								201

7. The Township's Fourth Round Obligation is 74 and shall be met with the following mechanisms:

Hainesport Township Round 4 Prospective Need: 74								
Block	Lot	Name & Location	Unit Type	Sale/Rent	VL/Low/Mod	Status	#Units	#Bonus
24	10	Randolph Senior Marne Highway ⁶	Senior	Rent	2VL/7L/8M	Under construction	17	0
108	1.02,3,3.01, 4.05, 4.06 & 1, 1.01, 4.03	HITCO and adjacent ⁷ (54 total)	Family	Rent	7VL/20L/27M	Proposed	35	18
24.02	12.04	Supportive Housing (total 8)	SSN	Rent	4 VL	Proposed	4	0
							56	18
TOTAL								74

8. The Township and FSHC agree that following conditions remain to be met as conditions of compliance certification:

- Haines Mobile Home Park: The Township will provide the affordability controls within thirty (30) days of the Township's receipt.
- Randolph Senior Marne Highway: The Township will provide the developer agreement when available. The Township will provide the affordability controls within thirty (30) days of the Township's receipt.
- HITCO 100% Affordable: The Township will provide the redeveloper agreement, pro forma, and construction schedule when available.
- Block 24.02, Lot 12.04 group home: The Township will provide the facility operating license, supportive and special needs survey, and certificate of occupancy when available. The Township will provide the affordability controls within thirty (30) days of the Township's receipt.

9. 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.

10. 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.
11. A copy of this Order shall be entered on eCourts and shall be effective as of the date of filing.



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

On behalf of the Township of
Hainesport:

s/John C. Gillespie

John C. Gillespie, Esq.

On behalf of Fair Share
Housing Center:

Laura S. Smith-Denker, Esq.

Laura S. Smith-Denker, Esq.

Schedule-1

Document Type	Document Name	Adoption Date	Filed Date
Housing Element & Fair Share Plan	Township of Hainesport: Fourth Round Housing Element and Fair Share Plan	6/25/2025	6/27/2025
Spending Plan	Township of Hainesport: Affordable Housing Trust Fund Spending Plan	3/10/2026	3/12/2026
Ordinance – Create AH-3 Zoning District	Township of Hainesport: Ordinance No. 2026-4 Creating AH-3 Zoning District	3/10/2026	3/12/2026
Ordinance – Affordable Housing	Township of Hainesport: Ordinance No. 2026-5 Ordinance of the Township of Hainesport Amending Chapter 44 “Affordable Housing”	3/10/2026	3/12/2026
JLUB Resolution – Affordable Housing Ordinance	Hainesport JLUB Resolution No. 2026-08 Adopting Findings and Recommendations Following Review of Ordinance No 2026-4	3/9/2026	3/12/2026
JLUB Resolution – Affordable Housing Ordinance	Hainesport JLUB Resolution No. 2026-09 Adopting Findings and Recommendations of Affordable Housing Ordinance No 2026-5	3/9/2026	3/12/2026
Resolution – Adopting Spending Plan	Township of Hainesport: Resolution 2026-62-3 Adopting an Amended Spending Plan for the Affordable Housing Trust Fund	3/10/2026	3/12/2026
Resolution – Affordability Assistance Program	Township of Hainesport: Resolution 2026-63-3 Adoption of Affordability Assistance Program	3/10/2026	3/12/2026
Resolution – Affirmative Marketing Manual	Township of Hainesport: Resolution 2026-64-3 Adopting Affirmative Marketing Manual	3/10/2026	3/12/2026
Resolution – Affirmative Marketing Plan	Township of Hainesport: Resolution 2026-66-3 Adopting Affirmative Marketing Plan	3/10/2026	3/12/2026