

Fair Share Housing Center

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**In the Matter of the Application
of the Township of North
Hanover, County of Burlington.**

SUPERIOR COURT OF NEW JERSEY
Law Division, Burlington
County
Docket No. BUR-L-246-25

**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 Mark Roselli, Esq. (of Roselli Griegel Lozier P.C.), 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 North Hanover (the "Township" or "North Hanover") 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 5, 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 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-15 (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 North Hanover'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 37, the Township's Prior Round Obligation (1987-1999) is 1, the Township's Third Round Obligation (1999-2025) is 101, and the Township's Fourth Round Prospective Need (2025-2035) is 28 units.
5. The Township will address its Present Need via continued participation of the Township's rehabilitation program.
6. The Township's Prior Round Obligation is 1 and has been met with the following mechanisms:
 - Millstream Apartments North (202 Croshaw Road) for 1 family rental unit
7. The Township's Third Round Obligation is 101 and has been met with the following mechanisms:
 - Millstream Apartments North (202 Croshaw Road) for 47 family rental units

- Millstream Apartments South (18 Jones Mill Road) for 40 family rental units
 - Maplewood Apartments (42 Meany Road) for 40 family rental units
8. The Township's Fourth Round Obligation is 28 and shall be met with the following mechanisms:
- Third Round surplus of 25 credits
 - Proposed special needs housing (Block 905, Lots 23, 24, 25) for 3 or 4 bedrooms
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
North Hanover:

Mark Roselli, Esq.
Mark Roselli, Esq.

On behalf of Fair Share
Housing Center:

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

SCHEDULE - 1

- EXHIBIT P1: 2025 HOUSING ELEMENT AND FAIR SHARE PLAN FOR THE TOWNSHIP OF NORTH HANOVER, BURLINGTON COUNTY, NEW JERSEY (HEREINAFTER "2025 HEFSP")
- EXHIBIT P2: NORTH HANOVER TOWNSHIP JOINT LAND USE BOARD RESOLUTION NO. 2025-08 ADOPTING THE 2025 HEFSP
- EXHIBIT P3: EXHIBIT A TO 2025 HEFSP (NORTH HANOVER AFFORDABLE HOUSING ORDINANCE NO. 2020-09)
- EXHIBIT P4: EXHIBIT B TO 2025 HEFSP (NORTH HANOVER DEVELOPMENT FEE ORDINANCE NO. 202-08)
- EXHIBIT P5: EXHIBIT C TO 2025 HEFSP (NORTH HANOVER AFFORDABILITY ASSISTANCE MANUAL DATED NOVEMBER 2020)
- EXHIBIT P6: EXHIBIT D TO 2025 HEFSP (AFFIRMATIVE MARKETING ORDINANCE AND POLICIES PREVIOUSLY IN EFFECT)
- EXHIBIT P7: EXHIBIT E TO 2025 HEFSP (PROPOSED ROUND 4 ORDINANCES AND RESOLUTIONS)
- EXHIBIT P8: EXHIBIT F TO 2025 HEFSP (PROPOSED ROUND 4 SPENDING PLAN)
- EXHIBIT P9: RESOLUTION 2025-01 ADOPTED JANUARY 2, 2025, THAT INCLUDES AWARDDING A PROFESSIONAL SERVICES AGREEMENT TO CGP&H, 1249 SOUTH RIVER ROAD, SUITE 301, CRANBURY, NEW JERSEY 08512 AS AFFORDABLE HOUSING ADMINISTRATIVE AGENT FOR CALENDAR YEAR 2025.
- EXHIBIT P10: RESOLUTION 2025-02 ADOPTED JANUARY 2, 2025, THAT INCLUDES THE APPOINTMENT OF TOWNSHIP EMPLOYEE CAITLIN DECKER AS MUNICIPAL HOUSING LIAISON FOR CALENDAR YEAR 2025.
- EXHIBIT P11: RESOLUTION 2025-106 ADOPTED JUNE 27, 2025, RESOLUTION OF THE TOWNSHIP COMMITTEE OF NORTH HANOVER TOWNSHIP ENDORSING THE 2025-2036 HOUSING ELEMENT AND FAIR SHARE PLAN OF THE NORTH HANOVER TOWNSHIP MASTER PLAN AS ADOPTED BY THE TOWNSHIP JOINT LAND USE BOARD.

SCHEDULE - 1 (CONTINUED)

- EXHIBIT P12: RESOLUTION 2025-107 ADOPTED JUNE 27, 2025,
RESOLUTION OF THE TOWNSHIP COMMITTEE OF NORTH
HANOVER TOWNSHIP ADOPTING FOURTH ROUND "AFFIRMATIVE
MARKETING PLAN" FOR THE TOWNSHIP OF NORTH HANOVER.
- EXHIBIT P13: RESOLUTION 2025-108 ADOPTED JUNE 27, 2025,
RESOLUTION OF THE TOWNSHIP COMMITTEE OF NORTH
HANOVER TOWNSHIP ADOPTING THE FOURTH ROUND
AFFORDABLE HOUSING TRUST FUND SPENDING PLAN.
- EXHIBIT P14: RESOLUTION 2025-109 ADOPTED JUNE 27, 2025,
RESOLUTION OF THE TOWNSHIP COMMITTEE OF NORTH
HANOVER TOWNSHIP INDICATING ITS INTENT TO COMMIT
FUNDS TO THE FOURTH ROUND (2025-2035) 37-UNIT
PRESENT NEED (REHABILITATION) AFFORDABLE HOUSING
OBLIGATION IF OTHER FUNDS ARE NOT AVAILABLE.
- EXHIBIT P15: RESOLUTION 2026-45 ADOPTED ON MARCH 5, 2026,
ENTITLED, RESOLUTION OF THE TOWNSHIP COMMITTEE OF
THE TOWNSHIP OF NORTH HANOVER ADOPTING AN
"AFFIRMATIVE MARKETING PLAN" FOR THE TOWNSHIP OF
NORTH HANOVER.
- EXHIBIT P16: ORDINANCE NO. 2026-10 ADOPTED ON MARCH 5, 2026,
ENTITLED, AN ORDINANCE OF THE TOWNSHIP OF NORTH
HANOVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY
AMENDING THE GENERAL CODE OF THE TOWNSHIP OF NORTH
HANOVER BY REPEALING AND REPLACING ANY PORTION OF
THE TOWNSHIP CODE AND/OR PREVIOUSLY ADOPTED
ORDINANCES PERTAINING TO, ADDRESSING OR PROVIDING
FOR "AFFORDABLE HOUSING REGULATIONS" AND
"DEVELOPMENT FEES" AND ALL AMENDMENTS AND REVISIONS
THERE TO ADDRESS THE REQUIREMENTS OF THE FAIR
HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY
CONTROLS (UHAC) REGARDING COMPLIANCE WITH THE
TOWNSHIP'S FOURTH ROUND AFFORDABLE HOUSING
OBLIGATIONS.