

**TOWNSHIP OF EVESHAM,
BURLINGTON COUNTY, NEW JERSEY**

**AMENDED 2025 Housing Plan Element & Fair Share Plan
Fourth Round (2025 – 2035)**

February 2, 2026

Prepared by:



**Consulting & Municipal
ENGINEERS**

CME Associates

1 Market Street, Suite 1F
Camden, NJ 08102
732-410-2651

A handwritten signature in blue ink, appearing to read 'C. Dochney', is positioned above a horizontal blue line.

Christopher N. Dochney, PP, AICP
NJ Professional Planner License # 6225

The original document was appropriately signed and sealed in accordance with Chapter 41 Title 13 of the State Board of Professional Planners.

Adopted by the Planning Board on June 5, 2025, by Resolution 2025-PB-08

Amended Plan adopted by the Planning Board on February 19, 2026, by Resolution 2026-PB-04

ACKNOWLEDGMENTS:

Evesham Township Mayor and Council

Mayor Jaclyn Veasy
Deputy Mayor Heather Cooper
Councilman Joseph Fiscaro, Jr.
Councilwoman Dr. Krystal Hunter
Councilman Christian Smith

Evesham Township Planning Board

Lisa Killion-Smith – Chair
Patricia Everhart – Vice Chair
Mayor Jaclyn Veasy
Councilwoman Dr. Krystal Hunter
Craig Higginbotham - Environmental Commission
Gene Friedman
Jacob Todd
Tom Wyllner
Aiden DeMarsey
Stephen Kavalkovich – Alternate 1
Sean McLaughlin – Alternate 2

Louis Karp, Esq. – Board Attorney
Rakesh Darji, PE, PP, CME – Board Engineer
Michelle Taylor, PP, AICP – Board Planner
Stacey Arcari, PE, PP, CME – Board Traffic Engineer
Behram Turan, PE, LSRP – Board Environmental Scientist
Jennifer Newton – Board Secretary
Regina Kinney – Recording Secretary

Kevin Rijs, PP, AICP – Director of Community Development

Robert Wright, Esq. – Township Affordable Housing Attorney

RESOLUTION NO. 2026-PB-04

**TOWNSHIP OF EVESHAM PLANNING BOARD
RESOLUTION OF MEMORIALIZATION
BURLINGTON COUNTY, NEW JERSEY
ADOPTION OF REVISED 2025 HOUSING ELEMENT AND
FAIR SHARE PLAN OF THE MUNICIPAL MASTER PLAN**

**Approved: February 19, 2026
Memorialized: February 19, 2026**

**IN THE MATTER OF AMENDMENT TO HOUSING ELEMENT
AND FAIR SHARE PLAN OF THE MUNICIPAL MASTER PLAN**

WHEREAS, pursuant to N.J.S.A. 40:55D-28, the Evesham Township Planning Board (hereinafter “Planning Board”) may prepare and, after public hearing, adopt or amend a master plan or component parts thereof, to guide the use of lands within the municipality in a manner which protects public health and safety and promotes the general welfare; and

WHEREAS, N.J.S.A. 40:55D-28b(3) permits a Planning Board to adopt a housing element of the municipal master plan; and

WHEREAS, the housing element containing the Fair Share Plan which details the Township’s compliance with its constitutional affordable housing obligation; and

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2 which amended various provisions of the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq). (“Amended FHA”); and

WHEREAS, the Amended FHA sets forth that the Fourth Round period of affordable housing obligations shall run from July 1, 2025 through June 30, 2035 (“Fourth Round” or “Round Four”); and

WHEREAS, the Amended FHA requires, among other things, that municipalities prepare and adopt implementing ordinances and a revised Housing Element & Fair Share Plan on or before March 15, 2026;

WHEREAS, as a result of the passage of the Amended FHA and negotiations with Fair Share Housing Center, the Board has determined to adopt an Amended 2025 Housing Element & Fair Share Plan for the Township of Evesham; and

WHEREAS, a proposed amendment to the Housing Element and Fair Share Plan was prepared by the Township's Housing Planner, CME Associates dated February 2nd 2026; and

WHEREAS, a public hearing was held before the Planning Board on February 19th, 2026 to consider the adoption of the amended housing element and fair share plan; and

WHEREAS, the Planning Board has heard testimony and comments from its own consultants, and with the public having had an opportunity to be heard and present expert testimony; and

WHEREAS, based upon the testimony and draft land use element as well as the re-examination report;

NOW, THEREFORE, does the Evesham Township Planning Board make the following findings of fact and conclusions of law with regard to the draft land use element.

1. The Planning Board determines that the policy goals and objectives contained in the draft amendment to the housing element and fair share plan prepared by the Township's Housing Planner, CME Associates, accurately reflect the policy of the Planning Board based upon the current land use patterns as well the Township's constitutionality required affordable housing obligation.

2. The Planning Board therefore adopts the draft amended housing element and fair share plan prepared by CME Associates dated February 2nd, 2026.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Evesham on this 19th day of February, 2026, that the action of the Planning Board taken on February 19th, 2026 adopting the draft amended housing element and fair share plan prepared by CME Associates, dated February 2nd, 2026 pursuant to N.J.S.A. 40:55D-28 is hereby memorialized.

RECORD OF VOTE FOR ACTION TAKEN						
BOARD	AYE	NAY	Abstain	Absent	Motion Made By	Second
Lisa Killion-Smith, Chairperson	X					
Mayor Jaclyn Veasy	X					
Councilwoman Dr. Krystal Hunter	X					X
Patricia Everhart, Vice Chairperson	X					
Aiden DeMarsey, BOE Member				X		
Craig Higginbotham, Environmental	X				X	
Tom Wyllner	X					
Gene Friedman	X					
Jacob Todd				X		
Steven Kavalkovich, Alt. #1				X		
Sean McLaughlin, Alt. #2	X					

I, Jennifer A. Newton, Secretary to the Planning Board of the Township of Evesham, County of Burlington, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of the action taken by the said Board at a meeting held at the Municipal Building, 984 Tuckerton Road, Marlton, New Jersey, on the 19th of February, 2026.


 JENNIFER A. NEWTON, Secretary
 EVESHAM TOWNSHIP PLANNING BOARD

RECORD OF VOTE ON RESOLUTION						
BOARD	AYE	NAY	Abstain	Absent	Motion Made By	Second
Lisa Killion-Smith, Chairperson	X					
Mayor Jaclyn Veasy	X					
Councilwoman Dr. Krystal Hunter	X					
Patricia Everhart, Vice Chairperson	X					
Aiden DeMarsey, BOE Member				X		
Craig Higginbotham, Environmental	X				X	
Tom Wyllner	X					X
Gene Friedman	X					
Jacob Todd				X		
Steven Kavalkovich, Alt. #1				X		
Sean McLaughlin, Alt. #2	X					

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 JENNIFER A. NEWTON, Secretary
 EVESHAM TOWNSHIP PLANNING BOARD

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INTRODUCTION

Location and Context

Evesham Township is a large community in southwestern Burlington County, located approximately 11 miles to the southeast of the City of Philadelphia. Evesham Township is bordered by the Camden County municipalities of Cherry Hill Township and Voorhees Township to the west, Berlin Township and Waterford Township to the south, and the Burlington County municipalities of Medford Township to the east and Mount Laurel Township to the north. Evesham is the most populous municipality in Burlington County and has a variety of housing types and neighborhoods. The majority of the Township's developed lands and population are in the Marlton section of the Township, which is located at the intersection of the two major highways that traverse Evesham - Route 70 and Route 73 in the northern end of the Township. The central and southern portions of the Township are located within the Pinelands Management Area and are sparsely developed, and made up of substantial conservation lands, streams, and wetlands.

Evesham Township was established in 1688 and was incorporated in 1692. At that time Evesham included parts of present-day Mount Laurel, Medford, Lumberton, Hainesport, Shamong and Washington Townships. The Township was divided a number of times in the 1800s and reached its current geographic footprint in 1872. In the 1800s "Marlton" was the name given to the downtown area, which was the center of commerce and civic activity in Evesham until the post-World War II building boom resulted in the gradual development of more dispersed suburban housing developments and strip shopping centers.

Approximately 16.35 square miles (55%) of Evesham Township is within the designated Pinelands Management Area. The Pinelands National Reserve was created by Congress in 1978, encompassing 1.1 million acres covering all or parts of 56 municipalities. In 1979 the Pinelands Commission was established, and the Pinelands Protection Act was enacted, which set the stage for the adoption of the Pinelands Comprehensive Management Plan (CMP) in 1981. Soon thereafter municipalities within the Pinelands Area were required to adopt Master Plan and land use regulations consistent with the CMP. Since the adoption of the CMP, the suburban development of Evesham that had begun in the 1950s and had exploded in the 1970s, has continued but has been largely channeled to the non-Pinelands areas of the Township. Mainly as a result of the Pinelands regulations and associated infrastructure planning, and the environmental constraints within the Pinelands area, Evesham Township has developed with a distinctly suburban/urban character in the northern and western portions of the Township, particularly along the Route 73 and Route 70 corridors, and with a more rural character in the southern and eastern portions of the Township.

2020 Census counts indicate that the Township's population is 46,826 persons, an increase of over 1,000 people from the 2010 counts. The last significant gain in population was between 2000 and 2006, when the population increased from 42,275 to an estimate of 46,277 before the Great Recession. The recession slowed housing construction and impacted demand for the type of housing that had been in demand and prevalent prior to the recession. Residential and commercial development and construction began to pick up noticeably in Evesham Township around 2012, as the economic recovery took hold. After a slight estimated decrease in population after the recession due to smaller households

occupying existing units, development activity such as construction of new housing units to accommodate new households has returned and the population once again is slowly increasing.

Affordable Housing

In 1975 the New Jersey Supreme Court determined, in Southern Burlington County NAACP v. Township of Mount Laurel (“Mount Laurel I”) that every developing municipality in New Jersey had an affirmative obligation to provide a “realistic opportunity” for its fair share of low- and moderate-income housing. In 1983, frustrated with the lack of voluntary compliance, the Supreme Court sought to create an incentive for voluntary compliance in its “Mount Laurel II” decision. In this decision, the Court exposed municipalities that refused to comply voluntarily to the possibility of builder’s remedy relief. The Court also called for the state legislature to enact legislation that would save municipalities from the inefficiency of having the courts determine their affordable housing needs.

First and Second Rounds

In 1985 the Legislature adopted the Fair Housing Act (N.J.S.A. 52:27D-301 et. seq.) (“FHA”). The FHA created the New Jersey Council on Affordable Housing (COAH) and charged COAH with the responsibility of adopting regulations by which municipalities could determine their fair share responsibilities and the means by which they could satisfy those responsibilities. The Legislature also sought to promote voluntary compliance and empowered municipalities to submit to COAH’s jurisdiction and voluntarily comply under the protections of the COAH process.

Pursuant to the FHA, COAH adopted regulations for the first housing cycle in 1986; which covered the years 1987 through 1993 (“First Round”) and for the second housing cycle in 1994; which covered the years 1993 through 1999 (“Second Round”). Under both the First and Second Rounds, COAH utilized what is commonly referred to as the “fair share” methodology. COAH utilized a different methodology, known as “growth share,” beginning with its efforts to prepare Third Round housing-need numbers.

Third Round

COAH first adopted the Third Round rules in 2004, which were to cover the years 1999 through 2014. The “growth share” approach created a nexus between the production of affordable housing and future residential and non-residential development within a municipality, based on the principle that municipalities should provide affordable housing opportunities proportionate to their market rate residential growth, and that along with employment opportunities there should be proportionate opportunities for affordable housing. Each municipality was required to project the amount of residential and nonresidential growth that would occur during the period 2004 through 2014 and prepare a plan to provide proportionate affordable housing opportunities. The regulations were challenged and in January 2007, the New Jersey Appellate Division invalidated key aspects of COAH’s third round rules and ordered COAH to propose and adopt amendments to its rules to address the deficiencies it had identified.

COAH adopted new Third Round rules in May of 2008 and subsequently adopted amendments that became effective on October 20, 2008. Changes to the Fair Housing Act were also adopted in July of

2008 (P.L. 2008 c. 46 on July 17, 2008). The COAH rules and regulations adopted in 2008 were subsequently challenged, and in an October 2010 decision the Appellate Division invalidated the “Growth Share” methodology and also indicated that COAH should adopt regulations pursuant to the “Fair Share” methodology utilized in the First and Second Rounds. The Supreme Court affirmed this decision in September 2013, invalidating the third iteration of the Third Round regulations and sustaining the invalidation of growth share, and directing COAH to adopt new regulations pursuant to the methodology utilized in the First and Second Rounds. In October of 2014 COAH was deadlocked and failed to adopt their newly revised Third Round regulations. Fair Share Housing Center, who was a party in the earlier cases, responded by filing a motion in aid of litigants’ rights with the New Jersey Supreme Court. On March 20, 2015, the Court ruled that COAH was effectively dysfunctional, and consequently returned jurisdiction of affordable housing issues back to the trial courts as it had been prior to the creation of COAH in 1986.

Since the 2015 Mt. Laurel IV decision, municipalities turned to the courts to seek a declaratory judgement of their Third Round housing plans to determine whether they met their constitutional affordable housing obligations, and were granted immunity from any “builder’s remedy” lawsuits. With no COAH functioning and providing guidance to municipalities to determine their municipal fair share of statewide and regional obligations, a number of independent groups produced their own reports to determine individual obligations across the state. In several court decisions in 2016 and 2018, judges in Middlesex and Mercer County developed a methodology following closely one proposed by Fair Share Housing Center to determine municipal obligations. In the 2018 decision by Judge Jacobson, it was further determined that the initial period of the Third Round which had not been addressed (1999 – 2015) known as the “gap period” is to be included in each municipality’s Third Round fair share calculations.

To achieve Third Round Compliance, municipalities addressed the obligations of the period from 1999 – 2015 through the courts, and through private settlement agreements with Fair Share Housing Center, ultimately leading to a judgement of compliance and repose from the courts for municipalities that could demonstrate full compliance with the requirements of the Fair Housing Act. Due to the ongoing litigation throughout the Third Round, many municipalities achieved this substantive certification from the courts well into the period.

Fourth Round

In March of 2024, P.L. 2024, c.2 was signed into law establishing new procedures for determining statewide needs and municipal obligations for low- and moderate-income housing. This new law formally abolished COAH and established a new “Program” for resolving affordable housing disputes, as well as the authority to review and certify municipal fair share housing plans. The law required municipalities to determine their own fair share obligations by applying the methodology of the Jacobsen decision in Mercer County as it related to the Third Round and adopt a binding resolution setting those obligation numbers. The law also provided revisions to the crediting structures for affordable units, with changes to the types of affordable units that are permitted to be granted bonus credits. The law established timelines for submission of documents to demonstrate compliance with the Fair Housing Act.

In addition to the revisions to low- and moderate-income housing crediting, the amended law established a new Affordable Housing Alternative Dispute Resolution Program. The Program is intended to adjudicate any disputes in affordable housing, and function as the administrative body responsible for reviewing and certifying municipal compliance with the Fair Housing Act. Through the Program and the Administrative Office of the Courts, municipalities seeking a judgment of compliance with Affordable Housing regulations must submit a motion for a declaratory judgment from the Program to retain immunity from any potential builder's remedy lawsuits.

Evesham's Compliance History

Evesham's cumulative First and Second Round ("Prior Rounds") obligation was 534 units. The Township petitioned the Superior Court for a Second Round Judgment of Compliance in 1998. It was determined that the Township had satisfied the Prior Rounds obligations and the Township received a Judgment of Compliance in November of 1999. The Township's Prior Round compliance is outlined in the Fair Share Plan.

The Township filed a Third Round Declaratory Judgment Complaint on February 22, 2005, to comply with the COAH's first set of Third Round rules at N.J.A.C. 5:94 and 5:95, enacted in 2004. The Township prepared a Third Round compliance plan in 2005 and the Special Master issued a report on April 11, 2006. However, before the Court could complete its review, the Appellate Division issued its January 25, 2007, decision invalidating COAH's Growth Share methodology. The Superior Court entered an Order on February 22, 2008, postponing the Township's deadline to submit a revised Third Round Plan until all appeals were resolved. The Planning Board adopted another Third Round compliance plan on January 21, 2010; and the Special Master issued a report on the plan September 21, 2010. On November 21, 2011, the Court entered an Order granting the Township immunity against any builders' remedy lawsuits, without a specific expiration date.

The Township filed a Declaratory Judgment action on February 26, 2014, and took steps to obtain Court approval for its Affordable Housing Trust Fund Spending Plan and authorization to spend its affordable housing trust funds in accordance with the applicable rules. The Township filed a motion with the Court for approval of its revised 2015 Spending Plan and received Court approval on September 21, 2015.

Following the Mount Laurel IV decision in March 2015, the Court transferred responsibility to review and approve housing elements and fair share plans from COAH to designated Mount Laurel trial judges. In reliance upon immunity that had previously been granted, the Township did not file a Declaratory Judgment action within the timeframe provided by the Supreme Court (by July 8, 2015). During this time Evesham was actively pursuing a variety of affordable housing opportunities. On October 15, 2015, Fair Share Housing Center (FSHC) filed a Complaint seeking to strip the Township of its immunity conditioned on its preparation of a Third Round Housing Element and Fair Share Plan and satisfaction of a Fair Share number calculated by FSHC's planner, David Kinsey, PhD. On August 16, 2018, the Township and Fair Share Housing Center reached a settlement to identify the Township's Third Round obligation numbers and the mechanisms to address those obligations.

The Township adopted a Third Round Housing Element and Fair Share Plan in November 2018 to address its rehabilitation obligation and prospective need obligation of 680 units as agreed to in the

Settlement Agreement with FSHC. The Township was granted a conditional order of fairness and compliance by the court on August 23, 2018. The Housing Plan was further amended in December 2020, and again in November of 2021. The Township was granted a final judgment of compliance by the court on July 21, 2022.

In January of 2025, the Township Council adopted Resolution 42-2025 establishing its Fourth Round obligation numbers in accordance with the amended Fair Housing Act adopted by the Legislature and signed by the Governor in March of 2024. The resolution establishing Fourth Round obligation numbers was submitted to the Program through a declaratory judgment action, beginning the process of demonstrating and certifying the Township's compliance with the Fourth Round of affordable housing obligations.

The Township has prepared this Housing Plan Element and Fair Share Plan in accordance with all requirements of the Municipal Land Use Law, and the Amended Fair Housing Act.

The Township's Fourth Round Housing Plan Element and Fair Share Plan was adopted by the Township's Planning Board on June 5, 2025, prior to the June 30, 2025 deadline. That plan was then submitted to the Program for review. This Amended Housing Plan Element and Fair Share Plan is a result of comments on the Plan received from both the Program, and the Fair Share Housing Center, as well as changed circumstances in certain compliance mechanisms.

HOUSING PLAN ELEMENT

According to the Municipal Land Use Law (MLUL) (40:55D-28.b(3)), a municipality is required to adopt a Housing Plan Element of the Master Plan, as well as a Fair Share Plan for addressing its low- and moderate-income housing obligations in accordance with the Fair Housing Act (FHA).

The Amended Fair Housing Act defines a “Housing Element” as:

“that portion of a municipality’s master plan consisting of reports, statements, proposals, maps, diagrams, and text designed to meet the municipality’s fair share of its region’s present and prospective housing needs, particularly with regard to low- and moderate-income housing, and which shall contain the municipal present and prospective obligation for affordable housing, determined pursuant to subsection f. of section 3 of P.L.2024, c. 2.”

[N.J.S.A.52:27D-304.1]

Pursuant to the Fair Housing Act, Section 10 of P.L. 1985, c. 222 (C. 52:27D-310), a municipality’s housing plan element shall be designed to achieve the goal of access to affordable housing to meet present and prospective housing needs, with attention to low- and moderate-income housing. This updated Housing Plan Element and Fair Share Plan for the Township of Evesham has been prepared in a manner that is consistent with the FHA and MLUL requirements, and contains the following, as spelled out in the FHA:

- a. *An inventory of the municipality’s housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low- and moderate-income households and substandard housing capable of being rehabilitated, and in conducting this inventory the municipality shall have access, on a confidential basis for the sole purpose of conducting the inventory, to all necessary property tax assessment records and information in the assessor’s office, including but not limited to the property record cards;*
- b. *A projection of the municipality’s housing stock, including the probable future construction of low- and moderate-income housing, for the next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;*
- c. *An analysis of the municipality’s demographic characteristics, including but not necessarily limited to, household size, income level and age;*
- d. *An analysis of the existing and probable future employment characteristics of the municipality;*
- e. *A determination of the municipality’s present and prospective fair share for low- and moderate-income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low- and moderate-income housing, as established pursuant to section 3 of P.L.2024, c. 2 (C.52:27D-304.1);*
- f. *A consideration of the lands that are most appropriate for construction of low- and moderate-income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low- and moderate-income housing, including a consideration of lands of developers who have expressed a commitment to provide low- and moderate-income housing;*

- g. An analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multigenerational family continuity as expressed in the recommendations of the Multigenerational Family Housing Continuity Commission, adopted pursuant to paragraph (1) of subsection f. of section 1 of P.L.2021, c. 273 (C.52:27D-329.20);*
- h. For a municipality located within the jurisdiction of the Highlands Water Protection and Planning Council, established pursuant to section 4 of P.L.2004, c. 120 (C.13:20-4), an analysis of compliance of the housing element with the Highlands Regional Master Plan of lands in the Highlands Preservation Area, and lands in the Highlands Planning Area for Highlands-conforming municipalities. This analysis shall include consideration of the municipality’s most recent Highlands Municipal Build Out Report, consideration of opportunities for redevelopment of existing developed lands into inclusionary or 100 percent affordable housing, or both, and opportunities for 100 percent affordable housing in both the Highlands Planning Area and Highlands Preservation Area that are consistent with the Highlands regional master plan; and*
- i. An analysis of consistency with the State Development and Redevelopment Plan, including water, wastewater, stormwater, and multi-modal transportation based on guidance and technical assistance from the State Planning Commission.*

[N.J.S.A.52:27D-310]

This Housing Plan Element and Fair Share Plan will address the Township’s obligations to provide a realistic opportunity for the construction of low- and moderate-income housing in accordance with the Fair Housing Act, and the MLUL for the Fourth Round period of 2025 – 2035. The preparation of a Housing Plan Element and Fair Share Plan is the first step in petitioning the court for Substantive Certification and Judgement of Repose.

A review and analysis of the Township’s housing stock, demographics, population analysis, and economic characteristics can be found in Appendix C.1.

FAIR SHARE PLAN

A Fair Share Plan has been defined by the Amended Fair Housing Act at N.J.A.C. 52:27D-304 as:

“Fair Share Plan” means the plan or proposal that is in a form which may readily be adopted, with accompanying ordinances and resolutions, pursuant to subsection f. of section 3 of P.L.2024, c.2 (C.52:27D-304.1), by which a municipality proposes to satisfy its obligation to create a realistic opportunity to meet its fair share of low- and moderate-income housing needs of its region and which details the affirmative measures the municipality proposes to undertake to achieve its fair share of low- and moderate-income housing, as provided in the municipal housing element, and addresses the development regulations necessary to implement the housing element, including, but not limited to, inclusionary requirements and development fees, and the elimination of unnecessary housing cost-generating features from the municipal land use ordinances and regulations.

The Fair Share Plan for the Evesham Township is broken up into four sections: a Present Need or Rehabilitation Obligation, the Prior Round / First and Second Round (1987-1999) Prospective Need Obligation, the Third Round (1999-2025) Prospective Need Obligation, and the Fourth Round (2025-2035) Prospective Need Obligation.

The Township’s Fair Share Plan specifically describes the completed and proposed mechanisms to address the present need (rehabilitation) obligation, First and Second Round (Prior Round) obligation, Third Round obligation, and Fourth Round obligation.

The Township’s Prior Round obligations were determined by COAH, and the Third Round obligation was a negotiated settlement with Fair Share Housing Center which was approved by the Court. The Township’s Fourth Round obligation numbers were determined using calculations provided by the New Jersey Department of Community Affairs (NJDCA) in a report dated October 2024, and adopted by the Township Council through a binding resolution in accordance with the requirements of the Fair Housing Act.

Consideration of Lands Suitable for Affordable Housing

The New Jersey Fair Housing Act (N.J.S.A. 52:27D-310(f)) requires that the Housing Element provide a narrative that includes “a consideration of the lands that are most appropriate for construction of low and moderate income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low and moderate income housing, including a consideration of lands of developers who have expressed a commitment to provide low and moderate income housing.”

Within Evesham Township, the lands that are most appropriate for development with new affordable housing are generally those areas of the town on the north and west sides of the Township. The southern and eastern portions of the Township are located within the Pinelands Management Area. Within the Pinelands, most of Evesham is designated as conservation lands or severely encumbered by freshwater wetlands and the 300-foot transition buffer area around wetlands. Although there are some areas within Evesham that are designated as regional growth areas of the Pinelands, development potential is relatively limited to just a few housing units per acre, and any development of a greater

density requires the purchase of Pinelands Development Credits (PDC's), which would be a financial burden for any developer required to build affordable housing. Most of the Township within the Pinelands is also located outside of a designated sewer service area, limiting the availability of infrastructure necessary to support dense development.

Consistent with the State Development and Redevelopment Plan, as well as general smart growth planning principles, Evesham has focused its efforts to identify appropriate sites for affordable housing on those areas in the Township outside of the Pinelands, and within the existing community of Marlton in the northern end of the Township and near the highways of Route 70 and Route 73. By doing so this limits suburban sprawl, and places new affordable units in those areas already served by existing infrastructure, and with access to transportation, jobs, and amenities such as grocery stores, service organizations, and other support.

More specifically, as these areas of the Township have much less “vacant” land than the conservation areas of the Pinelands, the Township has focused its search for affordable housing lands on those parcels that are identified as being vacant, as well as underutilized properties such as office parks with high vacancy rates, older shopping centers with vacant spaces, and clusters of properties in close proximity to downtown Marlton and the highways.

All properties in the Township where a developer has approached Township staff or officials and expressed an interest in building affordable housing have been considered, and are included in the plan as potential sites for affordable housing. The Township remains open to additional opportunities for providing housing in the event that any new developers express interest in any particular property or tract of land.

In evaluating opportunities for affordable housing, the Township has used the “presumptive” densities and set asides that have been established through Mount Laurel litigation and COAH’s rulemaking as a reference and guide, but has sought to apply densities and set asides that meet not only the affordable housing objectives, but also objectives related to downtown revitalization, encouraging a vibrant economy and mix of housing types, respect for the natural environment, access to transportation, and sewer and water infrastructure. The proposals for fair share compliance are responsive to the existing and evolving land use patterns in the area, the Township’s vision for the particular area, and the financial feasibility of the set aside given the density, the location, and site costs and constraints. If a property is vacant and located within a “suburban” area, it does not necessarily follow that the only appropriate means to develop the property is at a density of six units per acre with a 15% or 20% affordable set aside. Within Evesham, the density of inclusionary sites ranges from 3 dwelling units per acre to 44 dwelling units per acre. Each project and site has unique attributes that have been considered in the context of the overall land use picture. The Township’s deliberative planning process has enabled a comprehensive fair share plan that provides opportunities for a variety of housing types and affordable housing set asides.

Site Suitability

As per previous COAH regulations, the Fair Share Plan must demonstrate site suitability for proposed new units that are not yet fully approved, as required by N.J.A.C. 5:93 -5.3.

- A. An “available site” is a site with clear title, and that is free of encumbrances which preclude development for low- and moderate-income housing.
- All sites in the compliance plan are “available”.
- B. A “developable site” is a site that has access to appropriate water and sewer infrastructure, and is consistent with the applicable area-wide water quality management plan and wastewater management plan.
- All sites in the compliance plan are “developable”. All sites are within the sewer service area and will be served by the Evesham Municipal Utilities Authority (MUA).
- C. A “suitable site” is a site that is adjacent to compatible land uses, has access to appropriate streets and is consistent with the environmental policies delineated in N.J.A.C. 5:93-4 (not in wetlands, flood hazard areas, steep slopes).
- All sites in the compliance plan are “suitable”.
- D. An “approvable site” is a site that may be developed for low- and moderate-income housing in a manner consistent with the rules or regulations of all agencies with jurisdiction over the site. A site may be approvable although not currently zoned for low and moderate income housing.
- All sites in the compliance plan are “approvable”. All projects noted in the Prior Round and Third Round plans are either completed, have been approved, or have appropriate zoning regulations in place to make them completely approvable.
 - Projects for the Fourth Round are proposed at this time, and appropriate zoning regulations or redevelopment plans will be adopted to implement the recommendations of this Housing Plan.

Fair Share Obligation

The Township has the following cumulative affordable housing obligations:

- Rehabilitation / Present Need = 111 Units
- Prior Round / First and Second Round (1987-1999) Prospective Need = 534 Units
- Third Round (1999-2025) Prospective Need = 680 Units
- Fourth Round (2025-2035) Prospective Need = 220 Units

A copy of Resolution #42-2025 of the Township Council can be found in Appendix B.

Vacant Land Adjustment

The amended Fair Housing Act at N.J.A.C.52:27D-310.1 allows for municipalities to adjust their prospective need if it can be demonstrated that there is not sufficient land available to accommodate new residential development at a density necessary to produce affordable housing. This process is referred to as a Vacant Land Adjustment (VLA), and it is used to determine a Realistic Development Potential (RDP) for the municipality. The regulations permit lands to be excluded from consideration for affordable housing if they meet one of the following criteria:

- a) Public lands use for public purposes other than housing;
- b) Lands owned by a public agency or not-for-profit organization and are dedicated for purposes of conservation, park lands, or open space;
- c) Privately owned vacant lands or contiguous parcels of vacant lands that are not of a sufficient size to accommodate at least 5 units of housing at a density appropriate to the context;
- d) Any sites noted as historic or architecturally important and listed on the State Register of Historic Places;
- e) Any agricultural lands that have been preserved by a restrictive covenant;
- f) Sites designated for active recreation in the municipal master plan;
- g) Environmentally sensitive lands where development is prohibited by regulations, such as lands encumbered by freshwater wetlands or wetlands transition buffers, or lands in the Flood Hazard Area

The Township has reviewed all potentially available properties within the municipal boundaries to determine a realistic development potential that Evesham can address during the Fourth Round that runs until the summer of 2035, and determined that it has a Realistic Development Potential of 130 affordable units for the Fourth Round.

Fourth Round RDP Obligation = 133 Units

A copy of the Vacant Land Adjustment Report can be found in Appendix C.2.

Present Need (Rehabilitation) Obligation

The Township has a rehabilitation, or present need obligation of 111 units.

The Township currently participates in Burlington County’s owner-occupied rehabilitation program, and will continue to participate in the program, making all Township residents who are income qualified eligible for home improvements through the County’s CDBG funded program.

The Township will establish and fund a municipal rehabilitation program sufficient to address its 111 unit rehabilitation obligation.

Through both the Municipal and County rehabilitation programs, the Township will satisfy its 111 unit present need obligation.

Evesham Township reserves the right to conduct further analysis of its existing housing stock and adjust the obligation if based on field observations it can be demonstrated that there are less than 111 homes in the Township that are deficient and in need of rehabilitation.

Prior Round Obligation (1987-1999)

The Township has a requirement of 534 units in order to satisfy its Prior Round (1987 – 1999) obligation. In accordance with previous COAH rules found at N.J.A.C. 5:93, the Township must meet the following minimum and maximum requirements in addressing the 534 total unit obligation.

- **Age Restricted Units:** a municipality may receive credits for age-restricted affordable housing at up to 25 percent of the obligation, minus any RCA contributions.
 - $(534 - 199) \times 0.25 = 83.75$
 - The Township may claim a maximum of 83 credits through age-restricted units.
- **Rental Units:** a municipality has an obligation to provide a realistic opportunity for the construction of rental housing of at least 25 percent of the total obligation.
 - $534 \times 0.25 = 133.5$
 - The Township has an obligation to provide at least 134 rental units.
- **Income Distribution:** The Township is required to provide half of the total units as affordable to low-income households:
 - $225 \text{ Total units} \times 0.5 = 113$
 - The Township has an obligation to provide at minimum 113 low income units.
- **Rental Bonus Credits:** A municipality shall be granted a rental bonus for rental units that are constructed and conform to the standards contained in N.J.A.C. 5:93-5.8(d) and 5.9(d) and 5:93-7. A municipality shall receive two units (2.0) of credit for rental units available to the public, but no rental bonuses shall be granted for rental units in excess of the rental obligation. A municipality shall receive one and one-third 1.33 units of credit for age restricted rental units. However no more than 50 percent of the rental obligation shall receive a bonus for age restricted rental units.
 - The Township may claim bonus credits for rental units up to 134 bonus credit units. This may be either through 2.0 credits for family rental units, or 1.33 credits for age-restricted rental units, provided that no more than 50 percent of the rental obligation is met through age-restricted units.

Prior Round Compliance Mechanisms

In accordance with the Township’s Settlement Agreement with Fair Share Housing Center, the Township has addressed its Prior Round Obligation through the development projects listed below. The Township satisfied its Prior Round obligation through several regional contribution agreements (RCA) with other communities within Region 5, as well as through multiple inclusionary family for sale developments, and many special needs housing facilities.

A copy of the Prior Round Judgment of Compliance and Repose can be found in Appendix A.1.

Prior Round Compliance Mechanisms				
Project	Type	Credits	Bonus	Total
RCA Gloucester City	RCA	40	0	40
RCA Gloucester City	RCA	12	0	12
RCA Pemberton Township	RCA	10	0	10
RCA Pemberton Township	RCA	3	0	3
RCA Burlington City	RCA	10	0	10
RCA Beverly City	RCA	10	0	10
RCA Beverly City	RCA	50	0	50
RCA Palmyra	RCA	47	0	47
RCA Palmyra	RCA	17	0	17
Whitebridge Village	Family for Sale	46	0	46
Westbury Chase	Family for Sale	6	0	6
Shannon Greene	Family for Sale	4	0	4
Evesboro Downs	Family for Sale	1	0	1
Woodview / Whitebridge Farm	Family Rental	44	44	88
Inglis House Gardens	Family Rental	16	16	32
Elmwood House	Senior Rental	69	11	80
Oaks – 52 North Maple	Special Needs	3	3	6
Bancroft – 28 S. Elizabeth	Special Needs	4	4	8
Bancroft – 8 Elmgate	Special Needs	4	4	8
Community Options – 102 Greenbrook	Special Needs	4	4	8
Community Options – 35 Hanover	Special Needs	4	4	8
Community Options – 38 Fourth	Special Needs	4	4	8
Community Options – North Locust	Special Needs	4	4	8
QMA – Evans	Special Needs	4	4	8
QMA – Pelham	Special Needs	4	4	8
Durand Academy	Special Needs	4	4	8
Totals		424	110	534

Descriptions of each prior round project and mechanism are included below:

REGIONAL CONTRIBUTION AGREEMENT (RCA)

Through nine regional contribution agreements with neighboring communities, Evesham has secured 199 credits through a total of \$4,065,000 in affordable housing investments.

RCA Burlington City = 10 credits

Evesham Township entered into a regional contribution agreement with Burlington City in 2006, where Evesham provided \$200,000 towards rehabilitation of homes in Burlington at an average cost of \$20,000 per unit, for a total of 10 credits. The funding for this RCA came from the MCW Enterprises / Brookview Apartments development.

RCA Gloucester City = 12 credits

A regional contribution agreement between Evesham Township and the City of Gloucester City was approved in 1999, and included \$240,000 for 12 credits at \$20,000 per unit. The funding was provided through the Ridings at Mayfaire development.

RCA Gloucester City = 40 credits

The Township, through the Hearthstone development, provided a total of \$800,000 in a second regional contribution agreement with Gloucester City in 2000. This payment was at a cost per unit of \$20,000 for a total of 40 credits.

RCA Pemberton Township = 10 credits

In 2002, the Heron Pointe development provided \$200,000 in a regional contribution agreement with Pemberton Township. At a cost of \$20,000 per unit, this represents 10 credits towards the prior round obligation.

RCA Pemberton Township = 3 credits

MCW Enterprises / Brookview Apartments provided an additional \$60,000 in funding for Pemberton Township in 2003, resulting in 3 credits.

RCA Beverly City = 50 credits

In 2005, a regional contribution agreement between Evesham and Beverly City was approved for \$1,000,000. At \$20,000 per unit, this agreement counts for 50 credits. Funding for this RCA was provided by the Orleans / Artdor development.

RCA Beverly City = 10 credits

The MCW Enterprises / Brookview Apartments development provided additional funds for Beverly City at a total of \$200,000, for 10 credits at a cost of \$20,000 per unit. This agreement was completed in 2006.

RCA Palmyra = 47 credits

In 2005, a \$940,000 regional contribution agreement between Evesham and the Borough of Palmyra was approved for 47 credits. Funding for this agreement came from the Baseman and ERP developments.

RCA Palmyra = 17 credits

The Borough of Palmyra was the recipient of another regional contribution agreement in 2005 when the Beazer / Marlton Woods project provided \$425,000 towards affordable housing. This agreement differed from the rest in that the cost per unit of funding was \$25,000 rather than \$20,000, which resulted in 17 credits for Evesham Township.

FAMILY FOR SALE

Whitebridge Village: 46 credits

Block 17, Lots 7.01 and 9

Squirrel Road

Status: Completed

Whitebridge Village is an inclusionary family for sale development that was completed in 1996, and includes a 30-year deed restriction on each home. The project includes 21 low income 2-bedroom units and 25 2-bedroom moderate income units.

Westbury Chase: 6 credits

Block 8.02 through 8.08

Faybrooke Drive, Tenby Lane, Hewlings Drive

Status: Completed

This project is an inclusionary development of 6 family for sale units that is completed and occupied. The development initially had 7 affordable moderate income 3-bedroom homes, however one unit was lost to foreclosure. The home at 31 Faybrooke was lost to foreclosure in 1998. Therefore only 6 credits are being claimed from this development.

Shannon Greene: 4 credits

Block 51.02, Lot 20

Kings Grant Drive, Cranberry Court

Status: Completed

The inclusionary development known as Shannon Green consists of 5 moderate income 2-bedroom condo units in a larger condominium development. The project is completed and occupied. Initial occupancy occurred in 1988. Two units have been lost to foreclosure, 14 Cranberry Court and 37 Cranberry Court have both had their controls extinguished as a result of foreclosure. However, the affordability controls at 37 Cranberry Court had been in place for 26 years prior to the foreclosure in 2013.

As a result of the foreclosure, 4 of the 5 initial units will be claimed as Prior Round credits, even though there are now only 3 affordable homes in this development.

Evesboro Downs: 1 credit

Block 24.2, Lot 1

Maresfield Court

Status: Completed

There is one unit in the Evesboro Downs neighborhood that was completed in 1991. It is a moderate income 2-bedroom condominium that will be claimed as 1 credit towards the Prior Round obligation.

FAMILY RENTAL

Woodview / Whitebridge Farm: 44 credits + 44 rental bonus credits

Block 17, Lot 11

Daphne Drive, Pavonia Circle

Status: Completed

The Woodview project consists of 44 affordable rental units within an inclusionary community. The project has 22 low income units and 22 moderate income units. The development is completed and occupied. Although the project was completed in 2000, a formal deed restriction was never recorded on the property. NJHMFA HAS served as the project’s administrative agent from its inception, until the current administrative agent took over those duties in 2013. A new deed restriction was established for the property in 2022, which covers an affordability period from 1999 for 99 years. A copy of the deed restriction for this project can be found in Appendix F.7.

Woodview / Whitebridge Farm					
	1 Bed	2 Bed	3 Bed	Totals	Percent
Low	10	9	3	22	50%
Moderate	10	9	3	22	50%
Totals	20	18	6	44	100%

Inglis House Gardens: 16 credits + 16 bonus credits

Elmwood Road

Status: Completed

Inglis House is a 100% affordable rental project consisting of 16 low income units for adults with physical disabilities that was constructed under HUD’s Section 811 program. All of the units are one-bedroom units. Affordability controls for 40 years starting in 2003 are in place.

The Township will claim 16 credits and 16 rental bonus credits for a total of 32 credits from this project.

SENIOR RENTAL

Elmwood House: 69 credits + 11 rental bonus credits

Block 15.03, Lot 170

444 Elmwood Road

Status: Completed

The Elmwood House project is a 100% affordable senior rental that was developed by B’Nai Brith, and originally received approvals in 1996. The initial approval allowed for construction of 74 units, and a second phase of the project for 15 additional units was completed in 2002. Within the 89 unit project, all units are one-bedroom units that are reserved for low-income seniors.

The 89 credits available from this project are being split between the Prior Rounds and the Third Round, with 69 credits being claimed in the Prior Rounds, and the remaining 20 credits being claimed in the Third Round. As these are rental units, 11 age-restricted rental bonus credits are also being claimed in the Prior Round.

SUPPORTIVE / SPECIAL NEEDS HOUSING

Oaks Integrated Care / Family Services: 3 credits + 3 rental bonus credits

Block 20.07, Lot 19

52 North Maple

Status: Completed

This facility operated by Oaks Integrated Care was also initially run by Family Services prior to Oaks. The facility is a 3-bedroom group home. The Township will claim 3 credits from this project, as well as 3 rental bonus credits.

Bancroft: 4 credits + 4 rental bonus credits

Block 51.04, Lot 46

28 South Elizabeth Court

Status: Completed

Bancroft Neurohealth operates several group homes throughout the Township. Their facility at 28 South Elizabeth includes 4 bedrooms that are available to clients. The Township will claim 4 credits from this group home, as well as 4 additional rental bonus credits.

Bancroft: 4 credits + 4 rental bonus credits

Block 32.13, Lot 4

8 Elmgate Road

Status: Completed

Bancroft operates another facility that they own at 8 Elmgate Road that contains 4 bedrooms that are available to clients. The Township will claim 4 credits of special needs housing from this facility, and 4 rental bonus credits.

Community Options: 4 credits + 4 rental bonus credits

Block 11.04, Lot 108

102 Greenbrook Drive

Status: Completed

Community Options Inc, owns and operates a 4-bedroom group home facility at 102 Greenbrook Drive. This facility was established in 1996 with 20 year affordability controls. The Township will claim 4 credits as well as 4 rental bonuses from this group home facility.

Community Options: 4 credits + 4 rental bonus credits

Block 13.20, Lot 30

35 Hanover Street

Status: Completed

Community Options Inc also owns and operates a 4-bedroom group home on Hanover Street. This facility began operations in 1997 with a 20 year term for affordability controls. Those controls were renewed by a further 20 years in 2017.

Community Options: 4 credits + 4 rental bonus credits

Block 117, Lot 6.01

38 Fourth Street

Status: Completed

Community Options owns and operates an additional group home facility on Fourth Street that has 4 bedrooms available to clients. This facility has a 30 year deed restriction that was put in place in 2018. The Township will claim 4 credits as well as 4 rental bonus credits through this project.

Community Options: 4 credits + 4 rental bonus credits

Block 12, Lot 6.09

83 North Locust Avenue

Status: Completed

A 4-bedroom group home on North Locust Avenue is owned and operated by Community Options Inc. The facility has 30 year affordability controls that were put in place in 2018. The Township will claim 4 rental credits as well as 4 bonus credits from this project.

Quality Management Associates (QMA): 4 credits + 4 rental bonus credits

Block 35.03, Lot 5

15 Evans Road

Status: Completed

Quality Management Associates owns and operates a 6 bedroom facility on Evans Road. The facility had 20 year affordability controls that were put in place in 1993. Although the facility has 6 bedrooms and QMA is licensed to support 5 individuals at this home, they currently only use 4 bedrooms for clients. As such, the Township will claim 4 credits as well as 4 rental bonus credits from this project.

Quality Management Associates (QMA): 4 credits + 4 rental bonus credits

Block 35.01, Lot 14

28 Pelham

Status: Completed

Quality Management Associates also owns and operates a facility on Pelham Road. This licensed group home has 4 bedrooms that are available to clients. The facility has 20 year affordability controls that were established in 1997. The Township will claim 4 credits and 4 rental bonus credits from this group home.

Durand Academy: 4 credits + 4 rental bonus credits

Block 24.24, Lot 48

38 Hawk Lane

Status: Completed

Durand Academy operates a group home on Hawk Lane. The home has 20 year affordability controls that were initially established in 1996, but with a renewable subsidy. The Township will claim 4 credits and 4 rental bonus credits from this group home.

A map of all Prior Round Projects can be found in Appendix E.1

Third Round Obligation

All of the sites and projects included in Evesham Township’s Fair Share Plan are located within the approved sewer service areas and are within Planning Areas 1 and 2 on the State Plan Map. Though 55% of Evesham’s land area is within the Pinelands National Reserve, the Township has created a compliance plan that does not rely on the environmentally sensitive Pinelands area for any development projects in the Third Round.

The parameters below are based on the Township’s Third Round fair share obligation of 680 units under the Settlement Agreement with Fair Share Housing Center, which included the “gap present need” (1999 to 2015) and the “prospective need” (2015-2025). Since the Township is eligible for 170 rental bonus credits, the minimum number of “actual” units required is 510 if all bonuses are utilized. This compliance plan includes 532 “actual” units, as well as the maximum of 170 rental bonus credits being claimed. Additional credits from Third Round projects will be carried into the Fourth Round.

The Township must meet the following minimum and maximum requirements in addressing the 680 total unit obligation:

- **Low/Moderate Income Split:** at least fifty percent (50%) of the units addressing the Third Round Prospective Need shall be affordable to very-low-income and low-income households with the remainder affordable to moderate-income households.
 - $510 \times 0.5 = 255$
 - A minimum of 255 units must be affordable to low-income households.
- **Very Low Income Units:** Thirteen percent (13%) of all affordable units referenced in the Settlement Agreement, except for those units constructed or approved prior to July 1, 2008, shall be affordable for very-low income households, with half of the very-low-income units being available to families.
 - The Township has an obligation to provide at least 50 units for very-low-income households, with at least 25 of those units being available to families.
- **Rental Units:** At least twenty-five percent (25%) of the Third Round Prospective Need shall be met through rental units, including at least half in non-age-restricted rental units available to families.
 - $680 \times 0.25 = 170$
 - A minimum of 170 units must be rental units, and at least 85 of those units must be non-age-restricted units that are available to families.
- **Age Restricted Units:** A maximum of 25 percent (25%) of the Township’s credits can be from age-restricted senior units.
 - $680 \times 0.25 = 170$

- The Township may claim a maximum of 170 credits from senior units.
- **Family Units:** A minimum of fifty percent (50%) of the units addressing the Third Round Obligation must be non-age restricted affordable units available to families.
 - $510 \times 0.5 = 255$
 - A minimum of 255 units must be available to families.
- **Rental Bonus Credits:** The Township may claim bonus credits for rental units in accordance with N.J.A.C. 5:93-5.15(d), which states that a municipality shall receive two units (2.0) of credit for rental units available to the public, but no rental bonuses shall be granted for rental units in excess of the rental obligation. A municipality shall receive one and one-third 1.33 units of credit for age restricted rental units. However no more than 50 percent of the rental obligation shall receive a bonus for age restricted rental units. The rental bonus claimed shall not exceed the minimum rental obligation.
 - $680 \times 0.25 = 170$
 - The Township may claim bonus credits for rental units up to 170 bonus credit units. This may be either through 2.0 credits for family rental units, or 1.33 credits for age-restricted rental units, provided that no more than 50 percent of the rental obligation is met through age-restricted units.

Third Round Compliance Mechanisms

The Township proposes to satisfy its 680 credit Third Round obligation through the following mechanisms:

Third Round Credits				
Project	Type of Unit	Units	Bonus	Total
Elmwood House (Carry over)	Senior Rental	20	0	20
Mend / Conifer Sharp Road	Family Rental	104	78	182
Habitat for Humanity	Family for Sale	1	0	1
Habitat for Humanity	Family for Sale	2	0	2
Cornerstone at Marlton	Family Rental	64	64	128
Evesham Senior / Walters	Senior Rental	66	0	66
Hawthorne / Evesham Retirement	Senior Rental	24	0	24
Brightview	Senior	17	0	17
Artis Senior	Senior Rental	6	0	6
Capitol Senior / Marlton Executive	Senior	11	0	11
CareOne	Rental	8	0	8
M2A New Road / Tamburro	Rental	3	0	3
M2A Quail Run	Family for Sale	1	0	1
M2A Proposed		18	0	18
Fieldstone / Barclay	Family Rental	33	28	61
Renaissance Square / Tri Towne	Family Rental	34	0	34
Harvest House	Family Rental	8	0	8
Winding Brook / Krysta	Family for Sale	6	0	6
Berkshire Woods / Timber Ridge	Family for Sale	6	0	6
Extension of Controls	Family	8	0	8
Group Homes				
Allies Inc – Overington	Special Needs	4	0	4
Allies Inc – Radnor	Special Needs	4	0	4
Bancroft – 5002 Red Haven	Special Needs	3	0	3
Bancroft – 106 Harvest	Special Needs	3	0	3
Bancroft – 1505 Roberts Lane	Special Needs	3	0	3
Bancroft – 1506 Roberts Lane	Special Needs	3	0	3
Bancroft – 46 East Cedar	Special Needs	4	0	4
Bancroft – 3301 Elberta	Special Needs	3	0	3
Bancroft – 5 Tenby Lane	Special Needs	4	0	4
Oaks – Gaylord	Special Needs	3	0	3
Oaks – 100 Barn	Special Needs	4	0	4
Oaks – 100A Barn	Special Needs	3	0	3

Third Round Credits				
Project	Type of Unit	Units	Bonus	Total
Oaks – Chestnut	Special Needs	4	0	4
Oaks – Kettle Run	Special Needs	4	0	4
QMA - N Elmwood	Special Needs	3	0	3
QMA - Laurel	Special Needs	3	0	3
Community Options - Carlton	Special Needs	4	0	4
Community Options - Longhurst	Special Needs	3	0	3
OTC Longhurst	Special Needs	4	0	4
OTC Concord	Special Needs	4	0	4
Overall Totals		510	170	680

A copy of the Township’s Third Round Final Judgment of Compliance can be found in Appendix A.2.

FAMILY RENTAL PROJECTS

MEND / Conifer Sharp Road: 104 credits + 78 rental bonus credits

Block 14, Lot 2

200 Sharp Road / 1 Seneca Court (AH-3 District)

49.2 acres

Status: Completed

This 100% Affordable Family Rental project consists of one, two, and three-bedroom apartments available to low- and moderate-income households. The 49.16-acre property is located on the east side of Sharp Road, just south of Church Road. The site was determined to be suitable and was awarded Low Income Housing Tax Credits by the NJHMFA in 2007. Evesham Township purchased the land and later sold it to the affordable housing developer for one dollar, and also provided AHTF monies in support of the extension of utilities to the site. The Township entered into an Affordable Housing Agreement with Moorestown Ecumenical Neighborhood Development, Inc. (MEND) on May 19, 2006. The AH-3 zoning standards (section 160-66.1) were adopted by ordinance 2-2-2007 on February 6, 2007, in order to provide suitable standards and requirements for the 100% affordable housing development as had been recommended in the 2005 Housing Element and 2006 Master Plan. The developer (MEND) received preliminary site plan approval on March 15, 2007, and final site plan approval on September 20, 2007. There are freshwater wetlands on the property, but two significant upland areas were targeted for development. Water and sewer service were extended to the site, and improvements were made to Sharp Road. The project received its final Certificate of Occupancy in 2009.

The project includes 16 (15.4%) one bedroom units, 56 (53.8%) two bedroom units and 32 (30.7%) three bedroom units. The site is owned by Sharp Road, LLC and managed by MEND in conjunction with Conifer Realty, LLC in accordance with UHAC. The income distribution for the site is set forth in the table below. The site was awarded the NJ Governor's "Excellence in Affordable Housing Development" Award.

	1 bedroom	2 bedroom	3 bedroom	Total	Percent
35% AMI UHAC Very Low	2	6	3	11	11%
50% AMI Low	11	41	25	77	74%
60% AMI Moderate	3	9	4	16	15%
Totals	16	56	32	104	100%

**Walters Group / Evesham Family Apartments / Cornerstone at Marlton: 64 credits + 64 bonus credits
Block 36, Lot 2.03**

4 Executive Drive (WFAR Workforce Affordable Residential District)

8.7 acres

Status: Completed

Cornerstone at Marlton is a recently completed 100% affordable rental community consisting of one, two, and three-bedroom apartments available to low and moderate income households. The 8.7-acre property is currently vacant and is located on the west side of Executive Drive. Executive Drive is a private road that connects Evesham Road (north of the site) to Route 73 (east of the site).

The developer received preliminary and final site plan approval on June 21, 2018, was awarded tax credit financing in November 2018, purchased the lot, and began construction in 2019. The development includes 12 one-bedroom, 36 two-bedroom, and 16 three-bedroom units, and provides 32 low income units (including 8 very-low income) and 32 moderate income units.

Evesham Family Apartments Urban Renewal LLC and Evesham Township entered into an Affordable Housing Agreement on June 19, 2018 to outline the obligations and expectations for the project and to provide that the Township will provide a subsidy from the Affordable Housing Trust Fund to support the project, in exchange for a 45-year affordability deed restriction. The Township adopted an ordinance authorizing a Financial Agreement for tax abatement and a payment in lieu of taxes for a 30-year period following the issuance of a certificate of occupancy for the 100% affordable housing project.

A HOME deed restriction on the property also requires that at least 5 units be set aside for families currently at risk of experiencing homelessness, and a memorandum of understanding between the developer and a service provider (Servicios) indicates that Servicios will administer these 5 units as very-low-income family units.

The unit distribution for the Cornerstone at Marlton / Evesham Family Apartments site is as follows.

	1 bedroom	2 bedroom	3 bedroom	Total	Percent
30% AMI Very Low	5	2	1	8	13%
50% AMI Low	1	16	7	24	37%
60% AMI Moderate	6	18	8	32	50%
Totals	12	36	16	64	100%

Renaissance Square / Tri-Towne Plaza: 34 credits

Block 27.02, Lots 2.03, 2.04, 2.05, 2.08, 2.09

101 Route 70 East (C-1 District and Tri-Towne Redevelopment)

20.9 acres

Status: Completed

The Inwood at Renaissance Square is part of a mixed-use redevelopment project on the site of the former Tri-Towne Plaza. The site is located on the south side of Route 70 between Locust Avenue and Plymouth Drive and was designated as an area in need of redevelopment in 2013. A Redevelopment Plan was adopted in December 2013 and was amended in June 2015. The site was approved for retail, service, restaurant, office and residential development. The residential component of the project is now completed. The residential component consists of 338 total units, with 34 affordable units. The residential buildings were occupied in 2020, and the remaining non-residential buildings are under construction. There are five residential buildings on site, and each contains some affordable units. The 30-year affordability restriction has been filed. The residential portion of the Redevelopment project is subject to a 20-year Financial Agreement (PILOT) with the Township. The affordable units are being administered by the Township’s Administrative Agent (CGP&H).

	1 bedroom	2 bedroom	3 bedroom	Total	Percent
30% AMI Very Low	3	2	0	5	14.7%
50% AMI Low	0	9	4	13	38.2%
60% AMI Moderate	3	10	3	16	47%
Totals	6	21	7	34	100%

Barclay Chase / Fieldstone: 33 credits + 28 rental bonus credits

Block 16, Lot 1.06

880 – 890 Route 70 East (C-1 District and Aristone Redevelopment)

20.5 acres

Status: Completed

Barclay Chase is an inclusionary mixed-use development within a designated redevelopment area on the north side of Route 70 adjacent to the Medford Township border. The properties, known as the Aristone Tract, were vacant, falling into disrepair, and were the subject of a complicated ownership structure with different family members controlling different lots. A Redevelopment Plan was adopted for the area in 2014. The Redevelopment Plan was subsequently amended in 2017 to enable the inclusion of additional affordable units. The development is now complete and includes 271 residential units in seven buildings, 6,000 square feet of commercial space, a clubhouse, and outdoor amenity areas. The property is subject to a 20-year financial agreement (PILOT) with the Township.

The affordable units are compliant with COAH regulations and UHAC requirements. The affordable units are administered by Barclay Chase’s certified in-house administrative agents. The unit breakdown is as follows.

	1 bedroom	2 bedroom	3 bedroom	Total	Percent
30% AMI Very Low	1	4	0	5	15%

50% AMI Low	2	6	4	12	36%
60% AMI Moderate	3	10	3	16	49%
Totals	6	20	7	33	100%

Harvest House Mansion / Main Street Apartments: 8 credits

Block 4.09, Lot 15.01

52 East Main Street

1.37 acres

Status: Completed

The Harvest House Redevelopment project is located within the downtown Marlton area, where the Township encourages redevelopment and revitalization that will contribute to the establishment of a more vibrant downtown with a variety of uses and activities. A Redevelopment Plan for the site was first adopted in 2014 and was amended in July 2018. The Harvest House Mansion is the name of the furniture store that occupied the site from the 1970s through 2016. The historic portion of the house, known as the Stokes-Evans House, is on the National and State register of historic places and is architecturally intact. The main building also includes a building addition that was constructed in the 1970s. The property is large by downtown standards. Though the furniture and antiques store and a residence have been the primary uses at the site for decades, the site has been under-used for many years. The Township and the redeveloper coordinated to enable the historic portion of the Stokes-Evans House to be moved closer to East Main Street in order to preserve the building and to improve the streetscape, while creating a larger development area on the northern side of the property.

The interior of the historic structure has been renovated, and a four-story residential building is being constructed behind it. Fifteen percent (15%) of the residential units will be affordable to low- and moderate-income households. The preliminary and final site plan were approved by the planning board on August 16, 2018 (resolution PB17-04Site). The redeveloper and the Township have entered into an affordable housing agreement and a financial agreement (20-year PILOT) to ensure the financial viability of the project. The project recently received a certificate of occupancy in October of 2021. The Township provided a contribution from the Affordable Housing Trust Fund to support the challenging project.

	1 bedroom	2 bedroom	3 bedroom	Total	Percent
30% AMI Very Low	0	1	0	1	12.5%
50% AMI Low	1	2	1	4	50%
60% AMI Moderate	0	2	1	3	37.5%
Totals	1	5	2	8	100%

FAMILY FOR SALE

Winding Brook / Krysta / JP Orleans: 6 credits

Block 14.03, Lots 1-42, 69;

Block 14.04, Lots 1-27

170 Sharp Road (Industrial Park District)

28.4 acres

Status: Completed

Winding Brook is an attached single family (townhouse) community located on the east side of Sharp Road, just south of the Sharp Road Apartments (MEND) site. Until a few years ago, the properties along Sharp Road had been in the IP Industrial zone as had been recommended in the 1990 Master Plan. In 1990 there was no sewer service to the area and the area had remained rural with a few light industrial-type uses toward the southern end. As sewer capacity became available and interest in residential development continued in the developable non-Pinelands portions of the Township, land use along and around Sharp Road has evolved to include several residential developments. In 2014 a use variance was granted to allow this site to be developed with single family attached homes generally following the Moderate Density Residential (MDR) overlay standards in the Township Code (section 160-63.1).

The site plan and subdivision were approved on April 20, 2015 (resolution ZB13-19) and amended approval was granted on May 2, 2016 (resolution ZB13-19A) The development is now complete and includes a total of 66 for-sale townhouse units, of which 6 are affordable to low and moderate income households. The affordable units are being administered by the Township’s Administrative Agent (CGP&H).

	1 bedroom	2 bedroom	3 bedroom	Total	Percent
30% AMI Very Low	0	0	0	0	0%
50% AMI Low	0	1	2	3	50%
60% AMI Moderate	0	1	2	3	50%
Totals	0	2	4	6	100%

Berkshire Woods / Timber Ridge / DR Horton: 6 credits

Block 15.20, Lots 1-64

North Elmwood Road (LD District)

28.5 acres

Status: Completed

Berkshire Woods is an attached single family (townhouse) community located on the east side of North Elmwood Road. The site is within the LD zoning district and the MDR (moderate density

residential) Overlay. The MDR zoning standards were adopted in 2011 at a time when there was uncertainty about municipal fair share obligations and the COAH regulations. The standards were intended to allow increased flexibility in the type of housing permitted in the portions of the Low Density LD zoning district that had access to water and sewer service and where cluster development would be beneficial; while acknowledging environmental constraints and creating a realistic opportunity for the inclusion of affordable units as part of market rate housing development.

The Berkshire Woods townhouse development is similar in tract area and residential density to the Winding Brook development. Approximately half the site is subject to a conservation easement as a result of an endangered bat that was discovered on the wooded portion of the site during site design. The development includes a total of 68 for-sale townhouse residential units, of which 6 are affordable to low- and moderate-income households. The subdivision was approved by the Planning Board on October 20, 2016 (resolution PB16-13). The subdivision and development plan complied with the applicable zoning requirements. However, in January of 2017 Fair Share Housing Center appealed the Planning Board’s approval of the development, asserting that the approval thwarted Evesham’s ability to comply with its fair share housing obligations. Ultimately, in order to persuade FSHC to release Timber Ridge at North Elmwood from the litigation, which was causing costly delays, the developer agreed to make a \$140,000 payment to Evesham’s Affordable Housing Trust Fund in addition to the six (6) new affordable units that were already part of the approval (and required by the zoning).

	1 bedroom	2 bedroom	3 bedroom	Total	Percent
30% AMI Very Low	0	0	0	0	0%
50% AMI Low	0	1	2	3	50%
60% AMI Moderate	0	2	1	3	50%
Totals	0	3	3	6	100%

Habitat for Humanity: 2 credits

Block 4.08, Lots 5 and 6

36 and 38 Oak Avenue

0.25 acres

Status: Proposed

This 100% Affordable Family for Sale project to be developed by Habitat for Humanity was initially proposed to be developed on Township owned lands on Evesboro-Medford Road. The Township and Habitat for Humanity reached an agreement in June of 2019 to allow for the development of 4 affordable for sale homes on the Township owned lot. Title to the property was transferred to Habitat from the Township, however after assuming title and conducting investigations into the property, Habitat determined that development on that lot would be unfeasible. As a result, the agreement has been amended to require that Habitat construct two (2) affordable units on Township owned properties at 36 and 38 Oak Avenue. As a part of the agreement, the Township will

pay Habitat \$45,000 for each unit, and in exchange Habitat will construct the two homes and provide affordable deed restrictions of at least 30 years on each home.

This project has Historic Preservation Commission approval.

	1 bedroom	2 bedroom	3 bedroom	Total	Percent
30% AMI Very Low	0	0	0	0	0%
50% AMI Low	0	1	0	1	50%
60% AMI Moderate	0	1	0	1	50%
Totals	0	2	0	2	100%

Habitat for Humanity: 1 credit
Block 28.11, Lot 2
10 Radnor Avenue (MD District)
0.25 acres
Status: Complete

Habitat for Humanity (Habitat) acquired this residential lot in 2016 and demolished the dilapidated structure. The lot is located in the Heritage Village neighborhood. The property is surrounded by other similar single family lots and a municipal recreation facility to the east. A former single family dwelling on the site was demolished, and Habitat has constructed a new home for a low income family. The Township and Habitat entered into an Affordable Housing Agreement on July 20, 2017, setting forth the details of the project and providing that Evesham will contribute \$35,000 to the home for a moderate income household or \$45,000 for a low income household. The new affordable home is complete and occupied. Habitat has coordinated with the Township’s Administrative Agent to ensure that the selection and income qualification process were consistent with the UHAC requirements. The unit is subject to a 30-year affordability restriction, which was filed at the time of closing.

	1 bedroom	2 bedroom	3 bedroom	Total	Percent
30% AMI Very Low	0	0	0	0	0%
50% AMI Low	0	0	1	1	100%
60% AMI Moderate	0	0	0	0	0%
Totals	0	0	1	1	100%

SENIOR RENTAL

Brightview at Evesham: 17 credits

Block 2.01, Lot 8.01

170 Greentree Road (C-2 District)

10.6 acres

Status: Completed

Shelter Development Group received a use variance, density, and floor area ratio variances to permit a 201-unit continuing care facility on the 10.64-acre site in 2007. When complete, the overall facility would include 121 independent living units (157 beds), 57 assisted living units (64 beds), and 23 Alzheimer’s units (25 beds). Phase I of the facility includes 171 of the total 201 units and opened in 2011. Phase I consists of 91 independent living units, and 80 assisted living units (57) and Alzheimer’s units (23). A total of 17 of the existing units are set aside for low and moderate income individuals.

In March of 2021, the developer received an amended use variance approval for an expansion of the facility that would have included additional beds and 10 additional credits that were initially included in the Third Round Housing Plan. Since that time, the developer has withdrawn interest in the expansion of the facility on the site. As such, the Township will retain credits only for the existing 17 affordable units in the facility rather than the 27 credits initially claimed in the previous Third Round Plan.

An assisted living residence is a facility licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and provide assisted living services to the residents. A congregate independent living facility provides all the same services with the exception of medical treatment. The unit of credit within the assisted living/congregate independent living facilities is the suite or apartment. However, a two- bedroom apartment shall be eligible for two units of credit if it is restricted to two unrelated individuals.

The fees paid by the residents of both the assisted living units and the independent living units include rent, utilities, apartment/grounds maintenance, real estate taxes, two meals per day, bi-weekly housekeeping, 24-hour emergency response service, structured activities, and transportation. The affordable units are being administered in coordination with the Township’s Administrative Agent.

	1 bedroom	2 bedroom	3 bedroom	Total	Percent
30% AMI Very Low	0	0	0	0	0%
50% AMI Low	10	0	0	10	59%
60% AMI Moderate	7	0	0	7	41%
Totals	17	0	0	17	100%

Walters / Evesham Senior: 66 credits (2 credits to the Fourth Round)

Block 2.06, Lot 2

16 Stow Road (SEN 3 Senior Residential District)

2.3 acres

Status: Completed

Evesham Senior Apartments is a 100% affordable age-restricted rental community consisting of 68 one and two bedroom apartments available to low and moderate income residents age 55+.

The Evesham Senior Apartments LLC purchased the lot in 2017 and received preliminary and final site plan approval from the Evesham Township Planning Board on June 21, 2018. The developer subsequently filed an application with NJHMFA for low income housing tax credits to assist in funding the project, received the award notification in November 2018. The building includes first level parking and four stories of apartments. At least 34 of the units are available to low income households (including 9 very-low income) and the remainder are available to moderate income households.

Evesham Senior Apartments LLC and Evesham Township entered into an Affordable Housing Agreement on September 7, 2018 to outline the obligation and expectations for the project and to provide that the Township will provide a subsidy from the Affordable Housing Trust Fund to support the project, in exchange for a 30-year affordability deed restriction. The project was completed and issued a certificate of occupancy in June of 2021.

	1 bedroom	2 bedroom	3 bedroom	Total	Percent
30% AMI Very Low	8	1	0	9	13%
50% AMI Low	23	2	0	25	37%
60% AMI Moderate	32	2	0	34	50%
Totals	63	5	0	68	100%

Elmwood House: 20 credits (69 credits in Prior Round)

Block 15.03, Lot 170

444 Elmwood Road

3.75 acres

Status: Complete

The Elmwood House project is a 100% affordable senior rental that was developed by B’Nai Brith, and originally received approvals in 1996. The initial approval allowed for construction of 74 units, and a second phase of the project for 15 additional units was completed in 2002. Within the 89 unit project, all units are one-bedroom units that are reserved for low income seniors.

The 89 credits available from this project are being split between the Prior Round and the Third Round, with 69 credits being claimed in the Prior Round, and the remaining 20 credits being claimed

in the Third Round. As these are rental units, 11 bonus credits are also being claimed in the Prior Round.

	1 bedroom	2 bedroom	3 bedroom	Total	Percent
30% AMI Very Low	0	0	0	0	0%
50% AMI Low	89	0	0	89	100%
60% AMI Moderate	0	0	0	0	0%
Totals	89	0	0	89	100%

ASSISTED LIVING / SENIOR RENTAL

Hawthorn / Evesham Retirement / Marlton Gardens: 24 credits

Block 24.24, Lot 2

405 Lippincott Drive (AH-1A District)

5.5 acres

Status: Completed

Hawthorn Retirement Group has constructed a congregate independent living facility that includes 161 suites and a total of 177 beds (16 two-bed units) with a 15% affordable housing set aside. In total there are 24 affordable senior rental units within the assisted living facility.

The unit distribution for the site is as follows. All units are studio units.

	1 bedroom	2 bedroom	3 bedroom	Total	Percent
30% AMI Very Low	4	0	0	4	17%
50% AMI Low	8	0	0	8	33%
60% AMI Moderate	12	0	0	12	50%
Totals	24	0	0	24	100%

Capitol Senior Housing / Arbor Terrace Marlton: 11 credits

Block 36, Lot 2.05

5 Executive Drive

6.1 acres

Status: Completed

The properties within “Marlton Executive Campus” along Executive Drive (a private roadway connecting Route 73 and Evesham Road) were the subject of site plan approvals granted in 2001 to permit the construction of five office buildings. Only two of the buildings were constructed (now on

lot 2.01). Some site improvements had been constructed on the remaining lots including the private roadway, stormwater infrastructure, and parking areas, but the lots had remained vacant. The lots are within a commercial zoning district, and though there is frontage on Route 73 and Evesham Road, freshwater wetlands and wooded areas constrained visibility and limited the potential for traditional retail or service development. In considering options for fair share compliance and looking at the overall availability of developable land with access to water and sewer infrastructure, transportation infrastructure, and proximity to employment and services, and through site suitability analysis, it was determined that the vacant lots presented an opportunity to redefine the area from commercial to residential. Through negotiations with the property owner, it was determined that lot 2.03 could be developed with the 100% affordable rental development now known as Cornerstone at Marlton or Evesham Family Apartments. The remaining lots would be considered for designation as an Area in Need of Redevelopment in order to set the stage for development of the properties with uses not contemplated by the C-1 zoning. The sites have developable land area, but are not ideally configured for retail development, and office development has proven unlikely.

The area was designated as a Non-condemnation Area in Need of Redevelopment by resolution 127-2019, and a Redevelopment Plan was prepared and adopted on November 12, 2019, by ordinance 18-11-2019. The Redevelopment Plan enables lots 2.04 and 2.05 to be developed with a range of age-restricted housing types. For assisted living and memory care, a minimum of 10 of the total beds are required to be affordable to Medicaid eligible residents in accordance with the site plan approval, and an additional 11th unit must be reserved for low income residents. For the multi-family age restricted units being constructed, the Redeveloper’s Agreement requires a payment in lieu for 15% of the total number of units produced. The payment in lieu will ensure that there is adequate money in Affordable Housing Trust Fund to fund the programs outlined in the Spending Plan, including the Market to Affordable Program, which will assist in creating affordable units from the existing housing stock. There has not yet been a proposal for the multi-family age restricted portion of the redevelopment area.

The project has been completed and granted a Certificate of Occupancy on May 2, 2025. The affordability restriction will be required to be filed prior to the issuance of a Certificate of Occupancy. The units will be administered by the redeveloper together with the Township’s Administrative Agent.

It is anticipated that a deed restriction will be filed soon.

	1 bedroom	2 bedroom	3 bedroom	Total	Percent
30% AMI Very Low	11	0	0	0	100%
50% AMI Low	0	0	0	0	0%
60% AMI Moderate	0	0	0	0	0%
Totals	11	0	0	0	100%

Artis Senior Living: 6 credits
Block 24.23, Lot 1
302 Lippincott Drive (C-1 district)
5.1 acres
Status: Complete

In 2013 Artis Senior Living applied for and was granted a “D” use variance to permit a congregate assisted living/memory care facility on a vacant property in the C-1 commercial zoning district (and EVCO) at Centre Boulevard and Lippincott Drive. The site is surrounded by office, bank, and retail commercial uses. As part of the approval, the Zoning Board requested, and the applicant agreed that six (6) of the units/beds at the facility would be affordable to low- and moderate-income individuals. A site plan was subsequently approved and the facility was constructed and opened in 2016. An affordability restriction has been recorded and provides that 6 Medicaid beds will be maintained at the site.

Within the facility, each of the Medicaid beds are provided within two bedroom studio units, which although listed as studio units do contain separate living spaces for each bedroom area within the larger studio unit. The units function more closely to a 2-bedroom unit than a studio.

	1 bedroom	2 bedroom	3 bedroom	Total	Percent
30% AMI Very Low	0	6*	0	6	100%
50% AMI Low	0	0	0	0	0%
60% AMI Moderate	0	0	0	0	0%
Totals	0	6*	0	6	100%

Although units are in a “shared studio”, they function and will be credited as if they were a 2-bedroom unit.

CareOne at Evesham: 8 credits
Block 16, Lot 13
870-874 Route 70 East:
13.7 acres
Status: Approved

The property located at 870-874 Route 70 East is currently developed with the CareOne at Evesham continuing care facility and contains 68 assisted living and Alzheimer’s units in Building A and 159 skilled nursing beds in Building B. The facility was initially approved in 1998 and opened in 2000. In the Spring of 2024, the developer was granted an amended approval to allow for an expansion of the facility. The expansion would include 76 new assisted living beds, which would include 8 of those set aside for Medicaid patients.

A copy of the resolution of approval for the amended variance and site plan is included in Appendix F.4.

	1 bedroom	2 bedroom	3 bedroom	Total	Percent
30% AMI Very Low	8	0	0	8	100%
50% AMI Low	0	0	0	0	0%
60% AMI Moderate	0	0	0	0	0%
Totals	8	0	0	8	100%

SUPPORTIVE / SPECIAL NEEDS HOUSING

Allies Inc: 4 credits
Block 13.04, Lot 2
14 Overington Avenue
Status: Completed

A 4-bedroom group home facility for four individuals with developmental disabilities is operated by Allies Inc at 14 Overington Avenue. The survey provided by the operator indicates that there are 40 year affordability controls on the property that will run through 2046. The Township will claim 4 credits through this project.

Allies Inc: 4 credits
Block 28.11, Lot 1
8 Radnor Boulevard
Status: Completed

Allies Inc. operates a second facility in the Township at 8 Radnor Boulevard. This facility is also a 4-bedroom home licensed by the state to serve four individuals with developmental disabilities. The survey provided indicates affordability controls on the property for 30 years, through 2037. The Township will claim 4 credits from this project.

Bancroft: 3 credits
Block 6.01, Lot 42
106 Harvest Road
Status: Completed

Bancroft owns and operates a home at 106 Harvest Road that contains 3 bedrooms that are available to clients. The Township will claim 3 credits from this group home facility.

Bancroft: 3 credits
Block 6.05, Lot 113
5002 Red Haven Drive
Status: Completed

Bancroft owns and operates a home at 5002 Red Haven Drive that contains 3 bedrooms that are available to clients. The Township will claim 3 credits from this group home facility.

Bancroft: 3 credits
Block 6.05, Lot 10
1505 Roberts Lane
Status: Completed

Bancroft operates a group home at 1505 Roberts Lane that contains 3 bedrooms that are available to clients. The Township will claim 3 credits from this group home facility. As the facility is not owned by Bancroft, but leased, the Township can provide documentation indicating from fire code inspections that this facility has been leased by Bancroft and operated as a group home at least as far back as 1999, and continues in operation today.

Bancroft: 4 credits
Block 10.06, Lot 6
46 East Cedar
Status: Completed

Bancroft leases and operates a group home at 46 East Cedar Avenue that contains 4 bedrooms that are available to clients. The Township will claim 4 credits from this group home facility. As the facility is leased and not necessarily under long term control of Bancroft, fire inspection reports dating back to 2005 indicate that this facility has been serving as a licensed group home for at least 16 years now.

Bancroft: 3 credits
Block 6.05, Lot 75
3301 Elberta Lane
Status: Completed

Bancroft leases and operates a group home at 3301 Elberta Lane that contains 3 bedrooms that are available to clients. The Township will claim 3 credits from this group home facility. As the facility is leased and not necessarily under long term control of Bancroft, fire inspection reports dating back to 2000 indicate that this facility has been serving as a licensed group home for at least 21 years now.

Bancroft: 4 credits
Block 8.07, Lot 23
5 Tenby Lane
Status: Completed

Bancroft leases and operates a group home at 5 Tenby Lane that contains 4 bedrooms that are available to clients. The Township will claim 4 credits from this group home facility. As the facility is leased and not necessarily under long term control of Bancroft, fire inspection reports dating back to 2000 indicate that this facility has been serving as a licensed group home for at least 21 years now.

Quality Management Associates (QMA): 3 credits

Block 13.24, Lot 40

305 North Elmwood Drive

Status: Completed

QMA operates a 4-bedroom facility on North Elmwood Drive. The group home is licensed to serve up to three individuals. The Township will claim 3 credits from this group home facility.

Quality Management Associates (QMA): 3 credits

Block 183, Lot 16

140 Laurel Run

Status: Completed

QMA operates a 3-bedroom facility licensed to serve up to three individuals at 140 Laurel Run. The Township will claim 3 credits from this project.

Oaks Integrated Care / Family Services: 3 credits

Block 13.30, Lot 24

7 Gaylord Lane

Status: Completed

Initially licensed to Family Services, Oaks Integrated Care took ownership of this property and now operates the facility at 7 Gaylord Lane. The group home contains 3-bedrooms for clients. The Township will claim 3 credits from this facility.

Oaks Integrated Care: 4 credits

Block 11.42, Lot 92.01

100 Barn Road

Status: Completed

Oaks Integrated Care operates two group homes on two adjacent properties on Barn Road, one at 100 Barn Road and one at 100A Barn Road. The property was initially one lot that was subdivided in 2007 to create a new parcel for the second group home facility. Both group homes are licensed to serve 4 individuals in their own bedrooms. Information provided by Oaks indicates that there are 20-year affordability controls on the facility. The facility serves 1 low income tenant and 3 moderate income tenants according to financial agreements provided. The Township will claim 4 credits from this project.

Oaks Integrated Care: 3 credits

Block 11.42, Lot 92.02

100A Barn Road

Status: Completed

The second group home operated by Oaks Integrated Care on Barn Road is also a 3-bedroom home that contains one bedroom that is handicapped accessible with its own bathroom. The Township will claim 3 credits from this facility.

Oaks Integrated Care: 4 credits

Block 65, Lot 12.02
239 Chestnut Avenue
Status: Completed

Another one of Oaks' facilities is located at 239 Chestnut Avenue. This facility is a 5-bedroom home that is licensed to serve up to 4 individuals. The Township will claim 4 credits from this facility.

Oaks Integrated Care: 4 credits

Block 64, Lot 1
538 Kettle Run Road
Status: Completed

Oaks Integrated Care also operates a facility on Kettle Run Road in the Township. Initially licensed in 2014, this facility is a 4-bedroom home licensed to serve 4 individuals. The Township will claim 4 credits from this group home facility.

Community Options: 4 credits

Block 13.45, Lot 43
151 Carlton Avenue
Status: Completed

Community Options owns and operates a 4-bedroom group home on Carlton Avenue that is licensed to support 4 individuals. The Township will claim 4 credits from this group home.

Community Options: 3 credits

Block 13.25, Lot 28
58 Longhurst
Status: Completed

Community Options also operates a 3-bedroom group home facility on Longhurst Road. The facility is licensed to serve 3 individuals with developmental disabilities. The Township will claim 3 credits from this project.

Occupational Training Center (OTC) of Burlington County: 4 credits

Block 13.21, Lot 14
1 Longhurst Road
Status: Completed

OTC also operates a second facility in Evesham Township. This 4-bedroom group home is located on Longhurst Road and serves four individuals. The Township will claim 4 credits from this group home.

Occupational Training Center (OTC) of Burlington County: 4 credits

Block 13.13, Lot 18
42 Concord Road

Status: Completed

The Occupational Training Center of Burlington County operates a 4-bedroom special needs housing facility for persons with developmental disabilities at 42 Concord Road. The facility has 20 year affordability controls that were put in place in 2018. The Township will claim 4 credits through this project.

Bancroft: 3 credits

Block 6.05, Lot 9

1506 Roberts Lane

Status: Completed

Bancroft owns and operates a home at 1506 Roberts Lane that contains 3 bedrooms that are available to clients. The Township will claim 3 credits from this group home facility.

ADDITIONAL COMPLIANCE MECHANISMS

Market to Affordable Program: 22 credits

Location Varies

Partially Completed

The Market to Affordable Program for For-Sale and Rental units is being established to create opportunities for low- and moderate-income households to buy or rent homes within existing neighborhoods in the Township. The Market to Affordable Program will utilize Affordable Housing Trust Fund Monies to “buy down” the cost of a market rate unit in order to make the unit affordable to a very-low, low-, or moderate-income household for a 30-year restriction period. This program may also be supplemented with the Township’s Down Payment Assistance program, which offers up to \$15,000 toward down payment and closing costs for qualified buyers of affordable housing units.

In order to confirm the viability of the program, the Township and its Administrative Agent conducted market research to assess the availability and market rate costs of for-sale and rental units in the Township as compared to the amount that a low- or moderate-income household can typically pay for housing. For for-sale units the range of affordability was considered for one, two, and three bedroom units for a household earning 60% of area median income. For rental units, a range of affordability was calculated for the number of bedrooms and to account for whether utilities are included or not included in the rent. Also, for rental units the difference between market rate rent and affordable rent (lost revenue to a landlord) over 30 years (at 2% annual inflation) was discounted to estimate the net present value of the required subsidy.

At the time of the analysis, it was determined that both the for-sale and the rental program are viable with a subsidy of approximately \$45,000 per unit. The for-sale program is more likely to succeed in producing the desired number of units, as the benefit accrues directly to the low or moderate income buyer, who would not otherwise be able to afford the unit. The rental program will require the participation of a landlord who believes that the upfront net present value payment

is worth the 30 years of reduced rent, potential reduction in total property value, and administrative costs associated with the affordable unit.

The Township has already completed the conversion of three market rate apartments into affordable units. The New Road Realty / Tamburro project at 37 South Maple Avenue is a five apartment unit development within two buildings, where three rental units were deed restricted as affordable units in 2016. 30 year deed restriction controls were placed on these units. One apartment was made affordable through a condition of a use variance granted to the property, while the other two affordable units were created through subsidies from the Township’s affordable housing trust fund. The affordable apartments include a moderate income 2-bedroom unit, and two low-income 1-bedroom units.

	1 bedroom	2 bedroom	3 bedroom	Total	Percent
30% AMI Very Low	0	0	0	0	100%
50% AMI Low	2	0	0	2	0%
60% AMI Moderate	0	1	0	1	0%
Totals	2	1	0	3	100%

An additional market to affordable project was completed at 211 Quail Run in 2023.

A copy of the affordability controls and deed for this project can be found in Appendix F.5.

The Township is committed to achieving the remaining 18 market to affordable conversions. Although a market to affordable program is subject to the market availability of certain properties, the Township will make practical efforts to convert housing as it becomes available into deed restricted affordable units, and has allocated funding in the Affordable Housing Trust Fund Spending Plan to accommodate an average of \$55,000 towards each project.

Extensions of Expiring Controls: 8 credits

Location varies

In an effort to maintain a sufficient stock of affordable homes in the Community, the Township as well as their appointed administrative agent, which was previously NJHMFA HAS, had a policy to extend the controls on many of these units that were threatened with foreclosure or at the time of sale. On at least 8 properties, the affordability controls have been extended and the length of the initial control period as well as the new controls would allow the Township to claim additional credits on these units for the Prior Round and the Third Round. The new deed restrictions and affordable housing agreements placed on the properties extended the controls on the properties for 99 years, or 30 years, and in a few cases in perpetuity. The 8 properties that have had their affordability controls extended and for which the Township will claim credit are in the table below.

Extensions of Controls				
Address	Initial Date	Initial Length of Controls	Date of Extension	Length of Controls
1108 Maresfield Ct	Apr 29 1994	20 years	Nov 28 2008	30 years
401 Quail Road	Nov 21 1994	30 years	Oct 29 2019	30 years
407 Quail Road	Nov 28 1994	Perpetuity / 20 years	Dec 28 2018	Perpetuity
1101 Squirrel Road	Oct 25 1995	Perpetuity / 20 years	Dec 21 2018	Perpetuity
1207 Squirrel Road	Mar 27 1996	99 years	Sep 25 2018	99 years
1307 Squirrel Road	Feb 9 1996	30 years / 99 years	Jun 27 2018	99 years
911 Rabbit Run Rd	May 29 1996	Perpetuity / 20 years	June 10 2002	99 years or 30 years
2511 Rabbit Run Rd	Jul 30 1997	Perpetuity / 20 years	Aug 1 2018	99 years

A map of all Third Round Projects can be found in Appendix E.2.

Fourth Round Obligation

Evesham Township has a Fourth Round prospective need (new construction) obligation of 220 affordable housing units, which has been adjusted to a Realistic Development Potential of 133 affordable units.

The parameters below are based on the Township’s Fourth Round prospective need Realistic Development Potential of 133 units. Since the Township is eligible for a maximum of 33 bonus credits, the minimum number of “actual” units required is 100 if all bonuses are utilized. This compliance plan includes the potential for the creation of up to 182 actual affordable housing units, as well as the maximum of 33 bonus credits.

The Township must meet the following minimum and maximum requirements in addressing the 133 unit RDP obligation, in accordance with N.J.A.C.52:27D-311.l.

- **Low/Moderate Income Split:** at least fifty percent (50%) of the actual units shall be affordable to very-low-income and low-income households with the remainder affordable to moderate-income households.
 - $100 \times 0.5 = 50$
 - A minimum of 50 units must be affordable to low-income households.

- **Very Low Income Units:** Thirteen percent (13%) of all affordable units must be affordable to very-low income households, with half of the very-low-income units being available to families.
 - $100 \times 0.13 = 13$
 - $13 \times 0.5 = 6.5$ (7)
 - The Township has an obligation to provide at least 13 units for very-low-income households, with at least 7 of those units being available to families.

- **Family Units:** A minimum of fifty percent (50%) of the actual units must be non-age restricted affordable units available to families.
 - $100 \times 0.5 = 50$
 - A minimum of 50 units must be available to families.

- **Rental Units:** At least twenty-five percent (25%) of the actual units to be constructed shall be met through rental units, including at least half in non-age-restricted rental units available to families.
 - $100 \times 0.25 = 25$
 - A minimum of 25 units must be rental units, and at least 13 of those units must be non-age-restricted units that are available to families.

- **Age Restricted Units**: A maximum of 30 percent (30%) of the Township’s credits can be from age-restricted senior units.
 - $100 \times 0.3 = 30$
 - The Township may claim a maximum of 30 credits from age-restricted senior units.
- **Bonus Credits**: The Township may claim bonus credits for a maximum of 25% of the obligation.
 - $133 \text{ (RDP)} \times 0.25 = 33.25$
 - The Township may claim a maximum of 33 bonus credits.

In accordance with N.J.A.C.52:27D-311.k, bonus credits may be claimed for the following types of affordable units:

1. 1.0 bonus credits for special needs housing or permanent supportive housing;
2. 0.5 bonus credits for any affordable housing created in partnership with a non-profit housing developer;
3. 0.5 bonus credits for affordable housing created within $\frac{1}{2}$ mile of a transit station, or within 1 mile of a transit station if the site is located within a garden state growth zone.
4. 0.5 bonus credits for age-restricted housing, provided that no more than 10% of the age restricted housing receives bonus credit.
5. 0.5 bonus credits for each three-bedroom affordable unit beyond the minimum requirement for three-bedroom units.
6. 0.5 bonus credits for each affordable unit constructed on land that was previously developed and utilized for retail, office, or commercial space;
7. 0.5 bonus credits for each affordable rental unit that has its affordability controls extended for a new term of affordability, and the municipality contributes funding towards the costs necessary for this preservation.
8. 1.0 bonus credit for each affordable unit in a 100% affordable development in which the municipality contributes toward the costs of the project, either from financial donations, property donations, provided that the municipality funds at least 3% of the cost of the project.
9. 0.5 bonus credits for each affordable unit for very-low income families beyond the 13% minimum requirement.
10. 1.0 bonus credits for each market rate unit that is converted to an affordable unit.

Fourth Round Compliance Mechanisms

The Township has a Fourth Round Prospective Need obligation of 220 affordable units. This prospective need has been adjusted through a Vacant Land Adjustment to a Realistic Development Potential of 133 units.

All of the sites and projects included in Evesham Township’s Fair Share Plan are located within the approved sewer service areas and are within Planning Areas 1 and 2 on the State Plan Map. Though 55% of Evesham’s land area is within the Pinelands National Reserve, the Township has created a compliance plan that does not rely on the environmentally sensitive Pinelands area for any development projects in the Fourth Round, with the exception of one site that is intended to produce a small 100% affordable veterans housing project on the current site of the VFW.

The Township proposes to satisfy its 133 unit RDP and remaining unmet need through the following mechanisms:

Fourth Round Credits				
Project	Type of Unit	Units	Bonus	Total
<i>RDP Projects</i>				
Walters Evesham Senior	Senior Rental	2	0	2
DPW Site	Senior Rental	28	1.5	29.5
Marlton Crossing Redevelopment	Family Rental	24	0	24
Marlton Crossing Redevelopment	Special Needs	25	25	50
Ballerini 23 East Main St	Family Rental	1	0	1
19 Cooper	Family Rental	1	0	1
VFW Site	Family Sale	6	6	12
Marlton Greene / Blue Anchor	Family Rental	48	0	48
Extension of Controls	Varies	25	0	25
Totals		160	32.5	192.5
<i>Unmet Need Sites</i>				
Route 73 / Dutch Road	Family Rental	17	0	17
Skating Rink Site	Family Rental	5	0	5
Totals		22	0	22
Overall Totals		182	32.5	214.5

PROJECTS SATISFYING REALISTIC DEVELOPMENT POTENTIAL

FAMILY RENTAL

Marlton Crossing Redevelopment: 24 credits

Block 24.21, Lot 3

100-112 Centre Boulevard

10.5 acres

Status: Proposed

The commercial office park located on Centre Boulevard and Route 73 in the Marlton area of the Township was designated as an area in need of redevelopment in August of 2022 as a commercial building with significant vacancies. The Township has adopted a redevelopment plan for the 10+ acre site to see the removal of the existing office buildings and the construction of a new four-story building that will include a total of 325 apartment units. The redevelopment plan requires a 15% set aside for affordable housing, with half of the affordable units being special needs units reserved for individuals with disabilities. The project will produce 24 affordable family rental units for low and moderate income households, and 25 special needs bedroom units.

The redeveloper of the site will partner with qualified providers to administer the special needs units on site, and will offer these units to individuals with functional disabilities who are New Jersey residents who are eligible for Medicaid.

A copy of the Redevelopment Plan for this site can be found in Appendix F.1.

Ballerini / Main St: 1 credit

Block 4.06, Lot 3

23 East Main Street

0.3 acres

Status: Approved

The property located at 23 East Main Street will be developed with 5 total residential units, one of which will be an affordable townhouse unit. This project has been approved by the Township's Planning Board and is awaiting construction permits.

A copy of the redevelopment agreement for the project can be found in Appendix F.6

19 Cooper: 1 credit

Block 4.09, Lot 18

19 Cooper Avenue

0.36 acres

Status: Proposed

The property at 19 Cooper Avenue is located within the East Main and Cooper Avenue Redevelopment Area. The owner of the property has approached the Township with a proposal to construct a 6-unit apartment building with a small commercial space on the ground floor. The

Township is seeking to collaborate with the developer to permit the project as an inclusionary rental project, and will provide a financial contribution to the project to make it viable for the developer.

- **Available**

The Township is already working with the owner who has expressed interest in building a six-unit mixed-use apartment building. Although a title search has not been completed, there do not appear to be any deed restrictions, title issues, or environmental constraints.

- **Suitable**

The location of the site is appropriate for small multi-family project, as the adjacent sites are existing residential and commercial developments abutting the property. The site is consistent with the environmental policies delineated in N.J.A.C. 5:93-4). The site is not encumbered by wetlands, flood hazards, or steep slopes. The site is not surrounded by industrial users and has sufficient space for adequate buffering.

- **Developable**

The site has access to appropriate water and sewer infrastructure and is consistent with the applicable area-wide water quality management plan and wastewater management plan. The site exhibits no environmental constraints and is suitable for development. The site is within the sewer service area and will be served by the municipality's Municipal Utilities Authority (MUA).

- **Approvable**

The current redevelopment plan already permits the proposed 6 apartment units on site. The Township will also make any amendments necessary to the current redevelopment plan to ensure that the project is approvable. There are no environmental constraints on the site.

A copy of the current Redevelopment Plan for this site can be found in Appendix F.2.

[FAMILY FOR-SALE](#)

VFW Site: 6 credits + 6 bonus credits

Block 165, Multiple lots

94 Tenth Street

2.0 acres

Status: Proposed

Located at the end of Tenth Street is a +/- 2.0 acre tract recently purchased by the Township. Evesham intends to work with a veterans housing provider to construct three duplex or twin style affordable dwellings on the site as a 100% affordable project for veterans. The Township will claim 6 credits, plus 6 bonus credits as it is a 100% affordable project with the Township providing financial assistance to a developer.

The site contains some wetlands and is located within the Pinelands. Current zoning on the site permits development at up to 2.5 units per acre, and the wetlands constraints will limit potential

development to the existing impervious footprint of the VFW and its parking areas. These areas are large enough to accommodate 3 two-family dwellings. Preliminary discussions with the Pinelands Commission have indicated that a small project on the site would be feasible.

The Township will work with the Pinelands Commission to ensure that the project is approvable by the Pinelands. It is not anticipated at this time that any zoning amendments would be required other than a change to permit two-family dwellings rather than only single-family homes.

- **Available**

The Township has acquired the property and is actively seeking developers for the project.

- **Suitable**

The location is appropriate for a small project of duplexes or twins. The site is in the Pinelands Regional Growth Area which includes existing growth and adjacent lands capable of accommodating regional growth influences while protecting the essential character and environment of the Pinelands. Permitted residential densities range from two to six homes per acre with sewers. The site is surrounded by low-density residential buildings.

- **Developable**

The Township can work with the Pinelands Commission on permitting construction within the existing footprints of the disturbed lands, but may not be able to expand the developable footprint. However, there is space on the existing developed area for several duplex units. The site is also within a sewer service area and sewer and water are provided on Tenth Street.

- **Approvable**

The current zoning on the site permits single-family homes on the site at a maximum density of 2.5 units per acre. The Township will amend the zoning for this site to permit two-family dwellings or townhouses sufficient to allow for the construction of at least 4 units.

SENIOR RENTAL

Walters / Evesham Senior: 2 credits (66 credits in the Third Round)

Block 2.06, Lot 2

16 Stow Road (SEN 3 Senior Residential District)

2.3 acres

Status: Completed

Evesham Senior Apartments is a 100% affordable age-restricted rental community consisting of 68 one and two bedroom apartments available to low and moderate income residents age 55+. 66 credits were applied to the Third Round, and the remaining 2 credits from the project are being carried into the Fourth Round.

Department of Public Works (DPW) Yard / Barclay Chase II: 28 credits + 1.5 bonus credits

Block 16, Lot 1.03

501 Evesboro – Medford Road (C-1 District and Redevelopment Area)

5.4 acres

Status: Proposed

The Township’s Department of Public Works offices and yard had been located at 501 Evesboro-Medford Road for approximately 25 years but outgrew the facility. In 2016 the Township purchased the property at 100 Sharp Road (located across the street from the former DPW site) with the intent of making some needed site improvements and building additions and has moved the Department of Public Works (DPW) operations to that site. The former DPW site is located on Evesboro-Medford Road at the terminus of Sharp Road and is surrounded on three sides by the Barclay Chase at Marlton development described above.

The DPW site was designated as an Area in Need of Redevelopment by Resolution 179-2016 on June 21, 2016. The “Aristone Tract” Redevelopment Plan, which enabled the Barclay Chase development, has been amended to include the DPW property and to provide standards applicable to the site. The Redevelopment Plan for the site permits multi-family dwellings at a density of up to 26 units per acre, and in buildings up to 55 feet in height. The current proposal for this site is a 100% affordable 60-unit senior rental community. Due to the cap on age-restricted units of 30% of the RDP, the Township will claim 28 credits from this project and remaining units may potentially be credited to a future round. The Township will also claim 1.5 bonus credits from this senior project.

The redevelopment of the site will be complementary to the existing Barclay Chase development, with shared access and interconnected vehicular and pedestrian pathways. The amended Redevelopment Plan can be found in Appendix F.3.

SUPPORTIVE / SPECIAL NEEDS HOUSING

Marlton Crossing Redevelopment: 25 Credits + 25 Bonus Credits

Block 24.21, Lot 3

100-112 Centre Boulevard

10.5 acres

Status: Proposed

The commercial office park located on Centre Boulevard and Route 73 in the Marlton area of the Township was designated as an area in need of redevelopment in August of 2022 as a commercial building with significant vacancies. The Township has adopted a redevelopment plan for the 10+ acre site to see the removal of the existing office buildings and the construction of a new four-story building that will include a total of 325 apartment units. The redevelopment plan requires a 15% set aside for affordable housing, with half of the affordable units being special needs units reserved for individuals with disabilities. The project will produce 24 affordable family rental units for low and moderate income households, and 25 special needs bedroom units.

The Township is eligible to claim an additional bonus credit for each unit of supportive needs housing included in the development for a total of 25 bonus credits.

The Redevelopment Plan for this project can be found in Appendix F.1.

REDEVELOPMENT PROJECTS

Marlton Greene Shopping Center & Blue Anchor Marlton Rehab Area: 48 credits

***Block 25, Lot 2, 2.01 2.03; Block 4.02, Lots 2 - 13.01; Block 4.03 Lots 1 - 5.01; Block 4.04 Lots 1 - 7
Route 70 at Route 73 and Blue Anchor Road***

5.7 acres

Status: Proposed

This multi-story shopping center building located on the southeast side of the intersection of Route 73 and Route 70 is an ideal location for revitalization and new development. The site is free of any environmental constraints such as wetlands. Being located at the largest intersection in the Township and adjacent to the downtown core of Marlton makes the site accessible to regional transportation routes and regional bus service on NJ Transit, as well as in proximity to local employment opportunities.

The shopping center parcels are immediately adjacent to the downtown area of Marlton, which is designated as an area in need of rehabilitation for several blocks located near Main Street and North Maple Avenue, and along Blue Anchor Street and Cottage Street. If the shopping center parcels are combined with the rehabilitation area parcels on the north side of Main Street and the west side of North Maple Avenue, the total area of the site is approximately 12 acres of developable land.

This tract, if developed at a density of 20 units per acre as a part of a mixed use commercial / residential project, could accommodate 240 total housing units and 48 affordable units.

- ***Available***

Although a title search has not been completed, there do not appear to be any deed restrictions, title issues, or environmental constraints.

- ***Suitable***

The location of the site is appropriate for a mixed-use project, as within a quarter mile the surrounding properties consist of similar uses and the site is accessible to public utilities and services. The surrounding properties consist of existing residential developments (Eastampton Gardens and Marlton Meeting Condominiums) and smaller residential properties, as well as commercial developments (Marlton Commons, Marlton Square and Marlton Crossing) and smaller commercial properties. The site is consistent with the environmental policies delineated in N.J.A.C. 5:93-4). The site is not encumbered by wetlands, flood hazards, or steep slopes. The site is not surrounded by industrial users and has sufficient space for adequate buffering.

Portions of the site are located within a designated historic district. Any new development would be required to respect the historic character of downtown Marlton and would be

intended to be a mixture of preservation/rehabilitation of existing structures along with new construction.

- **Developable**

The site has access to appropriate water and sewer infrastructure and is consistent with the applicable area-wide water quality management plan and wastewater management plan. The site exhibits no environmental constraints and is suitable for development.

- **Approvable**

The Township will adopt a redevelopment plan to permit a mixed-use project on the site at a density of up to 20 units / acre.

Extensions of Expiring Controls (25 credits)

Records from the Township’s affordable housing administrative agent indicate that there are 25 owner occupied family for sale affordable units located primarily within Whitebridge Village, Shannon Greene, and Westbury Chase that either have had their affordability controls expire, or have controls that are due to expire prior to 2030. The Township will pursue working with its administrative agent and the existing low/moderate income homeowners to extend the controls by an additional 40 years for each unit.

Extensions of Controls (Proposed)				
Address	Initial Date	Initial Length of Controls	Expiration of Controls	Type of Unit
32 Tenby Lane	2/12/1991	20	2/12/2011	Family Sale
48 Faybrooke Dr	5/31/1991	20	5/31/2011	Family Sale
31 Faybrooke Dr	11/27/1990	20	11/27/2010	Family Sale
6 Faybrooke Dr	5/29/1990	20	5/29/2010	Family Sale
35 Hewlings Dr	11/29/1990	20	11/29/2010	Family Sale
49 Cranberry Ct	12/15/1989	20	12/15/2009	Family Sale
37 Cranberry Ct	12/14/1990	20	12/14/2010	Family Sale
25 Cranberry Ct	6/15/1990	20	6/15/2010	Family Sale
14 Cranberry Ct	12/14/1990	20	12/14/2010	Family Sale
1 Cranberry Ct	7/31/1991	20	7/31/2011	Family Sale
2307 Rabbit Run Rd	7/31/1998	30	7/31/2028	Family Sale
2301 Rabbit Run Rd	3/23/1998	30	3/23/2028	Family Sale
2207 Rabbit Run Rd	10/29/1997	30	10/29/2027	Family Sale
1901 Rabbit Run Rd	2/19/1997	30	2/19/2027	Family Sale
1811 Rabbit Run Rd	2/26/1997	30	2/26/2027	Family Sale
1801 Rabbit Run Rd	2/19/1997	30	2/19/2027	Family Sale
911 Rabbit Run Rd	5/29/1996	30	5/29/2026	Family Sale
707 Quail Rd	6/10/1994	30	6/10/2024	Family Sale
211 Quail Rd	7/14/1993	30	7/14/2023	Family Sale

Extensions of Controls (Proposed)				
601 Quail Road	12/7/1994	30	12/7/2024	Family Sale
801 Quail Rd	5/5/1994	30	5/5/2024	Family Sale
701 Quail Rd	11/18/1994	30	11/18/2024	Family Sale
111 Quail Rd	4/29/1994	30	4/29/2024	Family Sale
2201 Rabbit Run Rd	2/2/1998	30	2/2/2028	Family Sale
401 Quail Rd	11/21/1994	30	11/21/2024	Family Sale

UNMET NEED

As per the requirements of the Amended Fair Housing Act, the Township is required to address 25% of the remaining unmet need obligation by identifying sites likely to redevelop.

As per N.J.A.C. 52:27D-310.1

Any municipality that receives an adjustment of its prospective need obligations for the fourth round or subsequent rounds based on a lack of vacant land shall as part of the process of adopting and implementing its housing element and fair share plan identify sufficient parcels likely to redevelop during the current round of obligations to address at least 25 percent of the prospective need obligation that has been adjusted.

- Fourth Round Obligation – 220 affordable units
- Realistic Development Potential – 133 units
- Unmet Need – 87 units
- $87 \times 0.25 = 21.75 = 25\%$ of unmet need

The Township satisfies both its RDP of 133 units through the 160 units and 33 bonus credits listed above, and up to 22 credits towards unmet need, which create the capacity for 182 actual affordable housing credits and 33 bonus credits, for a total of 215 affordable housing credits for the Fourth Round.

AFFORDABLE HOUSING OVERLAY DISTRICTS

The Township will establish new overlay district zoning to permit inclusionary affordable rental housing on parcels that are currently vacant or underutilized. Each of these tracts identified below consist of vacant lands or underutilized commercial sites that are likely to redevelop in the near future, and on some sites the Township has already received interest from developers seeking to convert properties to residential uses.

The intent of the affordable housing overlay will be to create a substantial incentive for inclusionary development by permitting construction at densities and building heights greater than permitted by the current underlying zoning. Proposed densities for these tracts range from 8 units per acre on smaller sites, to 20 units per acre on the larger tracts of land. All residential development within the overlay districts would be required to include a minimum affordable housing set aside of 20%.

A draft ordinance to establish inclusionary housing as a permitted use, and increased density on each of the sites listed below can be found in Appendix F.8.

Roller skating rink: 5 credits

Block 16, Lot 3.03

471 Evesboro – Medford Road

2.0 acres

Status: Proposed

The former roller-skating rink located on Evesboro – Medford Road has been underutilized for many years. The site currently has been serving as overflow parking and soon will be construction staging for the expansion project of the CareOne facility immediately to its east. The 2 acre property appears to be free from environmental constraints, although there are wetlands in the area, and could be developed at a density of 12 units per acre which would yield 24 total units and 5 affordable units on site.

- ***Available***

Although a title search has not been completed, there do not appear to be any deed restrictions, title issues, or environmental constraints.

- ***Suitable***

The location of the site is suitable for residential development. There is an existing assisted living residential facility adjacent to the eastern border of the site and across Burlington County Road 618 or Evesboro-Medford Rd. The site is consistent with the environmental policies delineated in N.J.A.C. 5:93-4). The site is not encumbered by flood hazards or steep slopes. The site has minimal wetlands concerns. The site is not surrounded by industrial users and has sufficient space for adequate buffering.

- ***Developable***

The site has access to appropriate water and sewer infrastructure and is consistent with the applicable area-wide water quality management plan and wastewater management plan. The site exhibits minimal environmental constraints and is suitable for development. The site is within the sewer service area.

- ***Approvable***

The Township will adopt overlay zoning to permit an inclusionary project on the site.

Route 73 at Dutch Road: 17 credits

Block 35.30, Lot 20

9.5 acres

Status: Proposed

The property located on the east side Route 73 at the intersection with Dutch Road is the site of the previously approved Oakleigh assisted living project that was initially included in the Township’s Third Round Housing Plan. Oakleigh has since ceased pursuit of that project, and the site now sits vacant. The 9+ acre site does have wetlands constraints in the rear of the site, but a survey of the property associated with the Oakleigh approval had indicated that there are approximately 4.1 acres of developable uplands, all along the frontage of the site.

If this parcel were to be redeveloped at a density of 20 units per acre, it could yield 84 total units and 17 affordable units.

- **Available**

Although a title search has not been completed, there do not appear to be any deed restrictions, title issues, or environmental constraints.

- **Suitable**

The location of the site is suitable for residential development. There is an existing adjacent residential development, and residential properties directly across Dutch Rd. The site is consistent with the environmental policies delineated in N.J.A.C. 5:93-4). The site is not encumbered by flood hazards. The site has some wetlands concerns on the rear of the site and some steep slopes in the center of Block 35.30 Lot 20. The site is not surrounded by industrial users and has sufficient space for adequate buffering.

- **Developable**

The site has access to appropriate water and sewer infrastructure and is consistent with the applicable area-wide water quality management plan and wastewater management plan. The site exhibits minimal environmental constraints and is suitable for development. The site is within the sewer service area and will be served by the municipality’s Municipal Utilities Authority (MUA).

- **Approvable**

The Township will adopt overlay zoning to permit an inclusionary multi-family project on the site.

ADDITIONAL COMPLIANCE MECHANISMS

Market to Affordable (Rental Projects)

In addition to the market to affordable program discussed as a Third Round compliance mechanism that is focused units for sale, the Township will continue to pursue opportunities for larger conversions of market rate units to affordable units focused on larger rental properties such as apartment complexes. These will consist of older market rate apartment complexes that may be in need of repairs. The Township will consider using funds from the Affordable Housing Trust Fund to make any necessary repairs to the units in exchange for full 40 year deed restrictions on some of the apartment units within the developments.

The intent behind this action would be similar to a rental rehabilitation program, but with the goal of making a percentage of the existing market rate units affordable units for a full period of 40 years, as opposed to the standard rehabilitation program which converts all units into affordable units but only for a period typically of 10 years. Such a program may prove more feasible than a rental rehabilitation program as existing leases within apartment complexes turn over on a sporadic basis, making some units available for the potential conversion. Many property owners are reluctant to participate in rental rehabilitation programs due to the issues that may arise from existing tenant leases and the loss of revenue that comes from deed restricting the entire property for 10 years. Providing funding for necessary repairs to convert a current market rate development into an inclusionary development could be a more feasible model, and achieve more permanent affordable housing.

The Township is not claiming any credits at this time from this program, but notes that any such conversions would be eligible for credits if they occur.

ADDITIONAL SITES FOR FUTURE CONSIDERATION

There are several tracts of property in the Township that may be suitable for inclusionary development, or development with a 100% affordable project. The Township may also consider the following sites in the event that any of the mechanisms described above to address the Fourth Round obligation prove to be infeasible, or circumstances change which render any sites or projects undevelopable.

Crispin Square / Church Road Shopping Center:

Block 2.01, Lot 2

Church Road at Church Street

16.3 acres

Status: Future Consideration

This parcel is an older and larger shopping center that has had its anchor tenant space sit vacant for many years. The parcel is on the northern end of the Township on the border with Mt Laurel Township and within proximity to several larger highways, and employment centers in both Evesham and Mount Laurel. The 16+ acre site could be appropriate for mixed-use development inclusive of retail space, restaurants, and residential uses.

Executive Drive Office

Block 36, Lot 2.01

1-2 Executive Drive

+/- 2.5 acres

Status: Future Consideration

The office complex located on the corner of Route 73 and Executive Drive includes two professional office buildings. The single-story office building on the west side of the property may be a candidate for a retrofit inclusionary or 100% affordable housing if the office space sees significant vacancies. A new development could also replace the existing building and occupy a similar footprint. The site may be suitable for a residential conversion of the office building, or a redevelopment of new housing on the site.

Elks Lodge:

Block 15.03, Lot 203

426 Evesboro – Medford Road

2.68 acres (uplands)

Status: Proposed

The site on Evesboro – Medford Road is located on the west side of Burlington County Rd 618 or Evesboro-Medford Road at the intersection with Troth Road is the site of existing Marlton Elks 2514 building. The 3.43 acre site does have +/- .75 acres of wetlands constraints in the rear of the site, but a survey of the property indicates that 2.68 acres of uplands are developable, all along the frontage of the site. The uplands portion of the site could accommodate new inclusionary development in the form of townhouses or a small apartment building.

Summary of Fair Share Plan

PRIOR ROUND SUMMARY

The Township has a requirement of 534 units in order to satisfy its Prior Round (1987 – 1999) obligation. In accordance with previous COAH rules found at N.J.A.C. 5:93, the Township must meet the following minimum and maximum requirements in addressing the 534 total unit obligation. A total of 534 credits are proposed to satisfy the Prior Round Obligation. In addition, the following requirements and limitations on these credits are met:

- **Age Restricted Units:** The Township may claim a maximum of 83 credits through age-restricted units. The following projects are age restricted and being credited towards the Prior Round:
 - Elmwood House – 69 units
 - The Township is claiming fewer age-restricted credits than would be permissible.
- **Rental Units:** The Township has an obligation to provide at least 134 rental units. The following rental units are being credited towards the Prior Round:
 - Inglis House – 16 units
 - Woodview – 44 units
 - Elmwood House – 69 units
 - Group Homes – 39 units in group homes
 - Total Rental Credits = 168 credits
- **Low/Moderate Income Split:** The Township is required to have 113 low income units in the Prior Round: The following credits are from units affordable to low-income households:
 - Inglis House – 16 units
 - Woodview – 22 units
 - Elmwood / B’Nai Brith – 69 units
 - Whitebridge Village – 21 units
 - Group Homes – 39 units
 - The Township has 128 low income units credited towards the First Round, excluding the 39 group home bedrooms that may also be considered to be low income units. The Township’s low income
- **Rental Bonus Credits:** The Township may claim bonus credits for rental units up to 134 bonus credit units. This may be either through 2.0 credits for family rental units, or 1.33 credits for age-restricted rental units, provided that no more than 50 percent of the rental obligation is met through age-restricted units.
 - The Township is claiming the following rental bonuses:

- Inglis House – 16 bonus credits
 - Woodview – 44 bonus credits
 - Elmwood House (age-restricted) – 11 bonus credits
 - Group Homes – 39 bonus credits
 - Total rental bonus credits - 110
- **Income/Bedroom Distribution for Family Units:** The Township is required that for family units, the bedroom distribution shall follow UHAC requirements of a minimum of 20% as three bedroom units and a maximum of 20% as one-bedroom units. The breakdown of the distribution of units by income and bedroom size for all non-age-restricted units, and also excluding special needs housing is as follows:

Prior Round Bedroom/Income Distribution					
	1 bed	2 bed	3 bed	Totals	Percent
Very Low	0	0	0	0	0
Low	10	30	3	43	42.6%
Mod	10	35	13	58	57.4%
Totals	20	65	16	101	100%
Percent	19.8%	64.4%	15.8%	100%	

While the Township is deficient in the number of 3 bedroom units in the Prior Round, there is an excess of three bedroom family units in the Third Round that overall makeup this shortfall. This chart does not include the 16 low income one-bedroom units at Inglis House. The Township also has an excess of moderate income units in the Prior Rounds. This also is made up through the Third Round credits where an excess of low income units offsets the deficiency in the Prior Rounds.

THIRD ROUND SUMMARY

The Township has a requirement to provide 680 affordable units for its Third Round obligation. This obligation has the following limitations and requirements:

- **Age Restricted Units:** The Township can claim a maximum of 170 credits from senior age-restricted units. The following projects are age-restricted:
 - Elmwood House – 20 credits
 - Evesham Senior / Walters – 66 credits
 - Hawthorne / Evesham Retirement – 24 credits
 - Brightview – 17 credits
 - Artis Senior – 6 credits
 - Capitol Senior / Marlton Executive – 11 credits
 - CareOne – 8 credits
 - The Township is claiming a total of 152 senior age-restricted credits.

- **Family Units:** A minimum of 255 units must be available to families. The following projects are family units:
 - Mend/Conifer Sharp Road – 104 credits
 - Habitat for Humanity – 3 credits
 - Cornerstone / Evesham Family Apts – 64 credits
 - Fieldstone / Barclay – 33 credits
 - Renaissance Square / Tri-Towne – 34 credits
 - Harvest House – 8 credits
 - Winding Brook – 6 credits
 - Berkshire Woods / Timber Ridge – 6 credits
 - Tamburro / New Road M2A – 3 credits
 - Extensions of Controls – 8 credits
 - Total family units = 269 credits

- **Rental Units:** A minimum of 170 rental units must be provided, with at least half of those (85) available to families. The following projects are rental units.
 - Elmwood House – 20 credits (senior)
 - Mend/Conifer Sharp Road – 104 credits (family)
 - Cornerstone / Evesham Family Apts – 64 credits (family)
 - Evesham Senior /Walters – 66 credits (senior)
 - Hawthorne – 24 credits (senior)
 - Brightview – 17 credits (senior)

- Artis – 6 credits (senior)
 - Capitol Seniors / Marlton Executive – 11 credits (senior)
 - CareOne – 8 credits (senior)
 - New Road / Tamburro – 3 credits (family)
 - Fieldstone – 33 credits (family)
 - Renaissance Square / Tri-Towne – 34 credits (family)
 - Harvest House – 8 credits (family)
 - The Township is claiming a total of 398 credits through rental units, not including the special needs facilities, which are also rental units.
 - The Township is claiming 246 credits through rental units available to families.
- **Low/Moderate Income Split:** A minimum of 255 units must be available to low income households. The following Third Round projects include low or very-low income units:
 - Elmwood House – 20 units
 - Mend / Conifer – 88 units
 - Habitat for Humanity Radnor – 1 unit
 - Habitat for Humanity Oak Ave– 1 unit
 - Cornerstone / Evesham Family Apts – 32 units
 - Evesham Senior / Walters – 34 units
 - Hawthorne / Evesham Retirement – 12 units
 - Brightview – 10 units
 - Artis Senior – 6 units
 - Capitol Senior / Marlton Executive - 11 units
 - CareOne – 8 units
 - New Road / Tamburro M2A – 2 units
 - Fieldstone / Barclay – 17 units
 - Renaissance Square / Tri-Towne – 18 units
 - Harvest House – 5 units
 - Winding Brook – 3 units
 - Berkshire Woods – 3 units
 - Group Homes – 70 units
 - In total, the Township is providing 262 units that are affordable to low or very-low income households, plus the 70 group home bedrooms that are available to very-low income special needs individuals.
- **Very Low Income Units:** The Township must provide at least 49 units affordable to very-low income households, those households earning less than 30% of the area median income. At least 25 units must be available to very-low income families.

The Township’s very-low income unit obligation is generated by the following projects, which were approved after July of 2008:

Very-Low Income Unit Obligation		
Project Name	Address	Total Units
Habitat for Humanity	10 Radnor Ave	1
Habitat for Humanity	36 Oak Avenue	2
Cornerstone / Evesham Family (Walters)	4 Executive Drive	64
Evesham Senior (Walters)	16 Stow Road	68
Hawthorn / Evesham Retirement	405 Lippincott Dr	24
Brightview at Evesham	170 Greentree Rd	17
Artis Senior Living	302 Lippincott Dr	6
Capitol Seniors / Marlton Executive	5 Executive Drive	11
CareOne at Evesham	870-874 Route 70E	8
New Road Real Estate / Tamburro	37 S Maple Ave	3
Market to Affordable	Various	19
Fieldstone / Barclay Chase	880/890 Route 70 East	33
Renaissance Square / Tri Towne	101 Route 70 East	34
Harvest House	52 East Main St	8
Winding Brook / Krysta Enterprises	170 Sharp Road	6
Berkshire Woods / Testa Site	518, 522, 526 N Elmwood Road	6
Group Homes	Various	48
Totals		358
VLI Required = 13%		47
Family VLI Required = 0.5 obligation		24

The following projects provide very-low income units as a part of the Third Round Compliance Plan:

- Evesham Senior – 9 units
- Cornerstone / Evesham Family Apts – 8 units
- Evesham Retirement – 4 units
- Brightview – 9 units
- Artis Senior – 6 units
- Capitol Seniors – 11 units

- CareOne – 8 units
 - Renaissance Square / Tri-Towne – 5 family units
 - Barclay Chase – 5 family units
 - Harvest House – 1 family unit
 - *Mend Conifer / Sharp Road – 11 family units (35% AMI) – NOT COUNTED*
 - The Township is providing a total of 57 units that are affordable to very-low-income households, with 19 of those units being available to families. The Township has satisfied the minimum requirements for the overall number of units affordable to very low-income families, however there is a deficiency of 3 very-low income family units.
 - Although there is technically a deficiency of 5 family units that are priced to be affordable to a household earning 30% or less of area median income, it must be considered that there are 11 units of family housing in the MEND / Conifer Sharp Road project that are priced to be affordable at 35% of the area median income, just above the threshold for very low income set in the Third Round settlement agreement. If these units were to be considered as very-low income rather than low income, the Township would have 83 total very-low-income units, 30 of them being available to families.
- **Rental Bonus Credits:** The Township may claim a maximum of 170 bonus credits from rental units. The following rental projects will be claimed for bonus credits:
 - MEND / Conifer Sharp Road – 78 bonus credits
 - Cornerstone / Evesham Family Apts – 64 bonus credits
 - Fieldstone / Barclay – 28 bonus credits
 - The Township is claiming the full amount of bonus credits available.
 - All of these bonus credits are from family rental units. No bonus credits in the Third Round are being claimed from special needs housing or from age-restricted senior housing.
 - **Income / Bedroom Distribution:** All Third round credits for family units are required to comply with UHAC for income and bedroom distribution. While not all individual projects are independently compliant, the Township overall complies with these requirements. The chart below shows the income and bedroom distribution for family unit credits for Third Round projects, which includes family units from Mend / Conifer Sharp Road, both Habitat for Humanity projects, Cornerstone/Evesham Family Apartments, New Road/Tamburro, Fieldstone, Renaissance Square/Tri-Towne, Harvest House, Winding Brook, and Berkshire Woods:

Third Round Bedroom/Income Distribution					
	1 bed	2 bed	3 bed	Totals	Percent
Very Low	11	14	8	33	12.5%
Low	18	77	59	154	58.6%
Mod	10	43	23	76	28.9%
Totals	39	134	90	263	100%
Percent	14.8%	51.0%	34.2%	100%	

The chart above illustrates that the deficiencies in the Prior Round crediting of insufficient 3-bedroom units and too many moderate income units are made up in the Third Round, with an excess of 3-bedroom and low-income units.

FOURTH ROUND SUMMARY

The Township has a Realistic Development Potential to provide 133 affordable units of its 220 unit prospective need obligation for the Fourth Round. This obligation has the following limitations and requirements:

- **Family Units:** At least 50 units must be available to families with children. The following units will be available to families with children:
 - Marlton Crossing Redevelopment: 24 units
 - VFW Site: 6 units
 - 19 Cooper: 1 unit
 - Ballerini / East Main St: 1 unit
 - Blue Anchor Redevelopment: 48 units
 - Extension of Controls: 25 units
 - AH Overlay sites: 22 units
 - In total, this Plan proposes as much as 127 affordable units available to families with children.

- **Age Restricted Units:** The Township can claim a maximum of 30 credits from senior age-restricted units. The following projects are age-restricted:
 - Walters / Evesham Senior: 2 credits
 - DPW Site: 28 credits

- **Rental Units:** The Township must provide a minimum of 25 rental units. The following housing units are proposed as rental credits:
 - Marlton Crossing Redevelopment: 24 units
 - Evesham Senior: 2 units
 - Ballerini / East Main St: 1 unit
 - DPW Site: 28 units
 - 19 Cooper: 1 unit
 - Blue Anchor: 48 units
 - AH Overlay sites: 22 units
 - In total this Plan proposes as much as 126 rental units

- **Family Rental Units:** At least half of the rental units (63) shall be available to families with children. The following projects will contain family rental units:
 - Marlton Crossing Redevelopment: 24 units
 - Ballerini / East Main St: 1 unit

- 19 Cooper: 1 units
- Blue Anchor: 48 units
- AH Overlay sites: 22 units
- In total this Plan proposes as much as 96 family rental units.
- **Bonus Credits**: The Township is eligible to claim a maximum of 33 bonus credits. Bonuses will be applied to the following projects:
 - Marlton Crossing: 25 supportive needs bonus credits
 - VFW Site: 6 bonus credits as a 100% affordable development
 - DPW Site: 1.5 senior bonus credits (not more than 10% of senior units)
- **Low/Moderate Income Split**: The Township will ensure that all new Fourth Round projects provide no more than half of their units as moderate income units, at least half as low income units, and at least 13% of all affordable units will be set aside for very-low income households.
- **Bedroom Distribution**: The Township will ensure that for each development other than special needs or senior units which are permitted to be one-bedroom units, each development will contribute at least the minimum required of 20% three-bedroom units, and no more than 20% one-bedroom units.

AFFORDABLE HOUSING ADMINISTRATION

Affordable Housing Ordinances

Section 161-2 of the Township Code provides requirements for all affordable housing developments and units, which is consistent with the requirements of the Fair Housing Act and the Uniform Housing Affordability Controls (UHAC).

The Township has also adopted a development fee ordinance, Ordinance 17-3-2021, found in Section 161-3 of the Township Code that requires all non-residential developments and residential developments that do not provide affordable housing to make a contributions to the Township's Affordable Housing Trust Fund at the time of construction and occupancy of new developments.

Affordable Housing Trust Fund

A mandatory development fee ordinance creating a dedicated revenue source for affordable housing was adopted by the Township in 1999 and was approved by the Superior Court on November 18, 1999. At the same time, an Affordable Housing Trust Fund account was established for the purpose of depositing development fees, payments-in-lieu of construction of on-site affordable housing, proceeds from the sale of affordable units with extinguished controls, developer contributions for handicap adaptability, repayments from affordable housing program loans, proceeds from the sale of affordable units, and any other funds collected by the Township in connection with its affordable housing programs. The affordable housing development fee ordinance (section 161-3) was updated to reflect the third round COAH rules and the Statewide Mandatory Development Fee requirements and was approved by COAH on March 26, 2009, and then adopted by the Township on May 19, 2009.

In order to utilize the monies collected in the Affordable Housing Trust Fund (AHTF), the Township must have an approved plan for spending the funds in conformance with the Fair Housing Act and the Council on Affordable Housing's (COAH) rules. The Township's first Spending Plan was approved by the Court on January 11, 2002. From 2002 to 2012, the 2002 Spending Plan guided expenditures from the Affordable Housing Trust Fund consistent with COAH's rules, the Township's Fair Share Plan, and the Court's authorization. From 2012 through October 2018 expenditures have been authorized by the Spending Plan adopted and approved in 2015, by subsequent Court Orders, and by the 2018 Spending Plan and 2020 Spending Plan Update.

A draft of the Spending Plan is provided in Appendix D.3.

The AHTF Spending Plan is intended to demonstrate commitment of the funds in the Affordable Housing Trust Fund within four years of the date of collection as required by P.L. 2008 c.46, and to outline the Township's plan to utilize the funds in support of proposed and existing affordable housing within the Township. The adopted spending plans and the draft Updated Spending Plan provides a specific plan for the expenditure of the monies collected as of February 2025 and for anticipated revenue during the Fourth Round through 2035.

Revenues from the AHTF will be used to fund housing programs, affordability assistance, and administrative costs.

The Spending Plan will be amended as needed to respond to emerging opportunities and to adjust for unanticipated revenues or shortfalls.

Municipal Housing Liaison

The Township has appointed the Director of Community Development as the municipal housing liaison.

See Appendix D.1.

Administrative Agent

The Township has contracted with and will continue to work with a qualified administrative agent to ensure that all affordable housing units are properly affirmatively marketed and that all buyers or tenants of a unit are properly income qualified. Community Grants Planning & Housing (CGP&H) currently serves as the Township’s administrative agent for affordable housing programs.

Some 100% affordable development projects, however, are administered by the developer in-house.

The Administrative Agent coordinates with the Township’s Municipal Housing Liaison, the designated staff member responsible for affordable housing.

The administrative agent will be responsible for ensuring that all affordable housing units in the Township are affirmatively marketed and either sold or leased to income-qualified households of the appropriate size in accordance with all UHAC and other applicable regulations.

The Township’s affirmative marketing plan was previously approved along with the Third Round Plan.

A copy of the resolution appointing an administrative agent can be found in Appendix D.2.

Income Levels

Evesham Township is in COAH’s Region 5, which includes Burlington, Camden and Gloucester Counties. Moderate-income households are those earning between 50% and 80% of the regional median income. Low-income households are those with annual incomes that are between 30% and 50% of the regional median income. Very-low income households are a subset of “low-income” households, and are defined as households earning 30% or less of the regional median income.

APPENDICES

List of Appendices

- A. Previous Court Compliance Documents
 - 1. Prior Round Final Judgment of Compliance
 - 2. Third Round Final Judgement of Compliance
- B. Resolution 42-2025 Establishing Fourth Round Obligations
- C. Housing Plan Reports
 - 1. Housing Plan Demographic and Housing Conditions Analysis
 - 2. Vacant Land Adjustment
- D. Administrative Documents
 - 1. Municipal Housing Liaison
 - 2. Administrative Agent
 - 3. Affordable Housing Trust Fund Spending Plan
- E. Affordable Housing Maps
 - 1. Prior Round Projects
 - 2. Third Round Projects
 - 3. Fourth Round Projects
- F. Crediting Documents
 - 1. Marlton Crossing Redevelopment Plan
 - 2. 19 Cooper Redevelopment Plan
 - 3. DPW Redevelopment Plan
 - 4. CareOne Amended Resolution of Approval
 - 5. 211 Quail Run Affordable Housing Agreement
 - 6. Ballerini Redevelopment Agreement
 - 7. Woodview Deed Restriction
 - 8. Draft Affordable Housing Overlay Districts Ordinance

APPENDIX A-1

Prior Round Final Judgment of Compliance

ED

FILED WITH THE COURT

NOV 18 1999

RONALD E. BOOKBINDER, J.S.C.

BARON & RIEFBERG, P.A.
F-600, 1307 White Horse Road
Voorhees, NJ 08043
(609) 627-6000
Attorneys for Defendant, Evesham Township Planning Board

_____	:	SUPERIOR COURT OF NEW JERSEY
EVECAN, L.L.C., a New Jersey	:	BURLINGTON COUNTY
Limited Liability Company,	:	LAW DIVISION
	:	
Plaintiff,	:	Docket No. BUR-L-00134-98
	:	
vs.	:	Civil Action
	:	
THE TOWNSHIP OF EVESHAM, a	:	JUDGMENT APPROVING AMENDMENT
Municipal Corporation of the	:	OF EVESHAM TOWNSHIP HOUSING
State of New Jersey, located	:	ELEMENT AND FAIR SHARE PLAN
in Burlington County, New	:	AND JUDGMENT OF REPOSE
Jersey, THE MAYOR AND COUNCIL	:	
OF THE TOWNSHIP OF EVESHAM AND:	:	
THE PLANNING BOARD OF THE	:	
TOWNSHIP OF EVESHAM,	:	
	:	
Defendants.	:	
_____	:	

THIS MATTER having been opened to the Court by the Township of Evesham, Burlington County, New Jersey (hereinafter referred to as "Evesham Township") represented by Ronald Morgan, Esquire of Parker, McCay & Criscuolo, P.A. and the Evesham Township Planning Board (hereinafter referred to as the "Planning Board") represented by Jeffrey I. Baron, Esquire of Baron & Riefberg, P.A.; and in the presence of Shaffer, Bonfiglio, Scerni & D'Elia, L.L.C., Vincent D'Elia, Esquire appearing for plaintiff Evecan, L.L.C. (hereinafter referred to as "Evecan"); and Evesham

Township having developed a Fair Share Plan and Housing Element to satisfy its Mt. Laurel obligation in the context of this litigation; and the Court having appointing John J. Lynch as Special Master; and all matters having been resolved in the context of the litigation; and the Court having considered the testimony of various witnesses including the Special Master and members of the public at a Fairness Hearing conducted in this matter on March 26, 1999; and the Court having considered the arguments of counsel at the aforesaid Fairness Hearing; and the Court having considered written submissions and objections from counsel and members of the public; and for good cause shown; the following facts having been found to exist:

1. Evecan instituted a Mt. Laurel action against Evesham Township seeking, inter alia, the right to a builder's remedy; and

2. Evesham Township and the Planning Board entered into a settlement with plaintiff Evecan memorialized in a Settlement Agreement attached to a Consent Order for Settlement of a Builder's Remedy Suit, Scheduling a Fairness Hearing for Court Approval of Settlement, Amendment of the Evesham Township Fair Share Plan and Housing Element and Entry of a Judgment of Repose entered on March 2, 1999 (hereinafter referred to as the "Consent Order"), a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference; and

3. The Court entered the aforementioned Consent Order establishing that Evesham Township had a responsibility to create

a realistic opportunity to satisfy its pre-credited need of low and moderate income housing; and

4. Evesham Township has determined that it is in the community's best interest to satisfy its obligation by: (a) rehabilitating existing housing units; (b) providing for the transfer of affordable housing units pursuant to a Regional Contribution Agreement (hereinafter referred to as an "RCA"); (c) rezoning various parcels for inclusionary development and imposing a twenty percent (20%) set aside requirement; and (d) raising monies to fund Evesham Township's various programs through the imposition of mandatory impact fees and mandatory development fees in exchange for an increase in floor area ratio; and

5. Evesham Township has memorialized its compliance strategies and proposed implementing measures in a Fair Share Plan and Housing Element; and

6. On December 17, 1998, the Evesham Township Planning Board adopted an Amendment to the Evesham Township Master Plan revising the existing Master Plan and Housing Element to comply with the aforementioned Fair Share Plan, which is incorporated herein by reference and made a part hereof;

7. The court-appointed Special Master has reviewed the Fair Share Plan and Housing Element, as well as other documents, reports, etc. submitted over the course of the litigation and has examined each of the parcels proposed for Mt. Laurel development; and

8. In a report dated March 4, 1999, incorporated herein by reference, the court-appointed Special Master has recommended that the court approve the Fair Share Plan and Housing Element in its final form; and

9. The court accepts its Special Master's recommendation and is satisfied that Evesham Township has fully discharged its constitutional obligation to provide Mt. Laurel development through implementation by Evesham Township of the amendments and revisions recommended by the Special Master; and

10. Evesham Township prepared a form of notice which Evesham Township caused to be published, personally served and posted in a manner which the Court deems adequate for the purposes of apprising the public of the potential for the Court's approval of Evesham Township's Fair Share Plan and Housing Element and the potential for the Court's entry of a Judgment of Repose; and

11. The Court is satisfied, after conducting a Fairness Hearing on March 26, 1999 and considering all evidence submitted at such Fairness Hearing, that good cause exists to grant the relief requested by Evesham Township and the Evesham Township Planning Board.

NOW, THEREFORE, it is on this 18th day of November, 1999, ORDERED AND ADJUDGED as follows:

A. Evesham Township has an obligation to create a realistic opportunity for the creation of 553 low and moderate income housing units for six (6) years from the date hereof.

B. The Fair Share Plan and Housing Element referenced in this Judgment and incorporated by reference constitutes an appropriate means to fully satisfy Evesham Township's Mt. Laurel obligation.

C. This Court hereby approves and confirms the terms of the Settlement Agreement and the Amendment to the Evesham Township Fair Share Plan and Housing Element as attached to the Consent Order, a copy of which is attached hereto as Exhibit "A".

D. By virtue of the entry of this Judgment, this action commenced by Evecan, L.L.C. is hereby dismissed, with prejudice, subject to the terms and conditions of all prior Orders in this matter.

E. Evesham Township shall fully implement its Fair Share Plan/Housing Element.

F. Evesham Township is hereby granted immunity from all Mt. Laurel litigation for 6 years from the date of entry of this Judgment of Repose.

G. In the event that an application for development is filed with the Planning Board for any property designated for Mt. Laurel housing in the Fair Share Plan and Housing Element, the Planning Board shall provide written notice thereof to the Court, the Special Master and all parties within thirty (30) days of the development application being deemed "complete".

H. Evesham Township may amend its Fair Share Plan and/or Housing Element and implementing Mt. Laurel Ordinances to effectuate changes, revisions, additions, etc. upon application

to this Court with notice to all parties provided, however, that such amendments may not, in any way, derogate, limit or restrict the rights granted to plaintiff Evecan, L.L.C. under a certain Consent Order entered in proceedings captioned "Evecan, L.L.C. v. the Township of Evesham, the Mayor and Council of the Township of Evesham and the Planning Board of the Township of Evesham" under Docket No. BUR-L-00134-98 in the Superior Court of New Jersey, Law Division, Burlington County without the consent of plaintiff Evecan, L.L.C. or without further Order of the Court. The Court shall permit such amendments provided that the Court is satisfied that a realistic opportunity has been created for the 553 units of low and moderate income housing units contemplated by this Order.

I. The Planning Board and all of its respective agents, employees and representatives shall make bona fide efforts to implement and expedite the components of the Township's compliance program which are within the control of the Planning Board, including bona fide efforts to expedite all Planning Board development approvals of all inclusionary developers identified in the Fair Share Plan and Housing Element. The Township and the Planning Board and all of their respective agents, employees and representatives shall cooperate with all inclusionary developers identified in the Fair Share Plan and Housing Element to facilitate the provision of affordable housing.

J. The Court shall retain jurisdiction in the event of any challenges to the ordinances adopted pursuant hereto or any ordinances to implement any Court-approved amendment to the Fair Share Plan and Housing Element. The Court shall also retain jurisdiction over this matter to ensure that the provisions of the Judgment of Repose and satisfaction of the Township's fair share obligation are enforced and to entertain applications for relief in aid of litigants' rights under R. 1:10-5 or other appropriate statutes, the Court Rules, common law or constitutional requirements, to enforce these provisions.

K. In the event that COAH adopts new regulations or decisions and Evesham Township determines it could benefit by a new regulation or decision, or if Evesham Township determines that it could benefit by any existing regulation as a result of a change of facts or circumstances, the Township shall have the right, upon motion and appropriate notice, to seek an amendment to its Fair Share Plan and Housing Element provided, however, that such amendment(s) may not, in any way, derogate, limit or restrict the rights granted to the plaintiff under the Consent Order in any Planning Board development approvals granted to plaintiff Evecan, L.L.C. without the consent of plaintiff or without further Order of this Court, provided the amendment does not unreasonably affect the rights granted to the plaintiff.

L. This Judgment of Repose shall absolutely shield and grant immunity to Evesham Township and the Planning Board from any and all Mt. Laurel litigation for six (6) years from the

entry hereof, regardless of whether the litigation is instituted by a party or any non-party, provided that there are no appeals taken from the entry of this Judgment. In the event of any appeals to this Judgment, this Judgment shall continue to shield and grant immunity to the Township and the Planning Board unless and until a decision by an appellate court.

M. In the event that a development application approval is granted for any inclusionary development proposed in the Fair Share Plan and Housing Element resulting in a lesser number of low and/or moderate income units than that proposed in the Fair Share Plan and Housing Element, Evesham Township shall report the relevant details of such development application approval to the Court, the Special Master and all parties and the Court shall determine the appropriate action, if any, in regard to the Housing Element/Fair Share Plan and Housing Element.

The reasons for entry of this Judgment of Repose were orally placed upon the record.

Ronald E. Bookbinder

RONALD E. BOOKBINDER, J.S.C.

MAR - 2 1999

RONALD E. BOOKBINDER, J.S.C.

BARON & RIEFBERG, P.A.
F-600, 1307 White Horse Road
Voorhees, NJ 08043
(609) 627-6000
Attorneys for Defendant, Evesham Township Planning Board

	:	SUPERIOR COURT OF NEW JERSEY
EVECAN, L.L.C., a New Jersey	:	BURLINGTON COUNTY
Limited Liability Company,	:	LAW DIVISION
	:	
Plaintiff,	:	Docket No. BUR-L-00134-98
	:	
vs.	:	Civil Action
	:	
THE TOWNSHIP OF EVESHAM, a	:	CONSENT ORDER FOR SETTLEMENT
Municipal Corporation of the	:	OF BUILDER'S REMEDY SUIT,
State of New Jersey, located	:	SCHEDULING A FAIRNESS HEARING
in Burlington County, New	:	FOR COURT APPROVAL OF SETTLE-
Jersey, THE MAYOR AND COUNCIL	:	MENT, AMENDMENT OF THE EVESHAM
OF THE TOWNSHIP OF EVESHAM AND:	:	TOWNSHIP FAIR SHARE PLAN AND
THE PLANNING BOARD OF THE	:	HOUSING ELEMENT AND ENTRY OF
TOWNSHIP OF EVESHAM,	:	A JUDGMENT OF REPOSE
	:	
Defendants.	:	

THIS MATTER having been opened to the Court by Shaffer, Bonfiglio & D'Elia, L.L.C., Vincent D'Elia, Esquire appearing and Flaster, Greenberg, P.C., Carl S. Bisgaier, Esquire appearing, attorneys for plaintiff Evecan, L.L.C. (hereinafter "Evecan") and in the presence of defendant Township of Evesham and the Mayor and Council of the Township of Evesham, Ronald C. Morgan, Esquire appearing and in the presence of the Planning Board of

Evesham Township, Jeffrey I. Baron, Esquire appearing, and the parties to this litigation having amicably settled and resolved all matters in controversy subject to Court approval of the terms and provisions of such settlement, and for good cause shown;

IT IS on this *2nd* day of *March*, 1999 ORDERED:

1. SETTLEMENT AGREEMENT - The Settlement Agreement attached hereto, together with any exhibits thereto, shall constitute a proposed settlement, approved by the parties, to satisfy Evesham Township's Fair Share obligation, by awarding a Builder's Remedy to Evecan to permit Evesham Township to meet its constitutional obligations under Southern Burlington N.A.A.C.P. vs. Township of Mt. Laurel, 92 N.J. 158 (1983). The Settlement Agreement, together with any exhibits, is hereby incorporated by reference and deemed to be a part of this Consent Order.

2. AMENDMENT TO EVESHAM TOWNSHIP FAIR SHARE PLAN AND HOUSING ELEMENT - Evesham Township and the Evesham Township Planning Board shall file with this Court within three (3) days of the date of entry of this Consent Order an Amendment to the Evesham Township Fair Share Plan and Housing Element to implement the terms of the Settlement Agreement and a proposed form of Judgment of Repose for a period of six (6) years in resolution of the Builder's Remedy Suit. The aforementioned Amendment to the Evesham Township Fair Share Plan and Housing Element and Judgment of Repose shall be on file and available for inspection by any interested party at the Evesham Township Clerk's Office, Evesham

Township Municipal Complex, 984 Tuckerton Road, Marlton, New Jersey 08053.

3. NOTICE AND HEARING - Evesham Township shall provide written notice of the proposed Settlement Agreement, Amendment to the Evesham Township Fair Share Plan and Housing Element and proposed Judgment of Repose by certified mail, return receipt requested, and by regular mail to the owners of all land and premises affected by the proposed Settlement Agreement and Amendment to the Evesham Township Fair Share Plan and Housing Element. Evesham Township shall also provide written notice of the proposed Settlement Agreement, Amendment to the Evesham Township Fair Share Plan and Housing Element and proposed Judgment of Repose by certified mail, return receipt requested, and by regular mail to all property owners within 200 feet of any lands and premises affected by the proposed Settlement Agreement and Amendment to the Evesham Township Fair Share Plan and Housing Element and to the Council on Affordable Housing (hereinafter "COAH"). Evesham Township shall also cause notice of the proposed Settlement Agreement, Amendment to the Evesham Township Fair Share Plan and Housing Element and proposed Judgment of Repose to be published in a newspaper of general circulation, at least fourteen (14) days before the date of the Fairness Hearing required by paragraph 4 of this Consent Order. Evesham Township shall also cause notice of the proposed Settlement Agreement, Amendment to the Evesham Township Fair Share Plan and Housing

Element and proposed Judgment of Repose to be posted in the Evesham Township Municipal Building at least fourteen (14) days before the date of the Fairness Hearing required by paragraph 4 of this Consent Order.

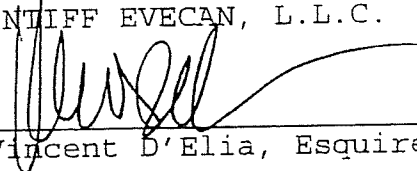
4. CONDUCT OF FAIRNESS HEARING - The Court will conduct a Fairness Hearing and consider all arguments in regard to the Settlement Agreement, Amendment to the Evesham Township Fair Share Plan and Housing Element and the proposed Judgment of Repose on *March 26*, 1999 at *2PM* ~~10A~~ in Courtroom 1 at the Burlington County Court Facility, 3rd Floor, 49 Rancocas Road, Mt. Holly, New Jersey. Any interested party may submit a response to the proposed Settlement Agreement, Amendment to the Evesham Township Fair Share Plan and Housing Element and proposed Judgment of Repose to the Court by *March 16*, 1999. The parties to the Settlement Agreement shall be entitled to reply to such responses not later than *March 22*, 1999.


The terms of the Settlement Agreement and the Amendment to the Evesham Township Fair Share Plan and Housing Element shall not become binding until completion of the aforementioned Fairness Hearing and entry of an appropriate Order or Judgment by this Court.


RONALD E. BOOKBINDER, J.S.C.

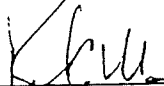
We consent to the form
and entry of the within
Order.

PLAINTIFF EVECAN, L.L.C.

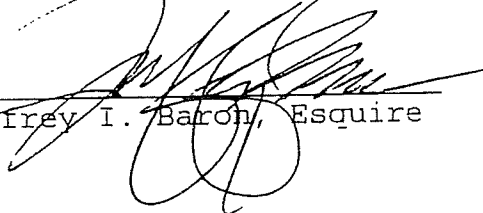
By: 
Vincent D'Elia, Esquire

By: 
Carl S. Bisgaier, Esquire

DEFENDANT TOWNSHIP OF EVESHAM
AND MAYOR AND COUNCIL OF THE
TOWNSHIP OF EVESHAM

By: 
Ronald C. Morgan, Esquire

DEFENDANT PLANNING BOARD OF
THE TOWNSHIP OF EVESHAM

BY: 
Jeffrey I. Baron, Esquire

SETTLEMENT AGREEMENT

PROVIDING FOR SETTLEMENT OF LITIGATION BETWEEN
EVECAN, L.L.C., THE TOWNSHIP OF EVESHAM AND THE
EVESHAM TOWNSHIP PLANNING BOARD

SETTLEMENT AGREEMENT

This Settlement Agreement is between the following parties:

- A. EVECAN, L.L.C., a New Jersey Limited Liability Company, 1920 Frontage Road, Suite 107, Cherry Hill, New Jersey 08034 (hereinafter referred to as "Evecan"). As used in this Settlement Agreement, Evecan also refers to any successors, assigns or contract purchasers of Evecan.
- B. THE TOWNSHIP OF EVESHAM, a Municipal Corporation of the State of New Jersey and THE MAYOR AND COUNCIL OF THE TOWNSHIP OF EVESHAM (hereinafter referred to as "Evesham Township").
- C. THE EVESHAM TOWNSHIP PLANNING BOARD (hereinafter referred to as "Planning Board").

Hereinafter, all entities associated with the Township of Evesham will be referred to as "Township" except where specific actions are identified as responsibilities of the Township-related entities, such as the Planning Board.

The rights and obligations of the parties set forth herein shall be binding upon the parties, their successors, assigns and/or contract purchasers and shall run with the land and premises identified in this Settlement Agreement.

This is a Settlement Agreement which must be reviewed and approved by the Superior Court, Law Division and, if approved, may be enforced by motion brought pursuant to R. 1:10-5 for the enforcement of litigant's rights.

1. As used in this Settlement Agreement, the following terms shall be defined and described as following:

A. BASEMAN

The "Baseman Tract" or "Baseman" shall be defined and described as including the following:

- (1) **MSA Tract** - The area fronting on Elmwood Road in Evesham Township, New Jersey identified on the Baseman Major Preliminary Site Plan providing for twenty eight (28) Multiple Sclerosis units (hereinafter referred to as "MSA units").
- (2) **Affordable Family Rental Tract** - The area fronting on Evesboro-Medford Road in Evesham Township, New Jersey, identified on the Baseman Major Preliminary Site Plan as providing for twenty eight (28) Affordable Family Rental Units (hereinafter referred to as "Affordable Housing Rental units").
- (3) **The Remainder Tract** - The remainder of the Baseman Major Preliminary Site Plan currently containing market units.

B. ERP

The "ERP Tract" shall include:

- (1) One Hundred Sixty (160) plus or minus acres generally comprising Block 15, Lots 14 and 15 on the Evesham Township Tax Map.

2. The Baseman and ERP Tracts shall yield a total of fifty six (56) affordable units allocated as follows:

- A. Twenty Eight (28) MSA units, or some lesser number, shall be constructed on the MSA Tract. To the extent that twenty eight (28) MSA units are not constructed on the Baseman Tract, no construction of any type of other unit shall occur on the MSA Tract. The applicant may construct the required twenty eight (28) MSA units or Affordable Family Rental units generating a one-for-one bonus credit on the section of the ERP Tract reserved for assisted living. In lieu of constructing the twenty-eight (28) MSA units or Affordable Family Rental units, Evecan may elect to fund a Court approved Regional Contribution Agreement (hereinafter referred to as an "RCA") for each unit not constructed. In this event, Evecan shall contribute Forty Thousand Dollars (\$40,000.00) per RCA unit. By way of example, Evecan shall be required to contribute \$80,000.00 to fund an RCA in the event that it only constructs twenty-six (26) MSA or Affordable Family Rental units $(28 - 26 = 2 \times \$40,000.00 \text{ per unit} = \$80,000.00)$.
- B. The Affordable Family Rental Tract may only be utilized to construct up to a total of fifty six

(56) MSA Units. To the extent that MSA units are not constructed on the Affordable Family Rental Tract, no construction of any other type of units shall occur. Evecan shall be entitled to construct any remaining MSA units or Affordable Family Rental units on the portion of ERP reserved for assisted living. In lieu of constructing the MSA units or Affordable Family Rental units, Evecan shall contribute TWENTY THOUSAND DOLLARS (\$20,000.00) per unit pursuant to a Court approved Regional Contribution Agreement (hereinafter referred to as an "RCA") for each unit not constructed.

3. Only MSA units can be located on the MSA Tract or the Affordable Family Rental Tract on Baseman. MSA units can also be constructed in the area reserved for assisted living on ERP. Affordable Family Rental units generating a one-for-one bonus credit may only be constructed on the portion of ERP presently designated for assisted living. If the MSA Tract and/or the Affordable Family Rental Tract are not utilized for the construction of MSA units, either or both tracts must remain vacant.

4. Based on the foregoing provisions, Evecan may elect to reconfigure the entire Baseman Site Plan to include additional market units not to exceed a total of two hundred forty two (242) units provided, however, that said additional market units shall require additional affordable units (at a twenty percent (20%)

ratio). Any reconfiguration or redesign of the buffer required under the Evesham Township Ordinances must be approved by the Planning Board.

5. The ERP Tract will be rezoned within sixty (60) days of Court approval of this Settlement Agreement to a modified SCH Zone (modifications described below) thereby allowing ERP to be used for construction of an age-restricted housing community. The current SCH Zone will be modified for the ERP tract as follows:

- A. The twenty one percent (21%) set aside required by the SCH Zone shall be eliminated and be replaced with a mandatory THREE THOUSAND DOLLARS (\$3,000.00) per market unit payment described in paragraph 7 below.
- B. The SCH Zone requirement that single family residential units cannot exceed sixty percent (60%) of the tract will be eliminated and Evecan will be required to develop one hundred percent (100%) of the tract as single family, not to exceed two hundred sixty (260) units. However, Evecan shall have the option to develop not more than five (5) acres for assisted living or for MSA units or Affordable Family Rental units as set forth above.
- C. Evecan shall be required to construct "active, functional and useable" recreational facilities

upon Baseman and ERP equal in value to those recreational facilities required by the Evesham Township Ordinances without regard to the percentage of land acreage attributable to said recreational facilities. If the recreational facilities to be proposed by the applicant are not equal in value to those required by the Evesham Township Ordinances, Evecan shall contribute a cash sum to Evesham Township equal to the difference between the cost of the proposed recreational facilities and the cost of those recreational facilities required by Evesham Township Ordinances. This entire cash sum shall be due and payable at the time of application for the first building permit for the tract or tracts in question.

- D. A reduced buffer of twenty five (25) feet will be required along the outbounds boundary of the entire ERP Tract. A twenty (20) foot rear yard setback shall be required for all units including, without limitation, a twenty (20) foot rear yard setback for all units adjoining the aforementioned twenty five (25) foot buffer for a total of a forty five (45) foot setback from the property line.

E. The existing lot side yard requirements shall remain. However, the developer shall be entitled to reduce the side yards on not more than sixty percent (60%) of the units to an aggregate twelve (12) feet width, six (6) feet on each side. The reduced side yard units shall be staggered and configured in such a way as to maximize the aesthetics of the project.

6. An assisted living facility consistent with the requirements of the new AH1-A zone (to be adopted) will be a permitted use on the ERP tract. This "overlay" will require a maximum five (5) acre tract.

A. In the event the developer elects to include an assisted living facility on ERP, then any of the fifty six (56) affordable units initially assigned to Baseman plus any additional transferred affordable unit obligation incurred as a result of paragraph 4 above that become part of the ERP site plan will be subtracted from the two hundred sixty (260) market units allowed on ERP.

B. In the event the developer elects to not include an assisted living facility on ERP, then any of the fifty-six (56) affordable units initially assigned to Baseman plus any additional transferred affordable unit obligation incurred as a result of paragraph 4 above shall not reduce

the two hundred sixty (260) market units allowed on ERP.

7. Market units (excluding any assisted living units) constructed on the ERP tract shall mandatorily contribute THREE THOUSAND DOLLARS (\$3,000.00) per unit, payable fifty percent (50%) at the time of issuance of a building permit and fifty percent (50%) at the time of issuance of a Certificate of Occupancy. This payment is in lieu of RCA units. The mandatory requirement to pay this THREE THOUSAND DOLLAR (\$3,000.00) per unit fee shall be a specific part of the Court ordered settlement which may be enforced, upon the Township's election, by withholding Certificates of Occupancy for noncompliance; draw downs on Evecan's Performance Guarantee; or upon motion pursuant to R. 1:10-5 for enforcement of litigant's rights.

8. If any assisted living units (beds) are constructed, they shall also make a Five Hundred Dollar (\$500.00) per bed contribution, payable fifty percent (50%) at the time of issuance of a building permit and fifty percent (50%) at the time of issuance of a Certificate of Occupancy. This shall also be enforceable as set forth in paragraph 7 above.

9. It may be, from time to time, that in order to keep construction moving forward it will be necessary to be out of sequence with the COAH Phasing requirements by not more than six (6) units at any one time. In order to allow for an adjustment in such construction, Evecan shall be permitted to post a Letter of Credit guaranteeing the applicable RCA amount (either

\$40,000.00 or \$20,000.00) based upon the provisions of paragraphs 2A and 2B above. At any given time the total number of units addressed in this manner cannot exceed six (6).

10. Evecan shall reimburse Evesham Township for one-half (1/2) of the total cost of the Court Appointed Master's work on this litigation payable by Evecan at the time of execution by the parties of this Settlement Agreement.

11. The Township and its Planning Board will promptly and expeditiously hear and decide all applications for development for Baseman and ERP hereunder. The settlement hereunder shall not require the Planning Board to grant any variance or site plan approval. Discretion shall rest with the Planning Board to grant variances and site plan approval in accordance with the Evesham Township Ordinances and New Jersey law.

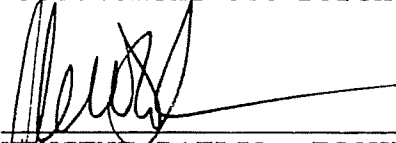
12. Evesham Township and the Evesham Township Planning Board shall amend the Township's existing Housing Element and Fair Share Plan to include the Baseman and ERP Tracts in conformance with this Settlement Agreement.

13. Any disputes between the parties shall be submitted to the Court for resolution. The Court may utilize the services of John J. Lynch, the Court-appointed Master for such a determination. In the event of a dispute, the role of the Master shall include: review of plans submitted by Evecan to the Township; review of approvals/modifications of the Plan by other governmental agencies; mediation and discussions of disputes between the parties and making recommendations to the Court toward the

resolution of the controversies between the parties; or such other matters as the Court may direct or the parties may agree. The cost of the Master's services, if necessary, shall be shared equally between Evecan and Evesham Township.

14. This Settlement Agreement is the entire agreement between the parties concerning all matters referred to herein and supersedes all prior oral and written promises, conditions, representations, undertakings and interpretations of any nature whatsoever made by either or both the parties which are not incorporated within this document.

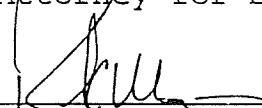
We hereby agree to the terms of settlement set forth herein.



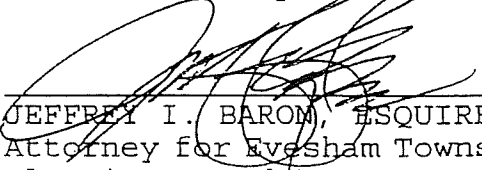
VINCENT D'ELIA, ESQUIRE
Attorney for Evecan, L.L.C.



CARL S. BISGATER, ESQUIRE
Attorney for Evecan, L.L.C.



RONALD C. MORGAN, ESQUIRE
Attorney for The Township of
Evesham and Mayor and Council
of the Township of Evesham



JEFFREY I. BAROM, ESQUIRE
Attorney for Evesham Township
Planning Board

APPENDIX A-2

Third Round Final Judgment of Compliance

MALAMUT AND ASSOCIATES, LLC
 Robert N. Wright, Jr., (#034382000)
 457 Haddonfield Road, Suite 500
 Cherry Hill, New Jersey 08002
 (856)424-1808
Attorneys for Township of Evesham

I/M/O/ THE APPLICATION OF THE TOWNSHIP OF EVESHAM,	:	SUPERIOR COURT OF NEW JERSEY
	:	BURLINGTON COUNTY
	:	LAW DIVISION
	:	DOCKET NOs: BUR-L-2419-15
	:	BUR-L-452-14
	:	CIVIL ACTION
	:	FINAL JUDGMENT OF
	:	COMPLIANCE AND REPOSE
	:	
	:	
	:	
	:	
	:	

THIS MATTER having previously come before the Court on February 1, 2022 at a joint fairness/compliance hearing and, per Order dated February 17, 2022, the Court approved the November 23, 2021 Amended FSHC Settlement Agreement reached between Township of Evesham and Fair Share Housing Center (“Amended FSHC Settlement Agreement”) having found it is fair and reasonable to the region’s low and moderate income households according to the principles set forth in Morris County Fair Housing Council v. Boonton Tp., 197 N.J. Super. 359 (Law Div.1984), aff’d o.b., 209 N.J.Super. 108 (App. Div. 1986) and East/West Venture v. Bor. of Fort Lee, 286 N.J.Super. 311 (App. Div. 1996) and conditionally approved the Township of Evesham’s Amended 2021 Housing Element and Fair Share Plan (“HEFSP”); and this matter now comes before the Court in accordance with an Order setting July 14, 2022 as the date of the final compliance

hearing on whether the Township has satisfied the relevant conditions set forth in the Conditional Judgment of Compliance and Repose dated February 17, 2022 issued in this matter; and at such final compliance hearing, Evesham Township, by Robert N. Wright, Jr., Esq. (Malamut & Associates, LLC), Fair Share Housing Center, by Ashley Lee, Esq., and Evesham Township Planning Board, by Ron Cucchiaro, Esq. appeared; and Special Master Mary Beth Lonergan, AICP, PP, provided the Court with testimony and a report dated July 11, 2022 that the Township has satisfied the relevant conditions set forth in the Conditional Judgment of Compliance and Repose dated February 17, 2022 issued in this matter and that the Township's Amended 2021 HEFSP is in accordance with the court-approved Amended FSHC Settlement Agreement and complies with the Township of Evesham's obligations under the *Mt. Laurel* doctrine, the Fair Housing Act, the Uniform Housing Affordability Controls ("UHAC") except as modified by the Amended FSHC Settlement Agreement, and applicable rules of the Council of Affordable Housing ("COAH"); and the Court having reviewed the testimony and exhibits and representations by the Court Master and counsel; and the Court having provided an opportunity for the parties and members of the public to ask questions and provide comments on the HEFSP and matters addressed in the proceedings; and good and sufficient cause having been shown for entry of this Final Judgment; and for the reasons placed on the record during the July 14, 2022 Final Compliance Hearing;

IT IS ON this 21st day of July, 2022

ORDERED AND ADJUDGED as follows:

1. Judgment is hereby entered in favor of Petitioner, the Township of Evesham ("Township") for a Final Judgment of Compliance and Repose

(“Judgment”) pursuant to the *Mt. Laurel* doctrine including *Mt. Laurel IV*, the Fair Housing Act, UHAC except as modified by the Amended FSHC Settlement Agreement, and applicable rules of COAH, subject to the ongoing implementation, monitoring and reporting requirements set forth herein.

2. The Court having approved the 2021 Amendment to a 2018 Settlement Agreement between Fair Share Housing Center (“FSHC”) and the Township of Evesham (hereinafter “Amended FSHC Settlement Agreement”) by order dated February 17, 2022 issued in this matter, with the Court having found and declared at the Fairness Hearing on February 1, 2022 that the Amended FSHC Settlement Agreement is fair and reasonable to the region’s low and moderate income households according to the principles set forth in *Morris County Fair Housing Council v. Boonton Tp.*, 197 N.J. Super. 359 (Law Div.1984), *aff’d o.b.*, 209 N.J.Super. 108 (App. Div. 1986) and *East/West Venture v. Bor. of Fort Lee*, 286 N.J.Super. 311 (App. Div. 1996),
3. As set forth in the Amended FSHC Settlement Agreement the Township’s Fair Share Obligation 1987 – 2025 *Mount Laurel* affordable housing obligation is comprised of:
 - a. A Third Round Rehabilitation Share of 94 units which was reduced to 15 as a result of a structural survey carried out by the Township and previously approved by the Court per Order dated June 23, 2020;

- b. A Prior Round Obligation of 534 units; and
- c. A Third Round Obligation (including the 1999-2015 “Gap Present Need” and the 2015-2025 “Prospective Need”) of 680 units;
- d. As set forth in the Amended FSHC Settlement Agreement, if a decision of a court of competent jurisdiction in Burlington County, the Appellate Division of the Superior Court, or New Jersey Supreme Court, or a determination by an administrative agency responsible for implementing the Fair Housing Act, or an action by the New Jersey Legislature, would result in a calculation of an obligation for the Township for the period 1999-2025 that would be lower by more than twenty (20%) percent than the total prospective Third Round need obligation established above, and if that calculation is memorialized in an unappealable final judgment, the Township may seek to amend this Judgment to reduce its fair share obligation accordingly. Notwithstanding any such reduction, the Township shall remain obligated to complete and leave in place any site specific zoning change made in connection with the plan approved pursuant to the Amended 2021 Settlement Agreement and continue to implement all aspects of the plan approved pursuant to the Amended 2021 Settlement Agreement and this Final Judgment. The Township may carry over any resulting extra credits to future rounds.

4. Having reviewed the Township's adopted Amended 2021 Housing Element and Fair Share Plan and implementing ordinances and resolutions, the Court finds and declares that the Township has demonstrated that it has met its Prior Round Obligation and has in place a plan to meet its Rehabilitation Share and its Third Round Obligation. As such, the Court finds that the Township's HEFSP and implementing ordinances are constitutionally compliant and satisfy the Township's cumulative third round Mount Laurel affordable housing fair share obligations and are therefore approved.
5. The findings, conclusions and grant of this unconditional Final Judgment are set forth herein.
6. As a continuing obligation of this Final Judgment of Compliance and Repose, the Township shall comply with the following ongoing implementation, monitoring and reporting requirements:
 - a. The Township shall fully implement its 2021 Amended Housing Element and Fair Share Plan.
 - b. On August 16, 2023, and every anniversary thereafter, the Township shall:
 - i. Report on trust fund activity to the Department of Community Affairs, New Jersey Council on Affordable Housing or Division of Local Government Services or other entity designated by the State of New Jersey.

- ii. Prepare a report on the status of all affordable housing activity in the municipality.
 1. This report shall address those “Ongoing Conditions of Monitoring” set forth in the Court Master’s Report of July 11, 2022, attached hereto at Exhibit A.
 2. The Township has committed to extend controls on the property located at 1108 Maresfield Court at the end of the current 44-year control period, and to address all regulatory requirements at that time, including providing rehabilitation assistance, should such assistance be necessary and eligible. The report shall address the status of this commitment.
- iii. The above referenced reports shall be posted on the Township’s website and a copy provided to Fair Share Housing Center.
- c. Within 30 days of August 16, 2023, the Township shall prepare a status report regarding its efforts to produce very low income units. The report shall be posted on the Township’s website and a copy provided to Fair Share Housing Center. The posting will invite any interested party to submit comments to the Township and Fair Share Housing Center as to the Township’s efforts to comply with its affordable housing obligation.

7. The Township's Affordable Housing Spending Plan has been reviewed and is hereby approved.
 - a. The Township is authorized to impose and collect affordable housing development fees, to deposit and maintain those fees in the Township's Affordable Housing Trust Fund, and to expend those fees in accordance with its approved Spending Plan and this Final Judgment, subject to applicable law.
 - b. The proposed expenditure of funds from the Township's Affordable Housing Trust Fund is found and determined to be consistent with and authorized by the Fair Housing Act, and as such, those funds are properly committed for expenditure as required by the 2008 amendments to the Fair Housing Act, P.L. 2008, c.46. (In re Tp. Of Monroe, 442 N.J. Super. 565 (Law Div. 2015) (aff'd 442 N.J. Super. 563).
8. The Township is authorized and directed to use the current regional income limits as set forth in the "2022 Affordable Housing Regional Income Limits by Household Size" summary chart prepared by the Affordable Housing Professionals of New Jersey ("AHPNJ"), and the methodology developed thereto by AHPNJ that replicates COAH's past procedures for annually updating and establishing said income limits, for use in establishing annual eligibility and qualification levels and the maximum rental levels and sales prices for affordable housing units.

9. The Township is entitled to this Final Judgment of Compliance and Repose and immunity from exclusionary zoning lawsuits, including but not limited to “builder’s remedy” lawsuits, for its third round Mount Laurel affordable housing obligations, with said protections extending through and expiring on July 1, 2025.
10. Fair Share Housing Center is hereby granted Intervenor status in this matter for the purposes of enforcing the terms of the Amended 2021 FSHC Settlement Agreement.
11. A copy of this Order shall be served on the Special Master, all counsel of record and the official service list within seven days of receipt by counsel for Petitioner.



HON. JEANNE T. COVERT, A.J.S.C.

APPENDIX B

Resolution #42-2025 of Governing Body

TOWNSHIP OF EVESHAM

RESOLUTION NO. 42-2025

RESOLUTION OF EVESHAM TOWNSHIP ESTABLISHING THE TOWNSHIP'S FOURTH ROUND PRESENT AND PROSPECTIVE NEED PURSUANT TO THE FAIR HOUSING ACT AS CALCULATED BY THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS

WHEREAS, the current standards embodied in the New Jersey Fair Housing Act ("FHA") at N.J.S.A. 52:27D-301 et seq., include a methodology for the calculation of municipalities' Fourth Round need for providing low- and moderate-income housing to residents; and

WHEREAS, the FHA has defined the prospective need to include "a projection of housing needs based on development and growth which is reasonably likely to occur in a region or a municipality, as the case may be, as a result of actual determination of public and private entities" N.J.S.A. 52:27D-304(j); and

WHEREAS, the FHA requires that the New Jersey Department of Community Affairs ("DCA") perform a calculation of regional need and municipal present and prospective need in accordance with the formulas established in the FHA; and

WHEREAS, the DCA performed the calculation pursuant to the FHA and on or about October 20, 2024 issued a report entitled "Affordable Housing Obligation for 2025-2035 (Fourth Round) Methodology and Background" ("Fourth Round Report"); and

WHEREAS, in the Fourth Round Report the DCA calculation indicates the Township of Evesham has a Fourth Round present need of one-hundred-and-eleven (111) units and a prospective need of two-hundred-and-twenty (220) units; and

WHEREAS, the FHA provides municipalities the option to adopt the DCA's findings of present and prospective need and thereby maintain immunity from exclusionary zoning litigation and have the municipality's determination of present and prospective fair share need be granted a presumption of validity in any challenge initiated through the program outlined in the FHA; and

WHEREAS, the FHA established the Affordable Housing Alternative Dispute Resolution Program ("Program") to be administered by the Administrative Office of the Courts ("AOC") through which municipalities could retain immunity from builders

remedy lawsuits and seek a Fourth Round certification of compliance; and

WHEREAS, the AOC adopted Directive #14-24 on December 13, 2024, which requires municipalities who choose to participate in the Program to file a declaratory judgment complaint with the Superior Court of New Jersey, Civil Part within forty-eight (48) hours of adoption of the municipal resolution establishing the municipalities fourth round present and prospective need pursuant to the FHA; and

WHEREAS, the Township affordable housing professionals have reviewed the DCA Fourth Round Report, assessed the calculation contained therein and recommend that the Township accept this calculation of the Fourth Round present and prospective affordable housing need attributable to Evesham Township; and

WHEREAS, the Township affordable housing professionals further believe it is in the best interest of the Township for the Township to participate in the Program.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of Evesham Township, in the County of Burlington, and State of New Jersey, that the Township accepts the calculation of a present need of one-hundred-and-eleven (111) units and a prospective need of two-hundred-and-twenty (220) units for the Fourth Round as calculated by the Department of Community Affairs; and

BE IT FURTHER RESOLVED, that Evesham Township affordable housing professionals shall take such action as is necessary to satisfy the January 31, 2025 deadline established in the FHA for the acceptance and determination of its Fourth Round affordable housing obligations in order to maintain immunity from exclusionary zoning litigation; and

BE IT FURTHER RESOLVED, that pursuant to AOC Administrative Directive #14-24, the Township Solicitor is authorized and directed to file a declaratory judgment complaint with the Superior Court of New Jersey consistent with this Resolution; and

BE IT FURTHER RESOLVED, that the Township Solicitor is authorized as directed by the Mayor, to take such further actions as are necessary to maintain the Township's compliance with the Fair Housing Act; and

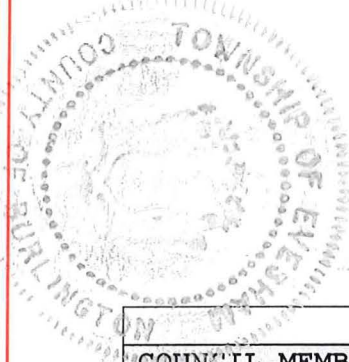
BE IT FURTHER RESOLVED, that pursuant to the FHA, the Township Administrator shall publish this Resolution on the

Township's publicly accessible Internet website within 48 hours of adoption; and

BE IT FURTHER RESOLVED, that the Township's affordable housing professionals shall develop a Fourth Round Housing Element and Fair Share Plan ("HEFSP") that will provide an opportunity for the creation of sufficient low- and moderate-income housing by 2035, to satisfy the Township's calculated and accepted Fourth Round present and prospective need established pursuant to this Resolution; and

BE IT FURTHER RESOLVED, that the HEFSP shall be presented to the Township Council with sufficient time for the HEFSP to be adopted by the June 30, 2025 deadline set forth in the FHA such that the Township can maintain its immunity.

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Township Council of the Township of Evesham, County of Burlington, State of New Jersey, at its meeting held in the Meeting Room of the Municipal Complex at 984 Tuckerton Road, Marlton, New Jersey 08053 on January 22, 2025.



Rebecca Andrews

 Rebecca Andrews, Township Clerk

ROLL CALL VOTE						
COUNCIL MEMBER	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
COOPER	✓		✓			
FISICAO			✓			
HUNTER		✓	✓			
SMITH			✓			
MAYOR VEASY			✓			

APPENDIX C-1

Housing Plan Demographic and Housing Conditions Analysis

I. INTRODUCTION

According to the Fair Housing Act of 1985, a Housing Plan Element shall be designed to achieve the goal of access to affordable housing to meet present and prospective housing needs, with particular attention to low and moderate-income housing.

This is the Township of Evesham's Housing Element (hereinafter "HE") for 2025 to 2035. On March 19, 2024, Governor Phil Murphy signed significant affordable housing legislation through Bill A-4/S-50, which aims to streamline and enhance the state's approach to affordable housing obligations.

Key Provisions of the Legislation:

Establishment of a New Framework: The law introduces a streamlined process for determining and enforcing municipalities' affordable housing obligations under the New Jersey Supreme Court's Mount Laurel Doctrine and the State's Fair Housing Act. Starting in 2025, the Department of Community Affairs (DCA) will publish non-binding calculations of municipalities' current and prospective affordable housing needs, using a formula based on prior court decisions.

Dispute Resolution Program: The legislation establishes a new Affordable Housing Dispute Resolution Program to expedite the resolution of disputes regarding municipalities' affordable housing obligations and plans. This program aims to reduce litigation-related delays and provide more certainty for housing developers.

Abolishment of COAH: The Council on Affordable Housing (COAH), which had been defunct for over a decade, is formally abolished under this bill. The new process replaces the role previously played by COAH, streamlining compliance and reducing delays in the construction of new affordable housing.

Incentives for Specific Housing Projects: The legislation includes provisions for "bonus credits," allowing certain affordable housing units to be credited as 1.5 or 2 units. This system incentivizes the development of age-restricted housing, housing for individuals with special needs, and projects located near mass transit stations. The use of bonus credits is capped at 25% of a municipality's prospective need obligations.

Transparency and Accountability: The law mandates increased transparency at each stage of the affordable housing process, including the adoption of initial housing plans, the availability and allocation of state housing trust funds, and the number of housing units built. This ensures that municipalities and developers can plan more effectively and that the public remains informed about affordable housing developments.

New Jersey seeks to enhance the efficiency and fairness of affordable housing development by implementing these measures, offering clearer municipal guidance, minimizing legal disputes, and expanding housing availability statewide.

On October 18, 2024, the Department of Community Affairs ('DCA') released "Affordable Housing Obligations for 2025-2035" as the recently enacted law required.

EVESHAM'S AFFORDABLE HOUSING COMPLIANCE HISTORY

Evesham Township's cumulative affordable housing obligation from the First and Second Rounds ("Prior Rounds") totaled 534 units. In 1998, the Township petitioned the Superior Court for a Second-Round Judgment of Compliance, which was granted in November 1999 after the court determined that the Township had met its Prior-Round obligations. The details of this compliance are outlined in the Fair Share Plan.

To adhere to the Council on Affordable Housing's (COAH) initial Third Round rules (N.J.A.C. 5:94 and 5:95), enacted in 2004, the Township filed a Third Round Declaratory Judgment Complaint on February 22, 2005. A compliance plan was prepared in 2005, and a Special Master issued a report on April 11, 2006. However, before the Court could finalize its review, the Appellate Division invalidated COAH's Growth Share methodology on January 25, 2007. As a result, on February 22, 2008, the Superior Court postponed the Township's deadline for submitting a revised Third Round Plan until all appeals were resolved.

On January 21, 2010, the Planning Board adopted a new Third Round compliance plan, with a Special Master issuing a report on September 21, 2010. Subsequently, on November 21, 2011, the Court granted the Township immunity from builders' remedy lawsuits without setting an expiration date.

The Township continued its efforts by filing a Declaratory Judgment action on February 26, 2014, seeking Court approval for its Affordable Housing Trust Fund Spending Plan and authorization to allocate trust funds per applicable regulations. The revised 2015 Spending Plan received Court approval on September 21, 2015.

Following the Mount Laurel IV decision in March 2015, responsibility for reviewing and approving housing elements and fair share plans shifted from COAH to designated Mount Laurel trial judges. Relying on its previously granted immunity, Evesham Township did not file a Declaratory Judgment action by the Supreme Court's July 8, 2015 deadline. However, during this period, the Township remained actively engaged in advancing affordable housing opportunities.

On October 15, 2015, the Fair Share Housing Center (FSHC) filed a complaint seeking to revoke the Township's immunity, contingent on the preparation of a Third Round Housing Element and Fair Share Plan, as well as compliance with an affordable housing obligation calculated by FSHC's planner, Dr. David Kinsey. While Evesham Township shared FSHC's commitment to affordable housing, it did not agree with the proposed fair share number and sought to achieve its housing goals through sound planning aligned with broader municipal objectives.

Throughout negotiations with FSHC, the Township remained committed to balancing affordable housing obligations with other planning priorities. Since 2015, it has continued to pursue affordable housing initiatives through various approaches. In August 2018, a settlement agreement was reached, establishing both the Township's Third Round fair share obligation for low- and moderate-income housing and the mechanisms for fulfilling it. The Fair Share Settlement and this Fair Share Plan reflect the culmination of these efforts.

This Housing Plan Element and Fair Share Plan complies with the requirements of the Municipal Land Use Law, the Fair Housing Act, and the terms of the August 2018 settlement agreement with FSHC. It serves as an update to the previous plan adopted in December 2020.

As outlined in the Amended FSHC Settlement Agreement, the Township's Mount Laurel affordable housing obligation for the period 1987–2025 consists of:

1. A Third Round Rehabilitation Share was initially set at 94 units, later reduced to 15 following a structural survey approved by the Court on June 23, 2020.
2. A Prior Round Obligation of 534 units.
3. A Third Round Obligation of 680 units, including the 1999–2015 "Gap Present Need" and the 2015–2025 "Prospective Need."

Additionally, under the Amended FSHC Settlement Agreement, if a legal or administrative decision reduces the Township's 1999–2025 housing obligation by more than 20%, and that reduction is upheld in a final, unappealable judgment, the Township may seek to amend this Judgment accordingly. However, regardless of any such reduction, the Township must maintain all site-specific zoning changes made under the approved plan and continue implementing all aspects of the Amended 2021 Settlement Agreement and this Final Judgment. Any excess affordable housing credits may be carried forward to future rounds.

After reviewing the Township's adopted Amended 2021 Housing Element and Fair Share Plan, along with its implementing ordinances and resolutions, the Court finds that the Township has fulfilled its Prior Round Obligation and has a plan in place to meet its Rehabilitation Share and Third Round Obligation. Consequently, the Court declares the Township's plan and ordinances constitutionally compliant, meeting its cumulative Mount Laurel affordable housing obligations, and grants approval.

As part of this Final Judgment of Compliance and Repose, the Township was required to the following ongoing implementation, monitoring, and reporting requirements:

1. Fully implement the 2021 Amended Housing Element and Fair Share Plan.
2. Annually, starting August 16, 2023:
 - a. Report trust fund activity to the relevant state agency.
 - b. Prepare a status report on all affordable housing activity within the municipality.

MUNICIPAL SUMMARY

Evesham Township covers 29.7 square miles, or about 19,008 acres, and is situated in the western part of Burlington County. Evesham has a suburban character with community amenities that include several recreational fields, a swim club, Little Mill Country Club, and Black Run Preserve on Kettle Run Road, Bortons Road, Tomlinson Mill Road, and Links Golf Course, among others.

It is bordered by Cherry Hill and Voorhees Townships to the east (both in Camden County), Berlin and Waterford Townships to the south (both in Camden County), Medford Township to the west, and Mount Laurel Township to the north (both in Burlington County). Around 16.35 square miles (55%) of the township lies within the Pinelands Area. Due to this Pinelands Area designation, Evesham Township has a suburban/urban character in its northern and western sections, especially along the corridors of Route 73 and Route 70, while the southern and eastern parts maintain a more rural feel.

AFFORDABLE HOUSING OBLIGATION

On October 18, 2024, the Department of Community Affairs (‘DCA’) released “Affordable Housing Obligations for 2025-2035” as required by the recently enacted law. The Township’s obligation is identified in the chart below:

EVESHAM'S AFFORDABLE HOUSING OBLIGATION 2025-2035

	REHABILITATION (Present Need)	PRIOR ROUND	FOURTH ROUND (Prospective Need)
OBLIGATION	111	-35*	220

* There are 35 credits carried over from Round 3

VACANT LAND ADJUSTMENT ANALYSIS

Under the Prior Round Rules (5:93-4.1), municipalities could seek adjustments. These Rules indicated that there may be instances where a municipality can exhaust an entire resource (land, water, or sewer) and still not be able to provide a realistic opportunity for affordable housing. Subchapter 4 provides the standards and procedures for municipalities to demonstrate that the municipal response to its housing obligation is limited by the lack of land, water, and/or sewer.

Environmental Resolutions, Inc., the Township’s Affordable Housing Planner in 2024, prepared a vacant land adjustment (hereinafter “VLA”) analysis in 2024 as per the requirements of N.J.A.C. 5:93-4.2 (the results of the VLA can be found in Appendix A). An exhaustive analysis of all vacant properties was conducted in 2024(?) MODIV tax data from the New Jersey Geographic Information Network. Next, the environmental constraint layers were added to the Geographic Information Systems (hereinafter “GIS”) map to determine the area, if any, of vacant parcels that are environmentally constrained. Environmental constraints reviewed include the following:

- New Jersey Department of Environmental Protection (hereinafter “NJDEP”) water bodies
- NJDEP wetlands with a 50-foot buffer
- NJDEP C-1 waters with a 300-foot buffer
- FEMA Special Flood Hazard Area (Preliminary Flood Hazard Zones A, AO, AE, V and VE)
- Steep slopes (15%) prepared as part of the Burlington County Wastewater Management Plan were georeferenced to use a minimum of six (6) control points in the GIS dataset of the remaining vacant parcels. Any vacant lands within the Steep Slopes areas identified for that County Wastewater Management Plan were removed.

Environmentally constrained areas are then removed from a parcel, resulting in vacant and buildable acres. If Lot A comprises wetlands encumber 35 acres, but 20 acres and a C-1 waterway, only 15 acres remain buildable. Based on this analysis, 15 acres of Lot A is developable and included in the VLA.

Next, the analysis removed properties with:

- Recent Certificates of Occupancy
- Recent subdivision and/or site plan approvals that have yet to commence construction or are under construction
- Approvals for single-family homes that have yet to commence construction or are under construction

Once each lot's buildable acreage was determined, the analysis identified properties that could be developed with at least five housing units at the minimum presumptive density of six dwellings per acre for parcels of 0.833 acres.

As shown by the maps and Excel chart in Appendix A, the Township of Evesham contains 13 parcels that are "vacant" and can develop at least five (5) dwellings.

Based on the parcel-by-parcel VLA analysis, the Township of Evesham has a RDP of 96.93.

Unmet Need

The RDP has been calculated to be 96.93; therefore, the Fourth Round Unmet Need is the result of subtracting the RDP (96.93) from the Fourth Round Obligation (220)(hereinafter ("FRO")). This results in an Unmet Need of 123.07. The Township of Evesham does not have any Unmet Need from the First through Third Round Obligations.

GOAL OF EVESHAM TOWNSHIP

It is the overall goal of the HE, in combination with the Land Use Plan, to provide the planning context in which access to low and moderate-income housing can be provided in accordance with the requirements of the Fair Housing Act and the laws of the State of New Jersey while respecting the character and density of the Township of Evesham.

II. CONTENT OF HOUSING ELEMENT

As per the MLUL, specifically N.J.S.A. 52:27D-310, a housing element must contain at least the following items:

- An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level, and age;
- An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low and moderate-income households and substandard housing capable of being rehabilitated;
- An analysis of the existing and probable future employment characteristics of the municipality;
- A projection of the municipality's housing stock, including the probable future construction of low and moderate-income housing for the next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;
- A determination of the municipality's present and prospective fair share for low and moderate-income housing and its capacity to accommodate its housing needs, including its fair share for low and moderate-income housing, as established pursuant to section 3 of P.L.2024, c.2 (C.52:27D-304.1); and
- A consideration of the lands that are most appropriate for the construction of low- and moderate-income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low- and moderate-income housing, including consideration of lands of developers who have expressed a commitment to provide low- and moderate-income housing P.L.2024, c.2 (C.52:27D-310.10.f.).

III. EVESHAM'S POPULATION DEMOGRAPHICS

AGE DISTRIBUTION OF THE POPULATION

In 2023, the ACS estimated that 13.0% of Evesham's population was between the ages of 45 and 54. The percentage of school-aged children (ages 5 to 19) was approximately 18.2% and the population over 65 years of age was approximately 18.8%. The 2023 ACS reported the median age of Evesham residents was 41.2 years old.

POPULATION BY AGE COHORT

Label	Count	Percent
AGE		
Total population	47,612	100.00%
Under 5 years	2,316	4.9%
5 to 9 years	2,723	5.7%
10 to 14 years	3,006	6.3%
15 to 19 years	2,966	6.2%
20 to 24 years	2,437	5.1%
25 to 34 years	5,867	12.3%
35 to 44 years	6,364	13.4%
45 to 54 years	6,207	13.0%
55 to 59 years	3,756	7.9%
60 to 64 years	3,015	6.3%
65 to 74 years	4,725	9.9%
75 to 84 years	2,964	6.2%
85 years and over	1,266	2.7%

U.S. Census Bureau, U.S. Department of Commerce. "ACS Demographic and Housing Estimates." American Community Survey, ACS 5-Year Estimates Data Profiles, Table DP05, 2023, <https://data.census.gov/table/ACSDP5Y2023.DP05?q=Population Total&g=060XX00US3400522110>. Accessed on February 5, 2025.

ETHNO-RACIAL MAKEUP OF EVESHAM, NJ IN COMPARISON TO BURLINGTON COUNTY AND THE STATE OF NJ

Note that there are cultural biases that may skew the results of this census. Some individuals of a darker complexion, coming from Native and South American backgrounds, may identify as black due to a difference in racial perception across different cultures. For example, many darker-skinned Brazilians identify as black because of cultural standards related to darker skin, when in practice they fall under the race of Latino, being from a country of Latin American origin. Conversely, Fair-skinned Latin Americans and Hispanics have been historically known to identify as white, contrary to the racial category they fall into in a census or community survey.

Of the 47,612 residents in Mansfield, New Jersey, 78.5% identify as white alone, and 8% identify as Asian. Additionally, another 6% identify as Hispanic or Latino, and 4.8% identify as black or African American. A small minority of the local population identifies as multi-racial (2.7%) and an even smaller portion identifies as other (0.2%) or Native American and Pacific islander (.03%). This compares to the neighboring township of Mount Laurel, as prominently less diverse, especially in the representation of black/African American citizens. This difference in representation is especially significant because of how close these two townships are in population, with an estimated difference of 2,185. This portion of the

housing element is intended to address the racial and ethnic composition of Evesham Township and identify how the racial landscape of the area plays a role in the housing needs of the municipality.

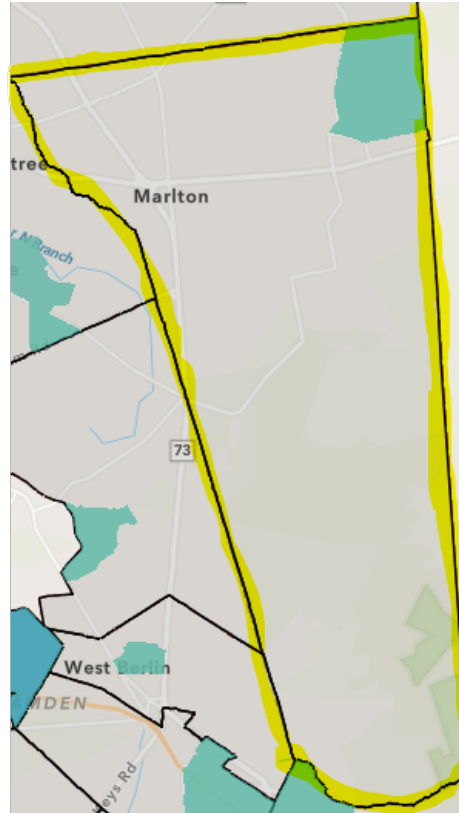
RACE & ETHNICITY

Race	Evesham		Burlington County		New Jersey	
	Estimate	Percent	Estimate	Percent	Estimate	Percent
White	37,368	78.5%	295,500	64%	4,813,341	52%
Hispanic/Latino	2,864	6.0%	42,820	9%	2,032,968	22%
Black	2,291	4.8%	73,455	16%	1,138,893	12%
Asian	3670	8%	25,819	6%	910,968	10%
Native American Pacific Islander	15	0.03%	147	0.03%	8,745	0.09%
Other	117	0.2%	3,310	1%	69,560	1%
Multi-Racial	1287	2.7%	23,175	5%	292,539	3%
Total Population	47,612		464,226		9,267,014	

U.S. Census Bureau. (n.d.). *Explore Census Data: Evesham Township, Burlington County, New Jersey; DP05: ACS Demographic and Housing Estimates* (2023 American Community Survey 5-Year Estimates). Retrieved May 5, 2025, from <https://data.census.gov/table/ACSDP5Y2023.DP05?q=Evesham+township,+Burlington+County,+New+Jersey&g=050XX00US34005&moe=false>

The New Jersey Department of Environmental Protection (hereinafter NJDEP) evaluates communities all over the state within the criteria of minority population, population of low-income residents, and populations in which the English proficiency is limited on a large scale. Any community in NJ that satisfies these criteria qualifies as an overburdened community (hereinafter OBC):

1. 35% or more of the households qualify as low-income households
2. 40% or more of the residents identify as a minority
3. 40% or more of the households have limited English proficiency



NJDEP Bureau of GIS. (2025, January 27). Overburdened Communities | NJ Environmental Justice Mapping, Assessment and Protection Tool (EJMAP). ArcGIS Experience Builder. Retrieved May 5, 2025, from <https://experience.arcgis.com/experience/548632a2351b41b8a>

The highlighted area is Evesham Township, and the teal-colored area at the top right of the township is an OBC.

In Evesham, the only OBC is the area surrounding the Village Greenes 55+ living community. This community greatly differs from the remainder of Evesham, which, in comparison, has a higher household median income (\$116,745) than that of the county (\$105,271) and the state (\$101,050). Additionally, the largest percentage of households (22.7%) has a total income of \$200,000 or more. The elevated income, along with a median housing value of \$41,400, is more than that of Burlington County, which may prove to be exclusionary for those in need of affordable housing.

These communities tend to have lower incomes due to retirees often choosing to reside in these communities. This often means that having a low income classified OBC within a township can be ineffective as a means of identifying disparities within a municipality.

DEMOGRAPHIC CHARACTERISTICS FOR OCCUPIED HOUSING UNITS

Race	Evesham Township		Burlington County		New Jersey	
	Number	Percent	Number	Percent	Number	Percent
White	16,282	84.8%	125,991	69.7%	2,079,328	54%
Hispanic/Latino	750	3.9%	12,957	7.2%	668,024	17.3%
Black	832	4.3%	27,977	15.5%	446,423	11.5%
Asian	1,186	6.2%	8,941	5%	332,164	8.6%
Native American / Pacific Islander	48	0.2%	485	0.2%	23,073	.6%
Other	256	1.3%	4,390	2.4%	306,070	8%
Total housing units occupied	19,281		180,741		3,855,082	

"S2502: Demographic Characteristics for Occupied Housing Units." *United States Census Bureau, 2023*, <https://data.census.gov/table?q=New+Jersey+S2502>.

An imbalance in racial representation of householders in Evesham could also indicate a lack of housing options for individuals that meet the criteria of OBCs such as low income and minority status. The ACS 5-year survey estimates that 84.4% of Evesham householders identify as white, pointing to a potential barrier for minorities and those of low income, preventing them from occupying housing units in this area.

HOUSEHOLD SIZE AND TYPE

The U.S. Census Bureau defines a household as persons that may or may not be related who occupy a single room or group of rooms constituting a housing unit. A family is one or more persons related by blood, marriage, or adoption, all living in the same household. In Evesham Township, the 2023 ACS estimated there were 19,281 households. Over 18.81% of the Township's households were non-family households, while family households comprised nearly 53.17% of households. Approximately 20.40% of the households are comprised of married couples with children under age 18.

HOUSEHOLD TYPE

	Total	Percent
Total:	19,281	
Owner occupied:	13,877	72.0%
Family households:	10,251	53.2%
Married-couple family:	9,055	47.0%
With own children of the householder under 18 years	3,934	20.4%
No own children of the householder under 18 years	5,121	26.6%
Female householder, no spouse present:	766	4.0%
With own children of the householder under 18 years	239	1.2%
No own children of the householder under 18 years	527	2.7%
Nonfamily households	3,626	18.8%

U.S. Census Bureau, U.S. Department of Commerce. "Tenure by Household Type and Presence and Age of Own Children." American Community Survey, ACS 5-Year Estimates Detailed Tables, Table B25115, 2023, <https://data.census.gov/table/ACSST5Y2023.B25115?q=Household and Family&g=060XX00US3400522110>. Accessed on February 11, 2025.

Household sizes for the Township are detailed in the table on the next page. One-person households total 6,159 or 31.94% of the Township's households. Households containing two-persons rank as the second most common size with a total of 5,615 households representing 29.1% of the Township's households. The third largest household group was four-person households 23.3%.

HOUSEHOLD SIZE

	Estimate	Percent
Occupied housing units	19,281	
HOUSEHOLD SIZE		
1-person household	6,159	31.9%
2-person household	5,615	29.1%
3-person household	3,021	15.7%
4-or-more-person household	4,486	23.3%

U.S. Census Bureau, U.S. Department of Commerce. "Occupancy Characteristics." American Community Survey, ACS 5-Year Estimates Subject Tables, Table S2501, 2023, <https://data.census.gov/table/ACSST5Y2023.S2501?q=Household Size and Type&g=060XX00US3400522110>. Accessed on February 5, 2025.

INCOME AND POVERTY STATUS

The most current data is the 2023 ACS Census data for the categories of income and poverty. The 2023 five-year American Community Survey (hereinafter "ACS") estimates were utilized. The estimated median household income for Evesham was \$116,745 in 2023, which is 13.9 percent of the median household income for Burlington County's \$102,532. The Township's median income was over \$16,964 or 16.8 percent higher than the State's median household income.

Evesham's median family income was \$153,596. This is approximately \$31,847 or 25.0 percent higher than the County's and approximately \$31,652 or 25.5 percent higher than the State's.

Evesham's estimated per capita income of \$61,324 is over 15 percent higher than that estimated for the County and the State. See the table on the following page.

Finally, after reviewing the poverty status of both individuals and families residing in the Township, Evesham fares much better than the County and the State for poverty status. The ACS estimates that Evesham has a family poverty status of 2.2% while the County and State have a family poverty status of 4.9% and 7.0%, respectively. The poverty status of individuals in Evesham is lower at 3.6% compared to 6.8% for the County and 9.8% for the State. See the table and chart on the next page for additional details.

INCOME CHARACTERISTICS

	Evesham	Burlington County	New Jersey
Median Household Income	116,745	105,271	101,050
Median Family income	153,596	127,277	123,892
Per Capita Income	61,324	53,077	53,118

Poverty Level			
All families	2.2%	4.9%	7.0%
All people	3.6%	6.8%	9.8%

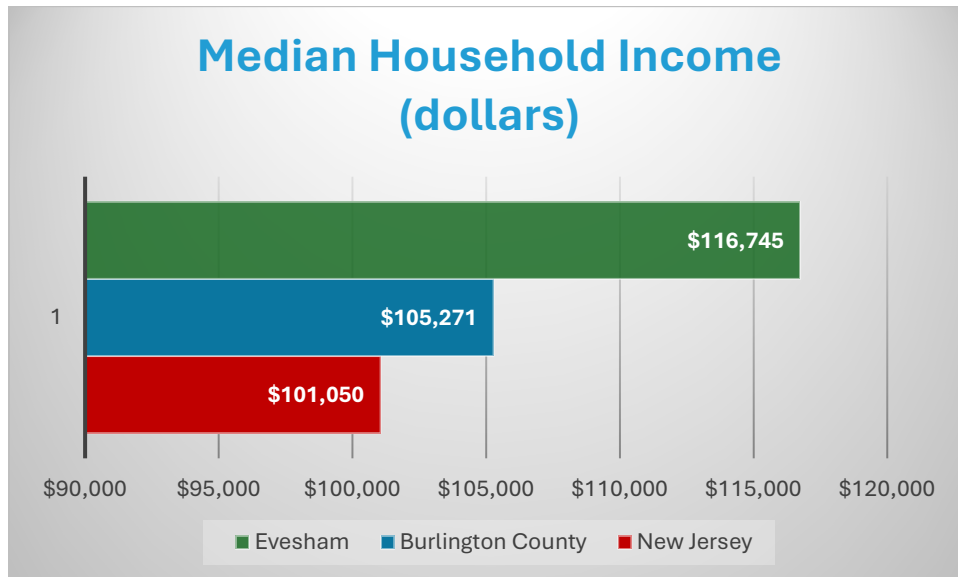
U.S. Census Bureau, U.S. Department of Commerce. "Selected Economic Characteristics." American Community Survey, ACS 5-Year Estimates Data Profiles, Table DP03, 2023, https://data.census.gov/table/ACSDP5Y2023.DP03?q=DP03: Selected Economic Characteristics&g=040XX00US34_050XX00US34005_060XX00US3400522110. Accessed on February 11, 2025.

The ACS five-year estimates also reported that 57.9% of the Township's households make over \$100,000 annually. Over 22.7% of households make more than \$200,000 per year. It should be noted that less than 16.0% of households make \$50,000 or less annually. A detailed breakdown of Evesham's household income, compared to that of the county and state, is provided on the following page.

INCOME AND BENEFITS (IN 2023 INFLATION-ADJUSTED DOLLARS)

	Evesham		Burlington County		New Jersey	
	Number	Percent	Number	Percent	Number	Percent
Total households	19,281	99.9%	176,046	99.9%	3,478,355	99.9%
Less than \$10,000	390	2.0%	5,362	3.0%	140,262	4.0%
\$10,000 to \$14,999	286	1.5%	2,969	1.7%	99,362	2.9%
\$15,000 to \$24,999	542	2.8%	6,523	3.7%	175,402	5.0%
\$25,000 to \$34,999	604	3.1%	8,027	4.6%	184,753	5.3%
\$35,000 to \$49,999	1,269	6.6%	13,955	7.9%	276,601	8.0%
\$50,000 to \$74,999	2,591	13.4%	22,911	13.0%	448,192	12.9%
\$75,000 to \$99,999	2,426	12.6%	23,250	13.2%	397,939	11.4%
\$100,000 to \$149,999	3,855	20.0%	35,553	20.2%	627,526	18.0%
\$150,000 to \$199,999	2,936	15.2%	23,631	13.4%	407,723	11.7%
\$200,000 or more	4,382	22.7%	33,865	19.2%	720,595	20.7%
Median household income (dollars)	116,745	(X)	105,271	(X)	101,050	(X)

U.S. Census Bureau, U.S. Department of Commerce. "Selected Economic Characteristics." American Community Survey, ACS 5-Year Estimates Data Profiles, Table DP03, 2023, https://data.census.gov/table/ACSDP5Y2023.DP03?q=DP03: Selected Economic Characteristics&g=040XX00US34_050XX00US34005_060XX00US3400522110. Accessed on February 11, 2025.



IV. EVESHAM’S HOUSING DEMOGRAPHICS

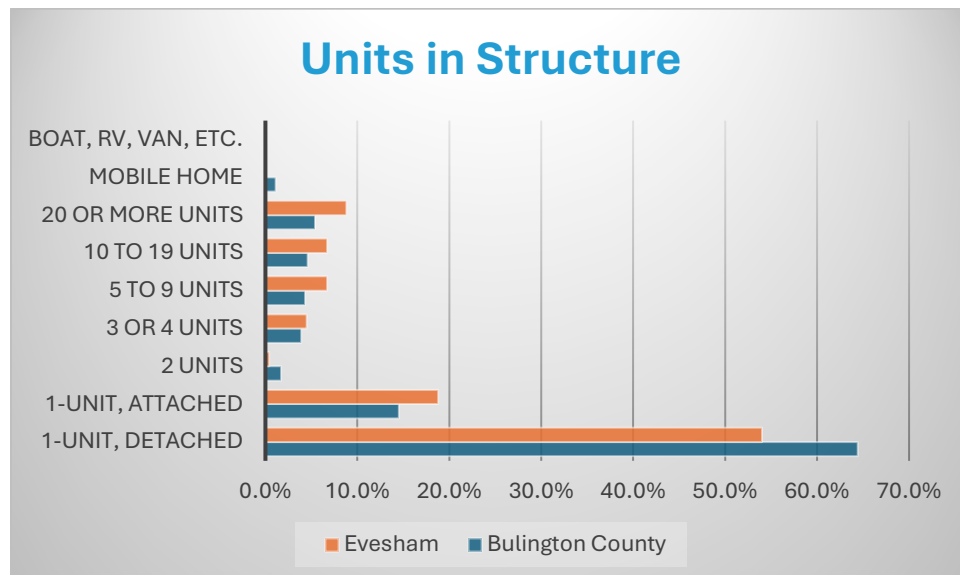
HOUSING TYPE

According to the 2023 five-year ACS estimates, Evesham has an estimated 20,090 dwelling units. The Township’s housing stock is comprised of single-family detached units, single-family attached units, and multi-family dwellings.

The largest percentage of housing stock in the Township is represented by single-family detached dwellings at 54.0% or 10,858 dwellings. Two-unit dwellings encompassed 0.4% of the housing stock, while single-family attached houses (e.g. townhomes) comprised 18.8% of the Township’s housing stock. Three or four-unit buildings totaled 4.5% of the housing stock. Five or more units (apartments) comprised 22.2% of the housing stock. Of the estimated 9,586 units in 2023, 2,495 or 26.1% of the owner-occupied housing stock with a mortgage spends more than 30% of the household income on housing which is considered unaffordable. Of the estimated 5,307 units in 2023, 2,481 or 46.8% of the renter-occupied housing stock that pays rent spends more than 30% of the household income on housing which is considered unaffordable.

UNITS IN STRUCTURE

Label	Burlington County		Evesham Township	
	Estimate	Percent	Estimate	Percent
UNITS IN STRUCTURE				
Total housing units	185,617	99.9%	20,090	99.9%
1-unit, detached	119,559	64.4%	10,858	54.0%
1-unit, attached	26,992	14.5%	3,784	18.8%
2 units	3,132	1.7%	86	0.4%
3 or 4 units	7,299	3.9%	908	4.5%
5 to 9 units	8,006	4.3%	1,339	6.7%
10 to 19 units	8,519	4.6%	1,338	6.7%
20 or more units	10,043	5.4%	1,777	8.8%
Mobile home	2,032	1.1%	0	0.0%
Boat, RV, van, etc.	35	0.0%	0	0.0%

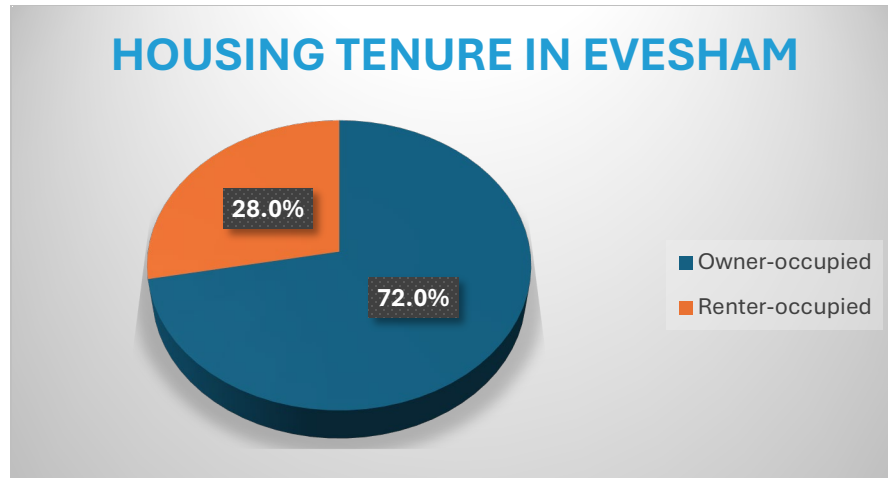


SELECTED MONTHLY OWNER/RENTER COSTS AS A PERCENTAGE OF HOUSEHOLD INCOME

Tenure	Label	Burlington County		Evesham Township	
		Estimate	Percent	Estimate	Percent
Owner Occupied	SELECTED MONTHLY OWNER COSTS AS A PERCENTAGE OF HOUSEHOLD INCOME (SMOCAPI) Housing units with a mortgage (excluding units where SMOCAPI cannot be computed)	88,426	100.1%	9,586	100.1%
	Less than 20.0 percent	38,011	43.0%	4,205	43.9%
	20.0 to 24.9 percent	15,197	17.2%	1,930	20.1%
	25.0 to 29.9 percent	10,306	11.7%	956	10.0%
	30.0 to 34.9 percent	5,448	6.2%	773	8.1%
	35.0 percent or more	19,464	22.0%	1,722	18.0%
	Renter Occupied	GROSS RENT AS A PERCENTAGE OF HOUSEHOLD INCOME (GRAPI) Occupied units paying rent (excluding units where GRAPI cannot be computed)	40,772	100.1%	5,307
Less than 15.0 percent		4,833	11.9%	578	10.9%
15.0 to 19.9 percent		4,195	10.3%	516	9.7%
20.0 to 24.9 percent		6,066	14.9%	1,042	19.6%
25.0 to 29.9 percent		4,806	11.8%	690	13.0%
30.0 to 34.9 percent		4,274	10.5%	493	9.3%
35.0 percent or more		16,598	40.7%	1,988	37.5%

OCCUPANCY STATUS

Occupancy and vacancy status were estimated in the 2023 ACS, and were used for this section. According to the ACS, 72.0% of the Township of Evesham’s occupied housing stock was owner-occupied while 28.0% was renter-occupied. The Township had an estimated vacancy rate of 4.0% which included housing units for rent, for sale, sold but not yet occupied, properties, and other vacant units.



VALUE AND RENT OF HOUSING STOCK

Evesham has an estimated 13,877 owner-occupied housing units according to the 2023 ACS. The majority of owner-occupied housing units, 7,016 units or 50.6%, have an estimated value between \$300,000 and \$499,999. Approximately 17.5%, or 2,429 units, comprise the \$500,000 to \$999,999 category. As indicated in the chart below, only 4.4% of the housing stock was valued below \$149,999.

VALUE OF OWNER-OCCUPIED UNITS

	Burlington County		Evesham Township	
	Estimate	Percent	Estimate	Percent
Owner-occupied units	133,325	100.0%	13,877	100.2%
Less than \$50,000	3,817	2.9%	294	2.1%
\$50,000 to \$99,999	1,778	1.3%	49	0.4%
\$100,000 to \$149,999	5,486	4.1%	259	1.9%
\$150,000 to \$199,999	12,658	9.5%	590	4.3%
\$200,000 to \$299,999	34,881	26.2%	3,158	22.8%
\$300,000 to \$499,999	49,746	37.3%	7,016	50.6%
\$500,000 to \$999,999	22,389	16.8%	2,429	17.5%
\$1,000,000 or more	2,570	1.9%	82	0.6%

The 2019-2023 ACS estimated the median rent for Evesham at \$1,939. Units that rented for \$1,000 to \$1,499 per month represented 20.0% and no units cost less than \$1,000 per month represented 3.4%. Rents totaling \$1,500 or more represented over 76.7% of the Township’s rentals. See the table below for additional details.

COST OF RENTALS

	Burlington County		Evesham Township	
	Estimate	Percent	Estimate	Percent
Occupied units paying rent	41,441	100.1%	5,318	100.1%
Less than \$500	1,210	2.9%	76	1.4%
\$500 to \$999	3,431	8.3%	104	2.0%

\$1,000 to \$1,499	11,958	28.9%	1,061	20.0%
\$1,500 to \$1,999	12,181	29.4%	1,615	30.4%
\$2,000 to \$2,499	7,886	19.0%	1,684	31.7%
\$2,500 to \$2,999	3,009	7.3%	617	11.6%
\$3,000 or more	1,766	4.3%	161	3.0%
Median (dollars)	1,669		1,939	
No rent paid	1,280		86	

Overcrowded units are defined by the U.S. Department of Housing and Urban Development as those with more than one person living per room. The table below depicts that 194 housing units in the Township had 1.01 or more occupants per room.

OCCUPANTS PER ROOM

	Burlington County		Evesham Township	
	Estimate	Percent	Estimate	Percent
Occupied housing units	176,046	176,046	19,281	19,281
1.00 or less	173,451	98.50%	19,087	99.00%
1.01 to 1.50	1,808	1.00%	176	0.90%
1.51 or more	787	0.40%	18	0.10%

According to the U.S. Census Bureau's American Community Survey (ACS) 5-Year Estimates for 2019, Evesham Township, New Jersey, has a diverse housing stock characterized by various construction periods, conditions, and values.

AGE OF HOUSING STOCK

	Evesham		Burlington County		New Jersey	
	Estimate	Percent	Estimate	Percent	Estimate	Percent
Total:	20,090	100.0%	185,617	100.1	3,775,842	100.2%
Built 2020 or later	204	1.0%	1,545	0.8%	23,348	0.6%
Built 2010 to 2019	943	4.7%	8,842	4.8%	217,910	5.8%
Built 2000 to 2009	2,175	10.8%	20,723	11.2%	343,692	9.1%
Built 1990 to 1999	4,083	20.3%	25,939	14.0%	341,768	9.1%
Built 1980 to 1989	5,738	28.6%	25,124	13.5%	447,464	11.9%
Built 1970 to 1979	3,712	18.5%	32,465	17.5%	469,113	12.4%
Built 1960 to 1969	1,671	8.3%	25,356	13.7%	489,202	13.0%
Built 1950 to 1959	1,024	5.1%	20,311	10.9%	530,609	14.1%
Built 1940 to 1949	120	0.6%	5,513	3.0%	252,864	6.7%
Built 1939 or earlier	420	2.1%	19,799	10.7%	659,872	17.5%

U.S. Census Bureau, U.S. Department of Commerce. "Selected Housing Characteristics." American Community Survey, ACS 5-Year Estimates Data Profiles, Table DP04, 2023, [https://data.census.gov/table/ACSDP5Y2023.DP04?q=DP04:Selected Housing Characteristics&g=040XX00US34_050XX00US34005_060XX00US3400522110](https://data.census.gov/table/ACSDP5Y2023.DP04?q=DP04:Selected%20Housing%20Characteristics&g=040XX00US34_050XX00US34005_060XX00US3400522110). Accessed on February 11, 2025.

This distribution indicates that 65.4 percent of the homes in Evesham Township were constructed after 1980. In Burlington County, 44.3 percent of the homes were constructed after 1980 and in New Jersey, 36.5 percent of the homes were constructed after 1980.

Housing Condition:

The ACS provides data on housing conditions, including overcrowding, and the presence of complete plumbing and kitchen facilities. Generally, it is accepted that the newer the housing stock the better the condition of the housing stock. The 2023 ACS estimates the age of the housing stock as follows:

	New Jersey	Burlington County	Evesham Township
	Estimate	Estimate	Estimate
Median year structure built	1969	1977	1985

The housing stock in Evesham, with an estimated median year built of 1985 is much newer than that of Burlington County or New Jersey. With this as the background, it is anticipated that the housing stock is in very good condition.

In Evesham Township, most housing units are not overcrowded and are equipped with complete plumbing facilities, further suggesting the housing stock is generally in very good condition. However, the DCA has estimated 111 Present Need units for Evesham, this estimate is subject to a large margin for error due to the small sample size used to generate it. Based on these factors, it is suggested that Evesham consider conducting a Housing Condition Survey to obtain a more accurate number of deficient dwellings.

PRESENT NEED

2017-21 Low and Moderate-Income Pre-1980 Overcrowded with Complete Plumbing and Kitchen Facilities (Estimate)	2017-21 Low and Moderate-Income Lacking Complete Plumbing or Kitchen Facilities (CHAS Table 8)	Present Need/Substandard/Deficient Low and Moderate-Income Occupied Units
41	70	111

See Table D Present Need & Substandard Housing of the Fourth Round Calculation Workbook

https://www.nj.gov/dca/dlps/4th_Round_Numbers.shtml

https://www.nj.gov/dca/dlps/pdf/FourthRoundCalculation_Workbook.xlsx

Home Values:

The median value of owner-occupied housing units in Evesham Township is approximately \$368,100 and the median value of owner-occupied housing units in Burlington County is \$326,700. The value distribution is as follows:

VALUE OF OWNER-OCCUPIED HOUSING

	Evesham		Burlington County	
	Estimate	Percent	Estimate	Percent
Owner-occupied units	13,877	100.2%	133,325	100.0%
Less than \$50,000	294	2.1%	3,817	2.9%
\$50,000 to \$99,999	49	0.4%	1,778	1.3%
\$100,000 to \$199,999	849	6.2%	18,144	13.6%

\$200,000 to \$299,999	3,158	22.8%	34,881	26.2%
\$300,000 to \$499,999	7,016	50.6%	49,746	37.3%
\$500,000 to \$999,999	2,429	17.5%	22,389	16.8%
\$1,000,000 or more	82	0.6%	2,570	1.9%

U.S. Census Bureau, U.S. Department of Commerce. "Selected Housing Characteristics." American Community Survey, ACS 5-Year Estimates Data Profiles, Table DP04, 2023, https://data.census.gov/table/ACSDP5Y2023.DP04?q=DP04:SelectedHousingCharacteristics&g=040XX00US34_050XX00US34005_060XX00US3400522110. Accessed on February 11, 2025.

This data indicates that more than half of the homes are valued between \$300,000 and \$499,999.

Rental Values:

For renter-occupied units, the median gross rent in Evesham is approximately \$1,939 per month and in Burlington County, it is approximately \$1,669 per month. The rent distribution is as follows:

GROSS RENT

Occupied units paying rent	Evesham		Burlington County	
	Count	Percentage	Count	Percentage
Less than \$500	76	1.40%	1,210	2.90%
\$500 to \$999	104	2.00%	3,431	8.30%
\$1,000 to \$1,499	1,061	20.00%	11,958	28.90%
\$1,500 to \$1,999	1,615	30.40%	12,181	29.40%
\$2,000 to \$2,499	1,684	31.70%	7,886	19.00%
\$2,500 to \$2,999	617	11.60%	3,009	7.30%
\$3,000 or more	161	3.00%	1,766	4.30%

U.S. Census Bureau, U.S. Department of Commerce. "Contract Rent." American Community Survey, ACS 5-Year Estimates Detailed Tables, Table B25056, 2023, <https://data.census.gov/table/ACSDT5Y2023.B25056?q=RenterCosts&t=Housing&g=060XX00US3400522110&y=2023>. Accessed on February 4, 2025.

In Evesham, the majority of rents (76.7%) exceed \$1,500 per month, a significantly higher percentage compared to Burlington County, where 60.0% of rents surpass this threshold.

These statistics provide a comprehensive overview of the housing stock in Evesham Township as of 2023, reflecting a community with a substantial number of homes built in the latter part of the 20th century, and generally good housing conditions.

Based on data from the 2023 American Community Survey (ACS) and other relevant sources, here is a summary of the housing characteristics in Evesham Township, New Jersey:

Occupancy Characteristics:

- **Total Housing Units:** As of the 2020 Census, Evesham Township had 19,413 housing units, an increase from 18,303 in 2010. The most recent 2023 ACS estimates that there are 20,090 housing units.
- **Occupied vs. Vacant Units:** In 2023, 19,281 units were occupied, and 809 were vacant, resulting in a vacancy rate of approximately 2.9% for owner and renter-occupied units.
- **Owner vs. Renter Occupancy:** In 2023, 72.0% of occupied housing units were owner-occupied and 28.0% were renter-occupied.

U.S. Census Bureau, U.S. Department of Commerce. "Selected Housing Characteristics." American Community Survey, ACS 5-Year Estimates Data Profiles, Table DP04, 2023, <https://data.census.gov/table/ACSDP5Y2023.DP04?q=OccupancyCharacteristics&g=060XX00US3400522110>. Accessed on February 5, 2025.

Based on data from the 2023 American Community Survey (ACS), Evesham Township exhibits the following demographic characteristics:

Historical Population Counts

Evesham Township has experienced significant population growth since 1940. Below is a summary of the township's population counts from U.S. Census data:

Census Year	Population	Percent Increase (- Decrease)
1940	1,655	--
1950	2,121	28.2%
1960	4,548	114.4%
1970	13,477	196.3%
1980	21,508	59.6%
1990	35,309	64.2%
2000	42,275	19.7%
2010	45,538	7.7%
2020	46,826	2.83%
2023 (est.)	47,612	1.68%

Source:

Population 1940-2020 (https://en.wikipedia.org/wiki/Evesham_Township,_New_Jersey)
Accessed February 3, 2025

2023 Census data: ACS 2023 5-year (https://censusreporter.org/profiles/06000US3400522110-evesham-township-burlington-county-nj/?utm_source=chatgpt.com), Accessed February 3, 2025

These figures illustrate a substantial increase in population, particularly between 1960 and 1990, reflecting the township's development and growing appeal as a residential area.

These statistics provide a snapshot of Evesham Township's demographics as of 2023, highlighting its relatively affluent and predominantly White population, with a significant proportion of residents in middle age or older.

These figures illustrate a substantial increase in population, particularly between 1960 and 1990, reflecting the township's development and growing appeal as a residential area.

Projections made by the DVRPC estimate modest growth of 4.73% between now and 2050. Evesham is estimated to gain 2,163 residents between 2020 and 2050, which translates to approximately 72 new residents per year over 30 years.

EVESHAM TOWNSHIP POPULATION PROJECTION 2020 - 2050

Year	Estimate	Percent
2020	45701	---
2025	47250	3.39%
2030	47262	0.03%
2035	47539	0.59%
2040	47749	0.44%
2045	47815	0.14%
2050	47864	0.10%

V. EVESHAM’S EMPLOYMENT DEMOGRAPHICS

The 2019-2023 ACS estimates indicate that Evesham had 2,415 residents in the workforce. Of the residents who were aged 16 years and older, 96.4% or 2,328 persons were employed, while a total of 87 persons were unemployed.

Private wage and salary workers in the Township comprised the majority of employed residents with 1,817 workers or 75.2%. Approximately 10.2% of workers were government employees and 9.8% were self-employed. The table below indicates that 27 residents (1.1%) within the Township were unpaid family workers during the survey period.

CLASS OF WORKER

	Burlington County		Evesham Township	
	Estimate	Percent	Estimate	Percent
Civilian employed population 16 years and over	235,108	100.1%	25,738	100.1%
Private wage and salary workers	182,100	77.5%	20,222	78.6%
Government workers	42,980	18.3%	4,494	17.5%
Self-employed in own not incorporated business workers	9,569	4.1%	957	3.7%
Unpaid family workers	459	0.2%	65	0.3%

U.S. Census Bureau, U.S. Department of Commerce. "Selected Economic Characteristics." American Community Survey, ACS 5-Year Estimates Data Profiles, Table DP03, 2023, https://data.census.gov/table/ACSDP5Y2023.DP03?q=Employment and Labor Force Status&g=050XX00US34005_060XX00US3400522110. Accessed on February 13, 2025.

OCCUPATIONAL CHARACTERISTICS

The ACS estimates that 57.9% of the Township’s residents were employed in management, professional, science, or arts occupations. Sales and office professionals follow with approximately 28.4% of the Township’s workers. Approximately 7.9% of workers are employed in the service industry. See the table below for additional details and a comparison of occupations between the Township and the County.

EMPLOYED CIVILIAN POPULATION BY OCCUPATION (AGE 16 YEARS OR OLDER)

Label	Evesham Township		Burlington County	
	Estimate	Percent	Estimate	Percent
OCCUPATION				
Civilian employed population 16 years and over	25,738	100.0%	235,108	100.0%
Management, business, science, and arts occupations	15,351	59.6%	114,966	48.9%
Service occupations	3,095	12.0%	30,855	13.1%
Sales and office occupations	5,140	20.0%	50,054	21.3%
Natural resources, construction, and maintenance occupations	890	3.5%	15,410	6.6%
Production, transportation, and material moving occupations	1,262	4.9%	23,823	10.1%

U.S. Census Bureau, U.S. Department of Commerce. "Selected Economic Characteristics." American Community Survey, ACS 5-Year Estimates Data Profiles, Table DP03, 2023, https://data.census.gov/table/ACSDP5Y2023.DP03?q=Employment and Labor Force Status&g=050XX00US34005_060XX00US3400522110. Accessed on February 13, 2025.

EMPLOYMENT PROJECTIONS

The DVRPC estimates that employment within the Township will grow by 141 jobs between 2015 and 2045. The Township would have to add approximately 5 jobs per year to achieve this projection.

POPULATION AND EMPLOYMENT PROJECTIONS

Year	Change in Population			Change in Employment		
	Population	Change	% Change	Employment	Change	% Change
2015	45,304	-	-	24,677	-	-
2020	45,701	397	0.9%	23,300	1,377	-5.60%
2025	47,250	1,549	3.4%	24,419	1,119	4.8%
2030	47,262	12	0.0%	24,555	136	0.6%
2035	47,539	277	0.6%	24,682	127	0.5%
2040	47,749	210	0.4%	24,868	186	0.8%
2045	47,815	66	0.1%	25,129	261	1.0%
2050	47,864	49	0.1%	25,376	247	1.0%

IN-PLACE EMPLOYMENT BY INDUSTRY

New Jersey's Department of Labor and Workforce Development is the entity that reports on employment and wages within the State of New Jersey. The latest municipal-level report was completed in 2023. Based on the data, 26,846 private sector jobs are provided by an average of 1,718 employers within the Township. Note that these are jobs within Evesham – the daytime working population - regardless of where the employee lives.

The largest average employment category was the "Health/Social" category with 8,877 jobs (32.7%). The professional/technical category ranked second with an average of 3,899 jobs (14.5%), the Retail Trade category ranked third with an average of 3,655 jobs (13.6%), the Finance/Insurance category ranked fourth with an average of 2,491 jobs (9.3%), and the Admin/Waste Remediation category ranked fifth with an average of 1,234 jobs (4.6%). There are approximately 2,911 public sector jobs in the Township. See the table on the following page for data on each industry sector.

In 2023 there were 1,718 private sector employers in Evesham. "Health/Social" employers are most numerous in the Township with 344 establishments. "Professional/Technical" was second highest with 296 places of employment. Retail trade, Finance/Insurance, and Admin/Waste Remediation categories had an average of 134 workplaces (6.8% each).

ANNUAL MUNICIPAL DATA BY SECTOR - 2023
Evesham Township

<u>NAICS Sector</u>	<u>Description</u>	<u>Average Units</u>	<u>Average</u>	<u>Percent</u>
	FEDERAL GOVT TOTALS	3	119	
	LOCAL GOVT TOTALS	20	1,680	
61	LOCAL GOVT EDUCATION	11	1,112	
	GOVERNMENT EMPLOYMENT	34	2,911	
11	Agriculture	.	.	.
22	Utilities	.	.	.
23	Construction	89	543	2.0%
31	Manufacturing	25	395	1.5%
42	Wholesale Trade	72	349	1.3%
44	Retail Trade	158	3,655	13.6%
48	Transp/Warehousing	36	198	0.7%
51	Information	30	145	0.5%
52	Finance/Insurance	132	2,491	9.3%
53	Real Estate	47	535	2.0%
54	Professional/Technical	296	3,899	14.5%
55	Management	13	293	1.1%
56	Admin/Waste Remediation	111	1,234	4.6%
61	Education	23	459	1.7%
62	Health/Social	344	8,788	32.7%
71	Arts/Entertainment	37	444	1.7%
72	Accommodations/Food	106	2,315	8.6%
81	Other Services	143	1,031	3.8%
99	Unclassifieds	56	71	0.3%
	PRIVATE SECTOR TOTALS	1,718	26,846	100.0%

<https://www.nj.gov/labor/labormarketinformation/assets/PDFs/employ/qcew/mun23.xlsx>

The ACS also summarizes the employment trends based upon the individuals living in the Township and the industry sector that employs them.

EMPLOYMENT BY INDUSTRY SECTOR AND NUMBER OF EMPLOYEES (2023)

	Evesham		Burlington County	
	Estimate	Percent	Estimate	Percent
INDUSTRY				
Civilian employed population 16 years and over	25,738	25,738	235,108	235,108
Agriculture, forestry, fishing and hunting, and mining	94	0.40%	856	0.40%
Construction	1,375	5.30%	13,591	5.80%
Manufacturing	1,537	6.00%	17,287	7.40%
Wholesale trade	846	3.30%	6,956	3.00%
Retail trade	2,390	9.30%	25,776	11.00%
Transportation and warehousing, and utilities	832	3.20%	14,774	6.30%
Information	605	2.40%	5,486	2.30%
Finance and insurance, and real estate and rental and leasing	2,875	11.20%	19,144	8.10%
Professional, scientific, and management, and administrative and waste management services	3,789	14.70%	28,642	12.20%
Educational services, and health care and social assistance	7,392	28.70%	62,010	26.40%
Arts, entertainment, and recreation, and accommodation and food services	1,705	6.60%	15,959	6.80%
Other services, except public administration	837	3.30%	7,882	3.40%
Public administration	1,461	5.70%	16,745	7.10%

TRAVEL TIME TO WORK

The 2023 ACS estimates that 59.0% (or 12,276) of workers travel less than 30 minutes to their place of employment. Approximately 3,335 workers (16.0%) travel between 15 and 19 minutes to get to work. A total of 16.0% of the Township's employed residents travel between 30 and 34 minutes to reach their workplace. It should be noted that 22.6% of workers residing in Evesham travel less than 15 minutes to their place of employment. These average commute times are less than the County or State averages. See the table on the following page for additional details.

Travel + Means to Work in Evesham

Label	New Jersey		Burlington County		Evesham	
	Estimate	Percent	Estimate	Percent	Estimate	Percent
Total:	3,858,660	100.0%	200,886	100.0%	20,794	100.0%
Less than 5 minutes	82,580	2.1%	4,229	2.1%	403	1.9%
5 to 9 minutes	299,797	7.8%	15,759	7.8%	1,848	8.9%
10 to 14 minutes	445,670	11.5%	21,535	10.7%	2,449	11.8%
15 to 19 minutes	503,854	13.1%	28,490	14.2%	3,335	16.0%
20 to 24 minutes	496,275	12.9%	25,934	12.9%	2,734	13.1%
25 to 29 minutes	257,006	6.7%	16,016	8.0%	1,507	7.2%
30 to 34 minutes	527,233	13.7%	31,407	15.6%	3,329	16.0%
35 to 39 minutes	130,890	3.4%	8,064	4.0%	792	3.8%
40 to 44 minutes	185,912	4.8%	8,616	4.3%	673	3.2%
45 to 59 minutes	382,097	9.9%	18,483	9.2%	1,647	7.9%
60 to 89 minutes	367,826	9.5%	15,638	7.8%	1,482	7.1%
90 or more minutes	179,520	4.7%	6,715	3.3%	595	2.9%

U.S. Census Bureau, U.S. Department of Commerce. "Sex of Workers by Travel Time to Work." American Community Survey, ACS 5-Year Estimates Detailed Tables, Table B08012, 2023, https://data.census.gov/table/ACSDT5Y2023.B08012?q=B08012:+Sex+of+Workers+by+Travel+Time+to+Work&g=040XX00US34_050XX00US34005_060XX00US3400522110. Accessed on March 3, 2025.

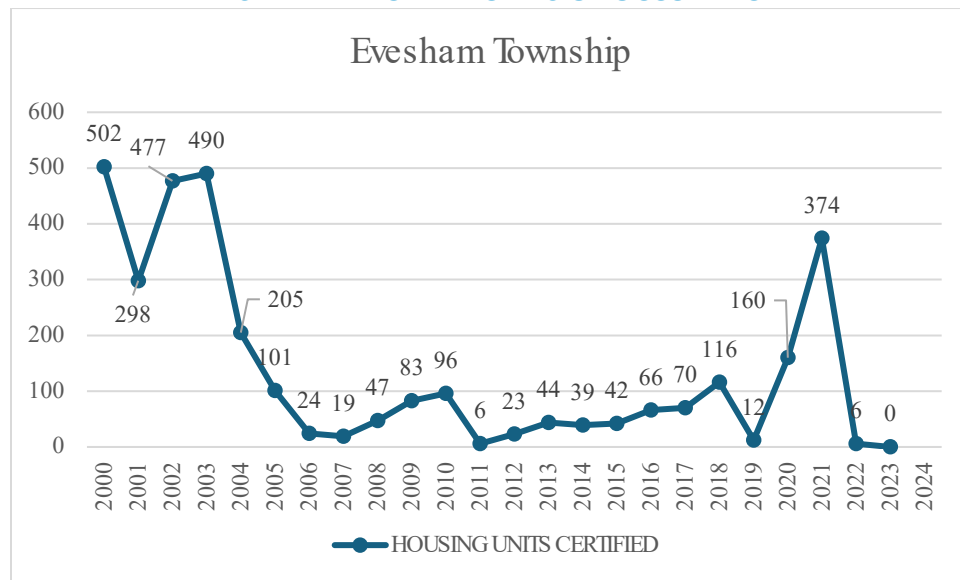
VI. PROJECTION OF HOUSING STOCK

As per the MLUL, specifically N.J.S.A. 52:27D-310, a housing element must contain a projection of the municipality's housing stock, including the probable future construction of low- and moderate-income housing for the next ten years, considering, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands.

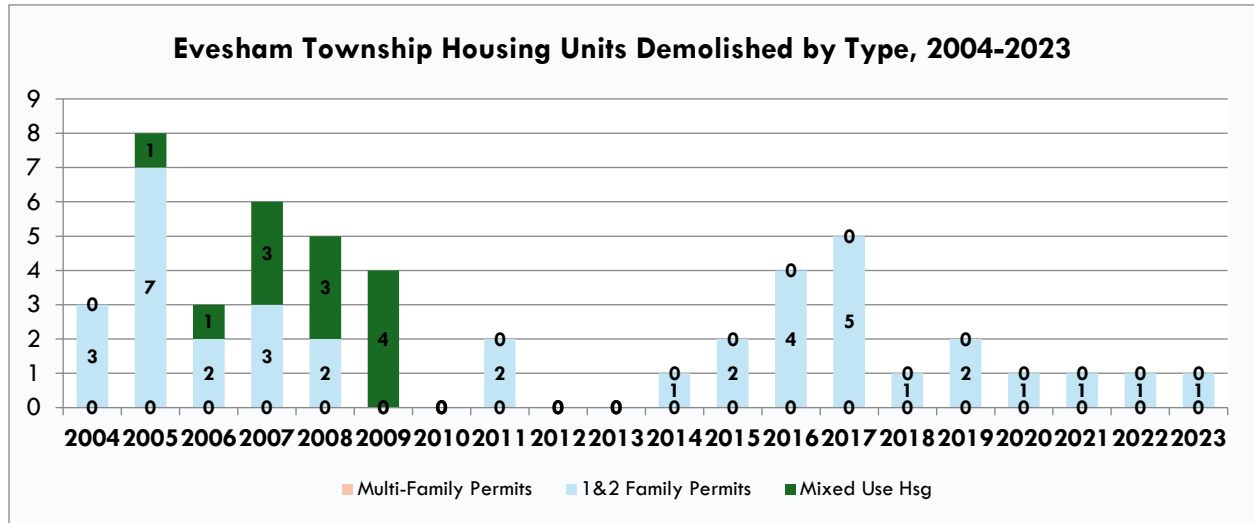
The Department of Community Affairs Division of Codes and Standards website provides data on Certificates of Occupancy and demolition permits for both residential and non-residential development. Within the Division of Codes and Standards, website is the New Jersey Construction Reporter, which contains building permits, certificates of occupancy, and demolition data that is submitted by the municipal construction officials within the State each month. The New Jersey Construction Reporter has information dating back to 2000, which can be used to show the Township's historic development trends.

As shown in the table on the following page, 2,454 residential Certificates of Occupancy (hereinafter "COs") were issued between 2000 and 2014 for an average of 163.6 per year, and 846 residential COs were issued between 2015 and 2023 for an average of 94 per year (data for 2024 and 2025 is not yet available). There were 45 Demolition Permits issued between 2000 and 2014 for an average of 3 per year, and an additional 18 Demolition Permits issued between 2015 and 2023 for an average of 2 per year (data for 2024 and 2025 is not yet available). Therefore, the Township had a net gain of 2,409 new homes between 2000 and 2014 and a net gain of 828 new homes between 2015 and 2023.

HISTORIC TREND OF RESIDENTIAL CERTIFICATES OF OCCUPANCY



DEMOLITION PERMITS



From the DCA Residential Development Viewer "G:\Planning\Affordable Housing\Housing_Development_Trend_Viewer.xlsb"

Projecting into the future, the Township has the following projects in the development stage or recently completed:

- Former Evesham DPW Yard 100 Total units 20 affordable units
- Habitat/Humanity, Oak Ave 2 Total units 2 affordable units
- Hawthorn Senior, Independent 161 Total units 24 affordable units
- Oakleigh Development, assisted living 100 beds 10 affordable units
- 23 East Main Street 1 Total units 1 affordable units
- Fox Hollow – Soboleski 42 Single family 0 affordable units
- 100 Centre Boulevard 325 Total Units 49 affordable (50% Supportive)

A few scattered infill housing units are currently under construction. Future development is expected to become increasingly challenging as the focus shifts to redevelopment, which is inherently more complex and requires a longer timeframe. Additionally, twelve proposed inclusionary sites for the 4th Round are expected to generate approximately 1,067.96 new dwellings, including 213.59 affordable units or 20 percent of the total anticipated.

VII. DETERMINATION OF ROUND 4 OBLIGATIONS

Introduction

On March 20, 2024, Governor Murphy signed P.L.2024, c.2 into law, creating a new framework for determining and enforcing municipal affordable housing obligations under the New Jersey Supreme Court’s Mount Laurel doctrine and the State’s Fair Housing Act. The law directs the Department of Community Affairs (DCA) to calculate regional housing need, as well as municipal present and prospective obligations, using the formulas specified in the statute.

DCA released the required report on October 18, 2024, with the regional housing need, as well as municipal present and prospective need obligations.

Present Need

The amendments to the Affordable Housing Law require that this calculation use a methodology similar to that used for determining third-round municipal present need, based on the most recent data from the federal decennial census and the American Community Survey, including the Comprehensive Housing Affordability Strategy (CHAS) dataset.

The DCA analysis used data from HUD’s Comprehensive Housing Affordability Strategy (CHAS) dataset, which provides municipality-level information on the number and percentage of low- and moderate-income (LMI) households based on a special tabulation of American Community Survey (ACS) data. The most recent CHAS release available at the time reflects the 2017–2021 ACS 5-Year Estimates. To maintain consistency in data year and source, the calculation of LMI-deficient housing is based on the same 2017–2021 dataset.

Evesham’s housing stock, with a median year built of 1985, is significantly newer than that of Burlington County or the state of New Jersey, indicating that the overall condition of housing in the township is likely to be very good. Most homes in Evesham are not overcrowded and have complete plumbing facilities, further supporting this assessment. However, the Department of Community Affairs (DCA) has estimated that there are 111 Present Need units in the township. This figure carries a high margin of error due to the small sample size used in its calculation. Given these considerations, it is recommended that Evesham conduct a Housing Condition Survey to more accurately assess the number of deficient housing units.

EVESHAM PRESENT NEED

2017-21 Low and Moderate-Income Pre-1980 Overcrowded with Complete Plumbing and Kitchen Facilities (Estimate)	2017-21 Low and Moderate-Income Lacking Complete Plumbing or Kitchen Facilities (CHAS Table 8)	Present Need/Substandard/Deficient Low and Moderate-Income Occupied Units
41	70	111

See Table D Present Need & Substandard Housing of the Fourth Round Calculation Workbook

https://www.nj.gov/dca/dlps/4th_Round_Numbers.shtml

https://www.nj.gov/dca/dlps/pdf/FourthRoundCalculation_Workbook.xlsx

Prospective Need

To calculate each municipality’s prospective need, the Department of Community Affairs (DCA) averaged three components—the equalized nonresidential valuation factor, land capacity factor, and income capacity factor—to produce an average allocation factor for each municipality. Municipalities designated as Qualified Urban Aid received an allocation factor of 0, as they are exempt from prospective need obligations under the Affordable Housing Law. The regional prospective need was then multiplied by each municipality’s average allocation factor

and a region-specific adjustment factor to determine its share of prospective need units. These regional adjustment factors ensure that the total of all municipal obligations precisely matches the regional obligation.

EVESHAM'S AFFORDABLE HOUSING OBLIGATION 2025-2035

	REHABILITATION (Present Need)	PRIOR ROUND	FOURTH ROUND (Prospective Need)	NET FOURTH ROUND (Prospective Need)
OBLIGATION	111	-35*	220	185

* There are 35 surplus credits from Round 3

The Fourth Round Prospective Need was estimated at 220 affordable dwelling units. Accounting for inclusionary development requirements, this translates to the need for approximately 880 total new housing units. Upon review, it became clear that Evesham Township lacked sufficient available land to accommodate this obligation. As a result, the Township commissioned a Vacant Land Adjustment Report, prepared by Environmental Resolutions, Inc. The report identified only 12 suitable and available sites, which could collectively yield an estimated 129.96 affordable housing units. This report is included as Appendix #.

EVESHAM ALLOCATION FACTOR CALCULATION

Equalized Nonresidential Valuation Factor	Land Capacity Factor	Income Capacity Factor	Average Allocation Factor	Regional Perspective Need	Evesham Prospective Need	(Surplus Credits) / Unmet Need from Round 3	Net Round 4 Prospective Need
3.94%	0.11%	3.18%	2.41%	9,134	220	(35)	185

The Round 3 Fair Share Plan has 35 surplus credits that reduce the Round 4 obligation from 220 units to 185 affordable housing units.

VIII. CAPACITY FOR FAIR SHARE

This chapter of the HE provides the following information as required by the rules:

- The Township’s capacity to accommodate its housing needs.
- An assessment of the most suitable lands for the development of low- and moderate-income housing, as well as existing structures that are best suited for conversion or rehabilitation for this purpose.
- Lands of developers who have expressed a commitment to provide low and moderate-income housing.
- The location and capacities of existing and proposed water and sewer lines and facilities relevant to the proposed affordable housing sites.

LANDS MOST APPROPRIATE FOR LOW- AND MODERATE-INCOME HOUSING

There is very little remaining land in Evesham—72.6 acres—that is best suited for the development of low- and moderate-income housing. The most appropriate parcels for such construction include:

Parcel Key	BLOCK	LOT	Address / Location	Acres
1	11.47	2	300 Evesboro-Medford Road	1.0
2	15.06	1 & 1.01	460 Elmwood Road North	4.2
3	16	3.02	860 Route 70 East	7.0
4	33	1 & 2	620 Route 73 South	2.9
5	35	8	175 Dutch Road	6.1
6	35.30	18.03	810 Route 73 South	4.2
7	35.30	18.06	830 Route 73 South	5.7
8	35.30	20 & 20.03	880 Route 73 South	11.2
9	36	1.01, 1.02, 1.04, & 1.03	625 Route 73 South	4.2
10	36	4	871 Route 73 South	7.8
11	37	11 & 13	280 Braddock Mill Road	15.6
12	37.01	10, 11, 13, 14, 17.05, 15, 16, 17.03, 17.04, & 17.09	948-954 Route 73 South & 25 Linden Ave.	2.7

These sites will be discussed in detail in the Fair Share Plan. Existing structures appropriate for conversion to affordable housing include foreclosure homes that are in good shape and reasonably priced. As for structures suitable for rehabilitation, the Township has a Rehabilitation Obligation of 111 and is considering conducting a housing condition survey.

UTILITY CAPACITY

Evesham Municipal Utilities Authority (EMUA) is the Township’s water provider and processes Evesham’s sewage. According to the NJDEP website, there are no known capacity issues with water. The EMUA has also stated that there are no sewer capacity issues with the three wastewater treatment plants in operation however there may be a localized conveyance restriction.

THE ANTICIPATED DEVELOPMENT PATTERNS

Anticipated land use patterns within the Township of Evesham will most likely follow the established zoning map (shown on the next page). The Township’s zones include the following residential zones and business zones and

situations may arise as they have in the past, where the Township may determine that a redevelopment area is appropriate to provide affordable housing.

AH-1, AH-1A, AH-2 and AH-3	Affordable Housing District
ASR	Affordable Semidetached Residential
C-1	Commercial-1 District
EVCO	Evesham Crossroads Overlay
C-2	Commercial-2 District
C-3	Commercial-3 District (Historic District Overlay)
EP	Environmental Protection District
FA	Forest Agricultural District
FW	Forest Woodland District
MCO	Municipal Center Overlay
INS	Institutional District
IP	Industrial Park District
LD	Low Density District
MD	Medium Density Residential District
MD-1	Medium Density-1 District
MDR	Moderate Density Residential Overlay
MF	Multifamily District
OP	Office Professional District
RD-1	Rural Development-1 District
RD-2	Rural Development-2 District
RD-3	Rural Development-3 District
RG-1	Regional Growth 1 District
RG-2	Regional Growth 2 District
RG-1BR	Regional Growth 1 Barton Run
RG-2KG	Regional Growth 2 Kings Grant
SEN-1	Senior Citizen Housing-1 District
SEN-2	Senior Citizen Housing-2 District
SEN-3	Senior Citizen Continuing Care District
SEN-4	Senior Citizen Housing-4 District

APPENDICES

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Appendix D

Vacant Land Adjustment

Executive Summary

Population and Age Distribution:

- The township has a population of approximately 47,612 residents.
- The median age is 41.2 years, indicating a relatively mature population.
U.S. Census Bureau, U.S. Department of Commerce. "ACS Demographic and Housing Estimates." American Community Survey, ACS 5-Year Estimates Data Profiles, Table DP05, 2023, <https://data.census.gov/table/ACSDP5Y2023.DP05?q=PopulationTotal&g=060XX00US3400522110>. Accessed on February 5, 2025.

Household Composition:

- There are about 19,281 households in the township.
- The average household size is 2.45 persons.
U.S. Census Bureau, U.S. Department of Commerce. "Households and Families." American Community Survey, ACS 5-Year Estimates Subject Tables, Table S1101, 2023, <https://data.census.gov/table/ACST5Y2023.S1101?q=HouseholdSizeandType&g=060XX00US3400522110>. Accessed on February 5, 2025.

Income Levels:

- The median household income is \$116,745, which is higher than both the county and state medians.
- The per capita income stands at \$61,324.
- Approximately 3.6% of residents live below the poverty line, a rate lower than Burlington County's 9.7% and the state of New Jersey's 6.8%.
U.S. Census Bureau, U.S. Department of Commerce. "Selected Economic Characteristics." American Community Survey, ACS 5-Year Estimates Data Profiles, Table DP03, 2023, <https://data.census.gov/table/ACSDP5Y2023.DP03?q=DP03:SelectedEconomicCharacteristics&g=060XX00US3400522110>. Accessed on February 4, 2025.

Age Distribution:

- 21.2% of the population is under 18 years old.
- 18.8% are 65 years and older.
U.S. Census Bureau, U.S. Department of Commerce. "ACS Demographic and Housing Estimates." American Community Survey, ACS 5-Year Estimates Data Profiles, Table DP05, 2023, <https://data.census.gov/table/ACSDP5Y2023.DP05?q=PopulationTotal&g=060XX00US3400522110>. Accessed on February 5, 2025.

Racial and Ethnic Composition:

- White: 80.1%
- Asian: 7.7%
- Black or African American: 4.9%
- Two or more races: 5.9%
- Hispanic or Latino: 6.0%
U.S. Census Bureau, U.S. Department of Commerce. "ACS Demographic and Housing Estimates." American Community Survey, ACS 5-Year Estimates Data Profiles, Table DP05, 2023, <https://data.census.gov/table/ACSDP5Y2023.DP05?q=PopulationTotal&g=060XX00US3400522110>. Accessed on February 5, 2025.

APPENDIX C-2

Vacant Land Adjustment Report

**VACANT LAND ANALYSIS for the TOWNSHIP OF EVESHAM
AFFORDABLE HOUSING AND FAIR SHARE PLAN**

**EVESHAM TOWNSHIP
BURLINGTON COUNTY, NEW JERSEY**



**ENVIRONMENTAL
RESOLUTIONS, INC.**

Engineers • Planners • Scientists • Surveyors

Prepared By:

**Environmental Resolutions, Inc.
815 East Gate Drive, Suite 103
Mount Laurel, New Jersey 08054
(856) 235-7170**

Prepared For:

**Evesham Township
984 Tuckerton Road
Marlton, NJ 08053**

A handwritten signature in blue ink that reads "David J. Benedetti". The signature is fluid and cursive.

**David Benedetti, AICP PP
NJ Professional Planner #33LI00368300**

**May 20, 2025
#22164 23A**

With support from Patrick VanBernum, AICP, Assistant Planner

The original document was appropriately signed and sealed in accordance with Chapter 41 of Title 13 of the State Board of Professional Planners.

ACKNOWLEDGMENTS

Township Council

Jaclyn Veasy, Mayor
Dr. Krystal Hunter Deputy Mayor
Heather Cooper
Joseph Fisicaro, Jr.
Christian Smith

Evesham Township Joint Land Use Board

Lisa Killion-Smith, Chair – Class IV
Patricia Everhart, Vice Chairman – Class IV
Jaclyn Veasy, Class I – Mayor
Craig Higginbotham, Class II
Dr. Krystal Hunter, Class III
David Bock, Class IV
Elizabeth Costello, Class IV
Gene Friedman, Class IV
Jacob Todd, Class IV
Tom Wyllner, Alternate #1
Sean McLaughlin, Alternate #2

Jennifer Newton, Board Secretary
Ronald Cucchiaro, Board Solicitor
Rakesh R. Darji, PE, PP, CME, CFM, Board Engineer
Taylor Design Group, Board Planner

Evesham Township Staff

Rebecca Andrews, Township Clerk
Kevin Rijs, PP, AICP, Community Development Director / Zoning Officer

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I. INTRODUCTION

This analysis has been prepared for Evesham Township is currently preparing a request to obtain a vacant land adjustment due to the built-out nature of the Township. The remaining land in the Township is constrained by environmental limitations, zoning restrictions, and infrastructure challenges, necessitating a thorough analysis in anticipation of preparing a “Round 4 Housing Element and Fair Share Plan” (Round 4 HEFSP). This report is intended for submission to the New Jersey Department of Community Affairs (“DCA”) on behalf of the Township of Evesham (“the Township”) with its Round 4 plan as a proactive approach to ensuring adequate affordable housing where feasible.

This analysis was conducted in response to the now-approved New Jersey state legislation concerning the 'Fourth Round (2025 - 2035)' prospective affordable housing requirements for municipalities. On October 18, 2024, the DCA released a report titled “Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background,” which established the municipal obligations for compliance with the recently enacted law. This law provides a new framework for determining and enforcing municipalities’ affordable housing obligations under the New Jersey Supreme Court’s Mount Laurel doctrine and the State’s Fair Housing Act.

As comprehensive updated substantive regulations have not yet been adopted or proposed by DCA, the Township has relied on N.J.A.C. 5:93-4.2 et al, which provides a mechanism for municipalities to adjust their affordable housing obligations based on a lack of vacant, available, suitable, developable, and approvable land. These regulations were previously utilized during the judicial oversight of the Round 3 Mount Laurel (1999-2025) process.

To assess the Township's capacity to meet its affordable housing obligation, an analysis of all vacant parcels within the Township was undertaken. The realistic development potential of each property was determined, factoring in environmental constraints and zoning limitations, and the total potential units were compared against the prospective need obligation derived from the preceding analysis.

Evesham’s cumulative First and Second Round (“Prior Rounds”) obligation was 534 units. The Township petitioned the Superior Court for a Second Round Judgement of Compliance in 1998. It was determined that the Township had satisfied the Prior Rounds obligations, and the Township received a Judgment of Compliance in November of 1999. The Township’s Prior Round compliance is outlined in the Fair Share Plan.

The Township filed a Third Round Declaratory Judgment Complaint on February 22, 2005, to comply with the COAH’s first set of Third Round rules at N.J.A.C. 5:94 and 5:95, enacted in 2004. The Township prepared a Third Round compliance plan in 2005, and the Special Master issued a report on April 11, 2006. However, before the Court could complete its review, the Appellate Division issued its January 25, 2007 decision invalidating COAH’s Growth Share methodology. The Superior Court entered an Order on February 22, 2008, postponing the Township’s deadline to submit a revised Third Round Plan until all appeals were resolved. The Planning Board adopted another Third Round compliance plan on January 21, 2010, and the Special Master issued a report on the plan on September 21, 2010. On November 21, 2011, the Court entered an Order granting the Township immunity against any builders’ remedy lawsuits, without a specific expiration date.

The Township filed a Declaratory Judgment action on February 26, 2014, and took steps to obtain Court approval for its Affordable Housing Trust Fund Spending Plan and authorization to spend its affordable

housing trust funds by the applicable rules. The Township filed a motion with the Court to approve its revised 2015 Spending Plan and received Court approval on September 21, 2015.

Following the Mount Laurel IV decision in March 2015, the Court transferred responsibility to review and approve housing elements and fair share plans from COAH to designated Mount Laurel trial judges.

In reliance upon immunity that had previously been granted, the Township did not file a Declaratory Judgment action within the timeframe provided by the Supreme Court (by July 8, 2015). During this time, Evesham was actively pursuing a variety of affordable housing opportunities. On October 15, 2015, Fair Share Housing Center (FSHC) filed a Complaint, seeking to strip the Township of its immunity conditioned on its preparation of a Third Round Housing Element and Fair Share Plan and satisfaction of a Fair Share number calculated by FSHC's planner, David Kinsey, PhD.

Evesham Township shares FSHC's concern for the provision of affordable housing opportunities, but was not in agreement with the fair share number produced by FSHC, and the Township wished to pursue its affordable housing goals in a manner consistent with sound planning and the Township's various planning objectives. During the time that the Township and FSHC negotiated the Third Round "number" the Township remained determined to meet the affordable housing goals in a way that was also responsive to other priorities and constraints. Since 2015, the Township has continued to pursue affordable housing opportunities via multiple avenues. In August of 2018, the Township reached a settlement agreement addressing both the "number" for the Township's Third Round fair share obligation of low and moderate-income housing, as well as the mechanisms the Township has been using to satisfy this obligation.

The Township has prepared the Round 3 Housing Plan Element and Fair Share Plan within all requirements of the Municipal Land Use Law, the Fair Housing Act, and in conformance with the terms and conditions of the August 2018 settlement agreement with Fair Share Housing Center.

Evesham Township has undertaken significant efforts to comply with affordable housing obligations since the Fair Housing Act was adopted in 1985. The Township's cumulative First and Second Round obligations totaled 534 units. In 1998, Evesham petitioned the Superior Court for a Second Round Judgment of Compliance, which was granted in November 1999, affirming that the Township had satisfied its Prior Rounds obligations.

In response to the Council on Affordable Housing (COAH) Third Round rules established in 2004, Evesham filed a Third Round Declaratory Judgment Complaint on February 22, 2005. A compliance plan was prepared in 2005, and the Special Master issued a report on April 11, 2006. However, the Appellate Division's January 25, 2007, ruling invalidated COAH's Growth Share methodology, leading the Superior Court to postpone the submission deadline for the Township's revised Third Round Plan until all appeals were resolved. A new compliance plan was adopted on January 21, 2010, with the Special Master's report following on September 21, 2010. The Court granted the Township immunity from builders' remedy lawsuits on November 21, 2011, without a specified expiration date.

Further efforts were made in 2014 when the Township filed a Declaratory Judgment action and sought Court approval for its Affordable Housing Trust Fund Spending Plan. The Court approved a revised 2015 Spending Plan on September 21, 2015. The March 2015 Mount Laurel IV decision transferred oversight from COAH to Mount Laurel trial judges. Due to previously granted immunity, Evesham did not file a Declaratory Judgment action by the Supreme Court's July 8, 2015, deadline, though it remained committed to pursuing affordable housing opportunities.

On October 15, 2015, the Fair Share Housing Center (FSHC) filed a Complaint to strip Evesham of its immunity unless it prepared a Third Round Housing Element and Fair Share Plan based on FSHC's fair share number, calculated by planner David Kinsey, PhD. While Evesham Township shared FSHC's commitment to affordable housing, it sought to align housing goals with broader planning objectives.

After extensive negotiations, a settlement agreement was reached in August 2018. This agreement established the fair share obligation for the Third Round and outlined the mechanisms the Township would use to meet this obligation.

Status of Round 3 (1999 – 2025) Housing Plan Element & Fair Share Plan

- I. Rehabilitation/Present Need: 94 The Court Adjudicator report dated January 26, 2022, summarized that, as provided in the 2018 Settlement Agreement, the Township conducted an exterior conditions survey. Based on the results, Evesham petitioned the Court to reduce its Rehabilitation obligation. A Compliance Report dated May 2020 recommended approval, which the Court granted on June 23, 2020, reducing the Rehabilitation obligation to 15 units. The Court determined that the documentation was sufficient to receive credit for each of the 15 units rehabilitated.
- II. Prior Round Prospective Need Obligations: 534 The Prior Round Prospective Need was reviewed by the Court Adjudicator in the report dated January 26, 2022, and determined that the requirements were satisfied as follows:

Type	Credits	Bonus	Total
RCA	199	0	199
Family for Sale	57	0	57
Family Rental	60	60	120
Senior Rental	69	11	80
Special Needs	39	39	78
Total	424	110	534

- III. Third Round (1999 – 2025) Prospective Need
 - a. Third Round Age Restricted Units
 For the Third Round, Age Restricted Units were limited to 170 credits. After reviewing the documents, 168 were developed. Brightview had 27 units in the HEFSP, but only 17 units could be constructed, resulting in the loss of 10 units. CareOne originally had 4 units and expanded to 8 additional units for a revised total of 12 units, leading to a net loss of 2 age-restricted rental units.
 - b. Third Round Family Units
 Evesham had a minimum of 255 units for families, and the HEFSP provided 285 family credits. Recent modifications include:
 - The Former DPW Yard was redesigned, increasing credits from 16 to 20.
 - Two (2) credits planned for Oak Avenue by Habitat for Humanity in 2025.

- One (1) new rental credit at 23 East Main Street.
- One (1) Market 2 Affordable credit added in 2024 at 211 Quail Road.

Of the 285 credits, 267 have been built, with 24 additional credits planned.

c. Third Round Rental Credits

The Consent Agreement required a minimum of 170 rental units must be provided, with at least 85 for families. Current figures include:

- Brightview: 17 units (loss of 10 units).
- CareOne: Expanded to 12 units (increase of 8 units).
- Hawthorne Senior Retirement Community: 24 credits completed in 2024.
- Planned DPW Yard project: Increased from 16 to 20 credits.
- Three (3) rental credits are completed at South Maple Street.
- One (1) planned rental credit added at 23 East Main Street in 2024.
- The rental credits are as follows:

Type	Without Bonus	With Bonus
Family Rentals	267	437
Age Restricted	168	168
Special Needs	70	70
Total Rentals	505	675

d. Third Round Low/Mod Split

The agreement also required a minimum of 255 units must be available to low-income households. The HEFSP proposed 289 low or very low-income credits. The final count stands at 299 units, excluding 70 special needs group home bedrooms.

e. Third Round Very Low-Income Credits and Family Bedroom Distribution

Evesham exceeded the requirement of 26 very low-income family units, providing 27 units. If additional MEND / Conifer Sharp Road units are considered, Evesham would provide 38 units.

f. Rental Bonus Credits

The Township claimed a maximum of 170 rental bonus credits, sourced from family rentals:

- MEND / Conifer Sharp Road: 78 bonus credits.
- Cornerstone / Evesham Family Apts.: 64 bonus credits.
- Fieldstone / Barclay: 28 bonus credits.

g. Income / Bedroom Distribution

The Township complies with the Consent Agreement by meeting UHAC requirements across its community-wide distribution.

Income Level	Efficiency	1 Bed	2 Bed	3 Bed	4 Bed	Totals	Percent
Very Low	0	13	15	10	0	38	13.5%
Low	1	18	81	57	0	157	55.9%
Moderate	0	13	48	24	1	86	30.6%
Total	1	44	144	91	1	281	100%
Percent	0.36%	15.66%	51.3%	32.38%	0.36%		100%
UHAC Requirement	20%*		30%**	20%**			

* **Maximum** ** **Minimum**

IV. Summary

- a. The number of low-income credits required is 255, and has been exceeded by 341 credits.
- b. The required 170 rental credits have been met.
- c. The maximum of 170 age-restricted credits has been achieved.
- d. The required 255 family credits have been exceeded by 26, or 281 credits.
- e. The maximum rental bonus credits of 170 have been utilized.
- f. A total of 715 credits have been achieved, exceeding the obligation of 680.
- g. Evesham Township has satisfied its obligations under the 2021 Amended FSHC Settlement Agreement.

Evesham Township's Round 3 Housing Plan Element and Fair Share Plan have been developed in compliance with the Municipal Land Use Law, the Fair Housing Act, and the terms of the August 2018 settlement agreement with FSHC. This document serves as a supporting document to prepare the Round 4 Housing Element and Fair Share Plan.

II. METHODOLOGY

An analysis of existing land uses and zoning in the Township was conducted to determine the Realistic Development Potential (RDP) of the vacant land. An estimate of potential affordable units was then derived from the RDP, assuming a 20% affordable set-aside and an assumed development density of either six (6) dwelling units per one (1) acre for smaller-scale projects (smaller than 5 acres of vacant land) and eight (8) dwelling units per one (1) acre for larger-scale projects (greater than 5 acres of vacant land). Using MOD IV Data from the State of New Jersey Division of Taxation and New Jersey Office of GIS (NJOGIS) environmental and property records, all properties within the Township were examined to determine if they were not only vacant but also suitable for future development. Properties reserved for public use, preserved open space, listed on the NJ Recreation and Open Space Inventory (ROSI), preserved farms as part of the SADC Farmland Preservation Program, Burlington County Farmland Preservation Program, and those occupied by environmental constraints such as flood hazard areas, water bodies, steep slopes, high amounts of wetlands, critical habitats, and areas within a riparian buffer did not have an RDP calculated. Parcels affected by these conditions were then removed from the vacant land assemblage for this analysis.

The remaining properties were then tested to determine their ability to accommodate a minimum of five (5) dwelling units. All properties with sufficient buildable area to accommodate five (5) or more units were included in the RDP determination.

Assumptions Underlying Realistic Development Potential (RDP)

Inclusionary Development

N.J.A.C. 5:93-4.2(f) specifies that the Realistic Development Potential (RDP) is based on an inclusionary zoning framework, meaning that available land cannot be assumed to be developed as 100% affordable housing. Instead, the regulation mandates a minimum presumptive set-aside for affordable housing of 20%, or one in every five units. Consequently, any site considered suitable for inclusionary development must have the capacity to accommodate at least five (5) residential units to ensure compliance with these zoning requirements.

Assumed Densities and Minimum Project Size

N.J.A.C. 5:93-4.2(f) specifies that the Realistic Development Potential (RDP) is based on an inclusionary zoning framework, meaning that available land cannot be assumed to be developed as 100% affordable housing. Instead, the regulation mandates a minimum presumptive set-aside for affordable housing of 20%, or one in every five units. Consequently, any site considered suitable for inclusionary development must have the capacity to accommodate at least five (5) residential units to ensure compliance with these zoning requirements.

According to the Substantive Rules of COAH relating to the vacant land adjustment procedures (N.J.A.C. 5:93-4.2), the consideration of vacant lands for RDP includes consideration of the property area and whether the project area has the capacity for higher-density or lower-density development. Specifically, the example referenced in the Substantive Rules states that generally, for properties five (5) acres or greater, an overall RDP Yield of eight (8) dwelling units per acre is considered adequate for establishing a minimum density. For properties less than five (5) acres in area, an overall RDP Yield of six (6) dwelling units per acre is deemed adequate for the same.

This framework ensures that affordable housing obligations are met while balancing market-rate development, creating mixed-income communities that align with the objectives of the New Jersey Fair Housing

Act and the Mount Laurel doctrine. The inclusionary zoning approach not only facilitates the integration of affordable units within market-rate developments but also promotes economic diversity and social cohesion within neighborhoods. Furthermore, this policy encourages municipalities to identify suitable locations for development that consider infrastructure capacity, environmental constraints, and community planning goals.

Example: Lowmod Borough has three suitable sites. The sites are 10 acres, five acres, and one acre. The larger sites may accommodate eight units/acre. The one-acre site may accommodate six units/acre. All sites are assigned a 20 percent set-aside. The RDP equals 25 low- and moderate-income units.

10 acres	X	8 units/acre	X .2	= 16
5 acres	X	8 units/acre	X .2	= 8
1 acre	X	6 units/acre	X .2	= 1
		RDP		= 25

This Vacant Land Analysis utilized modified density assumptions for the Township’s available vacant land, representative of the densities that have been utilized through recent surrounding development in the Township.

Data Sources

- ❖ **Mod IV Tax Assessment Data** was obtained from the Assessment Records Search.
- ❖ **Pinelands Area Boundaries** dataset, developed by the New Jersey Pinelands Commission.
- ❖ The **Critical Habitat** Dataset was developed by the New Jersey Department of Environmental Protection (NJDEP).
- ❖ The **Steep Slope Areas** identified in the 2017 Burlington County Wastewater Management Plan.
- ❖ The **Flood Hazard Area** Dataset was digitized from FEMA Flood GIS data of 100-year flood zones.
- ❖ The **Wetlands** Dataset was developed using the Land Use/Land Cover 2020 as developed by the New Jersey Department of Environmental Protection (NJDEP), Office of Information Resources Management (OIRM), and the Bureau of Geographic Information Systems (BGIS).
- ❖ The **Waterbodies** Dataset was obtained from the National Hydrography Dataset (NJDEP) Waterbody 2002 dataset as developed by the New Jersey Department of Environmental Protection (NJDEP), Office of Information Resource Management (OIRM), and Bureau of Geographic Information Systems (BGIS).
- ❖ **Preserved Farmland** of New Jersey dataset prepared by the New Jersey State Agriculture Development Committee (NJ SADC).
- ❖ **Historic Districts** and **Historic Properties of New Jersey** datasets developed by the New Jersey Department of Environmental Protection (NJDEP), Historic Preservation Office, maintained by the LUCY 2.0 Online Mapping Program.
- ❖ **State, Local, and Nonprofit Open Space of New Jersey** dataset developed by the New Jersey Department of Environmental Protection (NJDEP), Office of Geographic Information Systems (OGIS), and New Jersey Green Acres Program.

Methodology of Vacant Land Parcels Assemblage

Step 1: Selection of Sites

Step 1.1: Classification of Vacant Land

Using the Mod IV Tax Assessment Data, properties except those with Tax Classification of “1” (Vacant), “3A” and “3B” (Farmland), and vacant properties with Tax Classification “15C” (Public) were removed from the analysis. The remaining properties were then examined for any exclusion factors including but not limited to environmental constraints such as wetlands and floodplains, existing infrastructure limitations, ownership restrictions, and current land use designations that may preclude residential development.

Step 2: Site Analysis (Exclusion of Vacant Lands with no RDP)

Step 2.1: Overlay and Analysis of Environmentally Sensitive Areas

The remaining vacant sites were mapped using GIS. The properties were overlaid with Critical Habitat, Flood Hazard Areas, Wetlands, and Waterbodies Datasets. The parcels substantially constrained by environmental factors, either by total coverage (i.e. a property with 90% of the land area being within the Flood Hazard Area) or lack of access (i.e. a property with minimal frontage and wetlands at this frontage), were removed.

Step 2.2: Overlay and Exclusion of Historically Important Sites

The remaining vacant sites, mapped using GIS, were then overlaid with Historic Districts, and Historically significant sites dataset. Any vacant lands within this overlay were removed.

Step 2.3: Overlay and Exclusion of Recreation and Open Space Inventory (ROSI) properties

The remaining vacant sites, mapped using GIS, were then overlaid with the State, Local, and Nonprofit Open Space of New Jersey (ROSI) dataset. Any vacant lands within this overlay were removed.

Step 2.4: Overlay and Exclusion of Preserved Farmland

The remaining vacant sites, mapped using GIS, were then overlaid with the Preserved Farmland of New Jersey dataset. Any vacant lands within this overlay were removed.

Step 2.5: Georeferencing and Exclusion of Steep Slope Areas

“Map 5: Preserved Lands & Other Constraints” prepared as part of the Burlington County Wastewater Management Plan, was georeferenced to use a minimum of six (6) control points in the GIS dataset of the remaining vacant parcels. Any vacant lands within the Steep Slopes areas identified for the County Wastewater Management Plan were removed.

Step 2.6: Pinelands Management Area Disqualification

The remaining vacant sites located within the Pinelands Area were identified, while those within the Pinelands National Reserve but outside of the Pinelands Area -- and therefore outside the jurisdiction of the Pinelands Commission -- were removed. The identified sites were then assessed to determine whether they were within the Pinelands Regional Growth Area or the Rural Development Area. As a result of this assessment, no sites remained within the Pinelands Regional Growth Area. The sites located within the Rural Development Area were excluded from any land assemblage due to constraints on sewer infrastructure development, in accordance with N.J.A.C. 7:50-6.84(a)2.

BLOCK	LOT	Address / Location	Gross Acres	Wetlands & 50' Buffer Acres	Devel. Acres	Dwel/Ac	RDP Total Units	RDP Affordable Units
11.47	2	300 Evesboro-Medford Road	1.00	0.00	1.00	8	8.00	1.60
15.06	1 & 1.01	460 Elmwood Road North	4.20	0.00	4.20	12	50.40	10.08
16	3.02	860 Route 70 East	2.81	0.68	2.13	12	25.56	5.11
33	1 & 2	620 Route 73 South	5.82	2.93	2.90	20	58.00	11.60
35	8	175 Dutch Road	9.25	4.41	4.84	12	58.08	11.62
35.30	18.03	810 Route 73 South	4.22	1.33	2.89	20	57.80	11.56
35.30	18.06	830 Route 73 South	5.68	0.86	4.81	20	96.20	19.24
35.30	20 & 20.03	880 Route 73 South	9.63	5.42	4.21	20	84.20	16.84
36	1.01, 1.02, 1.04, & 1.03	625 Route 73 South	4.71	2.80	1.91	20	38.20	7.64
36	4	871 Route 73 South	7.86	3.23	4.63	12	55.56	11.11
37	11 & 13	280 Braddock Mill Road	15.95	8.46	7.49	12	89.88	17.98
37.01	10, 11, 13, 14, 17.05, 15, 16, 17.03, 17.04, & 17.09	948-954 Route 73 South & 25 Linden Ave.	2.81	0.01	2.80	15	42.00	8.40
TOTAL							663.88	132.78
Rounded RDP							664	133

Step 3: Generation of Assemblages

Step 3.1: In addition to the larger parcels evaluated using the previously outlined steps, we also assessed smaller vacant properties that did not meet the minimum criteria, developing a minimum of five (5) dwellings for individual inclusion. The parcels that did not meet the five (5) dwelling minimum and could not be assembled with adjoining lots were excluded. When assembled, these smaller parcels provide sufficient land area to accommodate at least five (5) new residential lots. The four (4) areas identified for potential assemblage, and their corresponding tax information, are detailed below:

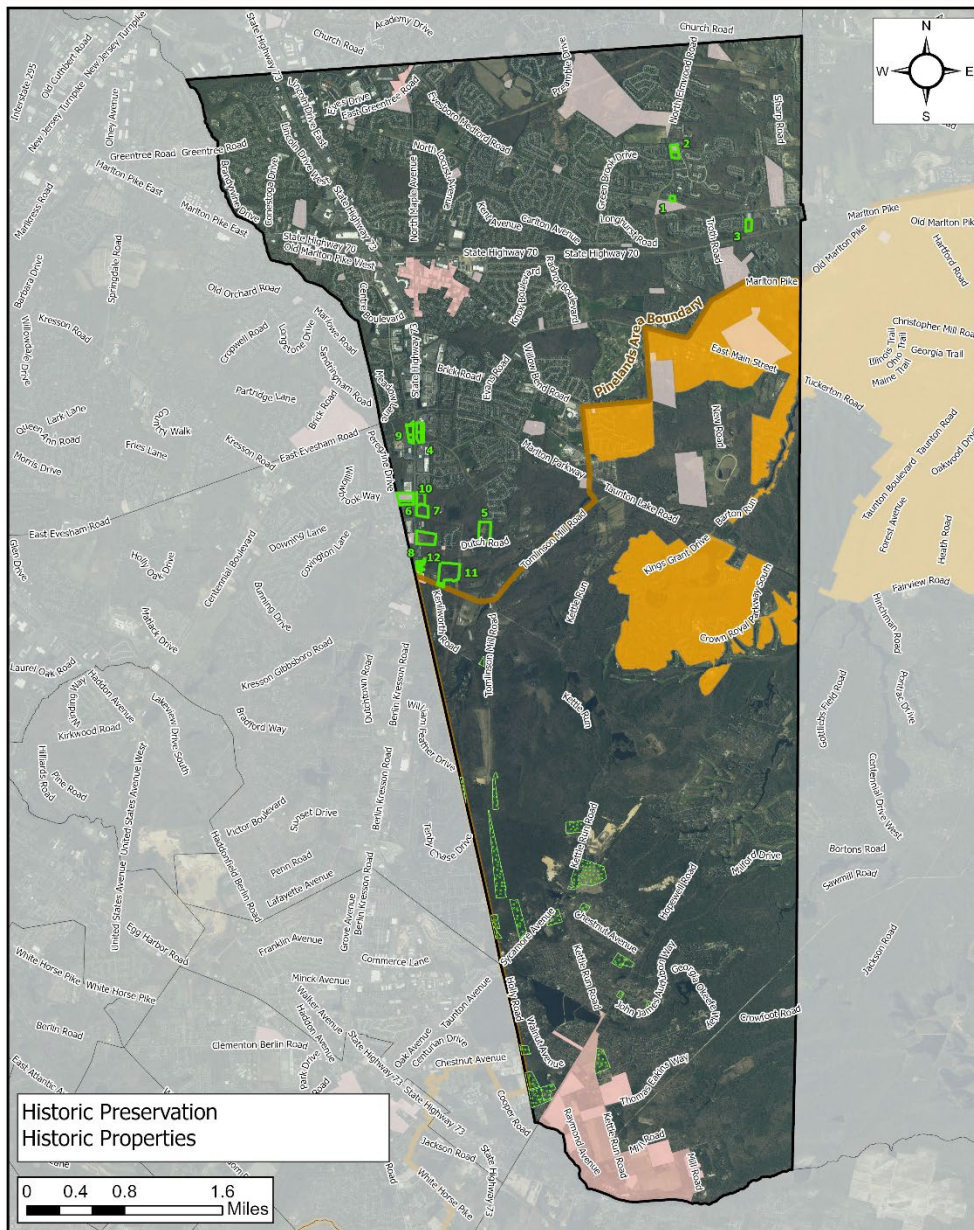
ASSEMBLAGE PARCELS

BLOCK	LOT	Address / Location	Assemblage	Assemblage Dev. Acres	Dwel. / Ac.	RDP Total Units	RDP Affordable Units
33	1	620 Route 73 South	Yes	2.89	20	57.80	11.56RD
33	2	610 Route 73 South					
36	1.01	625 Route 73 South	Yes	1.91	20	38.20	7.64
36	1.02	615 Route 73 South					
36	1.03	625 Route 73 South					
36	1.04	605 Route 73 South					
37.01	10	948 Route 73 South	Yes	2.80	15	42.00	8.40
37.01	11	948 Route 73 South					
37.01	13	948 Route 73 South					
37.01	14	954 Route 73 South					
37.01	17.05	25 Linden Avenue					
37.01	15	958 Route 73 South					
37.01	16	958 Route 73 South					
37.01	17.03	958 Route 73 South					
37.01	17.09	962 Route 73 South					
TOTAL						138.20	27.64

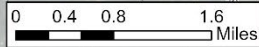
III. VACANT PARCELS WITH NO APPARENT CONSTRAINTS

The maps below highlight those vacant parcels outside of all the identified constrained areas and overlays, which do not consider the area(s) of the remaining vacant parcels. The removal of those parcels, as they do not appear to have Realistic Development Potential (RDP), is expanded in the following Section IV.

Evesham Township Vacant Land Analysis



Historic Preservation
Historic Properties



Legend

- RDP Parcels
- Pinelands Vacant Parcels - Developable Area(s)
- Evesham Boundary
- Pinelands Area
- Surrounding Historic Districts
- Surrounding Historic Properties
- Pinelands Management - Regional Growth Area

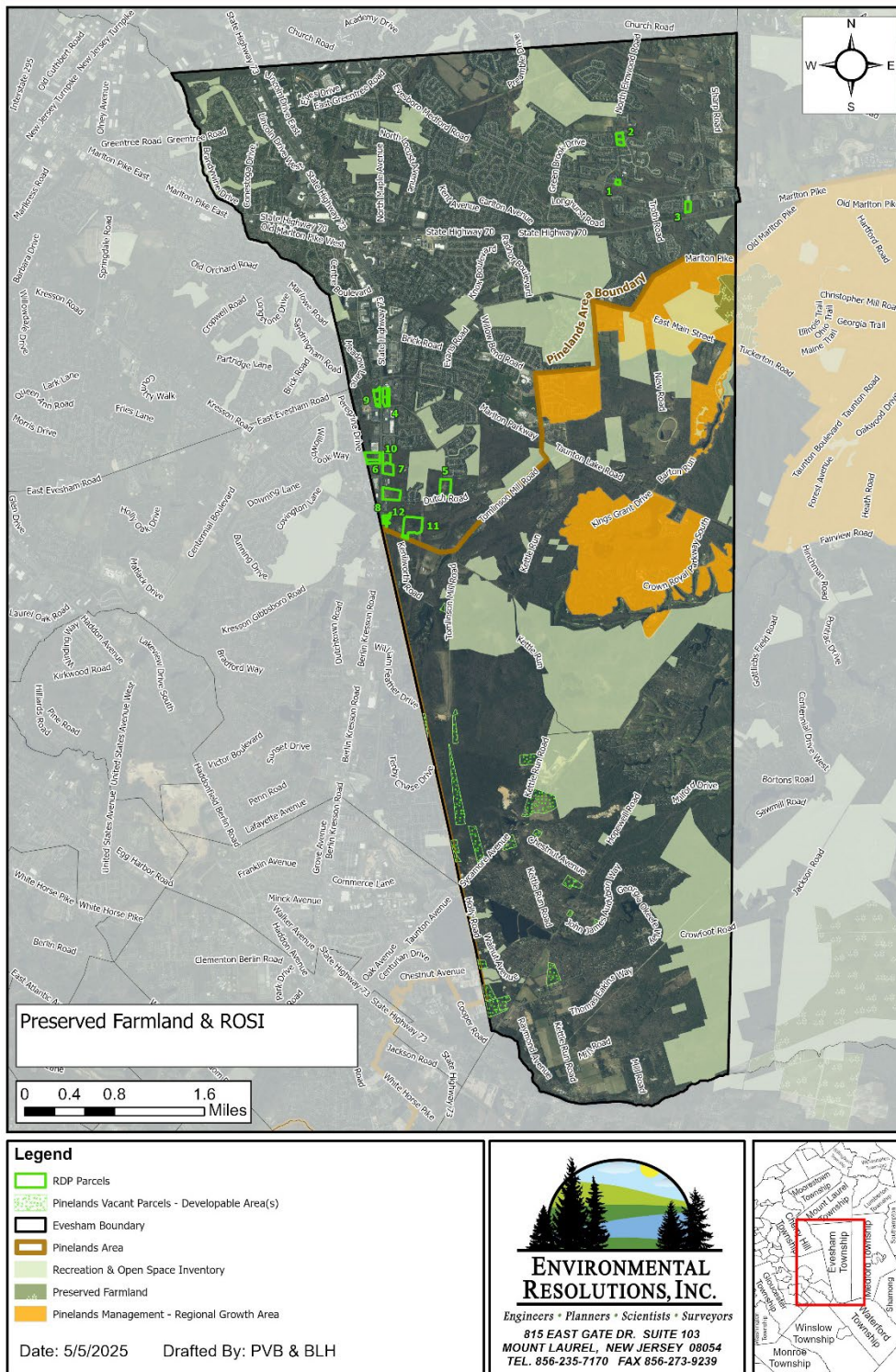
Date: 5/5/2025 Drafted By: PVB & BLH

ENVIRONMENTAL RESOLUTIONS, INC.
 Engineers • Planners • Scientists • Surveyors
 815 EAST GATE DR. SUITE 103
 MOUNT LAUREL, NEW JERSEY 08054
 TEL. 856-235-7170 FAX 856-273-9239



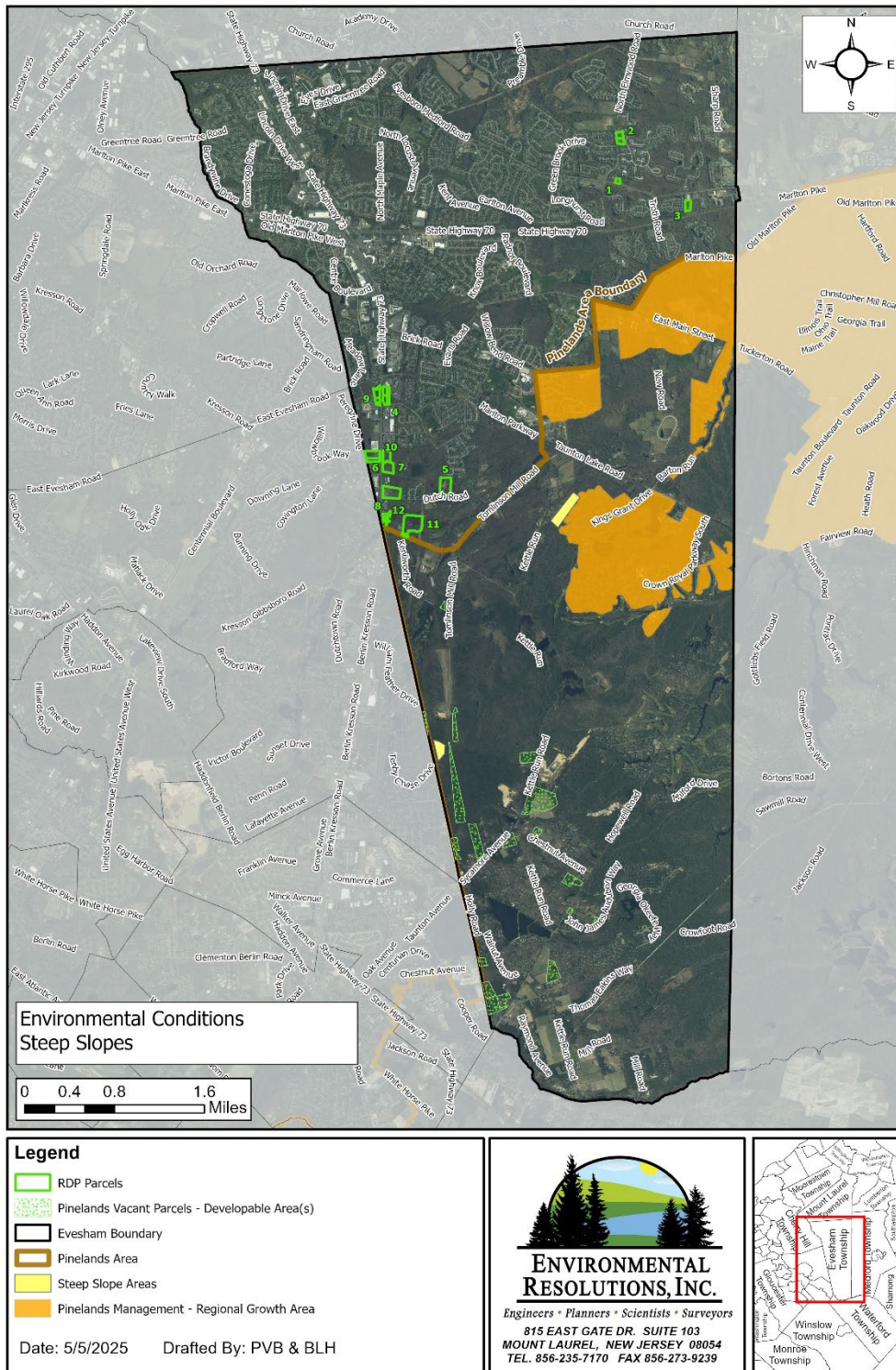
MAP 1

Evesham Township Vacant Land Analysis



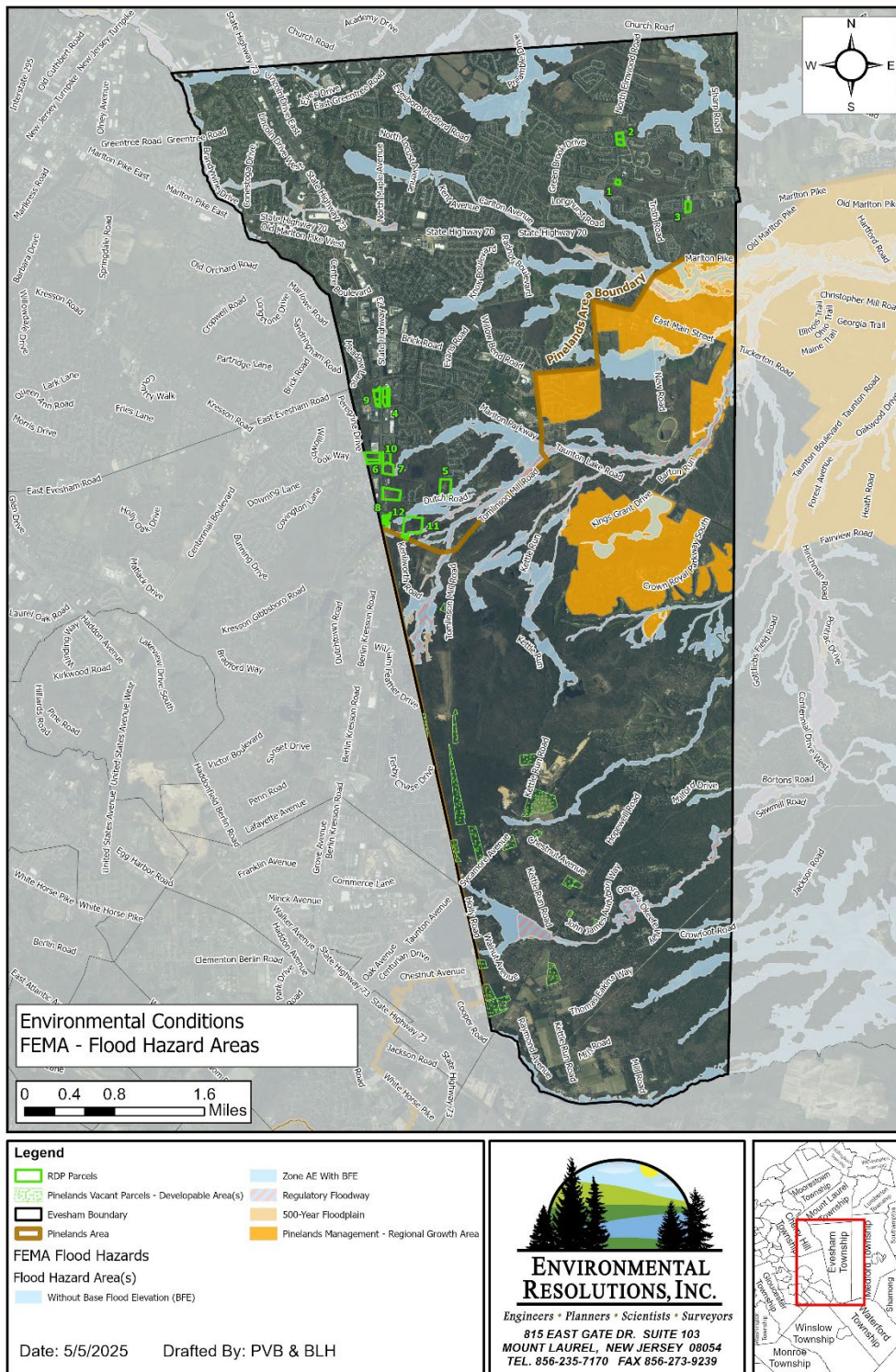
MAP 2

Evesham Township Vacant Land Analysis



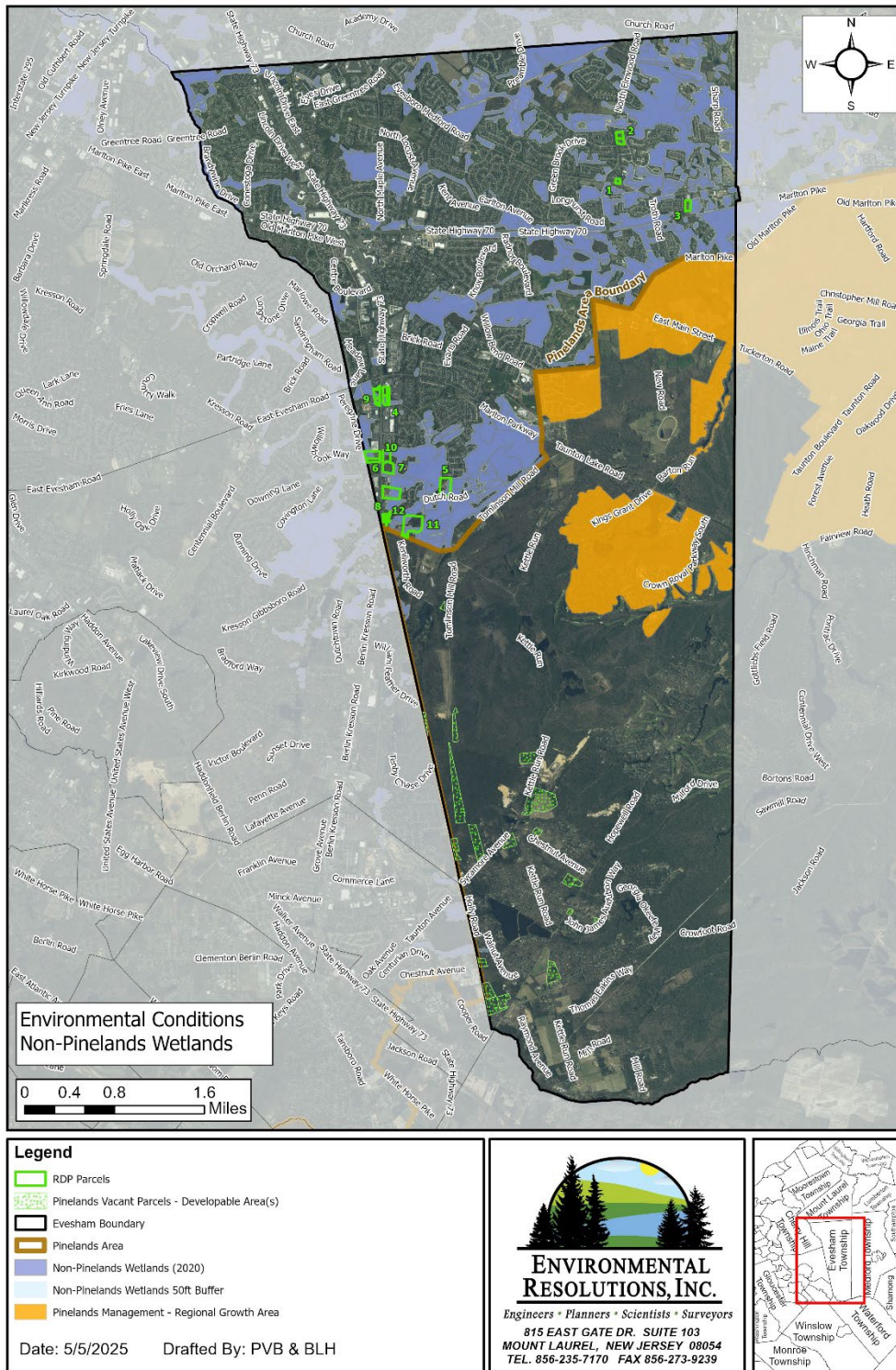
MAP 3

Evesham Township Vacant Land Analysis



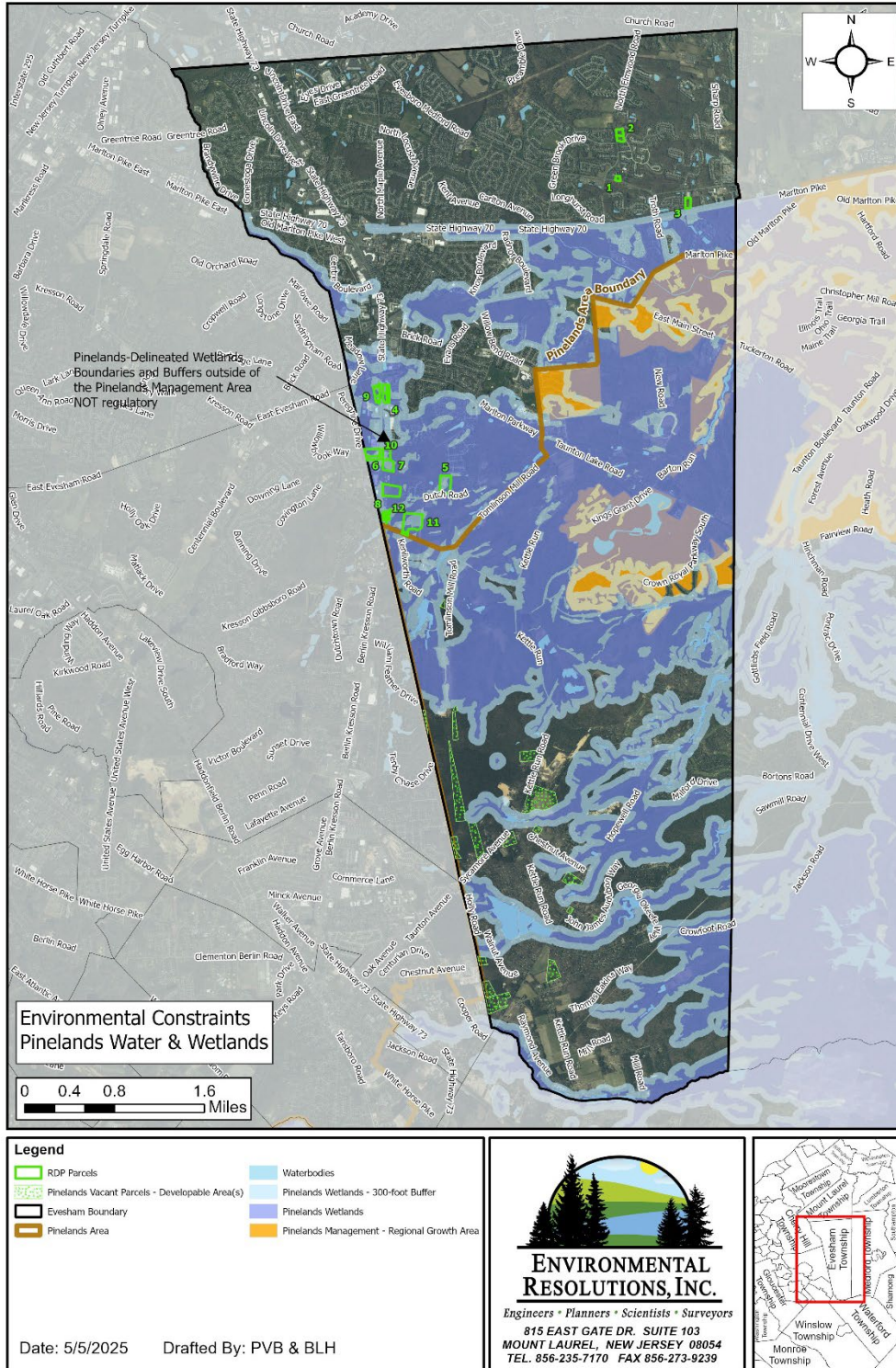
MAP 4

Evesham Township Vacant Land Analysis



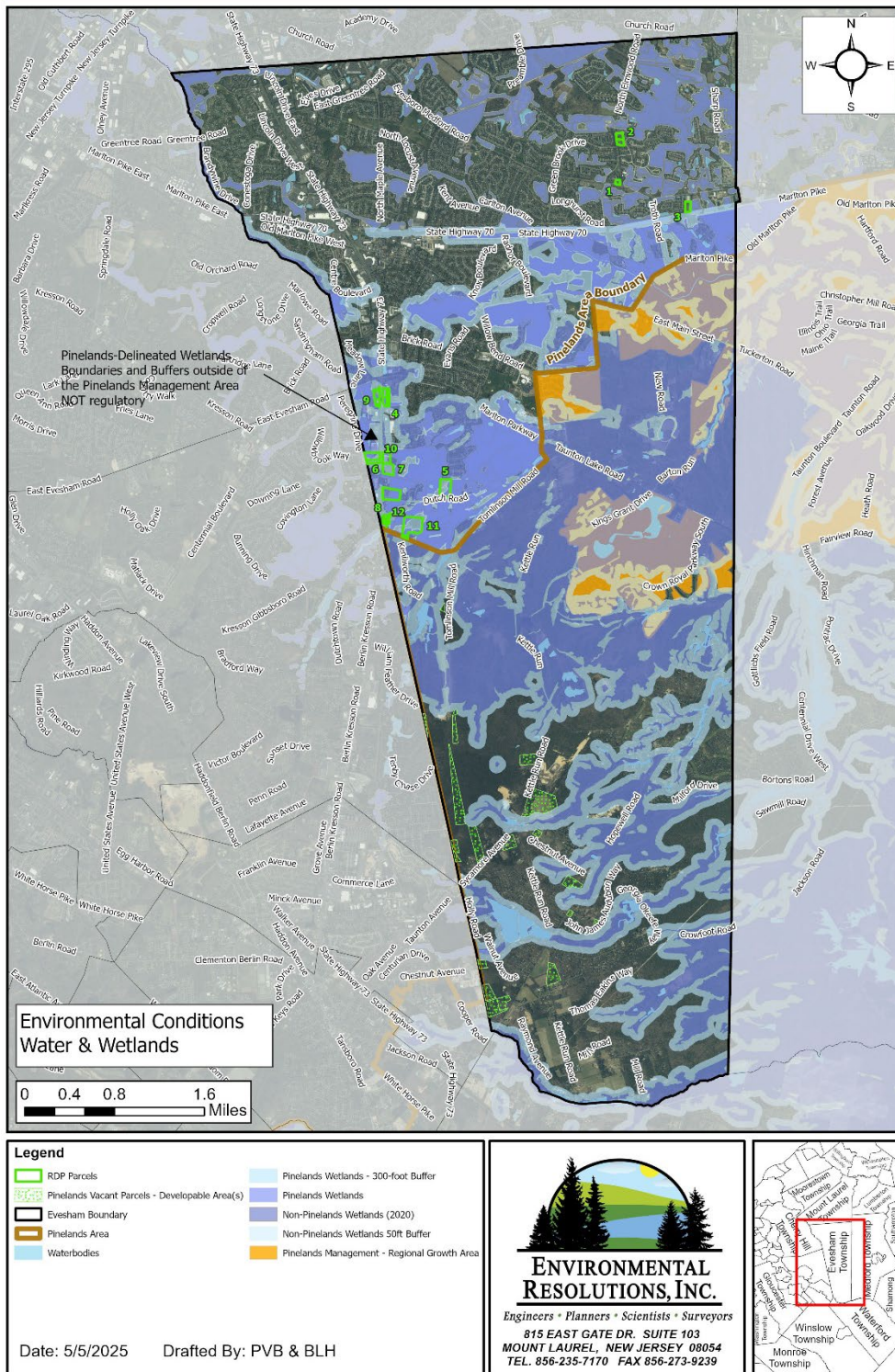
MAP 5

Evesham Township Vacant Land Analysis



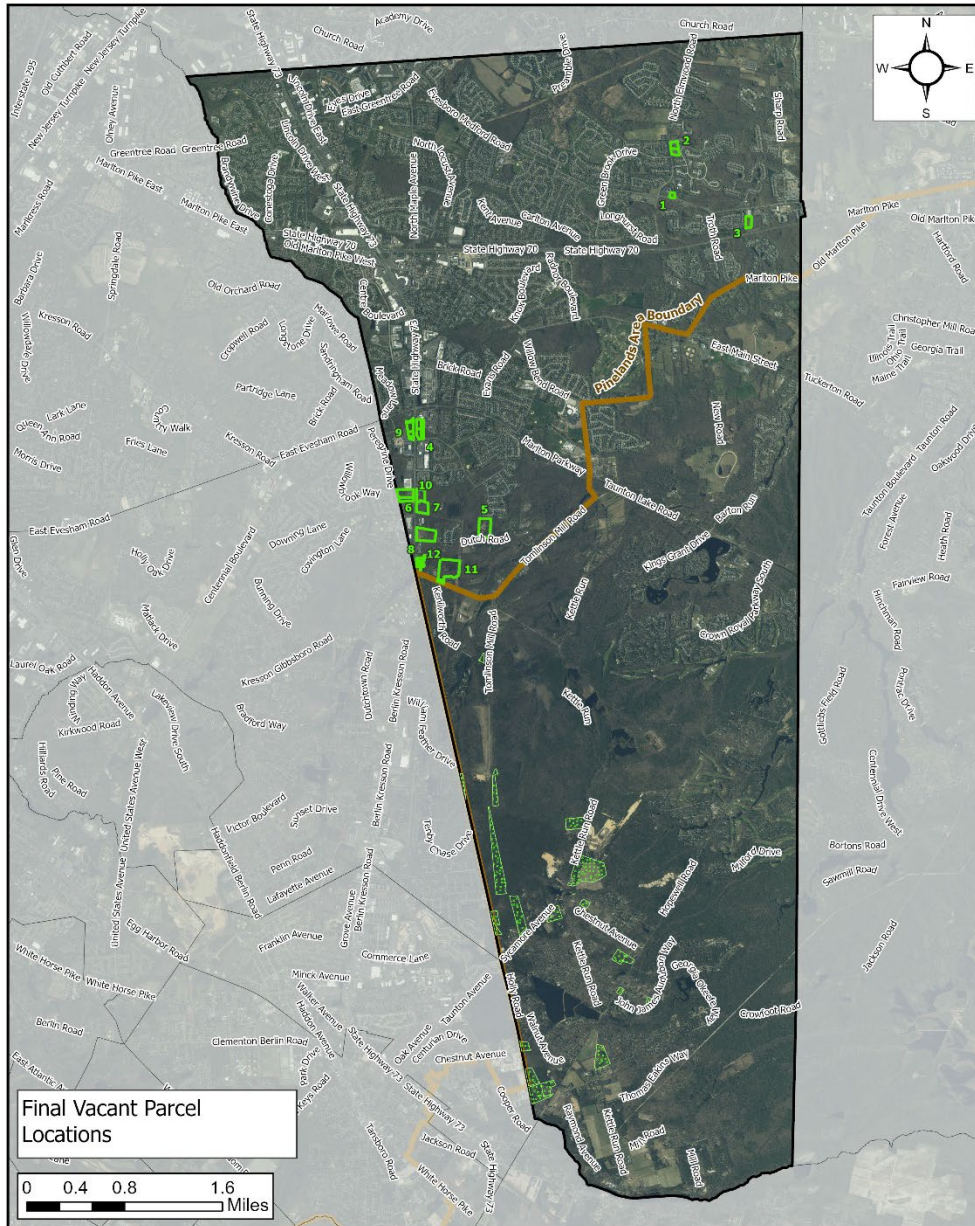
MAP 6

Evesham Township Vacant Land Analysis



MAP 7

Evesham Township Vacant Land Analysis



Final Vacant Parcel Locations

0 0.4 0.8 1.6 Miles

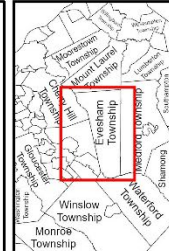
Legend

- RDP Parcels
- Pinelands Vacant Parcels - Developable Area(s)
- Evesham Boundary
- Pinelands Area

Date: 5/5/2025 Drafted By: PVB & BLH



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MAP 8

IV. PARCELS WITH REALISTIC DEVELOPMENT POTENTIAL (RDP)

The Township altogether contains twenty-seven (27) parcels of land across twelve (12) locations with any potential for development and/or redevelopment based on the existing vacant land conditions and realistic development potential (RDP). This Assemblage of parcels excludes those lands that resulted in a development yield of less than five (5) new dwellings. Those lands that yielded fewer than five (5) new dwellings are not included in the table below.

The development and redevelopment of properties with Realistic Development Potential (RDP) must also account for the availability of sewer and water infrastructure, which remains limited across much of the Township. The costs associated with installing or upgrading this infrastructure will likely be borne by the developer or redeveloper. This also assumes that the surrounding sewer and water service area(s) have the necessary capacity for the new development.

The table below presents information on each parcel with the resulting RDP:

PARCELS WITH RDP

Parcel Key	BLOCK	LOT	Address / Location	Gross Acres	Wetlands & 50' Buffer Acres	Devel. Acres	Dwel. /Ac.	Zone	RDP Total Units	RDP Affordable Units	Notes
1	11.47	2	300 Evesboro-Medford Road	1.00	0.00	1.00	8	C-2	8.00	1.60	
2	15.06	1 & 1.01	460 Elmwood Road North	4.20	0.00	4.20	12	SEN-1	50.40	10.08	Townhouse devel across N Elmwood Rd--
3	16	3.02	860 Route 70 East	2.81	0.68	2.13	12	C-1	25.56	5.11	Vacant Land and adjacent to B16/L3 CareOne 4.2 Acres
4	33	1, 2	620 Route 73 South	5.82	2.93	2.90	20	C-1	57.80	11.56	Adjacent to B33 L3 & 4 total area 5.8 ac
5	35	8	175 Dutch Road	9.25	4.41	4.84	12	LD	58.08	11.62	Adjacent to MD District to the North (Clinton Ln/Dana Rd). Underutilized Lot
6	35.30	18.03	810 Route 73 South	4.22	1.33	2.89	20	C-1	57.80	11.56	Between Evesham Vet Clinic and the Indian Cultural Center of South Jersey
7	35.30	18.06	830 Route 73 South	5.68	0.86	4.81	20	C-1	96.40	19.28	Has Tax Liens Just before Public Storage
8	35.30	20	880 Route 73 South	9.63	5.42	4.21	20	C-1 & LD	84.20	16.84	L20 Wetlands similar to existing development in the area
9	36	1.01, 1.02, 1.04, & 1.03	625 Route 73 South	4.71	2.80	1.91	20	C-1	38.20	7.64	South of the jughandle past Bradley FH and east of WFA on Executive Dr
10	36	4 & 4.01	871 Route 73 South	7.86	3.23	4.63	12	C-1	55.56	11.11	Also L4.01 Gross ac 7.8 Just North of Outback Steakhouse and across Route 38 from SJ Indian Cultural
11	37	11 & 13	280 Braddock Mill Road	15.95	8.46	7.49	12	LD	89.88	17.98	Sewer available through powerline to Dutch Rd and Hampton Ln
12	37.01	10, 11, 13, 14, 17.05, 15, 16, 17.03, 17.04, & 17.09	948-954 Route 73 South & 25 Linden Ave.	2.81	0.01	2.80	15	C-1 & LD	42.00	8.40	The area has a series of smallish parcels that will need to be assembled and if assembled could justify a higher density and unit count.
TOTAL									663.88	132.78	

V. CONCLUSION

The preceding analysis demonstrates the following as it relates to the vacant land in the Township available for the development and/or redevelopment for the inclusion of additional affordable dwelling units in preparation for the “Fourth Round”, which has a calculated prospective need of **220 units** per the Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background Report produced by New Jersey Department of Community Affairs (NJDCA):

- 1) The Township’s present unmet need obligation of **111 units** (per NJDCA Report “Affordable Housing Obligations for 2025-2035 [Fourth Round] Methodology and Background) can be met through the rehabilitation of existing homes. However, it is also possible that this number is too high, and a street-by-street exterior building survey may reduce it.
- 2) The Township’s “realistic development potential” is **133 units** (rounded from 132.78), based on vacant non-constrained land, available infrastructure (not assuming existing service area(s) capacity), feasible infrastructure improvement costs, and land with any potential for redevelopment within the Township by 2035.

It is important to note that these estimates represent an optimal scenario, and actual development outcomes may yield fewer units due to factors such as stormwater management requirements or Department of Health regulations. Since some feasible RDP sites may depend on on-site septic systems and private wells, achieving the full 133-unit estimate is unlikely.

Given the challenges in achieving the full 133-unit RDP, including infrastructure constraints and regulatory requirements, the maximum potential will present a challenge to be fully realized. As a result, any shortfall in development from the 133-RDP unit estimate will contribute to the Township’s ‘unmet need.

APPENDIX D-1

Municipal Housing Liaison

TOWNSHIP OF EVESHAM
RESOLUTION NO. 396-2021

RESOLUTION APPOINTING A MUNICIPAL HOUSING LIAISON

WHEREAS, pursuant to N.J.A.C. 5:96-17 and N.J.A.C. 5:80-26.1 et.seq., Evesham Township is required to appoint a Municipal Housing Liaison for the administration of Evesham Township's affordable housing program to enforce the requirements of N.J.A.C. 5:96-17 and N.J.A.C. 5:80-26.1 et.seq.; and

WHEREAS, on December 4, 2007, the Governing Body of Evesham Township adopted Ordinance No. 30-12-2007 to provide for the appointment of a Municipal Housing Liaison to administer Evesham Township's affordable housing program; and

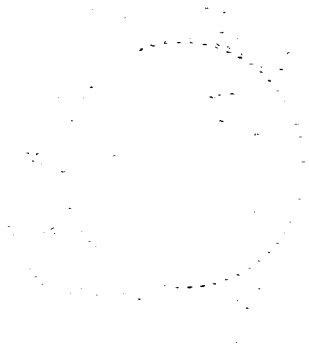
WHEREAS, Evesham Township Ordinance No. 30-12-2007 provides that the Municipal Housing Liaison shall be appointed by the Township Council and shall be the Director of Community Development or her/his designee; and

WHEREAS, the current Director of Community Development, Kevin Rijs, wishes to designate himself and Janice Koch as the Municipal Housing Liaison for Evesham Township, commencing January 1, 2022.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Evesham, in the County of Burlington, and the State of New Jersey that Kevin Rijs and Janice Koch are hereby appointed by the Township Council of the Township of Evesham as the Municipal Housing Liaisons for the administration of the affordable housing program, pursuant to and in accordance with Ordinance No. 30-12-2007 and Section 161-5 of the Code of the Township of Evesham, subject to COAH's approval.

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Township Council of the Township of Evesham, County of Burlington, State of New Jersey at its meeting held in the Meeting

Room of the Municipal Complex, 984 Tuckerton Road, Marlton, New Jersey 08053 on December 8, 2021.



Mary Lou Bergh
Mary Lou Bergh, Township Clerk

ROLL CALL VOTE						
COUNCIL MEMBER	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
COOPER			✓			
ESPINOZA		✓	✓			
FREEMAN			✓			
HANSEN	✓		✓			
MAYOR VEASY			✓			

APPENDIX D-2

Administrative Agent

TOWNSHIP OF EVESHAM
RESOLUTION NO. 15-2025

APPOINTMENT OF AFFORDABLE HOUSING
ADMINISTRATIVE AGENT

BE IT RESOLVED by the Township Council of the Township of Evesham in the County of Burlington, State of New Jersey, that the following appointment be and is hereby made for Affordable Housing Administrative Agent for a one-year term to expire on December 31, 2025, with an option to rescind after completion of the first six months of appointment.

CGP&H

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Township Council of the Township of Evesham, County of Burlington, State of New Jersey, at their meeting held at the Municipal Complex, 984 Tuckerton Road, Marlton, New Jersey 08053, on January 3, 2025.



Rebecca Andrews, Acting Township Clerk



ROLL CALL VOTE						
COUNCIL MEMBER	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
COOPER			✓			
FISICARO		✓	✓			
HUNTER	✓		✓			
SMITH			✓			
MAYOR VEASY			✓			

APPENDIX D-3

Affordable Housing Trust Fund Spending Plan

Evesham Township, Burlington County
Affordable Housing Trust Fund Spending Plan
Fourth Round (2025 – 2035)

INTRODUCTION AND BACKGROUND

Evesham Township, Burlington County has prepared a Housing Element and Fair Share Plan in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), the Fair Housing Act (N.J.S.A. 52:27D-301) and consistent with the affordable housing regulations set forth at N.J.A.C. 5:93-1 et seq. and N.J.A.C. 5:97-1 et seq. as applicable.

A development fee ordinance creating a dedicated revenue source for affordable housing was adopted by Township Council in 1999 and was approved by the Court on November 18, 1999. The affordable housing development fee ordinance established the Evesham Township Affordable Housing Trust Fund. The Township’s first Affordable Housing Trust Fund Spending Plan was approved by the Court on January 11, 2002. An amended Spending Plan was approved by the Court on September 21, 2015.

In 2009 the affordable housing development fee ordinance (Township Code section 161-3) was updated to reflect requirements of the revised COAH rules and the Statewide Mandatory Development Fee requirements, and was approved by COAH on March 26, 2009 and then adopted by Township Council on May 19, 2009. From 2002 through 2012, the 2002 Spending Plan guided expenditures from the Affordable Housing Trust Fund. From 2012 through October 2018 expenditures were made consistent with the Spending Plan adopted on October 6, 2015 (approved by Court Order on September 21, 2015), as well as by subsequent Court Orders (dated September 30, 2016, July 6, 2017, May 22, 2018, and July 23, 2018 all of which enabled the Township to support emerging affordable housing programs and projects included in the Third Round Housing Element and Fair Share Plan).

These 2025 Spending Plan amendments are to provide an up-to-date status of affordable housing projects and to address projects outlined in the Township’s DRAFT Fourth Round Housing Element and Fair Share Plan. This updated Spending Plan is intended to demonstrate commitment of the funds in the Affordable Housing Trust Fund within four years of the date of collection as required by P.L. 2008 c.46, anticipated to be deposited during the Fourth Round (through July 2035). The Spending Plan will be amended as needed to respond to affordable housing needs or opportunities that may emerge, and may also be amended if there are significant changes to anticipated revenue.

Evesham Township – Affordable Housing Trust Fund Spending Plan

The Township’s Municipal Housing Liaison, together with the Director of Finance, have and continue to prepare annual reporting on Affordable Housing Trust Fund activity. This Spending Plan provides estimates of projected funding, proposals for expenditure in support of the Fair Share Plan and the Township’s affordable housing inventory, and provides guidance to ensure that funds are spent in accordance with the requirements of N.J.A.C. 5:97- 8.7 through 8.10. In accordance with N.J.S.A. 52:27D-329.2 and -329.3, all funds deposited into the Township’s Affordable Housing Trust Fund are to be spent within 4 years of their receipt.

This plan supplements but does not replace the annual reporting; which is available for review upon request.

1. REVENUES FOR CERTIFICATION PERIOD

All development fees, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, and interest generated by the trust fund monies are deposited in a separate interest-bearing affordable housing trust fund account at Investors Bank for the purposes of supporting and providing affordable housing. These funds have been and shall be spent in accordance with N.J.A.C. 5:97-8.7-8.9, as described in the sections that follow.

To calculate a projection of revenue anticipated through 2035, the following have been considered:

(a) Development fees.

1. Residential and non-residential construction projects that are subject to the requirements of section 161-3 of the Township Code, (Affordable Housing Development Fees) and fees for developments that have already received approval by the Evesham Township Planning Board and/or Zoning Board;
2. Applications for residential and non-residential construction projects that are currently pending and will be heard by the Planning Board and/or Zoning Board and are likely to receive building permits and/or certificates of occupancy before 2025; and
3. Residential and non-residential construction projects that are likely to occur before 2025 based on available land, economic conditions, and historical rates of development.
4. For the purposes of this plan, estimated development fees are \$125,000 annually for the remainder of the reporting period. This is based on an actual received revenue through development fees for the past three years.

(b) Payment in lieu (PIL) of on-site construction.

Payments in lieu (PIL) of construction from residential developers that have or are expected to enter into an agreement with the Township to make a specific payment to the Affordable Housing Trust Fund in lieu of providing affordable housing units onsite.

At this time, the Township is not anticipating any new payments in lieu of construction. Township policy has been to require on-site construction of affordable housing rather than accepting payments.

(c) Other funding sources.

Potential funds from other sources include the sale of units with extinguished controls, repayment of affordable housing program loans (such as rehabilitation or down payment assistance), rental income, and proceeds from the sale of affordable units.

Evesham Township – Affordable Housing Trust Fund Spending Plan

Any such payments may be accepted, but at this time the Township is not anticipating any alternative sources of revenue.

(d) Projected interest.

Interest on the projected revenue in the municipal affordable housing trust fund at the current average interest rate. The interest is estimated to be \$25,000 per year as that is the average amount of interest collected annually between January of 2019 and November of 2021. The interest collected will vary depending upon the market, actual revenues and expenditures. All interest earned on the account shall be used only for the purposes of affordable housing.

Table 1. Projected Revenues 2025 - 2035												
Starting Balance (02/15/2025)	\$3,793,056											
SOURCE OF FUNDS	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	Total
(a) Development Fees:	\$125,000	\$125,000	\$125,000	\$125,000	\$125,000	\$125,000	\$125,000	\$125,000	\$125,000	\$125,000	\$50,000	\$1,300,000
1. Approved Development	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	-
2. Development Pending Approval	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	-
3. Projected Development	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$1,100,000
(b) Payments in Lieu of Construction	\$0		\$0	\$0							\$0	\$0
(d) Interest on Total Account Balance	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$12,500	\$262,500
Total	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$62,500	\$1,562,500

Evesham Township projects a total revenue of \$1,562,500 to be collected from March 2025 through July 2035. Adding the projected revenue to the trust fund balance of \$3,793,056 as of February 2025, results in an estimated total potential revenue of \$5,355,555.90 available to fund, support, and administer affordable housing.

2. ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS

Evesham Township follows the following procedures for the collection and distribution of affordable housing trust fund revenues.

(a) Collection of fees and payments:

1. Development fees shall be collected consistent with Evesham Township’s development fee ordinance (section 161-3) for both residential and non-residential projects in accordance with the N.J.A.C. 5:97-1 et seq and P.L.2008, c.46, sections 8 (C. 52:27D-329.2) and 32-38 (C. 40:55D-8.1 through 8.7).
2. Payments-in-lieu shall be collected as set forth in an Agreement between the Township and the Developer. Typically, payments will be made in no more than four (4) installments as the development progresses and the entire payment shall be made prior to the issuance of the final Certificate of Occupancy.

(b) Distribution of development fee revenues:

1. The Municipal Housing Liaison, Township Planner, and Township Manager coordinate compliance and implementation of the Spending Plan as it relates to the Fair Share Plan; and coordinate recommendations for expenditure of funds in support of compliance or implementation of the Spending Plan.
2. The Township Manager authorizes staff to prepare a Resolution that includes an explanation of how the expenditure advances the Township’s affordable housing objectives, implements some aspect of the Fair Share Plan, and is consistent with the Spending Plan.
3. Township Council reviews the request and authorizes the expenditure by resolution.
4. The Municipal Housing Liaison and the CFO maintain accounting of expenditures.

3. DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS

(a) New construction, extension of controls, and conversion programs and projects (N.J.A.C. 5:97-8.7)

Evesham Township will dedicate \$1,960,000 for new construction programs and projects as follows:

1. VFW Site: \$250,000

The current site of the Veterans of Foreign Wars (VFW) has been on the market and the Township is interested in purchasing the property for use as veterans housing. The 1.5 acre property was listed for sale at \$200,000. The Township will commit to purchasing the property and funding the demolition of the existing structure before donating the parcels to a 100% affordable housing developer for the purpose of constructing 4-6 duplex style family for sale homes intended to be occupied by veterans.

2. Preservation and Extension of Affordability Controls: \$250,000

Current records indicate that there are at least 25 units within the Whitebridge Village, Shannon Greene, and Westbury Chase developments that are scheduled to have their affordability controls expire prior to the end of the 4th Round period. The Township will commit to funding at an average cost of \$10,000 per unit, the extensions of these controls for a new 40 year deed restricted period.

- a. The Township may purchase a unit that is in danger of foreclosure, that has been foreclosed, or that is in danger of being sold to a buyer who is not income qualified. The purpose of purchasing the unit would be to preserve the affordability controls. Necessary improvements may be made to the unit and the unit would then be re-sold to a qualified buyer. An alternative would be for the Township to retain ownership and rent the unit to an income qualified household.

The “Extension of Expiring Controls” program will enable the extension of expiring affordability controls for an additional 30 years (or more) in situations where the controls cannot be automatically extended at the time of resale.

- b. The Township may utilize Trust Fund money to pay for the extension of controls. The Township will work with the Administrative Agent to determine the appropriate contribution amount before expending the funds.

3. Market to Affordable: \$900,000

The Township will commit \$900,000 to the Market to Affordable Program. Affordable Housing Trust funds will be used to “buy down” the cost of market rate units (rental or for-sale) to make them affordable to low- and moderate-income households in accordance with the requirements of N.J.A.C. 5:97-6.9. The Township has engaged its Administrative Agent (Community Grants Planning & Housing) to assist the Township in setting up, establishing, and implementing the Market to Affordable Program. The Township has previously

Evesham Township – Affordable Housing Trust Fund Spending Plan

worked with one property owner to establish two affordable rental units through the Market to Affordable program, and in accordance with the Amended Third Round Fair Share Plan, nineteen additional units will be made affordable through the market to affordable program.

The Township commits to funding a minimum of 18 new affordable units through a market to affordable conversion.

For the Spending Plan, it is assumed that the eighteen market-to-affordable units that have not yet been specifically identified will cost an average of \$50,000 each. As such, the Township is dedicating \$900,000 to cover the estimated costs of these market to affordable conversions.

(b) Affordability Assistance (N.J.A.C. 5:97-8.8): \$1,286,045 (minimum)

Municipalities are required to spend a minimum of 30% of development fee revenue to render existing affordable units more affordable and one-third of that amount must be dedicated to very-low-income households. The table below projects the minimum required affordability assistance:

Table 2. Minimum Affordability Assistance		
Actual development fees and interest through 02/15/2025		\$ 4,772,538.87
Development fees projected 2025-2035	+	\$909,000.00
Interest projected 2025-2035	+	\$162,000.00
Other funds (PIL)	+	\$1,045,000.00
Less housing activity expenditures through 2/15/2025	-	\$ 1,547,280.01
Less projected Rehabilitation Program expenditures through 2035	-	\$215,000.00
Total	=	\$ 5,126,258.86
30 percent requirement	x 0.30 =	\$1,537,877.66
Less affordability assistance expenditures through 2/15/2025	-	\$ 275,357.00
Projected Minimum Affordability Assistance Requirement 02/15/2025 through 06/30/2035	=	\$1,262,520.66

Table 2. Minimum Affordability Assistance		
Projected Minimum Very Low-Income Affordability Assistance Requirement 12/31/2024 through 06/30/2035	x 0.34 =	\$429,257.02

Evesham Township is required to dedicate a minimum of \$1,262,520.66 from the affordable housing trust fund to provide affordability assistance, with at least 1/3 of the required affordability assistance spending must be dedicated to providing assistance to very-low income households. This would be a minimum of \$429,257.02 that must be directed towards making housing more affordable specifically to very-low income households.

The programs identified to provide affordability assistance to low and moderate income households are as follows:

1. Down Payment Assistance and HQS Improvement Program: \$500,000

This program provides down payment and closing cost assistance to qualifying buyers of deed restricted low- or moderate-income units. The down payment assistance is in the form of an interest free loan that is forgiven if the borrower continues to occupy the affordable unit as their primary residence for 10 years following the date of purchase. The program offers up to \$15,000 or 15% of the purchase price, whichever is less. The program was authorized by Ordinance 23-9-2012 and was initiated in the fall of 2018. The program has assisted 15 buyers for a total of \$202,041.00 between November 2018 and November 2021. The Township’s Down Payment Assistance Program requires that home meet HUD Housing Quality Standards prior to disbursement of the down payment funds.

This program enables the Administrative Agent to coordinate with the buyer and seller to ensure that the required repairs and improvements are made prior to closing.

2. Homeowner Association Fee Assistance Program: \$400,000

The Township may support the owners of affordable units with emergency aid contributions toward Homeowners Association (HOA) Fees. Owners of low- and moderate-income housing units within the Township may apply for a grant to assist with HOA fees for a period not to exceed one year. An application will be submitted to the Township’s Administrative Agent. The maximum total amount per household and unit is \$3,000; and the maximum per month is \$250 (not to exceed actual fees for the particular HOA). The funds will be sent directly to the HOA.

3. Very-Low Income Units: \$596,045.41

The Township is required to ensure that thirteen percent (13%) of all affordable units approved after July 2008 are “very low income” units. Very low-income households are defined as those with a total gross annual household income equal to 30 percent or less of the regional median household income. The very-low Income affordability assistance program enables a developer of low- and moderate-income units to be provided a subsidy for providing very low-income units. The subsidy may also be utilized for the Township’s market to affordable program to ensure that the required number of units are very low income units. The subsidy will be an up-front payment for re-pricing units that otherwise would be “low” income units as “very low income” units. The appropriate subsidy will be determined on a case-by-case basis at the Township’s discretion and as funds allow. For rental units the subsidy would represent the present-day value of the difference between the “low” income rent and the “very low” income rent for the restriction period. For ownership units, the subsidy would be the difference in the “low” and “very low” income affordable sales price.

4. Infrastructure Support: \$150,000

The Township may support the viability and feasibility of existing and proposed affordable housing units with grants or loans for the provision of infrastructure to serve the affordable housing units. Certain improvements such as pedestrian walkways, bicycle parking, and bus shelters may be determined to be nonessential for affordable housing if there are permitting and approval challenges (such as wetland crossings or mid-block crosswalks), but if it determined that inclusion of these improvements would benefit the occupants of the affordable units (and therefore the community overall), then the developer or operator of the affordable units may request assistance. Support may also be needed for improvements to or extension of water, sewer, or stormwater infrastructure to serve affordable housing developments.

The above listed anticipated affordability assistance figures are estimates, and not intended to be an exact breakdown of how funds will be spent. The Township will evaluate all applications for assistance on a case by case basis and may dedicate more or less funding to any of these programs depending on demand for particular forms of assistance. However, the overall spending on affordability assistance will remain at or above the 30% minimum required threshold.

(c) Administrative Expenses (N.J.A.C. 5:97-8.9)

Administrative expenses are subject to a twenty percent (20%) cap. The table below demonstrates the maximum amount of Affordable Housing Trust Fund revenue that will be available for administrative expenses through 2035.

Table 3. Administrative Expense Calculation		
Actual development fees and interest through 02/15/2025		\$5,208,800.60
Development fees and funds projected 2025-2035	+	\$1,562,500.00
	-	\$0.00
Less Payment in Lieu Funds	-	

Evesham Township – Affordable Housing Trust Fund Spending Plan

Total	=	\$6,771,300.60
Calculate 20 percent	x .20 =	\$1,354,260.12
Less administrative expenditures through 02/15/2025	-	\$1,291,175.83
Projected maximum allowable for administrative expenses 02/15/2025 through 06/30/2035	=	\$63,084.29

Evesham Township projects that \$63,084.29 will be available for administrative expenses through 2035. However, since there is no certainty about the timing of revenue deposits, the Township will continue to calculate the maximum amount to be expended on administrative expenses yearly. Projected administrative expenditures, subject to the 20 percent cap, are as follows:

1. Wait list management and general administration.
2. Administration of Down Payment Assistance Program by Administrative Agent
3. Establishment and Administration of Homeowner Association Fee Assistance Program by Administrative Agent
4. Establishment and Administration of the Very Low-Income Assistance program
5. Establishment, Implementation, Administration of Market to Affordable program
6. Fees for the sale of affordable units that are priced such that 3% of sale price is less than the Administrative Agent’s minimum fee (Township pays the difference).
7. Preparation and Review of Affordable Housing Agreements, Resolutions, Deed Restrictions for affordable housing developments.
8. Preliminary engineering analysis for affordable housing sites
9. GIS mapping and analysis related to preparation and implementation of the Fair Share Plan.
10. Litigation expenses for the review and implementation of the Third Round Housing Element and Fair Share Plan.

(d) Emerging Compliance Mechanisms (N.J.A.C. 5:97-8.11): \$1,506,426

As the Township currently projects to have a considerable surplus of funds beyond the minimum spending requirements, Evesham Township will give consideration to mechanisms not currently identified in the May 2025 Housing Element and Fair Share Plan as new and unforeseen opportunities to provide additional affordable housing arise in the future. This may include providing funding assistance to a new 100% affordable project that has yet to be proposed by a developer, additional rehabilitation of existing deficient housing units, development of special needs housing, revenue for the market to affordable program depending on market conditions, or reallocating additional projected revenues towards affordability assistance programs.

4. EXPENDITURE SCHEDULE

Evesham Township intends to use affordable housing trust fund revenues for the creation and maintenance of affordable housing units, for affordability assistance, and for administration as set forth above. The Township will commit funds to specific programs as outlined above, or the plan will be amended.

TABLE 4. Projected Expenditure Schedule 2025-2035												
Programs	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	Total
VFW Site	\$200,000	\$50,000										\$250,000
Rehabilitation	\$110,000	\$110,000	\$110,000	\$110,000	\$110,000	\$110,000	\$110,000	\$110,000	\$110,000	\$110,000		\$1,100,000
Market to Affordable	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000			\$900,000
Affordability Assistance	\$128,605	\$128,605	\$128,605	\$128,605	\$128,605	\$128,605	\$128,605	\$128,605	\$128,605	\$128,605		\$1,286,045
Extensions of Controls	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000		\$250,000
Emerging Mechanisms		\$150,643	\$150,643	\$150,643	\$150,643	\$150,643	\$150,643	\$150,643	\$150,643	\$150,643	\$150,643	\$1,506,426
Administration	\$30,000	\$4,136	\$4,136	\$4,136	\$4,136	\$4,136	\$4,136	\$4,136	\$4,136			\$63,084
Total	\$593,605	\$568,383	\$518,383	\$518,383	\$518,383	\$518,383	\$518,383	\$518,383	\$518,383	\$414,247	\$150,643	\$5,355,556

5. EXCESS OR SHORTFALL OF FUNDS

A shortfall of funds is not anticipated since the primary purpose of this Spending Plan is to plan for and commit the funds that have been collected and that are anticipated. The Township plans to implement the programs set forth in the Third Round Fair Share Plan and the Spending Plan incrementally with the funds that are available; and will ensure that the collected funds are spent consistent with the applicable rules and regulations and in a manner that advances the Township’s affordable housing goals. The purpose of the Spending Plan is to plan for expenditure of monies in the Affordable Housing Trust Fund. N.J.A.C. 5:97-8.10(a)(9) requires that the spending plan address the “manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues are not sufficient to implement the plan”. Evesham Township will assess the status of the AHTF and implementation of the Fair Share Plan annually.

In the event more funds than anticipated are collected and the available funds exceed the amount necessary to implement the Fair Share Plan, the excess funds may be used to expand the programs described above.

SUMMARY

Evesham Township intends to spend affordable housing trust fund revenues pursuant to N.J.A.C. 5:97-8.7 through 8.9 and consistent with the programs outlined in the Fourth Round Housing Element and Fair Share Plan dated May 2025 and this Spending Plan.

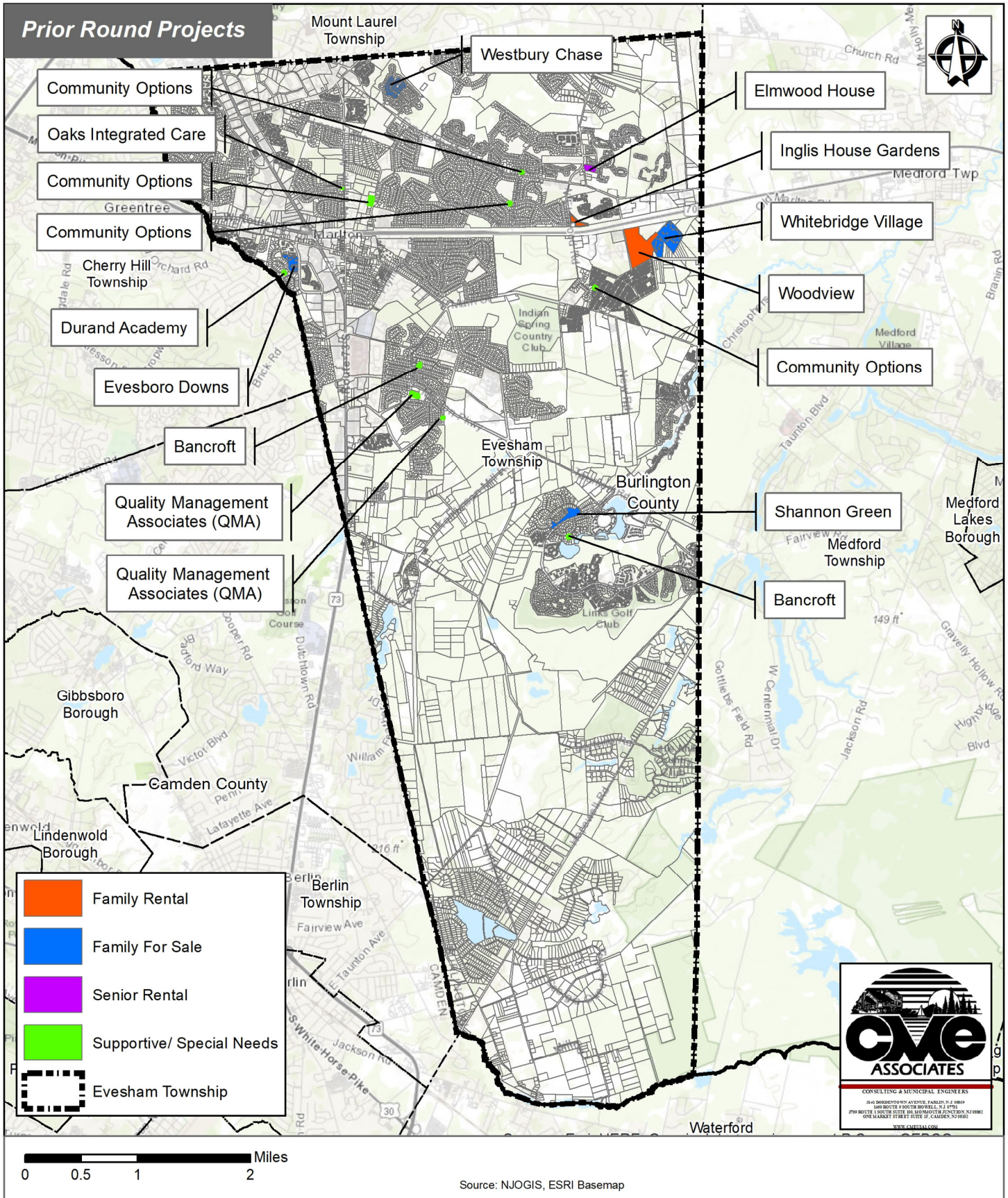
Evesham Township had a balance of \$3,793,055.90 as of February 15, 2025 and anticipates an additional \$1,562,500.00 in revenues through 2025 for a total of \$5,355,555.90. The municipality has provided a plan to spend projected revenues on specific projects and programs. The exact timing of additional revenues is uncertain, but the estimate is realistic based on project schedules, development trends, and historical rates of fees collected into the Affordable Housing Trust Fund. The Spending Plan will be amended if needed to adjust for changed needs or emergent opportunities for affordable housing production or assistance.

Table 5. Spending Plan Summary	
Balance as of February 15, 2025	\$3,793,055.90
Projected Revenue 2025-2035	
Development Fees	\$1,300,000.00
Other Funds	\$0.00
Interest	\$262,500.00
Payment in Lieu	\$0.00
TOTAL REVENUE	\$5,355,555.90
Expenditures	
VFW Site	\$250,000.00
Market to Affordable	\$900,000.00
Extension of Controls	\$250,000.00
Rehabilitation	\$1,100,000.00
Affordability Assistance	\$1,286,045.41
Emerging Mechanisms	\$1,506,426.20
Administration	\$63,084.29
TOTAL PROJECTED EXPENDITURES	\$5,355,555.90
REMAINING BALANCE	\$0.00

APPENDIX E-1

Prior Round Projects Map

Evesham Township - Fourth Round Fair Share Plan

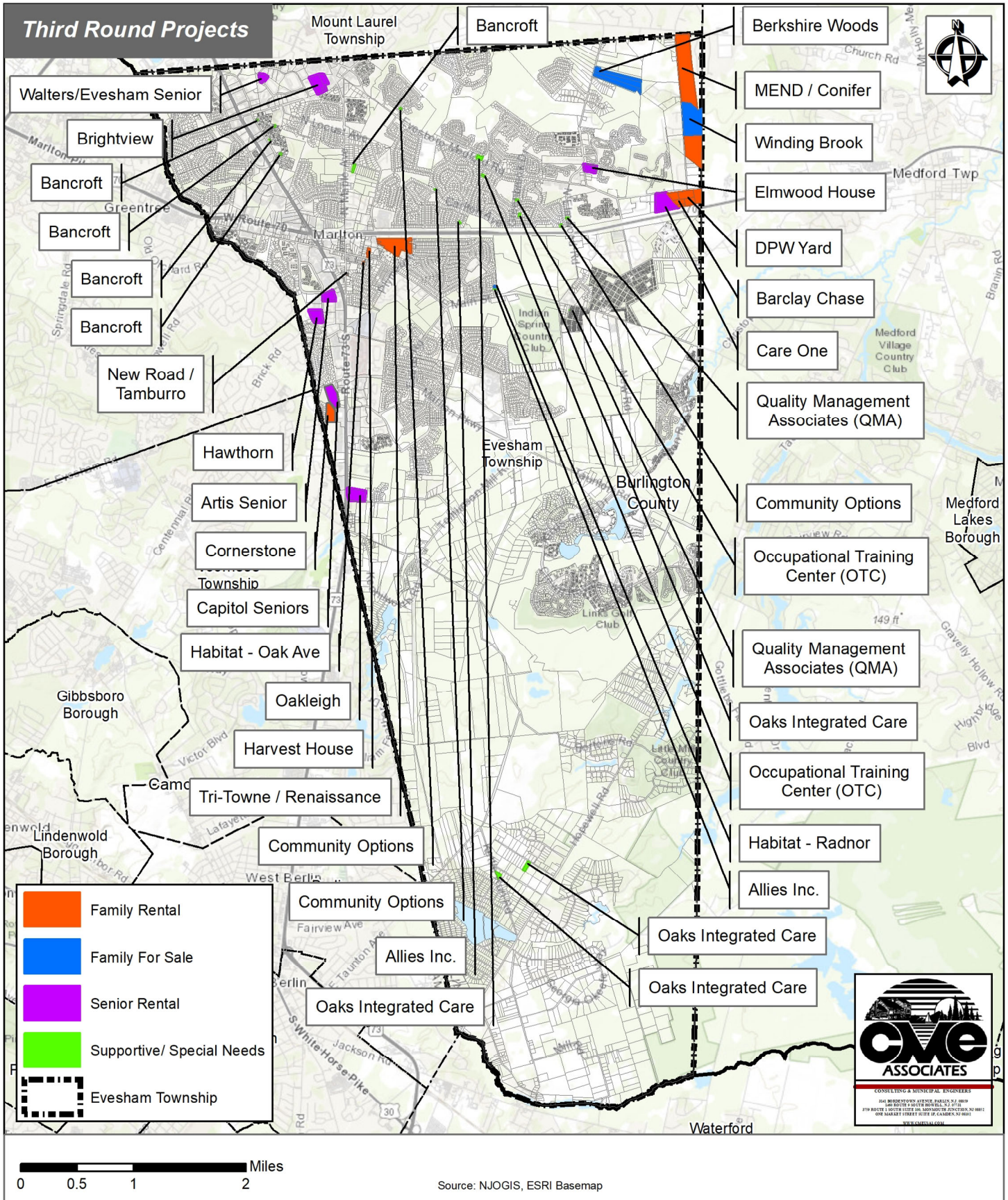


April 2024

APPENDIX E-2

Third Round Projects Map

Evesham Township - Fourth Round Fair Share Plan

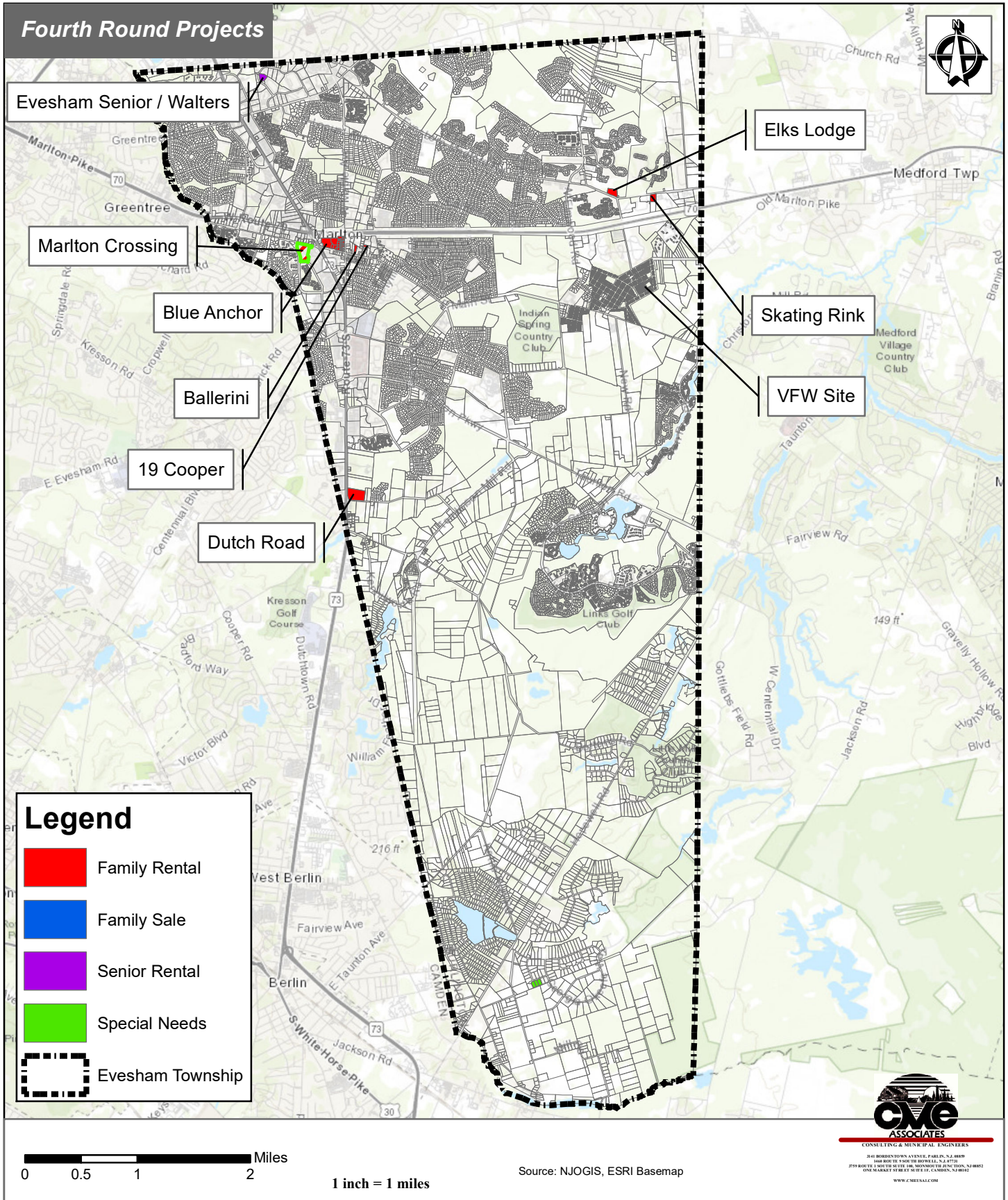


April 2024

APPENDIX E-3

Fourth Round Projects Map

Evesham Township - Fourth Round Fair Share Plan



May 2025

APPENDIX F-1

Marlton Crossing Redevelopment Plan

Evesham Township

Burlington County, New Jersey

Centre Boulevard Redevelopment Plan

Evesham Township Code – Chapter 118A: Redevelopment Plans



January 17, 2025

Prepared by:



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**Evesham Centre Boulevard Redevelopment Plan
Township of Evesham
Burlington County, New Jersey**

Reviewed by the Evesham Township Planning Board: [\[DATE\]](#)

Adopted by the Evesham Township Council: [\[DATE\]](#)

Prepared by



Heyer, Gruel & Associates

Community Planning Consultants

236 Broad Street

Red Bank, New Jersey 07701

732-741-2900

The original of this report was signed and sealed in accordance with [N.J.A.C. 13:41-1.3\(b\)](#).

John Barree, AICP, PP #6270, LEED Green Associate

Acknowledgements

Mayor and Council

Mayor Jaclyn Veasy
Deputy Mayor Dr. Krystal Hunter
Councilwoman Heather Cooper
Councilman Joseph Fisicaro, Jr.
Councilman Christian Smith

Planning Board

Lisa Killion-Smith, Chair
Patricia Everhart, Vice Chair
Mayor Jaclyn Veasy
Deputy Mayor Dr. Krystal Hunter
Craig Higginbotham, Environmental
David Bock
Elizabeth Costello
Gene Friedman
Jacob Todd
Tom Wyllner, Alt. #1
Sean McLaughlin, Alt. #2

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INTRODUCTION AND PROCESS

The property at 100-112 Centre Boulevard, known on the tax map of the Township of Evesham as Block 24.21, Lot 3, was developed in 1987 and has since operated as a professional and medical office park. The office park, which predates the Americans with Disabilities Act, has not been substantially renovated since its construction. Since 2017, the vacancy rate of the office park has increased and was approximately 25% vacant in 2022.

With a goal to continue pursuing creative ways to pursue smart growth strategies and reuse underutilized space, the Township directed the Planning Board to undertake an area in need of redevelopment (non-condemnation) investigation of the property at 100-112 Centre Boulevard. On June 16, 2022 the Planning Board held a public hearing, at which a report was presented by John Barree (P.P., AICP, LEED Green Associate) that concluded that the property met the statutory criteria to be designated as an area in need of redevelopment (non-condemnation). The Planning Board made a recommendation to the Township Council concurring with Mr. Barree's report and testimony. At its August 10, 2022 meeting, the Township Council adopted Resolution No. 252-2022 designating Block 24.21, Lot 3 (the "Area") as a non-condemnation area in need of redevelopment, and authorizing HGA to prepare this Redevelopment Plan.

The purpose of this Redevelopment Plan is to establish standards under which the property can be redeveloped pursuant to the statutory requirements set forth in the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et. seq.) (the "LRHL"). The Plan envisions the development of a contemporary multifamily residential project with associated common space and structure parking, and specifically addresses topics including:

- Provision of diverse affordable housing options that will serve current and future Evesham residents
- Promotion of Community Solar as a benefit to residents and green building and sustainability measures
- Public parks, open space, and recreational connections to Downtown Marlton
- Pedestrian circulation improvements, linking to the adjacent Marlton Crossing development as well as the multimodal paths proposed in regional plans

The Plan anticipates that the redevelopment of the Area will benefit the Township while limiting negative externalities.

STATUTORY REQUIREMENTS

The LRHL at N.J.S.A. 40A:12A-7, requires that a redevelopment plan include an outline for the planning, development, redevelopment or rehabilitation of the project area sufficient to indicate:

1. Its relationship to definite local objectives as to appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements;
2. Proposed land uses and building requirements in the project area;
3. Adequate provision for the temporary and permanent relocation as necessary of residents in the project area including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market;
4. An identification of any property within the redevelopment area proposed to be acquired in accordance with the redevelopment plan;
5. Any significant relationship of the redevelopment plan to:
 - a. The Master Plans of contiguous municipalities;
 - b. The Master Plan of the County in which the municipality is located; and
 - c. The State Development and Redevelopment Plan adopted pursuant to the “State Planning Act” P.L. 1985, C398 (C52:18A-196 et al.).
6. As of the date of the adoption of the resolution finding the area to be in need of redevelopment, an inventory of all housing units affordable to low- and moderate-income households, as defined pursuant to section 4 of P.L. 1985 c.222 (C.52:27D-304), that are to be removed as a result of implementation of the redevelopment plan, whether as a result of subsidies or market conditions listed by affordability level, number of bedrooms, and tenure.
7. A plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last 18 months, that is subject to affordability controls and that is identified as to be removed as a result of implementation of the redevelopment plan.
8. Proposed locations for public electric vehicle charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.

EXISTING CONDITIONS

LOCATION AND DESCRIPTION

Evesham Township is in the southwestern portion of Burlington County. The neighboring towns to the west (Cherry Hill, Voorhees, and Berlin) and the south (Waterford) are in Camden County. While the neighboring towns to the north (Mount Laurel) and east (Medford) are in Burlington County. Portions of the Township are in the Pinelands Region, which is regulated by the State of New Jersey Pinelands Commission Comprehensive Management Plan. Part of the Township, including the Redevelopment Area, is within the Pinelands National Reserve, which is federally recognized, but outside the jurisdiction of the State Pinelands Commission.

The Redevelopment Area is located near the junction of State Routes 70 and 73 in the northwestern part of the Township. The Redevelopment Area and its environs are characterized by a suburban pattern of development with linear corridors of commercial activity along the state highways. The surrounding properties are developed with a mix of commercial uses including several prominent shopping centers (Marlton Crossing, Marlton Commons, Marlton Greene, and Marlton Square) and professional and medical offices. Townhouse / garden apartment style developments are located to the west and south of the Redevelopment Area. Further afield from the highway corridors are residential neighborhoods in single-family subdivision patterns.

Routes 70 and 73 provide direct access to the broader highway network with the New Jersey Turnpike and Interstate 295 located several miles to the west and northwest of the Redevelopment Area.

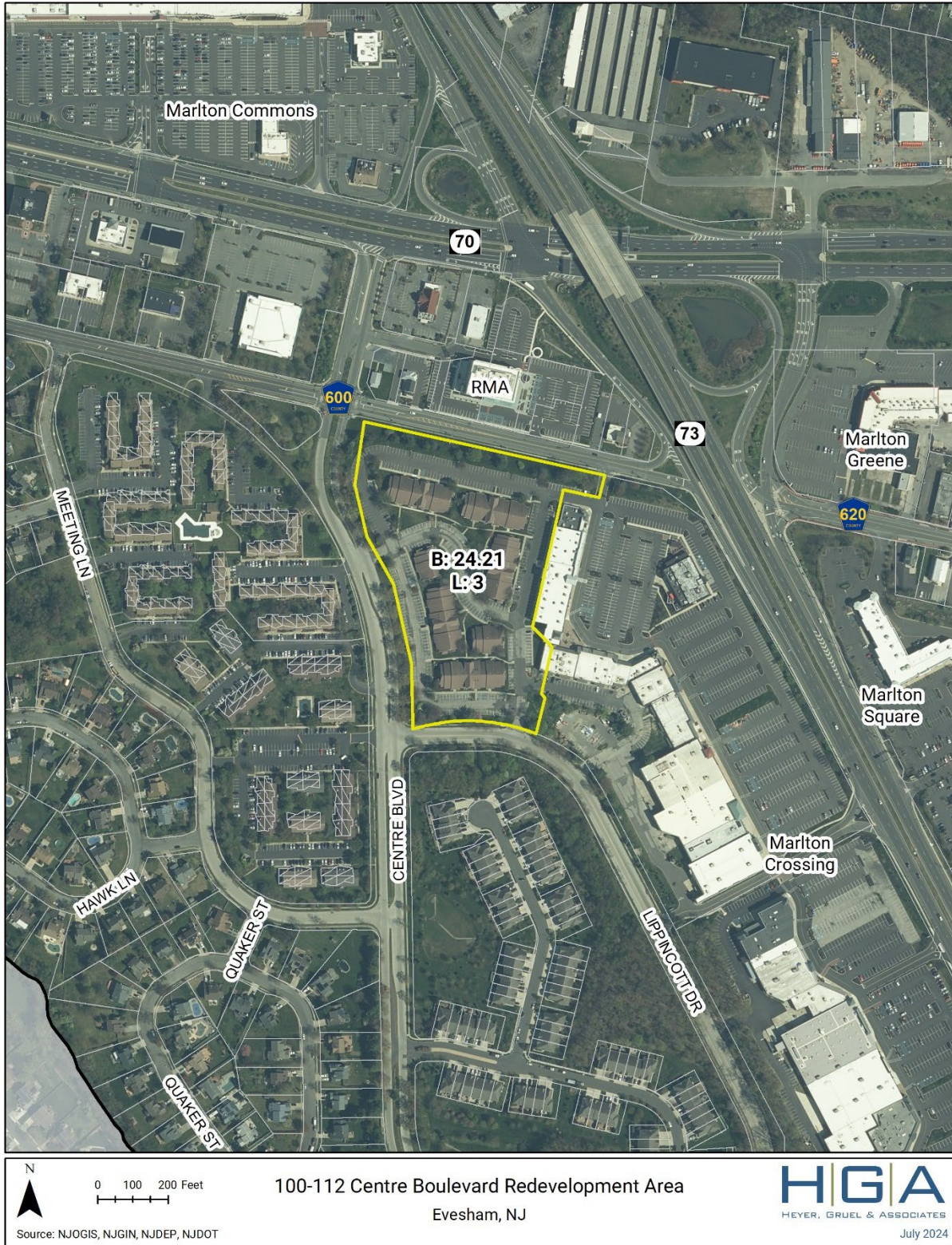


Figure 1 - Redevelopment Area Aerial Image (2020)

ZONING

The Redevelopment Area is in the Township's C-1 Commercial-1 Zoning District and the Crossroads Overlay Zone. The following standards apply:

C-1 Commercial-1 Zoning District

Purpose

To provide a commercial district which replaces a number of more narrowly defined districts located along the two major state highways through the Township, Routes 70 and 73. This district will have a wider array of allowable uses in order to provide more development flexibility in response to changing market conditions. To protect the public interest, performance standards related to the scale of development will be utilized. The standards will provide incentives to consolidate smaller parcels into larger development tracts. The complimentary and coordinated development of adjacent properties or the combining of lots into larger tracts shall be encouraged through the allowance of increased development intensity. The coordinated development will provide for common access and drives, shared parking, a unified architectural and building scheme, pedestrian malls connecting buildings, and coordinated storm drainage and open space areas to be part of an approved commercial development.

Evesham Crossroads Overlay District (EVCO)

Purpose

"The purpose of the Evesham Crossroads Overlay district is to provide a framework for the development and redevelopment of primarily commercial properties in the vicinity of the Evesham Crossroads at the intersection of State Highway Routes 70 and 73 consistent with the 2010 Master Plan recommendations and the Evesham 2020 Vision Plan....The Evesham Crossroads Overlay is intended to encourage the transformation of underutilized and outdated commercial properties along the Route 70 and Route 73 corridors, to support development and redevelopment that makes efficient use of land and resources, that promotes development that integrates the needs of pedestrians, bicyclists, and motorists, that creates a viable streetscape and carries a unified design theme, and that responds to the adjacent properties..."

Standards

The base zoning continues to apply to all existing development. Any property that is developed, redeveloped or expanded, including additions to existing principal structures, new structures, and site alterations (such as parking lot expansions, or improvements, redesign of parking areas, alterations to site access, and new signs) shall be regulated by the standards set forth for the EVCO.

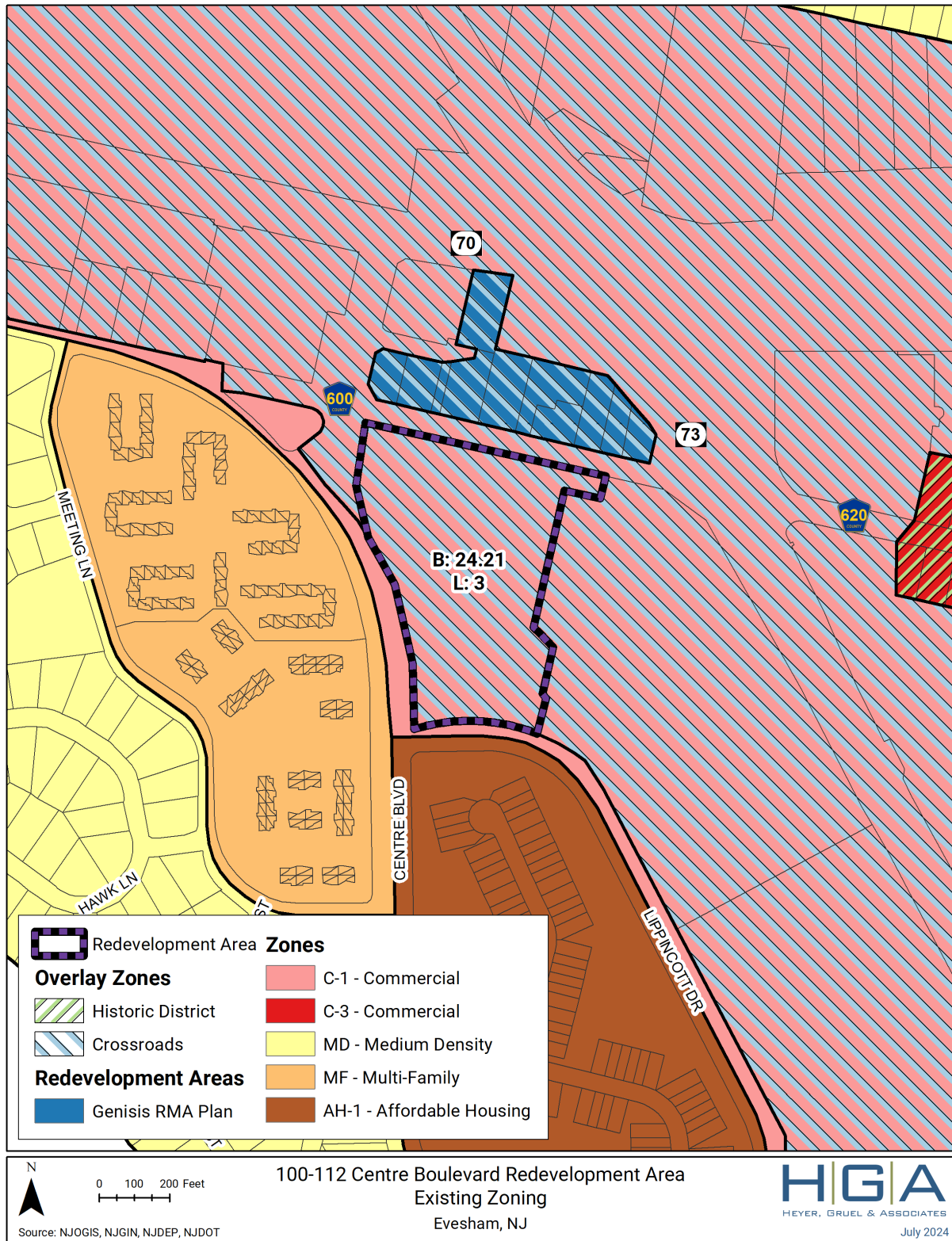


Figure 2 - Redevelopment Area Existing Zoning

PLAN PRINCIPLES, GOALS, AND OBJECTIVES

PURPOSE

The purpose of the Centre Boulevard Redevelopment Plan is to permit the redevelopment of the existing, aging office park at 100-112 Center Boulevard into a multifamily residential development supported by Smart Growth principles such as walkability, compact design, and varied land use. This will allow the site to be repurposed for a new use that is conducive to both the surrounding residential and commercial areas, will expand the Township's diverse housing stock, and will create opportunities to promote economic development within Downtown Marlton and surrounding commercial areas.

With recent trends pointing toward a consistent rise in the cost of living, the need for municipalities to provide diversified housing options at a variety of affordability levels has become increasingly important for the vitality of communities. In recent years, many localities throughout the nation have welcomed an increase in denser, more affordable residential options (such as apartments) that embrace contemporary design philosophy and best practices. Pulling from the practices of design organizations such as the Congress of New Urbanism and Smart Growth America, contemporary multifamily housing developments are typically designed through a wholistic approach that encourages:

- **Resilience and Sustainability:** With the threat of climate change and associated environmental hazards such as flooding, heat-related fatalities, and more, multifamily housing developments are integrating techniques and tools such as green infrastructure, green building design, and efficient mechanical systems to reduce greenhouse gas emissions, protect life, and mitigate the impact of future hazards. This can include everything from native landscaping to pervious surface materials, ENERGY STAR appliances, and using recycled construction materials in addition to building features, the overall design of multifamily sites provides more compact living which reduces the need for travel in single passenger vehicles and other efficiencies
- **Common Spaces and Amenities:** In recent decades, design has turned toward an emphasis on well-being and health. It is now standard for multifamily residential developments to include common spaces and amenities that encourage tenant connection and enhance the residential experience. This can include inviting lobbies with key amenities such as mail and parcel rooms, outdoor courtyards, parklets, gyms and fitness rooms, pools, rooftop gardens, and more.
- **Open Space and Recreation:** The Township adopted a new Open Space and Recreation Plan Element at the end of 2023. The OSRP outlines a variety of initiatives that the Township is pursuing to create new passive and active recreational facilities, provide more inclusive recreation areas, and promote conservation of sensitive environmental features. An important component of the Redevelopment Plan is to ensure that the development supports the Township's open space and recreation goals while planning for an influx of new residents.

- **Connectivity to Existing Commercial Corridors:** Providing housing within close proximity to existing commercial corridors is a key component in stimulating “around the clock” business and providing economic support outside of peak business hours. Residential uses that border commercial corridors should be made walkable through interconnected multimodal paths that are well shaded and are designed at a scale which is appropriate to the neighborhood. This not only promotes economic sustainability, but also bolsters health and well-being through the provision of well-designed pedestrian and bicyclist infrastructure.
- **Neighborhood-Appropriate Scaling, Massing, and Design:** It’s well recognized that the consideration of building massing, scale, and design are key factors when constructing a new residential structure with a larger scale. Pedestrians and bicyclists tend to avoid utilizing public sidewalks that run along building facades without windows, doors, or other fenestrations that provide a sense of safety via “eyes on the street”. Further, the massing of such buildings should be visually broken up through architectural elements and materials to create designs that are cohesive to the surrounding environment and uses.
- **Inclusionary and Special Needs Affordable Units:** The provision of affordable housing units within an otherwise market-rate development is vital to promoting opportunities for low and moderate income housing. Not only does this practice ensure that low and moderate income households have equitable access to quality housing, but it also serves to create a well-balanced and diverse community. The Redevelopment Plan envisions incorporating a component of supportive and special needs housing into the residential development. The redeveloper, with the assistance and cooperation of the Township, will partner with a specialized service provider to create an opportunity for supportive and special needs residents.

The redevelopment of the 100-112 Centre Boulevard Redevelopment Area as a contemporary multifamily residential development is particularly appropriate due to: its strategic location to the Downtown and existing residential and commercial uses; its capacity to support the reuse of existing utility infrastructure; and its potential to improve the streetscape as well as multimodal interconnectivity as a means of encouraging economic vitality in surrounding commercial corridors. These factors not only point toward sound redevelopment, but are also supported by the principles of Smart Growth and the goals of the New Jersey State Development and Redevelopment Plan (SDRP).

GOALS AND OBJECTIVES

1. Encourage thoughtful design that reflects the character of adjacent communities
 - a. Provide public parks, open space, and recreational spaces for residential use
 - b. Prioritize building massing and building materials that are sensitive to existing developments
2. Promote energy efficiency and sustainability

- a. Utilize incentive zoning as a tool to bolster sustainability efforts
 - b. Encourage the use of alternative and renewable energy sources, such as Community Solar use in conjunction with the Evesham Landfill Solar Energy Redevelopment Area
 - c. Integrate nature-based solutions that utilize native plants
3. Bolster the Township’s economic base by connecting residents with existing commercial activity
 - a. Provide new multimodal pathways to connect residents to the Marlton Crossing development and Downtown Evesham
 - b. Enhance the walkability of the neighborhood through streetscape enhancements
 - c. Improve pedestrian and bicyclist circulation by connecting to existing and future Township and regional paths, such as those proposed by the DVRPC
4. Prioritize people-centric site design rooted in Smart Growth principles
 - a. Provide for affordable and diverse housing options that cater to a wide range of affordability levels and needs
 - b. Encourage compact development in already-developed areas
 - c. Provide amenities and common spaces that encourage resident engagement and well-being

RELATIONSHIP OF THE PLAN TO THE TOWNSHIP LAND DEVELOPMENT REGULATIONS

Per the LRHL at N.J.S.A. 40A:12A-7.c, redevelopment plans are required to specify whether they supersede existing zoning or act as an overlay to the existing zoning. The Redevelopment Plan shall supersede the existing C-1 and Crossroads Overlay Zones.

When utilizing the standards in this Redevelopment Plan, Township regulations affecting development that are in conflict are superseded by this Plan. Existing engineering standards, performance standards, and definitions shall apply, unless otherwise noted.

No deviations from the Redevelopment Plan standards may be granted which would require a “d” variance pursuant to N.J.S.A. 40:55D-70d. If such a deviation is requested, it may only be addressed as an amendment to the Plan, subject to the sole discretion of the Township Council. Requests for “d” variance relief shall not be heard by the Township’s Zoning Board of Adjustment.

Any deviations from bulk and other specific standards shall require “c” variance relief where noted in the Plan. The Planning Board shall have the power to grant relief to the same extent as the Board may grant relief from bulk and dimensional requirements pursuant to N.J.S.A. 40:55D-70.c.

An application requesting a deviation from the requirements of this Redevelopment Plan shall provide public notice of such application in accordance with the public notice requirement set forth in N.J.S.A. 40:55D-12a.&b.

The Planning Board may grant exceptions or waivers from design standards for site plan or subdivision approval as may be reasonable and within the general purpose and intent of the provisions for site plan review and/or subdivision approval within the Plan. The Board may grant exceptions or waivers if it is determined that the literal enforcement of one or more provisions of the Plan is impracticable or would exact undue hardship because of peculiar conditions pertaining to the site. No deviations may be granted under the terms of this section unless such deviations can be granted without resulting in substantial detriment to the public good and will not substantially impair the intent and purpose of the Redevelopment Plan and Master Plan.

All development must be approved by the Planning Board and shall be submitted through the normal site plan and subdivision procedures as identified in applicable Township Ordinances and by N.J.S.A. 40:55D-1, et seq.

Final adoption of this Redevelopment Plan by the Township Council shall be considered an amendment to the Township Zoning Ordinance and Official Zoning Map.

LAND USE PLAN

The Land Use Plan provides for the redevelopment of the Area as a single development containing a multifamily residential project with associated open common spaces, pedestrian and bicyclist circulation, and structured parking. While the focus of the project is residential, the Land Use Plan permits professional office space that could be designed as flexible ground floor units that can be used to house small-scale tenants similar to those that have occupied space in the existing office complex or be converted to residential accommodations. It is important that future uses of the Area are cohesive with and support the existing residential uses and commercial uses that surround it. The following standards shall apply to the entirety of the Redevelopment Area.

USE STANDARDS

The property may be developed with one or more principal structures containing the following permitted uses. Any use not listed shall not be permitted.

Permitted Principal Uses

1. Multifamily Residential Dwellings consisting of a maximum of 325 units
2. Professional offices

Permitted Accessory Uses

1. Ancillary leasing and management office use incidental to a permitted principal use
2. Tenant amenities incidental to a permitted principal use, including but not limited to:
 - a. Indoor lobby
 - b. Outdoor courtyard with seating
 - c. Pool
 - d. Fitness Area
 - e. Playground
 - f. Co-working space
 - g. Lounges
 - h. Enclosures for Trash and Recyclable Materials
3. Off-street parking; see “Parking Space Location” and “Circulation and Parking Plan”
4. Bicycle storage; see “Parking Space Location”
5. Fences and Walls
6. Landscaping and buffering
7. Electric vehicle charging stations
8. Signage; see “Signage”

Affordable Housing

Redevelopment Plans are permitted to require the provision of affordable housing units per the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-7.b). The Redevelopment Plan presents a substantial residential development opportunity at a location in the Township where the use was not previously permitted. A minimum of 15% of the residential units shall be set aside as low- and moderate-income family rental units of which at least fifty percent (50%), to be rounded up, of that 15% set-aside shall be reserved as supportive or special needs units, which shall be managed in conjunction with a service provider partner or qualified affordable housing administrator. There shall be no maximum number of supportive or special needs units permitted nor shall there be a limitation on how many bedrooms shall be allocated for supportive or special needs residents. The Township shall cooperate with the Developer's effort to secure special needs tenancies and any associated services as the Parties acknowledge that the Developer is neither qualified nor in the business of providing such housing assistance to those with supportive or special needs.

The Affordable Units shall comply fully with the Uniform Housing Affordability Controls ("UHAC") at N.J.A.C. 5:80-26.1 et seq. including, but not limiting to the following requirements.

1. The family rental units, of which there are anticipated to be up to 24, shall be subject to the bedroom and income distribution requirements spelled out in UHAC, including the requirement that thirteen percent (13%) of the Affordable Units within each bedroom distribution shall be required to be for very low-income households earning less than thirty percent (30%) of the median income.
2. The supportive housing units shall be considered separately and subject to the applicable affordability and bedroom distribution standards in UHAC, which require that five percent (5%) of the supportive units have either two or three bedrooms. To the extent that the redeveloper may require a waiver from this standard to ensure the successful provision of supportive housing units, the Township will support such a request.
3. Further the Affordable Units shall be subject to affordability controls of at least 40 years as outlined in UHAC. Any extension of the initial period of affordability controls shall be upon mutual agreement of the Parties and nothing herein is intended to authorize the Township's unilateral extension of the initial affordability controls period upon its conclusion.
4. The Affordable Units shall be integrated with the market units to the extent possible, and the Affordable Units shall not be concentrated in separate building(s) or in separate area(s) from the market units, unless the consolidation or segregation of supportive and/or special needs units is the preferred means of distribution as requested by the provider of such supportive and/or special needs units. In buildings with multiple dwelling units, this shall mean that the Affordable Units shall be generally distributed within each building with market units. The location of the affordable units

shall be provided on the floor plans submitted with the Planning Board application. The residents of the Affordable Units shall have full and equal access to all of the same amenities, common areas, and recreation areas and facilities as the market units.

5. Construction of the Affordable Units shall be phased in compliance with N.J.A.C. 5:80-26.5(b)4.

To the extent that any subsequent legislation or rule-making alters the requirements associated with the credit worthiness of affordable housing units, those updates shall supersede the language in this Plan. The Township's Administrative Agent shall ensure that all units comply with the most up-to-date regulations related to credit worthiness.

BULK STANDARDS

Deviations from any of the standards, with the exception of floor area ratio and height, within this section shall be considered a "bulk variance" that requires relief as set forth in the MLUL at N.J.S.A. 40:55D-70.c.

The Planning Board may hear an application for a variance to exceed the permitted height standard provided the deviation is for an increase of less than 10% of the permitted maximum or 10 feet whichever is less.

Building Setbacks

Building setback requirements shall be the same for principal and accessory structures. For purposes of setbacks, freestanding signs shall not be considered accessory structures. Signage setback requirements shall be controlled by the standards of the signage section of this Plan.

Tract Boundary

Setbacks for new construction or modification of existing structures where setbacks are further reduced shall comply with the following setback standards to the Redevelopment Area Tract Boundary:

1. Minimum 70 foot setback to Centre Boulevard
2. Minimum 100 foot setback to Old Marlton Pike West
3. Minimum 60 foot setback to Lippincott Drive
4. Minimum 25 foot setback to any other tract boundary

Internal Roadways

1. Buildings containing residential units shall be setback at least 12 feet from the curb associated with any street, drive aisle, or other vehicular way except loading, unloading, and drop-off areas, and driveways providing access to structured parking integrated into the building.
2. The 12 foot minimum setback area shall include a foundation planting strip with a width of at least 5 feet and a sidewalk with a width of at least 6 feet.

Impervious Coverage

1. Maximum impervious coverage: 70%

Building Height

1. Maximum Height: 4 stories / 55 feet measured to the top of the main flat roof to the deckline for mansard roofs and to the mean height between eaves and ridge for gable, hip and gambrel roofs subject to the following:
 - a. Parapets shall be permitted to extend above the permitted height by up to two feet.
 - b. Roof-mounted mechanical equipment, penthouses, stair towers, elevator overruns, and other similar features shall be permitted to exceed the maximum permitted height by up to ten feet provided that such features are setback from the building edge by a distance equal to or greater than their height as measured from the roof deck, and further provided that the aggregate area of such features shall not exceed 20% of the roof deck area.

Landscape Buffers

1. The existing landscape buffer areas of variable width that exist along the Centre Boulevard, Old Marlton Pike West, and Lippincott Drive property frontages shall be maintained to the extent feasible, not be reduced in width, and shall be supplemented with additional plantings to fill gaps and replace dead or damaged landscape material.
2. Landscape buffers shall consist of a combination of deciduous trees, conifers, shrubs, and, if appropriate, supplemental fences or walls in sufficient quantities and sizes designed to create a separation between the residential development and the adjacent public rights-of-way.
3. No more than 10% of the lineal measure of the buffer may consist of fences and walls.

Signage

1. Freestanding Signs
 - a. Principal uses may have a maximum of two (2) freestanding sign located along the Centre Boulevard and Marlton Pike West property frontages. Freestanding signs may not exceed 40 square feet in area.
2. Façade Signs
 - a. Each residential building may have up to two (2) façade signs. Façade signs shall be limited to an area of 100 square feet.
3. Directional Signs
 - a. Directional signage shall be permitted throughout the site to add in pedestrian and vehicular circulation. There shall be no limit to the quantity of directional signs. The size and placement of signs shall be subject to review and approval by the Board.

4. Temporary Signs

- a. A maximum of one (1) temporary construction sign shall be permitted which does not exceed a total area of ten (10) square feet, or a height of four (4) feet. Temporary signs shall be located a minimum of 25 feet from the edge of the public right-of-way. The temporary sign shall be removed within five days of the final certificate of occupancy.

5. Wayfinding Signage

- a. Bicycle and pedestrian scale wayfinding signage shall be permitted without limitation as to number of signs or placement location when developed as part of a comprehensive circulation plan.
- b. Bicycle and pedestrian scale wayfinding signage shall not exceed four (4) feet in height or four (4) square feet in sign area.
- c. Wayfinding signage shall identify connections to the neighboring commercial development at Marlton Crossing.

DESIGN STANDARDS

The following are site plan design standards. The standard for relief for any deviations from these standards shall be consistent with the MLUL requirements at N.J.S.A 40:55D-51. The design standards are intended to reinforce the physical, visual, and spatial characteristics of the Redevelopment Area. Any elements not covered by these standards shall be subject to the appropriate provisions of the Evesham Township Zoning Ordinance.

ARCHITECTURAL STANDARDS

1. Each building shall have a cohesive architectural design that provides an attractive view from all vantage points.
2. A flat roof line that incorporates architectural accents is preferred to mitigate building height and mass, but nothing herein shall prohibit the use of a pitched roof design.
3. All building mechanical equipment and rooftop appurtenances shall be screened in an attractive manner with parapets or similar architectural features that are consistent with the overall architectural design of the development.
4. Building facades shall be finished with durable material. EIFS and vinyl siding shall be prohibited as the predominant façade material and EIFS shall be prohibited on the ground level façade.
5. Change in material or a string course that differentiates between the ground floor and upper floors shall be provided.
6. The color palette for the building materials shall include grays, whites, earthtones, and other similar muted colors.

7. Exterior walls of buildings shall not have large blank or featureless expanses. Building facades shall include design elements such as decorative lintels or cornices, recessed windows or projecting window bays, balconies, and decorative elements.
8. Through wall or window HVAC systems, such as PTACs, shall not be permitted.
9. Parking structures shall be wrapped by residential units and screened from view from the public right-of-way.
10. Parking structure sections not wrapped with residential building shall have exterior designs that obscures the visibility of headlights and lends interest to the building façade. Design features such as screening elements, louvers, and other architectural or artistic features shall be incorporated to prevent blank massing and excessive visibility of the parking structure from public view.

FENCES AND WALLS

1. Fences shall not exceed four (4') feet in height except where required for screening purposes outlined elsewhere in this Plan.
2. Fences and walls shall not be located in a required setback area.
3. Chain link fence, barbed wire, razor wire, and electrical wire fence shall be prohibited.
4. Walls shall not exceed four (4') feet in height, except where required for screening purposes elsewhere in this Plan or retaining walls required as part of an approved grading plan, subject to review by the Planning Board.

LANDSCAPING

1. All open space areas shall be landscaped and maintained in an attractive condition with appropriate plant materials.
2. For all plantings, native species shall be utilized to the extent feasible. Native plant species can be found at: http://www.npsnj.org/pages/nativeplants_Plant_Lists.html and other similar sources.
3. Invasive species shall be prohibited. A list of invasive species and non-invasive alternatives can be found at: <https://www.invasive.org/alien/pubs/midatlantic/midatlantic.pdf>
4. Parking Lot Landscaping
 - a. Landscape islands with tree plantings are encouraged throughout the existing parking area to reduce impervious coverage, improve stormwater management, and provide shading.
 - b. Trees plus ground level plantings shall be provided around buildings and in the parking area.
 - c. Restriped or reconfigured parking areas shall be designed so not more than 25 parking spaces are in an uninterrupted row without the inclusion of a landscape island.

LIGHTING

1. Light fixtures shall be designed to complement the buildings and architectural theme and to accent attractive site and landscape features.
2. Unless otherwise noted herein, lighting plans shall be in accordance with the requirements of Section 62-55 of the Township Ordinance.
3. Promenade series lights (or an equivalent approved by the Board) shall be used within parking lots, along driveways, and along pedestrian pathways (color: black). Only single-head or double-head lights are permitted. The cut sheet for the fixture is in Appendix A of this Plan.
4. Light fixtures shall specify a Kelvin value not to exceed 3,000K within 300 feet of a residential building. Elsewhere on site, the Kelvin value shall not exceed 4,500K.



Figure 4 - Kelvin Color Temperature Scale (Source: Larson Electronics)

PARKING AND LOADING DESIGN

1. Parking and loading design shall be subject to review of the Township Fire Official to ensure placement and signing of fire zones where needed.
2. Parking Design
 - a. Parking space size and spacing and other applicable parking design standards shall comply with the Township Ordinance at §160-32 "Parking and Loading Requirements".
3. Loading Design
 - a. Residential loading, pick-up, and drop-off areas shall be clearly designated with pavement markings and signage.

RECYCLING AND REFUSE STORAGE AND REMOVAL

1. Adequately sized facilities with separate areas for the storage of recycling and refuse shall be provided as part of all developments, subject to review and approval by the Planning Board and its

professionals. Trash management and recycling areas must meet the minimum design requirements of Burlington County.

2. Multi-family residential facilities shall utilize trash rooms / chutes conveniently located throughout the building for use by residents. Centralized collection and storage areas shall be provided within the building. Carting of refuse and recycling shall be coordinated with a private hauler.
3. Dumpsters shall be placed either within a parking structure or in a secure, durable enclosure on the property screened from public view. Dumpster enclosures shall consist of a pad, block wall, and slatted or otherwise opaque gate, and shall be screened with landscaping to the extent practicable.
4. Bulk trash storage / pickup areas shall be provided, with the design and location subject to review and approval by the Planning Board, its professionals, and the Township of Evesham Department of Public Works.

STORMWATER MANAGEMENT

1. All developments shall comply with the Evesham Township Stormwater Management Ordinance at §139 “Stormwater Management” and NJDEP Stormwater regulations.

UTILITIES

1. All new utilities shall be installed underground.
2. Building mounted utility meters shall be placed in enclosures, rooms, alcoves or otherwise integrated within the design of the building and screened from public view.
3. Utility boxes and ground level utility structures shall be screened on at least three (3) sides by landscaping that will conceal the box throughout the year while permitting access by the utility company.
4. The redeveloper shall conduct engineering studies to determine if the wastewater pumping station and sewer mains can handle the additional flow generated by the redevelopment.
5. Redeveloper shall be responsible to construct all on-site improvements to utility services.
6. Redeveloper shall be responsible to construct, maintain and operate said utility improvements that may be required to be constructed in the Area.
7. Redeveloper shall be responsible for all applicable connection fees other than the connection fee for the affordable housing units in accordance with applicable laws.
8. As part of any site plan approval for a particular phases of the overall redevelopment, the Redeveloper shall be responsible for contributing its pro rata share towards the cost of reasonable and necessary off-site utility improvements that are necessary for the particular phase of the overall redevelopment in accordance with N.J.S.A. 40:55D-42 and Evesham Ordinance §94-4 “Contributions for Off-Tract Improvements.”

CIRCULATION AND PARKING PLAN

At the time of site plan application, a Traffic Impact Statement including vehicle circulation / turning templates, and a parking evaluation shall be provided.

PARKING REQUIREMENTS

The following parking requirements shall apply to all uses within the Area. Deviation from the parking standards requires variance relief pursuant to N.J.S.A. 40:55D-70.c.

Residential Parking Requirements

1. Residential uses shall provide parking at a ratio of 1.7 spaces per unit

General Parking Requirements

1. Parking spaces for people with disabilities shall be provided in accordance with the Americans with Disabilities Act.

Parking Space Location

Structured Parking

Structured parking shall be integrated into the principal building design. It shall be located such that it is not visible from adjacent public rights-of-way. Where an exposed portion of a parking deck is visible, architectural screens or other design elements shall be integrated into the façade to enhance the appearance of the structure and limit headlight glare.

Surface Parking

Surface parking is permitted to be located between the principal building and adjacent public rights-of-way, given that it has a minimum setback of 20 feet from all public rights-of-way. Surface parking shall be interconnected with the parking lot(s) of adjacent commercial uses.

Bicycle Parking

Bicycle storage shall be incorporated into the project at a rate of 1 space per 5 units. The bicycle parking may consist of a dedicated room, wall-hanging racks, floor mounted racks within the parking garage, or another similar, secure, covered design.

ELECTRIC VEHICLE CHARGING PLAN

The LRHL at N.J.S.A. 40A:12A-7.a(8) requires that redevelopment plans consider the provision of publicly accessible electric vehicle charging infrastructure. The Area shall be subject to the requirements set forth in the NJDCA Model Statewide Municipal EV Ordinance. Specifically, the following regulations shall apply:

1. Prepare 15% of required off-street parking spaces as Make-Ready spaces, and install EVSE in at least 1/3 of these Make-Ready spaces.
2. Within three (3) years following the date of the issuance of the certificate of occupancy, EVSE shall be installed in an additional 1/3 of the Make-Ready spaces.
3. Within six (6) years following the date of the issuance of the certificate of occupancy, EVSE shall be installed in the remaining 1/3 of the Make-Ready spaces.
4. Throughout the installation of EVSE parking spaces, at least 5% of the EVSE spaces shall be accessible for people with disabilities.
5. EVSE shall be installed in surface parking locations at least 40 feet from a principal structure unless alternative locations in the parking lot or parking structure are reviewed and approved by the Township Fire Marshall / Fire Official.

Unless otherwise outlined in this Plan or the Township Ordinance, all other standards enumerated in the NJDCA Model Statewide Municipal EV Ordinance shall be complied with.

LOADING

The following loading requirements shall apply to all development within the Area. Deviation from the loading standards requires variance relief pursuant to N.J.S.A. 40:55D-70.c.

Residential Loading, Unloading, and Drop-off

1. A curbside loading, unloading, and drop-off area designed for small package delivery vehicles (USPS, UPS, FedEx, Amazon, etc.) and Uber / Lyft / Taxi service shall be provided near the primary entrance of any residential building.

PEDESTRIAN AND BICYCLE PLAN

To promote residential connection to existing commercial activity, the following pedestrian and bicycle circulation requirements shall apply to all development within the Area.

1. Interconnectivity shall be maintained and enhanced between the Area and the neighboring Marlton Crossing commercial development. Connections with pedestrian crosswalks and signage shall be provided in several locations, generally as shown in Figure 3, but subject to final approval by the Planning Board.

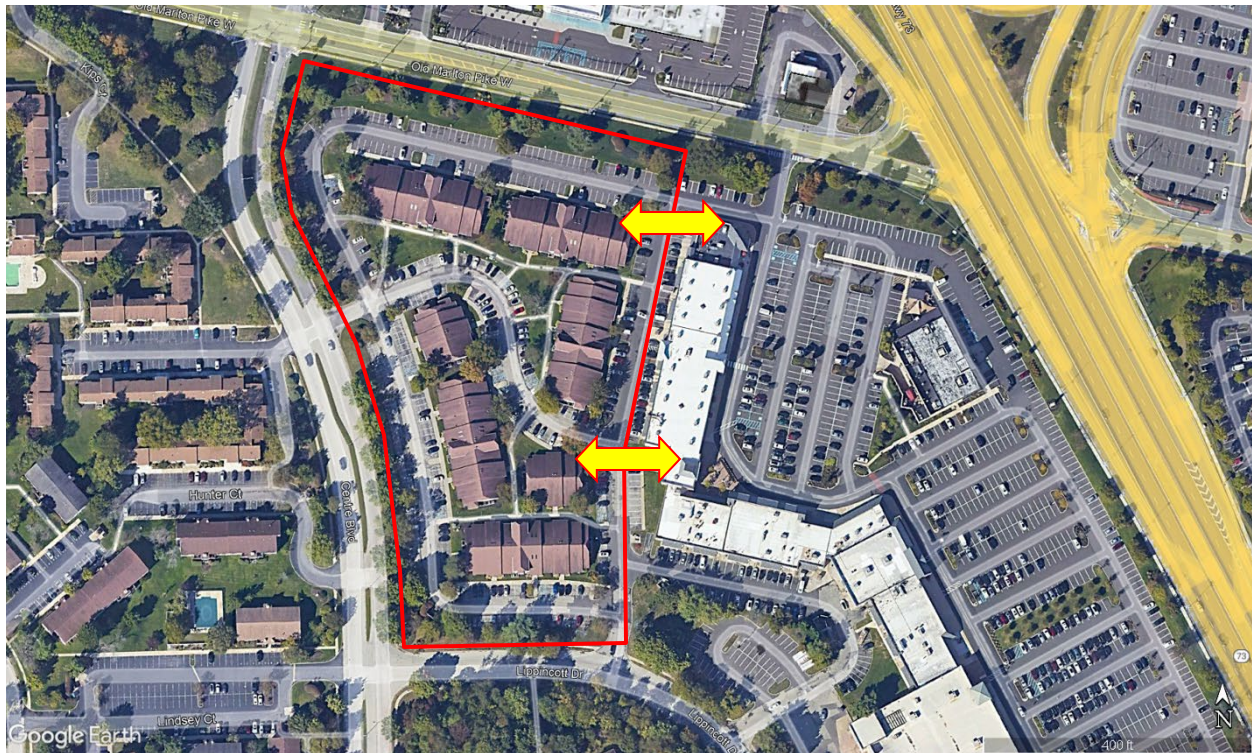


Figure 3 - Pedestrian Interconnection Locations

2. Sidewalks shall be maintained along the Old Marlton Pike West, Centre Boulevard, and Lippincott Drive property frontages. Further, sidewalks shall be provided within Area.
3. The recent DVRPC Downtown Access Bicycle and Pedestrian Plan has proposed buffered bicycle lanes along Centre Boulevard and Old Marlton Pike West, directly along the western and northern boundaries of the Area. It is recommended that the Redeveloper and Township coordinate the extent and timing of any potential planned improvements along the Old Marlton Pike West and Centre Boulevard property frontages to encourage connection at a larger scale focused on providing access to the Downtown area.

OPEN SPACE AND RECREATION PLAN

The Township prioritizes planning and investment in open space and recreational facilities, ensuring a mix of land uses, and meeting the needs of current and future residents. To satisfy the on-site recreation needs of its future residents, the Redevelopment Project shall include, at minimum, the following recreational facilities and amenities, which, except for the pool, may be located within designated buffer areas and/or setbacks:

1. An outdoor swimming pool with passive seating and gathering spaces totaling at least 6,000 square feet, that can accommodate residents of all ages and physical abilities.
2. Outdoor courtyards accessible to residents with passive seating and gathering spaces, landscaping, and other amenities totaling at least 5,000 square feet.

3. Recreational space for children
 - a. Indoor or outdoor recreational space, a minimum of 1,000 square feet in area, with targeted or flexible programming suitable for children up to 5 years old.
 - b. Indoor or outdoor recreational space, a minimum of 1,000 square feet in area, with targeted or flexible programming for children older than 5 years
 - c. The recreational space allocated for children required in sections a. and b. may be combined into a single area / space subject to the approval of the Planning Board.
 - d. At least half of the recreational space allocated for children shall be outdoors.
4. A minimum of 5,000 square feet of indoor community / amenity spaces that can be programmed for a variety of quiet, communal, passive, and active uses.

Conceptual details outlining the proposed amenities and compliance with the standards herein shall be provided at the time of application to the Planning Board. The Planning Board shall determine compliance with the requirements in this Section.

In addition to the on-site amenities required herein, the Township and designated redeveloper may discuss the provision of a contribution toward ongoing public recreational improvements that will benefit the future residents of the Redevelopment Area. Any contribution toward public recreational facilities may be negotiated as part of a redevelopment and financial agreement and shall not be a requirement to be satisfied under this Plan, nor shall it be subject to the jurisdiction of the Township Planning Board.

SUSTAINABILITY PLAN

COMMUNITY SOLAR

The Redeveloper shall work with the Township to evaluate the feasibility of participation in a community solar project. The Township has undertaken previous redevelopment planning and analysis for utility-scale solar projects that may be able to offer energy savings to residents, particularly low- and moderate-income residents through the Community Solar program.

The Community Solar program does not obligate the Redeveloper to install or contribute to the installation of solar equipment or infrastructure. It provides an opportunity for residents of individual units to enter into a service agreement that connects cost savings to the utility scale project located elsewhere in the Township.

As the opportunity arises, that Township shall provide information about the Community Solar program and coordinate with the redeveloper or successor owner of the project to disseminate information to eligible residents.

GREEN BUILDING STANDARDS

The Redeveloper is encouraged, but not required to, register the buildings in the Area in the USGBC LEED certification program. In addition, a minimum of 20 of the following 30 sustainability actions shall be included in the development of any new buildings:

1. Passive Solar, Ventilation & Shading Design
 - a. Passive Solar - The basic natural processes used in passive solar energy are the thermal energy flows associated with radiation, conduction and natural convection. When sunlight strikes a building, the building materials can reflect, transmit or absorb the solar radiation. These basic responses to solar heat lead to design elements, material choices and placements that can provide heating and cooling effects in a home. Passive solar energy means that mechanical means are not employed to utilize solar energy.
 - b. Solar Photovoltaic Readiness – Roofs should be constructed to accommodate a future solar PV system. This includes ensuring that the roofing structure and finish material can bear the structure required to add a solar PV array. In addition, there must be a 2" (minimum) conduit run that provides roof-to-electrical panel room connectivity.
 - c. Passive Ventilation & Shading – Buildings and windows should be oriented to resist cold northern winds and lack of sun in the winter and open to warmer southern breezes in the summer. Apply suitable roof overhangs, awnings and/or deciduous trees.
2. Pedestrian Paths (Sidewalks) - Build sidewalks that are wide, pleasant, and buffered from automobile traffic. Create pleasant walkways and bikeways through site to community areas, between buildings, surrounding neighborhoods, and parking.
3. Ducts and HVAC protected from dust during construction and/or cleaned prior to occupancy - Completely seal duct and HVAC equipment openings with plastic film and tape, or other suitable material, until after final cleaning of unit. If system is used during construction, install MERV 8 filters on all return grills. In addition (or as an alternative), thoroughly flush and vacuum all ducts prior to system startup and upon completion of all construction and finish work.
4. Low VOC Interior Paints and Finishes - Follow VOC limits for all paints.
5. Low VOC Adhesives and Sealants - Follow VOC limits for all adhesives and sealants.
6. MERV 8 (or higher) air filters in ducted forced air systems - Install pleated furnace filters, minimum MERV 8, during testing and balanced of HVAC system and for the life of the system. If running ducted forced air system during construction, use MERV 8 filters during construction, replace regularly, and prior to system testing and balancing.
7. Combustion Devices Directly Vented or Sealed - With the exception of gas stoves, all combustion devices must be power vented or sealed combustion.

8. Automatic Bathroom Ventilation - Install fans that directly vent to the outside in bathroom with automatic timer control. This is also a minimum requirement for ENERGY STAR Certification. Fans shall have a maximum of 1.5 sones (noise level).
9. Direct Vent of Kitchen - All kitchen exhausts shall be directly vented to the outside.
10. Encapsulation of non-UF (Urea Formaldehyde) free composite cabinets - If Urea Formaldehyde is in any particleboard or other composite wood product incorporated into the interior of the project (cabinetry, countertops, etc.), all exposed edges (those not covered by another, sealing material – including backs) must be coated and sealed with water-based polyurethane or approved paint to slow the out-gassing rate of harmful toxins. Sealing can be done in shop, before delivery, however, if the cabinetry is cut on-site, the cut faces must be resealed prior to installation.
11. Insulation with Low Formaldehyde Content
 - a. The most common form of insulation in homes today is fiberglass, fabricated primarily from silica sand, which is spun into glass fibers and held together with an acrylic phenol-formaldehyde binder. There are brands of fiberglass insulation that do not contain phenol-formaldehyde binding agents and are an unfaced white batt insulation bonded with a formaldehyde free thermosetting resin. The Uniform Construction Code prohibits urea-formaldehyde foam insulation. The binder used in batt insulation should be phenol-formaldehyde-free.
 - b. One of the more reasonable priced alternatives to fiberglass insulation is cellulose spray-in insulation; of which recycled newspaper is a major component. Other alternative insulation systems to consider are soy foam, recycled denim, and oyster shell insulation.
12. Operable Windows - Choose windows that can be opened. Operable windows provide opportunities for natural heating, cooling, and ventilation as well as providing a direct connection to the outdoors and the neighborhood. Also, ensure that the window is easily operable. For example, if the window is too heavy to lift and does not have a lip to grab then it is not readily operable; this could really be an issue for frail or elderly residents, who would have to call for assistance.
13. Smoke-Free Building - Implement and enforce a “no smoking” policy in all common and individual living areas of all buildings. Common areas include rental or sales offices, entrances, hallways, resident services areas and laundry rooms.
14. Exterior Wall Drainage Plane - Provide exterior wall drainage plane using building paper, housewrap or layered water-resistant sheathings (rigid insulation or a foil covered structural sheathing) with seams taped or sealed.
15. Window Flashing Details - All windows and exterior openings must demonstrate best practices for flashing details in order to create a weather resistant barrier. Details must be developed to meet the intent for both the window and wall system manufacturer's products. Window details will show

pan and sill flashing, damming the edges of the bottom sill flashing, and location of weep holes to exterior facade.

16. Roof - Roof warranty should be 30 years for pitched roofs and 20 years for flat roofs.
17. All Units ENERGY STAR Certified - All Projects are required to be Energy Star Certified or Equivalent as a threshold.
18. ENERGY STAR Appliances - Refrigerator, clothes washer, and dishwasher must be ENERGY STAR rated.
19. ENERGY STAR Lighting Fixtures - Install ENERGY STAR labeled lighting fixtures or the ENERGY STAR Advanced Lighting Package in all interior units, and use ENERGY STAR or high-efficiency commercial grade fixtures in all common areas and outdoors. Also, install ENERGY STAR or equivalent energy efficient lamps in all fixtures.
20. Windows with Low-E coating - All windows installed should meet ENERGY STAR guidelines and have a low-E coating.
21. Occupancy and Daylighting Controls - Lighting in community and meeting rooms, laundry, and other common spaces, must have occupancy and automatic daylight controls to reduce energy use when unoccupied. Common space does not include hallways, stairwells and any means of egress. For example, exterior porch and site lighting has daylight sensors and controls.
22. High Energy Factor Water Heaters beyond ENERGY STAR Requirements - Install water heater with energy factor greater than 60% AFUE for gas fired units and 0.95 for electric. For unit-by-unit water heaters, use electric water heater (tank type) of 0.91 EF (efficiency) or greater; a natural gas water heater (tank type) of 0.60 or greater for 50-gallon, 0.62 EF or greater for 40-gallon, or 0.65 EF or greater for an instantaneous model (tankless).
23. Easy to Use Programmable Thermostats - Provide a seven-day, digital programmable thermostat that runs on 24volts of the HVAC system, with battery backup, and no mercury. Make buttons large and system easy to use.
24. Recycle or salvage construction and demolition debris - Develop plan and protocol to properly sort and dispose of construction waste material separate from recycled material. Establish a system for daily collection and separation of materials designated to be recycled including concrete, metals, wood, recyclable plastics, bottles and cardboard, at a minimum.
25. Recycling Centers in Common Areas - Design buildings with easy access to recycling stations that are well marked, easy to understand and accessible and compatible with county or municipal recycling programs
26. Low-Flow Fixtures - Faucets shall be a maximum of 1.5 gpm in the kitchen, and 0.5 gpm for the bathroom. Showerheads shall be a maximum of 2 gpm.
27. High Efficiency Toilets - Toilets shall have an efficiency of 1.3 gallons per flush, or better (less). Dual-flush toilets can also be used with a maximum flush of 1.3 gallons.

28. Green Roofs - Green roofs (roofs with a vegetative surface and substrate) provide for better stormwater management, better regulation of building temperatures, and reduced heat island effect. An additional benefit of green roofs is that they have been shown to increase the marketability of a building and provide a significant aesthetic benefit to building occupants.
29. Cool Roofs - Cool roofs are designed to reflect more sunlight and absorb less heat than a standard roof. Cool roofs are implemented through coatings, membranes, built-up layered roofs, and other methods. A cool roof shall be specified to have a minimum 3-year aged solar reflectance of 0.55 or a solar reflectance index of 64.
30. Pursue LEED Certification (Leadership in Energy and Environmental Design) - This certification program is a nationally accepted benchmark for the design, construction, and operation of high-performance green buildings.

GREEN INFRASTRUCTURE

The Redeveloper shall utilize green infrastructure in accordance with Best Management Practices (BMPs) as part of stormwater management plans to reduce stormwater runoff and improve groundwater recharge on the site. Examples of BMPs include, but are not limited to:

1. Rain gardens/bioswales: Landscaped areas with native vegetation that capture, filter, and retain rainwater and allow to be absorbed back into the groundwater system, reducing the amount of runoff flowing to the municipal sewers.
2. Green roofs: Roofs partially or completely covered with vegetation, soil beds, drainage layer, and a water-proofing medium. Benefits include retention and filtration of rainwater, reduction of urban heat island effect and insulation, creation of habitats for wildlife, and a more aesthetically pleasing landscape.
3. Permeable pavement: Surface layer that allows for the infiltration of water back into the ground instead of into the sewers. Permeable pavement can be used for sidewalks as well as other hardscaped surfaces such as parking stalls and driving aisles.
4. Stormwater Planter Boxes: Vegetated structures designed to capture and filtrate stormwater runoff. Planter boxes can be designed as raised, constrained structures (contained planter box) or can be designed to be flush with the surrounding ground and drain directly into native soil (infiltration planter boxes).
5. Downspout Planter: Vegetative planter boxes that are connected to the downspout system of a building and are designed to capture and filter stormwater runoff while sustaining the vegetation planted within it.
6. Green Gutters: Shallow vegetated strips that are placed along the curb line of a parking lot to capture stormwater runoff from impervious surfaces.

CONFORMANCE WITH TOWNSHIP OBJECTIVES

2006 MASTER PLAN

The Township of Evesham’s most recent Master Plan was adopted in 2006, which outlines a series of preliminary goals and objectives. The Plan is consistent with the Master Plan, but most specifically advances the following objectives:

- “Ensure that new development is well designed and adheres to recognized principles of good planning and smart growth.”
- “Ensure that Evesham’s development policies are in accordance with the State Plan, Regional Plans, and the Master Plans of adjoining municipalities.”
- “Continue to provide a variety of housing opportunities and dwelling types for residents at all income levels.”
- “Comply with applicable laws and policies regarding affordable housing.”
- “Ensure that major new residential development contributes fairly to the provision of needed services, including recreation.”
- “Encourage alternative methods of circulation, including pedestrian and bikeway systems.”

2009 EVESHAM 2020 VISION PLAN FOR MARLTON CIRCLE

The Township adopted the 2020 Vision Plan for Marlton Circle in 2009 as a means to gauge the community’s preferences and wants as well as develop a plan addressing the growth and development of the area in and surrounding Downtown Marlton. The plan outlines a handful of goals that are met by this Redevelopment Plan, including:

- “Retrofit and transform outdated commercial corridors.”
- “Enhance the livability of neighborhoods.”
- “Establish sustainable neighborhood design standards including desirable proximity to parks, libraries, neighborhood convenience shopping, and transit.”
- “Establish building forms and design standards for compact, energy-efficient and sustainable neighborhood and buildings.”
- In specific reference to the Marlton Crossings development, which is located adjacent to the Area: “Create a network of trails and sidewalks to connect [the Marlton Crossings] to neighborhoods.”

2021 GENERAL REEXAMINATION AND MASTER PLAN AMENDMENT

The Planning Board subsequently adopted a General Reexamination and Master Plan Amendment in 2021, which contains two notable recommendations related to the Area:

- “The Township should consider an area in need of redevelopment investigation for Block 24.21, Lot 3.”

- “Consider rezoning Block 24.21, Lot 3 to permit residential, multifamily, mixed use, or some combination thereof.”

The former recommendation was addressed with the adoption of the 2022 Study of an Area in Need of Redevelopment entitled “Preliminary Investigation of an Area in Need of Redevelopment (Non Condemnation) Block 24.21, Lot 3”, which precedes and sets that basis for this Plan. The latter recommendation is directly addressed by the preparation of this Plan.

2021 HOUSING ELEMENT AND FAIR SHARE PLAN

The Township’s 2021 Housing Element and Fair Share Plan (HEFSP) identifies the Redevelopment Area as a potentially suitable location for future residential or mixed-use development. Page 21 of the HEFSP states:

“One area of the Township that could be potentially suitable for residential or mixed-use development in the future, although not included in this plan for credits at this time, would be the office park on Centre Boulevard at Block 24.21, Lot 3, [a] small scale business park located otherwise in a residential area. This particular property is not currently zoned to permit residential uses though, so the Township should consider this property for a potential rezoning to allow for moderate density residential development and/or mixed-use.”

RELATIONSHIP TO OTHER PLANS

REGIONAL PLANS

DVRPC Burlington County Downtown Access Bicycle & Pedestrian Plan

In January 2024, the Delaware Valley Regional Planning Commission released its Burlington County Downtown Access Bicycle & Pedestrian Plan, which outlines non-vehicle circulation recommendations for the downtowns of Maple Shade, Mansfield, and Evesham. The Redevelopment Area falls in the western portion of the designated study area for Evesham. The DVRPC plan calls for three primary goals:

1. “Greater connectivity to trail networks.”
2. “Improved access to and from downtowns.”
3. “Improved safety for all road users, especially vulnerable users.”

This Redevelopment Plan addresses goal 2 through its requirement for enhanced pedestrian and bicycle circulation throughout the site, specifically providing new paths for existing residential areas to access the Marlton Crossing development.

The DVRPC plan also calls for the addition of buffered bike lanes on Centre Boulevard and Old Marlton Pike, directly along the western and northern boundaries of the Area. This Redevelopment Plan promotes new pedestrian and bicycle circulation that will provide further connectivity in the Downtown area, specifically between existing residential neighborhoods, existing commercial corridors, and the redeveloped property.

Adjacent Municipalities

The LRHL requires a review of any significant relationship between the Redevelopment Plan and the Master Plans of adjacent municipalities (N.J.S.A. 40A:12A-7.a(5)(a)). The Township of Evesham shares its municipal borders with the Townships of Cherry Hill and Voorhees to the west, Mount Laurel to the north, Medford to the east, and Berlin and Waterford to the south.

The Redevelopment Area has no direct connection to these adjacent municipalities but is in relatively close proximity to the easternmost boundary of Cherry Hill Township, the southernmost boundary of Mt. Laurel Township, and the northernmost boundary of Voorhees Township.

Cherry Hill

Cherry Hill's most recent comprehensive Master Plan was adopted in 2018. The following objectives, actions, and recommendations are relevant to this Redevelopment Plan.

- "Provide a variety of safe and sanitary housing types and residential development to accommodate the different needs and desires of the population."
- "Create a 21st century suburb where diverse residents enjoy high-quality neighborhoods, vibrant commercial areas, and multi-modal access to land uses Township-wide."
- "Continue redeveloping failing commercial centers."
- "Connect commercial areas and residential neighborhoods."

Mt. Laurel

Mt. Laurel adopted its most recent comprehensive Master Plan in 2006, subsequently followed by a Master Plan Reexamination Report in 2017. The following goals, objectives, and concerns are relevant to this Redevelopment Plan.

2006 Master Plan

- "To guide future land development [...] to meet the needs of the residents while insuring that new development is compatible with existing developments." The proposed multifamily residential development will be conducive to the surrounding residential and commercial areas of Evesham and the region as a whole. Further, the use is not out of character with the overall region.
- "To provide for a variety of residential, commercial, industrial, public open space, recreational and conservation uses." The proposed use provides for diversified housing options in the region.
- "To insure that developments are compatible with the adjacent land uses in surrounding communities, where feasible." This Redevelopment Plan provides bulk and design standards that will ensure the development is reflective of surrounding residential uses and commercial uses, as appropriate.

- “to provide for the implementation of low and moderate-income housing.” This Redevelopment Plan stipulates an affordable housing set-aside.

2017 Master Plan Reexamination Report

- “Rowan College at Burlington County Mount Laurel [...] is undergoing major expansions, therefore, it can be assumed that [...] student housing may create pressures on the local housing stock.” The Redevelopment Area is located less than 10 miles from the Mount Laurel campus and could potentially offer an additional housing option for students.
- “Implement a complete streets policy, including the expansion of bicycle lanes to link parks, open space, and residential communities.” This Redevelopment Plan calls for the implementation of new pedestrian and bicycle paths to promote connectivity in Downtown Marlton.

Voorhees

The Township of Voorhees most recently adopted a comprehensive Master Plan in 1987 (copies of which are not available online), with subsequent updates adopted in 1995 and 1998 and amendments adopted in 2007 and 2010. In 2022, Voorhees adopted its most recent Master Plan Reexamination Report. The following goals and objectives of these documents are relevant to this Redevelopment Plan:

2007 Master Plan Amendment

- “The Planning Board recommends that redevelopment should be considered as a means to encourage revitalization and redesign of obsolete, under used, or deteriorating properties. The Local Redevelopment and Housing Law may be employed as a tool, where appropriate in accordance with the law, to avert and reverse a trend toward decline.” This Redevelopment Plan calls for the revitalization and redesign of an underused property, specifically as a means of reversing a declining trend in occupancy.

2022 Master Plan Reexamination Report

- “To promote energy efficiency, conservation, and increased use of renewable energy to [...] reduce greenhouse gas emissions and to plan for mitigating the effects of climate change.” This Redevelopment Plan stipulates stringent energy efficient and sustainable building standards.
- “To promote the expansion of pedestrian interconnection among neighborhoods, shopping areas, community centers, and schools throughout the community.” This Redevelopment Plan provides for pedestrian and bicyclist interconnectivity between residential and commercial uses.

STATE PLANS

State Development and Redevelopment Plan

In 2001, the State Planning Commission adopted the SDRP. The SDRP is a document that, while not binding, guides State-level development and redevelopment policy as well as local and regional planning efforts. Eight statewide goals are articulated in the Plan, along with dozens of corresponding implantation policies. The goals are as follows:

1. Revitalize the State's cities and towns.
2. Conserve the State's natural resources and systems.
3. Promote beneficial economic growth, development and renewal for all New Jersey residents.
4. Protect the environment, prevent and clean up pollution.
5. Provide adequate public facilities and services at a reasonable cost.
6. Provide adequate housing at a reasonable cost.
7. Preserve and enhance areas with historic, cultural, scenic, open space, and recreational value.
8. Ensure sound and integrated planning and implementation statewide.

This Plan meets stated goals 1, 3, 6, and 8 of the SDRP.

- The Redevelopment Plan will bolster the Township's tax base and will support the economic base of the Marlton Crossing retail development by connecting it to existing residential areas via new public spaces and pedestrian and bicycle paths.
- The Redevelopment Plan will convert an outdated commercial office property into a residential center that will attract new residents to support the economic vitality of surrounding commercial corridors, including the Marlton Crossing, the Promenade at Sagemore, Downtown Marlton, and more.
- The Redevelopment Plan includes a requirement for affordable housing units that provide for a portion of the Township's unmet need affordable housing obligation and further the State Plan's goal of providing a mix of housing types at affordable prices.
- The Redevelopment Plan includes sustainability requirements, circulation improvements, site design standards that promote high-quality modern design, and envisions the transformation of an outdated use.

The SDRP also includes a State Plan Policy Map, which divides the state into regions known as Planning Areas. This Redevelopment Area is in the Metropolitan Planning Area (PA-1), which is characterized by intensive existing development and is the target for redevelopment efforts. The goals for PA-1 include the following:

1. Provide for much of the state's future redevelopment.

2. Revitalize cities and towns.
3. Promote growth in compact forms.
4. Stabilize older suburbs.
5. Redesign areas of sprawl.
6. Protect the character of existing stable communities.

This Plan meets stated goals 1, 2, 3, 4, and 6 for Planning Area 1.

State Strategic Plan

The final draft of the State Strategic Plan was released in 2012. While the State Strategic Plan has not been officially adopted, and the SDRP is still the official State Plan, it is still prudent to review the relationship between this Plan and the State Strategic Plan Draft. This Plan is consistent with the stated goals of the State Strategic Plan. This Plan exemplifies the guiding principle of “Spatial Efficiency”, where new development is encouraged to be located in areas where infrastructure is already in place to support growth.

This Plan meets the following “Garden State Values” of the State Strategic Plan:

- Prioritize Redevelopment, Infill, and Existing Infrastructure.
- Create High-Quality, Livable Places.
- Provide Transportation Choice.
- Diversify Housing Opportunities.

ADMINISTRATIVE AND PROCEDURAL REQUIREMENTS

REDEVELOPMENT ENTITY

The Township Council shall serve as the Redevelopment Entity to implement this Redevelopment Plan. The Redevelopment Entity must designate or conditionally designate a redeveloper prior to the submission of an application to the Planning Board for any approval based on the standards of this Redevelopment Plan to the Planning Board.

PROPERTY TO BE ACQUIRED

The LRHL at N.J.S.A. 40A:12A-7.a(4) requires an identification of any property to be acquired within the Redevelopment Area. The Area has been designated as a non-condemnation redevelopment area. No property acquisition using eminent domain is authorized or anticipated as a part of this Plan.

RELOCATION ASSISTANCE

The LRHL at N.J.S.A. 40A:12A-7.a(3) requires a provision for temporary or permanent relocation of residents in the Area. There are no residential properties in the area. No residents will be displaced temporarily or permanently as a result of this Redevelopment Plan.

INVENTORY OF EXISTING AFFORDABLE HOUSING

The LRHL at N.J.S.A. 40A:12A-7.a(6) requires an inventory of housing units affordable to low- and moderate-income households that are to be removed as a result of implementation of the redevelopment plan. There are no housing units in the Area, so there are no affordable housing units identified for removal as part of the implementation of this redevelopment Plan.

AMENDING THE REDEVELOPMENT PLAN

Upon compliance with the requirements of applicable law, the Evesham Township Council may amend, revise or modify this Redevelopment Plan, as circumstances may make such changes as appropriate.

DURATION OF THE REDEVELOPMENT PLAN

This Redevelopment Plan shall be in full force and effect until the properties have been redeveloped and the final certificate of completion has been issued, at which time the Area will no longer be “in need of redevelopment” and the redevelopment powers shall expire. For the purpose of land use regulation, however, the development controls within the Land Use Plan section of this Plan, as amended, shall remain in effect and their application shall be governed by the Municipal Land Use Law rather than the Local Redevelopment and Housing Law.

IMPLEMENTATION OF THE REDEVELOPMENT PLAN

The mechanisms by which a redevelopment plan is implemented are statutorily imposed by the Local Redevelopment and Housing Law. All relevant provisions of the LRHL shall apply to the implementation of this Plan.

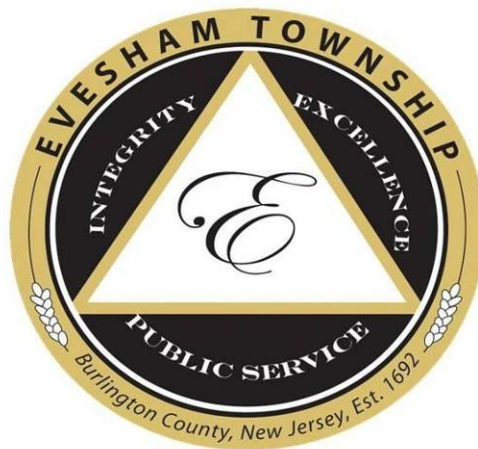
APPENDIX A – PROMENADE LIGHT FIXTURE CUT SHEET

APPENDIX F-2

19 Cooper Redevelopment Plan

Evesham Township
Burlington County, New Jersey


Redevelopment Plan
for Lots 11 & 12 (now lot 11.01), 13.01, 14, 15,
16, 17, 18, 19 in Block 4.09
East Main Street and Cooper Avenue



September 2014
Revised March 2015, June 2017, and June 2018

Recommended to Township Council by the Planning Board on
September 18, 2014 in accordance with Resolution 14-18, on March 12,
2015 by Resolution 14-18A, on July 6, 2017 by Resolution 17-10, and on
June 21, 2018 by Resolution 17-04A1.

Adopted by Evesham Township Council in accordance with Ordinance 31-9-
2014 on September 30, 2014, Amended by Ordinance 8-3-2015 on March 17,
2015, Amended by Ordinance 18-7-2017 on July 17, 2017, and Amended by
Ordinance 16-7-2018 on July 17, 2018.


Leah Furey Bruder, AICP, PP # 585100

The original of this document was signed and
sealed in accordance with NJAC 13:41-1.3.b

**Evesham Township
Burlington County, New Jersey**

2018 Township Council

Mayor Randy Brown
Deputy Mayor Debbie Hackman

Councilman Kenneth D'Andrea
Councilman Robert DiEnna
Councilman Steven Zeuli

Michael Barth, Township Manager
Mary Lou Bergh, RMC, Township Clerk
John Gillespie, Esq, Township Solicitor

2018 Planning Board

Alicia Marrone, Chairwoman
Randy Brown, Mayor
Steven Zeuli, Councilman
Robert DiEnna, Councilman (alternate to Mayor)

Paul Cortland
Jeff Foster
Jay Levenson
Jerry Menichini
Richard Maratea
Dominick Mondì
Jay Parikh

Regina Kinney, Administrative Officer
Allison Bittner, Recording Secretary
Stuart Platt, Esq., Solicitor
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Stacey Arcari, PE, Traffic Engineer
Behram Turan, PE, Environmental Scientist
Leah Furey Bruder, PP, AICP, Township Planner
Nancy Jamanow, PE, PP, Director of Community Development

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MAPS

MAP 1 Evesham Township Zoning Map with Redevelopment / Rehabilitation Areas

I. Introduction

42 and 52 East Main Street are located within Evesham Township's "downtown" Marlton area at a prominent location between Cooper Avenue and Locust Avenue. The Redevelopment Plan for these lots was initially adopted in 2014 after the lots were designated by Township Council as an "area in need of rehabilitation" (Resolution 190-2013 on July 23, 2013). A larger rehabilitation area encompassing most of the "downtown" historic Marlton Village area was subsequently designated by Resolution 339-2014 on October 21, 2014. The Redevelopment Plan for 42 and 52 East Main set the planning and regulatory foundation for the mixed use redevelopment project that has been completed on lots 11 and 12 (now lot 11.01). More recently, on May 9, 2017, lot 15 (Harvest House Mansion site) was designated as an Area in Need of Redevelopment. The site was already within the rehabilitation area, but remained stagnant. It was expected that the non-condemnation Redevelopment Area designation would make it possible for a redeveloper to overcome the obstacles to redeveloping the site consistent with the vision for the area. This project area is now expanded to include lots 13 (now 13.01), 14, 16, 17, 18 and 19 in block 4.09 in addition to lots 11.01 and 15. The lots being added to the Project Area were previously designated as an area in need of rehabilitation by Resolution 339-2014.

The Preliminary Redevelopment/Rehabilitation Needs Investigation Reports, and the Resolutions designating the areas in need of redevelopment and rehabilitation provide an overview of the Township's redevelopment planning process, a description of the study area, an outline of the redevelopment area and rehabilitation area criteria set forth in New Jersey's Local Redevelopment and Housing Law (LRHL), a review of the relationship of the study areas to the Township's Master Plan and the State Plan, and each resolution explains the conditions that warranted the redevelopment and rehabilitation designations.

By utilizing the redevelopment planning tools provided in the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq) the Township aims to enhance opportunities for reuse, revitalization, and redevelopment of the designated properties and to provide a planning framework that sets a high standard for redevelopment and is also responsive to market conditions. All of the Township's Redevelopment Plans support revitalization and redevelopment that will contribute to a vibrant economy and that will support synergy between uses.

The Township's intent in initiating a redevelopment planning effort has been to enable the use of additional tools to facilitate and encourage private investment in the designated areas consistent with the Township's Vision; to allow the Township to promote and protect the long term well-being of the municipality, and to foster positive change in the underutilized areas. The properties within the downtown Marlton area appear to be ripe for revitalization, but prior to the redevelopment planning initiative, private investment had been lacking. In order to overcome the inertia, Township Council determined that intervention in the form of redevelopment planning would be a means to describe the type of development that is desired and would be a means to facilitate and encourage private investment and revitalization. The Redevelopment Plan provides a framework to guide development in a manner consistent with the Township's vision for the future of downtown Marlton.

The properties included in this Redevelopment Plan have been designated in need of redevelopment and rehabilitation and are part of the larger downtown Marlton rehabilitation area, which includes approximately 145 lots in 13 blocks. The overall area is being broken down into smaller project areas so that the Redevelopment Plans may respond to the specific conditions in

different parts of the downtown. The Plans enable the Township to proactively support revitalization of the areas, and afford property owners the opportunity and ability to market or potentially develop the properties in accordance with the Redevelopment Plan. The initial adoption of the Redevelopment Plan for 42 and 52 East Main Street assisted in catalyzing the redevelopment project already underway at the former bank site (lots 11 and 12, now lot 11.01). Continued inactivity on lot 15 brought the obstacles to successful redevelopment into focus. The June 2017 amendment to the Redevelopment Plan aimed to provide a path forward for preservation and redevelopment at the Harvest House Mansion site in a manner that complements the redevelopment that has been completed on the adjacent lot. The June 2018 amendment to the Redevelopment Plan incorporates six (6) additional lots on Cooper Avenue in order to enable flexibility in reconfiguring or assembling lots for redevelopment.

Since the properties described below have been designated as an Area in Need of Rehabilitation/Redevelopment, the Township Council, as the redevelopment entity, is empowered to adopt a Redevelopment Plan to proactively set forth a vision for the area, utilize financial incentives to effectuate the plan, facilitate change by working with property owners and potential redevelopers, acquire land and buildings, and sell publicly owned property within the redevelopment area without public bidding to a chosen redeveloper, as set forth in the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq). The Redevelopment Entity's functions and powers are further described in section IIE below.

The Redevelopment Plan is both a regulating document and a tool that the Township will use to assist in stimulating revitalization, investment, and redevelopment activities within the designated area, and it is hoped, by extension within the downtown area overall. The redevelopment planning effort is a continuation and extension of the community visioning process that was initiated in 2009 to plan for the transformation of the underutilized commercial lands along the Route 70 and Route 73 corridors and within historic Marlton Village. The Redevelopment Plan standards take the conditions and constraints specific to the block or project area into consideration, but also include design standards that are compatible with the existing historic district overlay so that redevelopment and infill in the downtown historic Marlton area will complement the character of the area and emphasize desirable design elements and characteristics.

Each Redevelopment Plan and each amendment to the Redevelopment Plan will be adopted by ordinance in accordance with the requirements of Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-7). **This Redevelopment Plan addresses the designated Rehabilitation and Redevelopment Area properties located at 42 and 52 East Main Street (Block 4.09 Lots 11, 12 (now lot 11.01) and 15), and those at 7, 9, 15, 17, 19, and 25 Cooper Avenue (Block 4.09 Lots 13.01, 14, 16, 17, 18, and 19).**). The June 2017 amendments to this Plan related primarily to lot 15, the Harvest House Mansion site. Those revisions primarily related to the preservation of the historic structure, the inclusion of an affordable housing set aside with residential development, connectivity with adjacent property, and the size of the required non-residential component of a mixed-use development. These June 2018 amendments to this Redevelopment Plan relate to the inclusion of six (6) lots along Cooper Avenue, all of which are adjacent to lot 15 (Harvest House Mansion site). These lots are between Plaza 70 and the new Main Street Apartments along Cooper Avenue. It makes good planning sense to include the Cooper Avenue lots in the Redevelopment Plan. To the extent that the standards in this amended Redevelopment Plan diverge from the standards that were adopted by ordinance 8-3-2015 (March 17, 2015), the standards in the March 2015 Plan shall continue to govern the redevelopment project on lots 11 and 12 (now lot 11.01) that was approved by the Planning Board

on September 3, 2015 (PB 14-18SP), except as the parking and access for that site may be modified in coordination with a redevelopment proposal for lot 15.

II. Redevelopment Plan

The Evesham Township Council will serve as the Redevelopment Entity responsible for preparation and execution of the Redevelopment Plan. This Redevelopment Plan specifically addresses the project area located at 42 and 52 East Main Street, consisting of the former bank building and Harvest House Mansion site; and 7, 9, 15, 17, 19, and 25 Cooper Avenue, consisting of commercial and residential properties .

The Redevelopment Plan includes an outline for the planning, development, redevelopment and rehabilitation of the project area in accordance with the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et. seq.). The Township Council, acting as the Redevelopment Entity, acknowledges that refinements to the Redevelopment Plan may be necessary from time to time in order to ensure that the Plan is responsive to current conditions, and that it continues to reflect the Township's evolving goals and objectives. Alterations to the Redevelopment Plan will be made in accordance with the requirements of N.J.S.A. 40A:12-7. To the extent that the standards in this amended Redevelopment Plan (June 2018) diverge from the standards that were adopted by Ordinance 8-3-2015 (March 17, 2015), the standards in the March 2015 Redevelopment Plan shall continue to govern the redevelopment project on lots 11 and 12 (now lot 11.01) that was approved by the Planning Board on September 3, 2015 (PB 14-18SP), except that modifications to that site that may be necessary to coordinate parking and access with the redevelopment of lot 15 shall comply with the standards in this amended Redevelopment Plan.

A. Area Description

The properties at 42 and 52 East Main Street were initially designated as an Area in Need of Rehabilitation in July of 2013, but the downtown Marlton Rehabilitation Area now includes a much larger area consisting of 145 tax lots, containing 107 structures. All of block 4.09 is included in the downtown Rehabilitation Area. Lot 15 in block 4.09 was designated as an Area in Need of Redevelopment in May 2017. The area has unique characteristics, constraints, and existing conditions that call for a careful assessment and coordinated approach to preserve and enhance the public realm and to specify the permitted uses, yard and bulk requirements, and design standards that will maximize the potential of the sites in a contextually appropriate manner. The lots covered by this Redevelopment Plan area listed below.

“East Main Street and Cooper Avenue” Project Area					
Block	Lot	Address	Owner	Existing Use	Designation
4.09	11	42 East Main Street*	Beneficial Savings Bank	Vacant former bank (now Main Street Apts)	Rehabilitation
	12				Rehabilitation
	13.01	7 Cooper Avenue	RMR Holdings LLC	Office and Apartment	Rehabilitation
	14	9 Cooper Avenue	SES Real Estate LLC	Offices	Rehabilitation
	15	52 East Main Street	Beatrice Jones	Harvest House Mansion Antique & Furniture Store	Redevelopment
	16	15 Cooper Avenue	Sweeny Dolan Real Estate Investments	3 apartments	Rehabilitation
	17	17 Cooper Avenue	Sweeny Dolan Real Estate Investments	Office and yard RPM Heating/AC	Rehabilitation
	18	19 Cooper Avenue	Sweeny Dolan Real Estate Investments	Single family house	Rehabilitation
	19	25 Cooper Avenue	M & T Bailey Inc.	Office/warehouse	Rehabilitation

*New lot 11.01 also includes an 1,800 square foot area that was formerly part of lot 13 in block 4.09, but has been consolidated with lots 11 and 12.

B. Background and Current Conditions

As noted above, the Township is undertaking redevelopment planning in stages so that each area may be given individual attention and addressed in the appropriate context. This Redevelopment Plan addresses the requirements for the 42 and 52 East Main Street project area consisting of lots 11, 12, 15 in block 4.09 (and a 1,800 square foot area formerly part of lot 13) as well as 7, 9, 15, 17,19, and 25 Cooper Avenue. There are six ownership entities within this project area. Together lots 11 and 12 are about .8 acre and until redevelopment commenced in 2016, contained a 4,640 square foot bank building that was built in 1927 (with an addition in 1968) and had been vacant since 2007. The former bank property has frontage on East Main Street and Cooper Avenue. The age and configuration of the building made adaptive reuse of the building difficult and/or prohibitive.¹ Lot 15 is about 1.2 acres and contains an historic home that was constructed in 1842 (the Stokes-Evans House) with a rear addition constructed in 1976. The lots along Cooper Avenue range from approximately 10,000 square feet to 20,000 square feet and contain former residential structures that have been converted to office, a former single family residence that has been converted for apartments, and two commercial office/warehouse buildings.

The project area properties are within the C-3 commercial zoning district. The properties are also within the designated historic district. The area is surrounded in all directions by other properties within the same zoning district. The surrounding area is developed with a mix of office, service, restaurant, retail, and multi-family residential uses. The development pattern in the area is that of a nineteenth century village that has continued to evolve over the years as many formerly residential structures have been converted for commercial use. The area has adapted to accommodate the needs of businesses including building additions, parking lots, and signage. Parking lots, for the most part, have been installed behind buildings, and on the sides where necessary, in order to maintain the attractive, pedestrian oriented street frontage. The installation of parking lots in front of buildings has disrupted the pedestrian realm in some areas.

In addition to residential use, the Stokes-Evans House has a history of being used for commercial and institutional use dating back to the 1880s. In the 1970s the main house was converted into a retail store (Harvest House Mansion antiques and furniture) with living quarters located in the rear addition. This site was placed on the State and National Register of Historic Places in 1994. The Redevelopment Plan anticipates that the original historic portion of the house on lot 15 will remain, though it may be moved and may potentially be adapted for another use. The compact development pattern, streetscape, building design, and mix of uses are what give the downtown area a sense of place. Currently, there is a substantial void along the pedestrian realm between the doctor's office to the east of lot 15 (Harvest House) and the new building on lot 11.01 because the Harvest House Mansion is setback approximately 125 feet from the sidewalk with a parking area in between. A walkable "window shopping" street requires the street to be framed with buildings at a comfortable setback and have consistent interest at eye level. The voids at the former bank site were addressed with the construction of a larger building footprint with more continuous frontage at street level and with the addition of wider sidewalks and an informal outdoor seating area. The wider sidewalks and streetscape improvements will also be addressed as redevelopment occurs on Cooper Avenue.

In order to preserve the original historic portion of the house on lot 15 while also improving the pedestrian streetscape and creating opportunity for infill development on the site, potential

¹ At the time of the May 2017 Plan amendment, the redevelopment of the bank site was nearing completion. The redevelopment includes 4,000 square feet of commercial space and 24 apartments.

redevelopers will be requested to investigate the possibility of moving the Stokes-Evans House approximately 100 feet south toward East Main Street. This move will shift parking to the rear of the relocated structure and will move activity toward the street at a setback that contributes to an interesting and well detailed pedestrian environment.

One of the areas of focus in the Township's 2020 Vision Plan was the Marlton Village/Main Street Area. The overall goal for this area is to make Marlton Village a more vibrant destination with civic gathering places and an inviting mix of shops, restaurants and services along a pedestrian-friendly streetscape. The majority of participants in the Vision Plan workshops in 2009 and 2010 preferred the look and feel of mixed use buildings with historic architectural details for Marlton Village over more modern building types, and also preferred a streetscape that has building setbacks sufficient to accommodate landscaping, pedestrians, and outdoor seating; but small enough to create a human-scaled experience. The vision for downtown Marlton also includes on street parking where feasible in order to calm traffic, provide convenience parking for visitors, and to increase the sense of security for pedestrians. This Redevelopment Plan aims to facilitate implementation of the principles embodied by the Vision Plan for East Main Street and Cooper Avenue project area.

C. Local Goals

The goals set forth below provide the framework for the Redevelopment Plan. The goals will guide the implementation of the plan and the realization of the vision for revitalization of the downtown Marlton Village area.

1. Enable the use of redevelopment tools as permitted by Local Redevelopment and Housing Law to facilitate and encourage private investment in the redevelopment and rehabilitation areas.
2. Provide guidance as to the future use and design of the designated properties, and maintain sufficient flexibility to accommodate an array of possible redevelopment scenarios.
3. Highlight opportunities to remove or rehabilitate deteriorated and outdated buildings and to reinvent and revitalize the redevelopment and rehabilitation area properties with modernization, adaptive reuse, or redevelopment, consistent with smart growth principles.
4. Promote the "Smart Growth" policies supported in the Evesham Township Master Plan including the Evesham 2020 Vision Plan, which encourages contextually appropriate infill and redevelopment and the development of "Centers of Place" within the metropolitan and suburban planning areas identified in the State Plan.
5. Create land use, design, and building requirements specific to the Redevelopment and Rehabilitation Area properties that are compatible with the adjacent land uses and neighborhoods, harmonious with the nearby historic structures (where they exist), and provide sufficient development opportunity to encourage investment and redesign.
6. Cultivate a "sense of place" and unique identity within Evesham's "downtown" Marlton Village.

7. Encourage cooperation among adjacent property owners to enable coordinated design and pedestrian and vehicular connectivity among adjacent properties.
8. Provide for a maximization of private investment through the attraction of qualified developers capable of securing private financing commitments and utilizing the tools provided in N.J.S.A. 40A:21-1 et. seq. and N.J.S.A. 40A:20-1 et. seq.; and capable of demonstrating a financial commitment upon the execution of a redevelopers agreement.
9. Offer publicly funded financial assistance where appropriate to encourage a greater level of investment, enhanced employment opportunities, and improved design, and increased community value within the designated areas.

D. Proposed Land Uses in Rehabilitation Area

Block 4.09, Lots 11, 12, 13.01, 14, 15, 16, 17, 18, 19 East Main Street and Cooper Avenue Project Area

The development and design requirements for the East Main Street and Cooper Avenue Project Area are intended to provide a framework that encourages the adaptive reuse of the historic portion of the Stokes-Evans House along with the construction of pedestrian scaled buildings, with commercial uses on the first floor and residential or office uses on the second through third/fourth floors, outdoor seating for restaurants and cafes, and on-street parking to provide a sense of activity and safety on the sidewalk, as well as convenience for customers. The Plan acknowledges that while a comprehensive plan for the area would be ideal, redevelopment of the properties may take place separately or in succession. Though the lots within the area may be revitalized at different times and/or by different entities, the redevelopment plan requires that each redevelopment proposal be designed with consideration for the adjacent lots.

New construction within the project area is permitted and encouraged, but rehabilitation and expansion of existing buildings is also permitted if rehabilitation is found to be a viable option. Preservation of the original Stokes-Evans House (lot 15) is expected, though relocation of the building on site is encouraged in order to form a more seamless streetscape and to create more development potential on the remainder of the lot. The present location of the house on lot 15 led to the establishment of a parking area in the front yard. The relocation of the house on the site, closer to East Main Street, would both improve the streetscape and improve the development prospects for the rest of the lot. Complementary design, building materials, massing, and scale are to be utilized as a common thread to tie the project area and the surrounding downtown Marlton area together. The land use requirements set forth in the Redevelopment Plan supersede the underlying zoning requirements. All changes of use and redevelopment proposals require site plan approval as set forth in section F below.² To the extent that the standards in this amended Redevelopment Plan (June 2017) diverge from the standards that were adopted by ordinance 8-3-2015 (March 17, 2015), the standards in the March 2015 Redevelopment Plan shall continue to govern the redevelopment project on lots 11 and 12 that was approved by the Planning Board on September 3, 2015 (PB 14-18SP), except that modifications to that site that may be necessary to coordinate parking and access with the redevelopment of lot 15 shall comply with the standards in this amended Redevelopment Plan.

Potential redevelopers should approach Township Council, in its capacity as the Redevelopment Entity, to initiate a dialogue about the potential to become a designated Redeveloper for the site.³ A Redeveloper may be designated for the entire project area or for specific lots. All potential redevelopers are encouraged to work with the Township in developing a concept plan that embodies the intent of the Redevelopment Plan and conveys the redeveloper's intentions for the site. Once a qualified redeveloper is chosen and designated, the establishment of a Redevelopment Agreement may streamline the redevelopment process, delineate time lines, expectations, roles and responsibilities, and may open opportunities to support project feasibility.

² The exception is for a change of commercial office tenant in an existing commercial space in a multi-tenant office building. In this instance a change of tenant may be approved through the Zoning Permit process.

³ Potential redevelopers include current owners as well as prospective investors and buyers.

All provisions of the Evesham Township Code not specifically amended or revised in the Redevelopment Plan are incorporated by reference. These include, but are not limited to: Chapter 62 – Subdivision and Site Plan Standards; Chapter 78 – Flood Damage Prevention; Chapter 94 – Land Use Regulation; Chapter 133 – Streets, Sidewalks and Parking Lots; Chapter 135 – Subdivision of Land; and Chapter 160 – Zoning. In the event of conflict between the Township Code and the Redevelopment Plan, the Redevelopment Plan regulations shall prevail.

The Area shall be developed in accordance with the Redevelopment Plan as follows.

1. Purpose.

The purpose of the Redevelopment Plan for the East Main Street and Cooper Avenue project area is to enable and encourage coordinated redevelopment and infill that improves the vitality of the downtown Marlton area with mutually supportive uses, and also to facilitate adaptive reuse of the Stokes-Evans House so that its physical characteristics and historic value may be maintained while ensuring the long term viability of the property. These redevelopment plan standards focus on the siting of buildings and the design of the public and semi-public realm in order to enhance the vitality of the downtown Marlton Village area and improve the pedestrian experience. The Redevelopment Plan aims to cultivate synergy among uses, consistency in design, and connectivity between lots and to the surrounding area. New construction in the vicinity of the Stokes-Evans House (Harvest House Mansion) need not duplicate the style of the historic structure, but should be compatible with, and not detract from the landmark and the mix of architectural styles in the area.

2. General Requirements.

- a. Redevelopment or any new use on the site must connect to the public water and sewer systems.
- b. Multiple buildings are permitted on one parcel of land when they are designed in a coordinated manner, under common ownership, and with shared access and parking.
- c. Vehicular and pedestrian connections with adjacent lots within the designated Rehabilitation/Redevelopment Area shall be provided when feasible. Where adjacent sites are being redeveloped simultaneously, parking areas must be interconnected. Where adjacent sites are not being redeveloped simultaneously, the opportunity for future connections must be accommodated. The potential connection must be shown on the site plan, with a deed restriction describing the means to actualize the connection at the appropriate time. When needed, cross access and parking easements should be provided for review.
- d. Preservation and/or rehabilitation of the historic Stokes-Evans House is required. Preservation specifically refers to the exterior of the historic portion of the building. Renovation and/or rehabilitation of the interior of the building is permitted to enable adaptive re-use and modernization of major systems. The “noncontributing” buildings and structures on the site need not be preserved. Relocation of the historic structure (including the porch) from its present location to the front (south) of the site may be considered as a means to save the building by moving it to a suitable location and to overcome the challenges associated with adaptive reuse of the building at its current location toward the center of the property. Relocation of the building should be considered consistent with the

recommendations of a qualified architect and the Evesham Township's guidelines regarding moving historic structures.

- e. Fifteen percent (15%) of residential units on lot 15 and 15% of any new residential units that may be developed on lots 13.01, 14, 16, 17, 18, and 19 shall be affordable to low and moderate income households and shall strictly conform with the rules adopted by the New Jersey Council on Affordable Housing (COAH), or its successor, the Uniform Housing Affordability Controls (UHAC), and the requirements of the Township's affordable housing ordinances including, but not limited to requirements for phasing, bedroom mix, 50-50 low/mod split, affirmative marketing, controls on affordability, adaptability requirements, etc. Any fraction less than half (.5) of an affordable unit may be rounded down. Any fraction more than half (.5) may be rounded up, or a payment-in-lieu of the fraction may be made to the Affordable Housing Trust Fund to support the Township's Market to Affordable Housing program. The affordable units may be located in a new building or on the upper floors of the renovated Stokes-Evans house or other existing buildings.

3. Permitted Uses

- a. Professional, medical, and business offices
- b. Retail stores and shops
- c. Restaurants and coffee shops including full service and fast casual with or without liquor license and a bar; but not including drive-through service.
- d. Banks and financial institutions, without drive-through windows/lanes
- e. Personal and Business Services such as salons and spas, dry cleaners, copy and shipping centers, computer repair, etc.
- f. Child development centers and day care centers
- g. Private educational and instructional facilities such as martial arts, academic tutoring services, dance studio, art studio, etc.
- h. Art galleries and performance spaces,
- i. Single-family homes existing prior to the adoption of the Redevelopment Plan.
- j. Multi-family residential units, in accordance with the requirements below, when located within a building that also contains commercial space on the first floor as follows:
 - i. On lot 11.01, a minimum of 4,000 square feet of commercial space is required with access directly from Cooper Avenue and/or East Main Street.
 - ii. On lot 15, if the commercial space is within the relocated Stokes-Evans House (Harvest House Mansion), the minimum commercial/non-residential space is 1,000 square feet. If commercial space is located within a new building, the minimum commercial space is 2,000 square feet.
 - iii. On lots 13.01, 14, 16, 17, 18, 19, a minimum of 1,000 square feet of commercial space is required per 75 feet of frontage on Cooper Avenue.

- 4. **Prohibited Uses.** In addition to the prohibited uses in section 160-11 of the Township Code, any use not specifically permitted above is prohibited.

5. Permitted Accessory Uses

- a. Off street parking in accordance with the requirements in Section 160-32 and Chapter 62 except as modified below:
 - i. Shared parking is permitted for up to 50% of the parking required for non-residential uses (Township code section 160-32). The shared parking may be on-street or in a public parking lot and must be located within 600 feet of the use to which the parking applies. Signage directing patrons to the off site location should be placed in the on-site parking area. Information about the shared parking arrangement, including identification of the number and location of the spaces and a report indicating their observed availability at different times throughout the day (9am, 12noon, and 6pm) must be submitted with a site plan. If the shared parking location is a private location, a written agreement must be provided.
 - ii. The required parking for residential units within the rehabilitation area is as follows:
 - a. For one bedroom units: 1.2 parking spaces per unit
 - b. For two bedroom units: 1.7 parking spaces per unit
 - iii. Parking for residential units must be dedicated for use of the residents between 7pm and 7am.
 - iv. On-street parking spaces newly created immediately adjacent to the project area may be counted toward the on-site parking requirements.
 - v. Parking for a restaurant use that is 2,500 square feet or less within the project area shall follow parking requirement for retail uses.
- b. Private garage for parking vehicles and storage of personal items.
- c. Off-street loading in accordance with the requirements of section 160-32 except that for retail, office, service and restaurant uses less than 5,000 square feet, the loading area may coincide with on-street parallel parking spaces if parking is prohibited in those spaces during a designated loading time frame.
- d. Signs as regulated in accordance with section 160-75 and 76 and the requirements below.
- e. Storm water management structures and facilities.
- f. Trash enclosures in accordance with 160-27 and as required below.
- g. Incidental storage, inside a building only.

6. Bulk and Area Regulations *

Standard	Required
Minimum lot size	20,000 square feet**
Minimum lot width	100 feet***
Minimum street frontage	100 feet each street
Minimum lot depth	100 feet
Minimum front yard building setback from property line, each frontage	12 feet to building 4 feet to porch for relocated historic structure
Maximum front yard building setback from property line	20 feet
Minimum front yard setback from closest point of curb along road	20 feet for new structures 20 feet to porch of relocated structure 25 feet for relocated historic structure
Minimum side yard - principal building	10 feet
Minimum rear yard - principal structure	25 feet
Minimum side and rear yard setback-accessory structure	5 feet
Minimum distance between buildings on same site	20 feet if pedestrian only 35 feet if drive aisle present
Minimum distance between historic structure and new structure	25 feet if not connected
Minimum front yard parking setback	Not permitted in front of building line Not permitted forward of front building line on side of building or adjacent building, whichever is closer to street.
Minimum side and rear yard pavement and parking setback	3 feet 0 feet where adjacent parking lots are shared and interconnected
Maximum impervious cover	85%
Maximum building height – principal building	50 feet or 4 stories**** lot 15 40 feet or 3 stories lots 11, 12, 13.01, 14, 16, 17, 18, 19
Maximum height- accessory structure	20 feet
Max Floor Area Ratio**	
1 story	.25
2 story	.7
3 story	1.2
4 story	1.5

* The redevelopment on lots 11 and 12 shall follow the standards of the Redevelopment Plan that was in place at the time of the approval (as revised through March 2015)

**Lots upon which no additions or improvements are proposed shall be a minimum of 10,000 square feet and shall have a maximum FAR of .5

***Minimum lot width and frontage applies to the entire area being developed in coordination and may include multiple lots if they are owned and managed in common with cross access and parking easements.

****Within 100 feet of East Main Street and within 100 feet of Cooper Avenue, four story buildings must be constructed with the fourth floor built into the roofline with operable dormers to reduce the scale of the building. Also see 7(p)(ix) below.

7. Overall Design Standards.

- a. The standards set forth in section 160-28 I (10), (11), and (12) shall be considered in designing and reviewing redevelopment and rehabilitation proposals.
- b. Where possible vehicular access should be shared and parking areas should be interconnected. When lots within the redevelopment/rehabilitation area are not able to be planned and developed simultaneously, the opportunity for a vehicular access connection must be accommodated. The potential connection must be shown on the site plan, with a deed restriction describing the means to actualize the connection at the appropriate time.
- c. Adequate circulation for emergency vehicles must be provided, and may include easements through adjacent properties if available.
- d. Commercial and mixed use buildings should be placed at or between the minimum and maximum front yard setback requirements in order to create a pedestrian oriented streetscape.
- e. Sidewalks are required along all streets (minimum 18 feet wide) and along main access driveways (minimum 4 feet wide and 6 feet wide if adjacent to 90 degree parking). The sidewalk along the frontage of an historic structure may be reduced to 10 feet in width in order to provide context sensitive landscape between the sidewalk and the building. Sidewalks must also be designed to provide logical connection points with adjacent properties. Sidewalks must be constructed of the same material as existing sidewalks in the area.
- f. Shade trees at 40 foot intervals and landscaping (see section 62-56) shall be provided along the right-of-way. The species should be chosen with consideration for the other existing street trees in the immediate area. Existing trees over 24" diameter along the right-of-way must be retained. Tree pits may be provided if the sidewalk will extend to the curb.
- g. Buffering, screening, and landscaping, including tree protection and installation shall be as required by § 160-17 and § 62-56, except: the 15 foot perimeter buffer may be reduced consistent with the required pavement/parking setbacks in section 6 above. All pervious areas shall be landscaped with a variety of evergreen and deciduous trees, shrubs, and seasonal plantings.
- h. Crosswalks at points where an access driveway crosses the public sidewalk, at main intersections within the site, and at pedestrian crossings between buildings within the site, must be provided and constructed with textured pavement. Crosswalks may be constructed of colored, stamped concrete or asphalt with a brick pattern consistent with the existing brick sidewalks.

- i. Textured pedestrian crosswalks across Cooper Avenue and across Main Street, with attendant signage, are required to improve pedestrian comfort and safety within the area. The Redeveloper should work with the Township and County to determine the location, signage, and specific design of the crosswalks. This standard applies to the area overall and may not be required for each and every redevelopment project.
- j. On street parking is encouraged. Curb “bump outs” should be considered as a means to define parking spaces and slow down traffic. On Cooper Avenue this may entail bumping the curb out, and on Main Street this may entail bumping the curb in.
- k. The development should provide outdoor space with landscape, hardscape, and street furniture to encourage all-day activity and cross-pollination among uses.
- l. Bicycle racks must be incorporated on the site plan in a safe and convenient location.
- m. Special hardscape must be provided to define the space at the intersection of East Main Street and Cooper Avenue and between the relocated Stokes-Evans House and any new buildings on the site
- n. Outdoor seating for cafes and restaurants should be shown on the site plan. Where outdoor seating does not include table service, a trash receptacle must be provided. A minimum of five feet of unimpeded sidewalk space must be retained around outdoor seating areas.
- o. Architectural elevations showing all sides of each building must be submitted along with a site plan application.
- p. Architectural design features shall be employed to create visual interest at the pedestrian or street level, and to integrate each building or structure with the surrounding area.
 - i. Corner buildings (whether at the intersection of two streets or intersecting internal streets) and buildings at a visual terminus (such as at the terminus of a main access drive into the site) should delineate the intersection with significant structures, special architectural treatment, and hardscape and/or landscaping that responds to the street frontages and pedestrian vantage points.
 - ii. New construction should utilize compatible architecture that respects and enhances the nature and character of the historic district.
 - iii. Brickwork should be incorporated where practicable as a unifying material across individual buildings, in a color that complements the brick on the Stokes-Evans House/Harvest House Mansion.

- iv. Each commercial building or use with a door to the outside must have a prominent entryway flanked by first floor windows that are proportionate to the façade and that reflect the dominant façade patterns and rhythm of openings in the area.
 - v. Entryways should be articulated and provide shelter for pedestrians, such as porches or porticos.
 - vi. The mass, form, and proportions of buildings shall be varied to enhance the character of the area and to be consistent with the scale of the area. Single box-like facades and forms are not permitted. Buildings must be designed to avoid long, monotonous, uninterrupted walls or roof planes. Building wall offsets, including projections and recesses shall be used in order to add architectural interest and variety, and to relieve the visual effect of a simple long wall. Taller buildings should use façade variations and cornice lines between the first and second stories to reduce the perceived scale.
 - vii. Building facades shall be broken up with recesses and projections that reflect and are visually compatible with the surrounding area.
 - viii. Roof shape and pitch should be consistent with existing traditional roof pitch in the area.
 - ix. Within 100 feet of East Main Street and within 100 feet of Cooper Avenue, where four story buildings are permitted, the fourth story must be constructed with the fourth floor built into the roofline with operable dormers to reduce the scale of the building. Building height may be increased up to 10% above the maximum permitted height in order to allow architectural treatment to accomplish the intent of these architectural standards.
 - x. All sides of a building visible to the public must be designed with treatment similar to that on the front facade.
 - xi. Variations in rooflines (parapets or other architectural screening) shall be used to completely screen HVAC and other roof-mounted equipment.
 - xii. The design guidelines set forth in section 160-28l(10), (11), and (12) also apply.
- q. Measures to enhance sustainability should be considered in planning the site; such as using water and energy efficiently, using sustainable design elements and building materials, installing solar panels or solar roof shingles to generate power, collecting rainwater for irrigation, reducing waste/recycling building materials, generally minimizing impacts to the environment, and ensuring a healthy indoor environment.

8. Requirements for Mixed-Use Development.

- a. Residential units are permitted only as part of a mixed use development that includes a minimum of commercial space on the first floor, pursuant to section 3(i) above.
- b. A principal mixed use building must be oriented toward the public realm (such as the public street or an outdoor amenity space) in order to encourage synergy between the buildings and the public realm, to create spaces that are comfortable and interesting for pedestrians, to encourage social and commercial interaction, and to create a sense of place. Buildings may not be primarily oriented toward a parking lot.
- b. Balconies, a minimum of six feet deep are required for at least 30% of the residential units, and are encouraged for all residential units.
- c. Given the compact nature of the area and size of the project area, in lieu of on-site outdoor recreation space for the benefit of the residents of the development, the redeveloper shall contribute \$175 per market rate unit for recreational or other public enhancements within ½ mile of the project area. If adequate on site recreation is provided, this fee may be waived.
- d. Each residential unit shall have a minimum of 300 cubic feet of storage space in addition to typical indoor closets. This area may be part of a private garage (if garages are proposed but in addition to the space needed for a vehicle), off the balcony, inside the unit, or in the basement of the building. If the storage area is not within the residential unit, it should be a separate lockable area.
- e. Affordable Housing and Mandatory Affordable Housing Development Fee. The residential portion of the development shall be inclusionary with a 15% affordable housing set aside. The redeveloper shall pay a development fee of 2.5% of the equalized assessed value of any newly constructed commercial development. The funds will be deposited into the Township's Affordable Housing Trust Fund in accordance with the standards in section 161-3 and utilized to assist the Township in meeting its fair share affordable housing obligations in accordance with the Township's spending plan.

9. Enclosures for Trash and Recyclables Containers.

- a. Trash enclosures are required for all permitted uses and must comply with the requirements of chapter 118 and section 160-27.1 of the Township Code as well as those below.

- b. Trash enclosures must be sufficiently sized to contain dumpsters/containers for both trash and recyclable materials. Dumpsters are not permitted to sit in the open anywhere on the site.
- c. Trash enclosures shall be masonry structures, with an exterior facade to match the principal buildings.
- d. Trash enclosure gates shall be constructed with a steel frame and self-locking.
- e. Trash enclosures shall be a minimum of six feet in height, or higher (up to 8 feet) as needed to shield the dumpster or compactor.
- f. Trash enclosures must be set back a minimum of 3 feet from side and rear property lines and may not be in the front yard..
- g. Trash enclosures for multi-family residential units must be located in a common area and include a door or opening for pedestrian access in addition to the front loading gates.

10. Lighting. Light fixtures should be placed to complement the architectural character of the area.

- a. The post top lights along the property frontage should be replaced with Cooper Lighting Streetworks UTD Dayform Traditionaire lights. The posts shall be 12 feet high, color black. This light or an approved alternative shall also be used within parking lots, along driveways, and along pedestrian pathways (color black). A detail of the light is available from the Department of Community Development.
- b. Lighting plans shall be in accordance with the requirements of chapter 160-28 and section 62-55.

11. Signs. Signs shall conform to the requirements of § 160-76 for the C-3 historic district, except as modified below. The requirements below supersede §160-76 when there is a conflict. Signs should be designed with consideration for the “Guidelines for the Design of New and Replacement Signs within the Designated Local Historic District” dated 2000, and available from the Department of Community Development.

- a. Façade Signs.
 - i. Commercial uses may have one façade sign on each façade facing a public street upon which that commercial use fronts.

- ii. Façade signs may not be placed higher than the bottom of the second floor windows and shall not exceed 40 square feet in area
 - iii. All illuminated signs shall be externally illuminated with a shielded light source.
 - iv. Individual channel letters or carved/routed signs (with either negative or positive cut-outs) are permitted.
- b. Freestanding/Ground signs.
- i. One freestanding sign may be permitted for each site and may be shared by all businesses located on the first floor
 - ii. Freestanding signs shall be a maximum of 24 square feet in area
 - iii. Freestanding signs shall not exceed six (6) feet in height.
 - iv. Freestanding signs must be setback minimum of ten (10) feet from the curb, and must be outside the public right-of-way.
 - v. Freestanding signs shall not be placed between the sidewalk and a building unless it is for a building that is setback more than 30 feet from the front property line. Freestanding signs for buildings constructed along the street frontage shall be placed in the vicinity of a vehicular access drive, not between the building and the sidewalk.
 - vi. Freestanding signs must be placed a minimum of 20 feet from the nearest other freestanding sign.
- c. Projecting signs.
- i. Each commercial use may have one projecting sign extending perpendicular from the principal façade.
 - ii. Projecting signs must be placed so that there is a minimum of 8.5 feet between the pedestrian travelled way and the bottom of the sign.
 - iii. Projecting signs may not extend closer than four feet back from the curb or edge of cartway.
 - iv. Projecting signs may not exceed 8 square feet.

- d. The redeveloper of lot 15 shall install a placard identifying the historic structure and providing information about the building for the benefit of the public.
- e. Sign details must be submitted for review prior to final site plan approval.

E. Potential Acquisition of Property within the Redevelopment Area

Only properties that have been designated as a Condemnation Area in Need of Redevelopment and that have been determined to be blighted are subject to acquisition through eminent domain by the Redevelopment Entity. The East Main Street and Cooper Avenue project area is an area in need of rehabilitation and a non-condemnation redevelopment area. The properties are therefore not subject to acquisition through eminent domain.

F. Redevelopment Entity and Implementation of Redevelopment Plan

1. The Evesham Township Council is hereby designated the Redevelopment Entity to implement this Redevelopment Plan (N.J.S.A. 40A:12A-4).
2. Evesham Township Council, acting as the Redevelopment Entity may take the actions authorized by New Jersey Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq) in order to effectuate the plan.
3. The following powers are specifically granted to Township Council in its capacity as Redevelopment Entity for the Rehabilitation Area:
 - a. Undertake redevelopment projects and issue bonds in support of same.
 - b. Construct improvements to prepare sites for use in accordance with the redevelopment plan.
 - c. Arrange or contract for professional services in support of redevelopment projects and arrange or contract with redevelopers with the undertaking of redevelopment work (and collect revenue from a redeveloper to defray the redevelopment entity's costs).
 - d. Lease or convey property within the redevelopment area without public bidding, at prices and terms deemed reasonable.
 - e. Make plans for carrying out a program of voluntary redevelopment/rehabilitation and plans for the enforcement of laws, codes, and regulations relating to redevelopment.
 - f. Publish or disseminate information concerning any redevelopment area, plan, or project.
 - g. When necessary for the implementation of the Redevelopment Plan, enter into a contract with a redeveloper for any improvement, construction or other work forming a part of this redevelopment plan. The redeveloper may be chosen through a Request for Proposals, a Request for Qualifications or through direct negotiations.
 - h. Enter Agreements with Redevelopers setting forth roles and responsibilities, expectations, obligations, time frames for redevelopment.
 - i. Exercise such other powers as may be vested in the Township Council, in its capacity as Redevelopment Entity, under N.J.S.A. 40A:12A-22.

4. The Redevelopment Plan standards supersede existing and underlying zoning requirements where they are in conflict, and are accompanied by an amendment to the zoning map showing the locations of the redevelopment and rehabilitation areas.
5. Approval Process.
 - a. All redevelopment projects within the redevelopment/rehabilitation area must first be reviewed by Township Council in its capacity as the Redevelopment Entity, to insure that proposed development projects are generally consistent with the redevelopment plan and reflect the redevelopment entity's intentions for the area, and to confirm that the proposal is in agreement with any MOU or redeveloper agreements that have been or may be established. The Township Council must review proposed redevelopment projects before an application may be submitted to the Planning Board for subdivision or site plan review.
 - b. All applications for development within redevelopment area shall be submitted to the planning board for site plan/subdivision review and approval in accordance with the requirements of Municipal Land Use Law. The redeveloper shall be required to furnish escrows and performance guarantees as required by the Evesham Township Planning Board (N.J.S.A. 40:55D-53), and in accordance with any Memorandum of Understanding signed by the Redeveloper and the Evesham Township Council.
 - c. Expedited Planning Board review. The Township will facilitate a fast track review process for redevelopment projects that have been reviewed and recommended by Township Council in its capacity as the Redevelopment Entity.
 - d. Only a designated redeveloper who has entered into a Redevelopment Agreement or a Memorandum of Understanding with the Redevelopment Entity, outlining the redeveloper's responsibilities regarding the property may submit an application for land use approvals. The redeveloper may, with the Redevelopment Entity's approval enter into agreements with other developers to participate in the redevelopment of the Property. The exception is for a change of tenant within an existing multi-tenant commercial office building. In this case redevelopment pursuant to this Redevelopment Plan shall not be triggered and the the zoning permit application process may be followed.
 - e. The designated redeveloper shall agree to comply with all design standards and development regulations established in the Redevelopment Plan. "C" variances may be reviewed and considered by the Planning Board, but a designated Redeveloper may not request a "D" variance. Instead the Redeveloper must discuss potential changes to use, height, or floor area ratio requirements with Township Council and may request that the redevelopment plan be amended by ordinance.
 - f. Redevelopment Agreements. Township Council, acting as the Redevelopment Entity may enter into a redevelopment agreement with a designated redeveloper in order to identify redevelopment objectives for the site, specify roles and responsibilities of both the redeveloper and the Township, set forth time frames for performance and completion of the project, identify any required off tract improvements required as part

of the redevelopment, and provide for any special tax treatment or incentives for the proposed redevelopment.

6. The Redevelopment Entity shall be empowered under N.J.S.A. 40A:12A-1 et. seq. and N.J.S.A. 40A:21-1 et. seq. to allow for the implementation of alternative tax structures to assist in realizing the redevelopment plan objectives and to make redevelopment projects economically feasible. The establishment of redevelopment agreements including provisions for short term abatement or exemption may benefit the Township by making private investment in the properties attractive and feasible, and by increasing the long term value of the properties (long term PILOT programs are only available in a redevelopment area, not a rehabilitation area). The alternative tax structures may be mutually beneficial for the Township and the redeveloper. Each project and payment structure shall be subject to an individualized program through negotiation and will be based on the specific circumstances and development budget.
 - a. Short term exemption and abatement (N.J.S.A. 40A:21-1 et seq.). The short term exemption and abatement is an inducement for property owners to invest in their properties, as it ensures that the improvements will not result in an immediate increase in their property taxes. This tool may be used in the redevelopment and rehabilitation area for adaptive reuse and improvements to existing buildings, construction of new buildings, and the improvement or expansion of commercial or industrial structures. Tax exemption may be granted from property taxes on all or a portion of the added assessed value from an improvement or new construction. A Payment in Lieu of Taxes (PILOT) may then be established along with a schedule for phasing into full taxation at the end of a five year period. Abatement may be granted to reduce the taxes for a portion of the existing assessed value of a property. Abatement is potentially available for the conversion of non-residential structures to residential use, for the construction of residential dwellings and for new commercial and industrial buildings, but not for improvements to existing commercial or industrial buildings.
 - b. Long Term Tax Exemption Law (N.J.S.A. 40A:20-1 et seq.). Township Council will consider granting long term tax exemption (PILOT) in the designated redevelopment area (lot 15 in block 4.09) for a redevelopment project that includes a minimum of 15% affordable housing on site and embodies the spirit of this Redevelopment Plan. In order to utilize long term exemption the redevelopment project must have a public purpose linked to the redevelopment plan, it must be limited to a specific time period (a maximum of 30 years), and the profits of the corporation receiving the exemption must be limited. The exemption applies to the value of the new improvements, not to the value of the land. Long term exemptions may only be granted to an Urban Renewal Entity – a private corporation formed for the purpose of undertaking redevelopment. The urban renewal entity must submit an application to the Township for tax exemption, and must provide all information about the project requested in the application including: architectural plans, site plans, estimated project cost, revenue projections, sources of private capital funds, and a fiscal plan for the project. If long term exemption is approved, instead of paying conventional property taxes, the redeveloper pays an annual service charge to the municipality, referred to as a PILOT (payment in lieu of taxes). The amount is established as part of the Financial Agreement pursuant to N.J.S.A. 40A:20-1 et seq. The PILOT is phased into full taxation by the end of the exemption period.

G. Master Plan Consistency (State, County, Municipal)

1. State Plan. All of the lots within Block 4.09 are located within Planning Area 1 (the Metropolitan Planning Area) on the New Jersey State Plan Map. Planning Area 1 is considered a “smart growth area” where redevelopment, compact growth, adaptive reuse, and infill development are encouraged. The properties in the East Main Street and Cooper Avenue Project Area are located within the downtown Marlton Area, which is the historic center of Evesham (Marlton) and retains many elements of its historic character. Downtown Marlton is unique in its physical proximity to the modern day crossroads of Routes 70 and 73. Downtown Marlton is now part of the larger developed suburban area, which has strong ties to the Philadelphia urban complex. The area has access to transportation infrastructure, as well as water and sanitary sewer service.

A new State Plan framework has been under development since 2012. Though not yet adopted by the State Planning Commission, that Plan would also support redevelopment as proposed by the Redevelopment Plan.

2. Burlington County Plan. Burlington County does not have a comprehensive Master Plan, as one is not required under the County Planning Act.⁴ The County generally supports municipal redevelopment and revitalization efforts that are consistent with smart growth planning.
3. Evesham Township Master Plan.

- a. Downtown Marlton Village

The Marlton Village area in Evesham Township contains a mix of commercial, office, residential, and institutional uses in a mix of historic and more modern structures. The village character has evolved over the years as it has been necessary to accommodate automobile circulation and parking, and as competition from highway retail areas and larger office complexes have challenged the viability of the village area. Redevelopment and adaptive reuse will play a critical role in ensuring that the area is able to continually adapt in response to market demands and consumer preferences and to ensure that Marlton Village is a vibrant mixed use district.

- b. 2020 Vision Plan

Several of the goals of the Evesham 2020 Vision Plan, which was adopted as part of the Master Plan in 2010, may be advanced by the implementation of Redevelopment Plans for the designated redevelopment and rehabilitation areas:

- Make Marlton Village a More Vibrant Destination. *Marlton Village should become more vibrant with civic gathering places and an inviting mix of shops, restaurants and services along a more pedestrian-friendly streetscape.*

⁴ Confirmed in an email from the Burlington County Bridge Commission’s Regional Planning Coordinator on October 8, 2013.

- Establish a Landmark at Evesham Crossroads. *The intersection of Routes 70 & 73 and the commercial areas in the vicinity are envisioned as a recognizable landmark in the region defined by signature development and civic art.*
- Retrofit and Transform Outdated Commercial Corridors *Retrofit and transform outdated or vacant commercial sites into mixed-use places with buildings framing pedestrian-oriented streets and public spaces.*
- Create the Evesham Crossroads Trail Network. *The Evesham Crossroads Trail will link residential neighborhoods with a network of trails, sidewalks, and greenways that connect to parks, public spaces and mixed use places.*
- Enhance the Livability of Neighborhoods. *The quality of life within each neighborhood should be protected with a plan to enhance parks, greenways, waterways, sidewalk and trail connectivity, street trees, traffic calming and pedestrian safety.*

The Vision Plan reflects the preferences of the residents and business owners who participated in the community workshops. Some of the specific recommendations for downtown Marlton Village support parallel and angled parking along the streets with surface parking lots only on the sides and rear of buildings; and buildings sited close to the streets rather than set back away from the street.

The implementation action items for the downtown Marlton Area include:

1. Enhance and expand civic event spaces at the center of the Village
2. Extend and connect sidewalks & trails to Marlton Circle Trail Network
3. Discuss rehabilitation & redevelopment opportunity sites with land owners to determine the level of interest in this vision
4. Create a Parking Plan for the Marlton Village district including on-street parking, parking lot cross easements, elimination of curb cuts and shared parking incentives
5. Construct crosswalks and traffic calming along Main Street, Maple Avenue and Cooper Avenue to promote pedestrian safety and walkability within the district.

c. Master Plan

Section E of the 2012 Master Plan Reexamination addresses the recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law" into the land use plan element of the municipal Master Plan. The Master Plan indicates that it is the Township's intent to utilize all available planning tools to work toward implementation of the Township's vision, to advance its goals and objectives, to improve the quality of life for current and future residents, and to maintain and enhance opportunities for smart growth economic development. The Master Plan acknowledges that as the Township continues to assess conditions, particularly within the "Evesham Crossroads" and "Marlton Village" areas, specific properties or areas may emerge as candidates for redevelopment or rehabilitation area designation; and provides that where redevelopment or rehabilitation designation has the potential to reverse a trend toward decline, to incentivize redevelopment or revitalization, to advance the Township's vision and

create community value, then such areas may be recommended in accordance with Local Redevelopment and Housing Law.

H. Affordable Housing Provisions

Local Redevelopment and Housing Law requires that the Redevelopment Plan address the following with regard to affordable housing.

1. Inventory of affordable residential units in the redevelopment area. There are no affordable residential units currently located within the rehabilitation area. Therefore, no affordable units are proposed to be removed or relocated. However, if developed in accordance with this plan, 15% of all new housing units on lots 13.01, 14, 15, 16, 17, 18, 19 will be affordable to low and moderate income households.
2. Plan for the provision of affordable replacement housing. A plan for the provision of affordable replacement housing is not needed since there are currently no affordable residential units within the designated rehabilitation area.
3. The Township Council, acting as the Redevelopment Entity, reserves the option to amend the Redevelopment Plan in the future to alter the inclusionary housing requirements as may be necessary to provide ample and appropriate affordable housing opportunities in the Township, if it is determined that such change is needed to for a viable redevelopment plan or to satisfy the Township's fair share affordable housing obligations.

I. Time Limits

The Redevelopment Plan does not have an expiration date. Once a redevelopment project has been completed in accordance with the Redevelopment Plan and Redevelopment Agreement, and the Redevelopment Entity has affirmed that all obligations have been satisfied; the conditions that warranted the rehabilitation area designation shall be deemed to no longer exist. This shall also be reflected in covenants established between the Township/Redevelopment Entity and a redeveloper in accordance with N.J.S.A. 40A:12A-9.

APPENDIX F-3

DPW Redevelopment Plan

TOWNSHIP OF EVESHAM
ORDINANCE NO. 7-3-2023

AN ORDINANCE OF THE TOWNSHIP OF EVESHAM, COUNTY OF BURLINGTON,
STATE OF NEW JERSEY ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR
CERTAIN PROPERTIES KNOWN AS THE "ARISTONE TRACT"
(BLOCK 16, FORMERLY LOTS 1, 1.01, 1.02, 1.04 & 1.05; NOW LOT
1.06) AND THE "DPW SITE" (BLOCK 16, LOT 1.03)

WHEREAS, the Township Council of the Township of Evesham ("Township") following referral to and upon recommendation of the Evesham Township Planning Board ("Planning Board"), adopted a Redevelopment Plan for the designated redevelopment area consisting of Lots 1, 1.01, 1.02, 1.04, and 1.05 (now lot 1.06) in Block 16, known as the "Aristone Tract Project Area", on September 30, 2014 ("Redevelopment Plan"); and

WHEREAS, the Redevelopment Plan was amended on May 9, 2017 in accordance with Ordinance No. 11-5-2017 in order to facilitate redevelopment of the area and to increase the opportunity for low and moderate income housing as part of the overall development on the "Aristone Tract"; and

WHEREAS, the Township designated Lot 1.03 in Block 16 ("DPW Site") an Area in Need of Redevelopment pursuant to Resolution 179-2016 and amended the Redevelopment Plan on August 20, 2019 in accordance with Ordinance No. 14-8-2019 in order to include the "DPW Site" in the Redevelopment Plan; and

WHEREAS, the Redevelopment Plan acknowledges that refinements to the Plan may be necessary from time to time in order to ensure that the Plan is responsive to current conditions and continues to reflect the Township's evolving goals and objectives, and provides that alterations to the Redevelopment Plan will be made in accordance with the requirements of N.J.S.A. 40A:12-7; and

WHEREAS, the Township, following referral to and upon recommendation of the Planning Board, desires to adopt a further 2023 Amended Redevelopment Plan for the "DPW Site" to provide regulations that will better assist the redevelopment of the "DPW Site"; and

WHEREAS, an Amended Redevelopment Plan has been prepared by the Township Planner, Heyer, Gruel & Associates, John Barree, PP, AICP, LEED Green Associate, dated March 1, 2023 ("2023 Amended Redevelopment Plan"); and

WHEREAS, the Planning Board has reported that the proposed 2023 Amended Redevelopment Plan is consistent with the Township Master Plan and the Housing Element and Fair Share Plan and has recommended that the 2023 Amended Redevelopment Plan be adopted by the Township; and

WHEREAS, the 2023 Amended Redevelopment Plan, upon adoption by this Ordinance, is expected to facilitate redevelopment/development of the subject redevelopment areas, to increase the opportunity for low and moderate income housing as part of the overall development, to ensure that redevelopment of adjacent sites is coordinated, and to provide new opportunities for the community.

THEREFORE, BE IT ORDAINED AND ENACTED, by the Township Council of the Township of Evesham that the 2023 Amended Redevelopment Plan prepared by the Township Planner, Heyer, Gruel & Associates, John Barree, PP, AICP, LEED Green Associate, dated March 1, attached to this Ordinance, having been subjected to prior Notice and public hearing before the Council, be and is hereby adopted and shall govern the Redevelopment Area comprised of Block 16, Formerly lots 1, 1.01, 1.02, 1.04, 1.05 (now lot 1.06) and Block 16, Lot 1.03.

BE IT FURTHER ORDAINED that any prior Ordinances or Plans which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistencies.

BE IT FURTHER ORDAINED that this Ordinance shall become effective twenty (20) days following final passage and publication as required by law, as the Ordinance adopting the Redevelopment Plan for these designated areas, and zoning and redevelopment maps for the areas, as applicable.

BE IT FURTHER ORDAINED that if any provision of this ordinance is declared invalid, such invalidity shall not affect the other provisions of this ordinance. Furthermore, the other provisions of this ordinance are deemed to be severable and remain in full force and effect.

ROLL CALL VOTE - Upon Introduction 3/8/2023						
COUNCIL MEMBER	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
COOPER			✓			
ESPINOZA			✓			
FREEMAN	✓		✓			
HANSEN		✓	✓			
MAYOR VEASY			✓			

ROLL CALL VOTE - Upon Adoption 3/29/2023						
COUNCIL MEMBER	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
COOPER			✓			
ESPINOZA			✓			
FREEMAN	✓		✓			
HANSEN	✓	✓	✓			
MAYOR VEASY			✓			

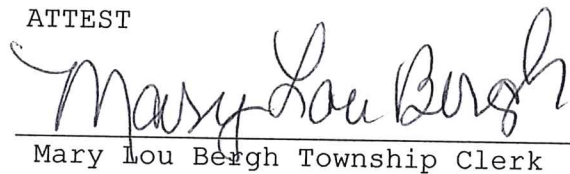
Adopted on second and final reading on

3/29/2023



 Mayor Veasy

ATTEST



 Mary Lou Bergh Township Clerk

Evesham Township
Burlington County, New Jersey

Redevelopment Plan for
Lots 1, 1.01, 1.02, 1.03, 1.04, 1.05 in Block 16
“Aristone Tract” and “DPW Site”



March 2017
Amended June 2019 to include lot 1.03

Recommended to Township Council by the Planning Board on September 18, 2014 by Resolution 14-16, on April 20, 2017 by Resolution 14-16A1, and on July 18, 2019 by Resolution PB19-10.

Adopted by Evesham Township Council by Ordinance 29-9-2014 on September 30, 2014, amended by Ordinance 11-5-2017 on May 9, 2017, and amended by Ordinance 14-8-2019 on August 20, 2019.



Leah Furey Bruder, AICP, PP # 585100

The original of this document was signed and sealed in accordance with NJAC 13:41-1.3.b

Amended March 1, 2023

Pages 11, 12, 13, 16, 17, 18, 19, 20 Only

Prepared By: Heyer, Gruel & Associates

John Barree, PP, AICP

The original of this document has been signed and sealed in accordance with New Jersey Law.



**Evesham Township
Burlington County, New Jersey**

2019 Township Council

Mayor Jaclyn Veasy
Deputy Mayor Heather Cooper

Councilman Kenneth D'Andrea
Councilman Robert DiEnna
Councilwoman Patricia Hansen

Michael Barth, Township Manager
Mary Lou Bergh, RMC, Township Clerk
Primitivo Cruz, Esq, Township Solicitor

2019 Planning Board

Alicia Marrone, Chairwoman
Jaclyn Veasy, Mayor
Robert DiEnna, Councilman
Jay Parikh, Vice-Chair
Paul Cortland
Jeffrey Foster
Jay Levenson
Jerry Menichini

Sharon Boulton, Administrative Officer
Stuart Platt, Esq., Solicitor
Leah Furey Bruder, PP, AICP, Township Planner
Nancy Jamanow, PE, PP, Director of Community Development

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MAPS

MAP 1 Evesham Township Zoning Map with Redevelopment / Rehabilitation Areas

I. Summary of 2019 Amendments

The Township's Department of Public Works (DPW) offices and yard has been located on a 5.4-acre property at 501 Evesboro-Medford Road for approximately 25 years and has outgrown the facility. The property is located at the terminus of Sharp Road and is surrounded on three sides by lot 1.06 in block 16 (formerly lots 1, 1.01, 1.02, 1.04, and 1.05); which properties were designated as an Area in Need of Redevelopment in 2013. Known as the "Aristone Tract", the property that now comprises lot 1.06 is the subject of this Redevelopment Plan; which was first adopted in 2014 and was amended in 2017. Lot 1.06 is currently being redeveloped with the Barclay Chase at Marlton inclusionary mixed-use apartment community.

In order to enable the DPW to function efficiently and to modernize its operations, in 2016 the Township purchased the property at 100 Sharp Road (located across the street from the current facility) with the intent of making some needed site improvements and building additions and then moving the DPW to this site. When the DPW vacates its current facility, the property will no longer be needed by the Township and will be sold for redevelopment. The current DPW site was designated as an Area in Need of Redevelopment in 2016 (Resolution 179-2016). It has been anticipated that redevelopment of the site will be complementary to the development underway at Barclay Chase; though nothing in this Redevelopment Plan is intended to suggest that the Redeveloper of the DPW site will necessarily be the same as the redeveloper for the Aristone tract. The DPW site (block 1.03) is included in the 2018 Fair Share Settlement Agreement and the Township's 2018 Housing Element and Fair Share Plan as an inclusionary site (15% of units set aside for low and moderate income households). If developed in coordination with the adjacent property, access could be shared and design efficiencies may be gained.

The purpose of this amendment is to incorporate lot 1.03 into this Redevelopment Plan so that it may be developed consistent with the Fair Share Settlement Agreement and in harmony with the surrounding development. The Township has conducted a Preliminary Phase I Environmental Site Assessment and a Phase II Environmental Site Assessment which concludes that there no known environmental concerns at the site. The Township will solicit proposals from qualified redevelopers, and the chosen redeveloper shall agree to the terms of the Redevelopment Plan, including the UHAC compliant affordable housing set aside, and shall conduct any other necessary studies and/or investigations. Only the relevant sections of the Redevelopment Plan have been amended.

II. Introduction

This Redevelopment Plan is a framework for development and redevelopment of the "Aristone Tract" redevelopment project area; which has been expanded to include the soon-to-be vacated Department of Public Works Yard on lot 1.03. The 2019 amendments to this Redevelopment Plan are focused on integrating lot 1.03 into the overall project area.

The overall area consisted of six tax lots and includes a 2.9-acre parcel that was annexed from Medford Township in 2015 (now part of lot 1.06 in block 16).

The properties within the Aristone Tract Redevelopment Area were designated by Township Council as in Need of Redevelopment in accordance with Resolution 190-2013 on July 23, 2013. The Preliminary Redevelopment/Rehabilitation Needs Investigation Reports, Parts I and II dated June 2013 and April 2013 respectively provide an overview of the Township's redevelopment planning process, a description of the study area, an outline of the redevelopment area and rehabilitation area criteria set forth in New Jersey's Local Redevelopment and Housing Law, a review of the relationship of the study areas to the Township's Master Plan and the State Plan, and each report explains the conditions that warranted the redevelopment and rehabilitation designations. The Department of Public Works Yard, lot 1.03 in block 16 was designated as an Area in Need of Redevelopment on June 21, 2016 in accordance with resolution 179-2016.

Since the area described in section IIA below has been designated as an Area in Need of Redevelopment, the Township Council as the Redevelopment Entity, is empowered to adopt a redevelopment plan to proactively set forth a vision for the area, utilize financial incentives to effectuate the plan, facilitate change by working with property owners and redevelopers, acquire land and buildings, and sell publicly owned property within the redevelopment area without public bidding to a chosen redeveloper. The Redevelopment Entity's functions are further described in section IIE below.

By utilizing the redevelopment planning tools provided in N.J.S.A. 40A:12A-1 et seq. the Township aims to enhance opportunities for reuse, revitalization, and redevelopment of the designated properties and to provide a planning framework that sets a high standard for development and is also responsive to market conditions. The Township's Redevelopment Plans support redevelopment that will contribute to a vibrant economy to benefit the Township overall and that will improve the opportunities for businesses to thrive in the Township. The properties listed in section IIA below have been designated as Areas in Need of Redevelopment or Areas in Need of Rehabilitation. Following formal designation, the next step in the redevelopment planning process is for the Township to prepare and adopt a Redevelopment Plan to govern redevelopment of the properties. The Redevelopment Plan enables the Township to support and implement a coordinated and proactive land use plan for the area; and affords property owners the opportunity and ability to market or potentially develop the properties in accordance with the Redevelopment Plan.

The Township's purpose in undertaking redevelopment planning is to facilitate and encourage private investment in the designated areas, to allow the Township to use its wealth of experience and concern for the long term well-being of the municipality to foster positive change in the underutilized areas, and to guide design to ensure that development projects embody the intent of the Township's Master Plan and Vision Plan. The Redevelopment Plan provides guidance as to the future use and design of the designated properties, but is also flexible

enough to accommodate an array of possible redevelopment scenarios. The Redevelopment Plan provides a framework to guide redesign of and investment in the designated area in a manner consistent with the Township's overall goals and objectives.

The Redevelopment Plan is both a regulating document and a tool that the Township will use to assist in stimulating revitalization, investment, and redevelopment activities within the designated area, and by extension along the Route 70 and Route 73 corridors overall. The redevelopment planning effort is a continuation and extension of the community visioning process that was initiated in 2009 to enhance and transform many of the underutilized commercial properties along the Route 70 and Route 73 corridors and within historic Marlton Village. Since the designated redevelopment and rehabilitation project areas are spread out along Route 70, Route 73, and within the historic Marlton Village area, each area has (or will have) a separate Redevelopment Plan to provide permitted uses and requirements appropriate for the area. Though the Redevelopment Plan standards take the specific site conditions and constraints into consideration, and aim to achieve the objectives for the particular area, the Plan also maintains some design standards that are generally consistent with the Evesham Crossroads Overlay standards (Township Code section 160-68.1) and with the Township's other Redevelopment Plans so that unifying design elements and characteristics will tie the entire area together. Each Redevelopment Plan will be adopted by ordinance in accordance with the requirements of Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-7).

III. Redevelopment Plan

The Evesham Township Council will serve as the Redevelopment Entity responsible for preparation of and the execution of the Redevelopment Plan. This Redevelopment Plan specifically addresses the project area known as the "Aristone Tract" and "DPW Site" consisting of lots 1, 1.01, 1.02, 1.03, 1.04, and 1.05 in Block 16.¹ The Redevelopment Plan includes an outline for the planning, development, redevelopment and rehabilitation of the project area in accordance with the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et. seq.). The Evesham Township Zoning Map has been amended by ordinance 28-11-2013 and 5-3-2015 to include the locations of the designated Redevelopment and Rehabilitation Area properties. The land use requirements set forth in the Redevelopment Plan supersede the underlying zoning requirements. All changes in use and redevelopment proposals within the designated area require site plan approval. The Township Council, acting as the Redevelopment Entity, acknowledges that refinements to the Redevelopment Plan may be necessary from time to time in order to ensure that the Plan is responsive to current conditions and continues to reflect the Township's evolving goals and objectives. Alterations to the Redevelopment Plan will be made in accordance with the requirements of N.J.S.A. 40A:12-7.

A. Area Description

Overall the Township's Redevelopment Areas consist numerous tax lots in five distinct areas and the Township's Rehabilitation Areas consist of more than 150 lots in five (5) distinct areas. The designated areas are concentrated along State Highway Routes 70 and Route 73, and within the historic downtown Marlton Village area. Each designated area has specific characteristics, constraints, and existing conditions that call for an individualized assessment and program to specify the permitted uses, yard and bulk requirements, and design standards that will maximize the potential of the sites in a contextually appropriate manner. This Redevelopment Plan addresses the properties that comprise the "Aristone Tract" and "DPW Site" consisting of the lots listed below.

"Aristone Tract" and "DPW Site" Redevelopment Area Properties					
Block	Lot	Address	Owner	Existing Use	Redevelopment or Rehabilitation
16	1	890 Route 70	Carmela Aristone	Partially Vacant Office/warehouse, storage yard, vacant land, house w outdoor storage ³	Redevelopment a, b, d, h
	1.01	880 Route 70	Dennis Aristone		
	1.02	491 Evesboro-Medford Rd	BAHF Aristone		
	1.04	Same			
	1.05 ²	Same			
16	1.03	501 Evesboro-Medford Rd	Evesham Twp	Offices, mechanic's bays, truck wash, salt storage, recycling, parking	Redevelopment b, c, d

¹ As part of the site plan approval for Barclay Chase at Marlton, lots 1, 1.01, 1.02, 1.04, and 1.05 were consolidated to create lot 1.06 consisting of 20.5 acres.

² As part of the site plan approval for Barclay Chase at Marlton, lots 1, 1.01, 1.02, 1.04, and 1.05 were consolidated to create lot 1.06 consisting of 20.5 acres

³ This was the condition of the lots when the Redevelopment Plan was first adopted. As of June 2019 the redevelopment with multi-family residential and commercial uses is significantly underway.

B. Local Goals

The goals set forth below provide the framework for the Redevelopment Plan. The goals will guide the implementation of the plan and the realization of the vision for revitalization of these properties.

1. Enable the use of additional tools as permitted by Local Redevelopment and Housing Law to facilitate and encourage private investment in the redevelopment and rehabilitation areas.
2. Provide guidance as to the future use and design of the designated properties, and maintain sufficient flexibility to accommodate creative redevelopment scenarios.
3. Highlight opportunities to remove deteriorated and outdated buildings and to reinvent and revitalize the redevelopment and rehabilitation area properties with modernization, adaptive reuse, or redevelopment, consistent with smart growth principles.
4. Promote the "Smart Growth" policies supported in the Evesham Township Master Plan, which encourages the development of "Centers of Place" within PA-1 and PA -2 State Planning Areas.
5. Create land use, design, and building requirements specific to the Redevelopment and Rehabilitation Area properties that are compatible with the adjacent land uses and neighborhoods, harmonious with the nearby historic structures (where they exist), and provide sufficient development opportunity to facilitate investment.
6. Provide for a maximization of private investment through the attraction of qualified developers capable of securing private financing commitments and utilizing the tools provided in N.J.S.A. 40A:21-1 et. seq. and N.J.S.A. 40A:20-1 et. seq.; and capable of demonstrating a financial commitment upon the execution of a redevelopers agreement.
7. Ensure realistic opportunities for the provision of low and moderate income housing together with market rate housing consistent with the Township's 2018 Fair Share Settlement Agreement.
8. Offer publicly funded financial assistance where appropriate to encourage a greater level of investment, enhanced employment opportunities, improved design, inclusionary housing, increased community value, and other public benefits within the designated areas.

C. Proposed Land Uses in Redevelopment Area

The development and design requirements for the Aristone Tract and DPW Site Redevelopment Area are intended to provide a framework that permits creative and coordinated redevelopment of the overall tract, rather than piecemeal development of the individual lots. Given the condition and location of the existing buildings relative to the overall tract, adaptive reuse of existing buildings may be impractical and may inhibit the site's redevelopment potential. New construction is encouraged and complementary design, building materials, massing, and scale are to be utilized as a common thread to tie the overall site together. The land use requirements set forth in the Redevelopment Plan supersede the underlying zoning requirements. All changes of use and redevelopment proposals require site plan approval as set forth in Section E below.

At the time the Redevelopment Plan for the Aristone Tract was initially prepared, the tract included five lots in Evesham Township, and one adjacent lot to the east in Medford Township (formerly lot 1 in block 402). The Redevelopment Plan had recommended comprehensive development of the overall tract and inclusion of the Medford property in the Redevelopment Area if it were to be annexed. Evesham Township accepted the annexation by ordinance 38-12-2014 and made the Redevelopment Plan apply to the annexed portion of lot 1 in block 16 by Ordinance 5-3-2015. The DPW Site was incorporated into the Redevelopment Area in 2016 and will be ripe for redevelopment when it is vacated by the Department of Public Works in 2020.

Potential redevelopers should approach Township Council, in its capacity as the Redevelopment Entity, to initiate a dialogue about the potential to become a designated Redeveloper for the site. All potential redevelopers are encouraged to work with the Township in developing a concept plan that embodies the intent of the Redevelopment Plan and conveys the potential redeveloper's intentions for the site. Once a qualified redeveloper is chosen and designated by resolution of Township Council, the establishment of a Redevelopment Agreement may streamline the redevelopment process, delineate time lines, expectations, roles and responsibilities, and may open opportunities to support project feasibility.

All provisions of the Evesham Township Code not specifically amended or revised in the Redevelopment Plan are incorporated by reference. These include, but are not limited to: Chapter 62 – Subdivision and Site Plan Standards; Chapter 78 – Flood Damage Prevention; Chapter 94 – Land Use Regulation; Chapter 133 – Streets, Sidewalks and Parking Lots; Chapter 135 – Subdivision of Land; and Chapter 160 – Zoning. In the event of conflict between the Township Code and the Redevelopment Plan, the Redevelopment Plan regulations shall prevail.

Block 16, Lots 1, 1.01, 1.02, 1.04, 1.05 (now consolidated as 1.06)– Aristone Tract at 880 and 890 Route 70 and 491 Evesboro-Medford Road and Block 16, Lot 1.03 DPW Site at 501 Evesboro-Medford Road

The redevelopment plan guidelines for this redevelopment area are intended to provide an opportunity for coordinated mixed use development that may include commercial and multi-family residential uses. Together lots 1, 1.01, 1.02, 1.04, and 1.05 (now consolidated as lot 1.06) and lot 1.03 consist of approximately 25.5 acres on the north side of Route 70 at the far eastern side of the Township. The tract also has frontage on Evesboro-Medford Road in the vicinity of Sharp Road.

Prior to the designation of a redeveloper of the Aristone Tract and commencement of the Barclay Chase project, Lot 1 contained an office building, a warehouse and outdoor storage area; lot 1.01 was vacant; lot 1.05 (together with lots 1.02 and 1.04) contained a single family home and outdoor storage area. Lot 1.03 contains a main building with office, mechanic's bay, and truck wash, a salt storage building, equipment storage building, recycling storage areas, vehicle parking and storage and a recycling drop off area. Portions of the overall tract are constrained by the presence of freshwater wetlands and required buffers, which are regulated in accordance with NJ DEP requirements. These wetland areas impact the developability and design of the site.

The base zone for the tract is the C-1 commercial zoning district. The property is surrounded to the west by the Care One facility in the C-1 zone, to the south across Route 70 by vacant (mostly wetland) properties in the C-1 zone, to the north across Evesboro -Medford Road by properties in the IP Industrial Park and MD-1 residential zones, and to the east by the property in Medford Township.

Though the tract is located on a busy stretch of Route 70, it is not part of the distinctly commercial areas further to the west in Evesham or further to the east in Medford. Some of the surrounding properties are commercial and some are residential. Overall the area has a suburban character. Since the overall tract is not an integral part of an existing neighborhood, there is flexibility in how the character of the site may be defined in the future. There were three ownership entities that needed to be coordinated in order to achieve an inclusive redevelopment project on the "Aristone tract". The DPW Site will be ripe for redevelopment when the Department of Public Works is able to move its operations to 100 Sharp Road. The substantial right-of-way along the Route 70 frontage, the presence of freshwater wetlands on the site, and the configuration of the tract pose some challenges for redevelopment.

The tract shall be developed in accordance with the Redevelopment Plan as follows.

1. Purpose.

The purpose of the Redevelopment Plan for the "Aristone Tract" and "DPW Site" project area is to enable and encourage coordinated comprehensive redevelopment of the entire project area and to ensure that the development cultivates synergy among uses and a sense of place. The Redevelopment Plan aims to provide a framework that will allow for development of the site that responds to market conditions, provides integrated affordable housing, respects environmental constraints, and ensures high quality design and construction. Demolition of the existing structures is recommended to lay the foundations for more coordinated, efficient, functional, and attractive development of the site.

2. General Requirements.

- a. Redevelopment or any new use on the site must connect to the public water and sewer systems.
- b. Multiple buildings are permitted on one parcel of land when they are designed in a coordinated manner, under common ownership, and with shared access and parking.

3. Permitted Uses

- a. Planned Commercial Development⁴
- b. Multi-family residential dwelling units as part of a mixed use development that includes both residential and commercial space as set forth in section 8 below.
- c. Professional, Medical, and Business Offices
- d. Retail stores
- e. Restaurants including full service and fast food with or without liquor license; but not including drive-through service.
- f. Microbreweries and wine tasting facilities, with all required State licensing
- g. Banks and financial institutions, including up to four (4) drive through lanes
- h. Personal and Business Services such as salons and spas, health clubs/fitness centers, dry cleaners, copy and shipping centers, computer repair, etc.
- i. Child development centers and day care centers
- j. Private educational and instructional facilities such as martial arts, academic tutoring services, dance studio, art studio, etc.

4. **Prohibited Uses.** In addition to the prohibited uses in section 160-11 of the Township Code, any use not specifically permitted above is prohibited.

5. Permitted Accessory Uses

- a. Off street parking in accordance with the requirements in Section 160-32 and Chapter 62
- b. Electric vehicle charging stations
- c. Off Street loading in accordance with the requirements of section 160-32
- d. Signs as regulated in accordance with section 160-75 and the requirements below.
- e. Storm water management structures and facilities
- f. Trash enclosures in accordance with 160-27 and as required below
- g. Storage, inside a building only.

⁴ For the purposes of the Redevelopment Plan, Planned Commercial Development is a commercial area that is proposed for development as a single entity. A planned commercial development may contain one or more structures (with appurtenant common areas) to accommodate permitted uses, and may be located on one or more lots, provided that it is designed as an integrated development with the provision of common access and drives, shared parking, a unified architectural and building scheme, a unified signage and graphic plan, and a coordinated storm drainage and open space layout.

- h. Recreational amenities to serve the residents of a multi-family residential development such as a clubhouse, pool, tennis courts, bocce courts, etc.
- i. Gazebos, picnic shelters, picnic tables and other outdoor furniture as shown on a site plan prior to final approval.

6. Bulk and Area Regulations

Standard	Required for Planned Commercial	Required for Residential/Mixed Use ⁵
Minimum Tract size	15 acres	5 acres
Minimum Lot width	200 feet	200 feet
Minimum Street frontage	400 feet	400 feet
Minimum lot depth	400 feet	300 feet
Maximum Residential Density	N/A	20 units per acre 26
Minimum Inclusionary Affordable Units Lot 1.06	N/A	10% of residential units up to 13 units/acre 12% of residential units for up to 14 units/acre
Minimum Inclusionary Affordable Units Lot 1.03	N/A	15% of rental residential units 20% of for-sale residential units
Minimum side yard each side	30 feet	30 feet*
Minimum front yard setback	10 feet to Route 70 ROW for one story, 10 feet for each addtl story 50 feet to Evesboro-Medford for one story 15 feet for each additional story	10 feet to Route 70 for building with commercial 20 feet to Route 70 for residential building 75 feet to Evesboro Medford 65 Road
Minimum rear yard setback	30 feet	30 feet*
Maximum Building Length	300 feet	265 feet for residential 300 feet for mixed use that includes at least 6,000 sq feet of commercial space
Maximum Building Footprint Area	75,000 square feet	40,000 square feet
Minimum front yard parking setback	0 feet to Route 70 50 feet to Evesboro Medford Rd	0 feet to Route 70 50 feet to Evesboro Medford
Min side yard pavement and parking setback	30 feet	15 feet to perimeter 0 feet for internal lots*
Min rear yard pavement and parking setback	10 feet	10 feet*
Maximum impervious	65%	65%*

⁵ For the purpose of this table, the term "residential" also includes accessory clubhouse building

		55 feet or 4 stories
Maximum Building Height	40 feet	45 feet or 3 stories from 75 to 150 feet setback from Evesboro Medford Road. 55 feet or 4 stories from 150 feet+ from Evesboro Medford Road.
Minimum building set back from another building on the same site	25 feet	25 feet
Maximum Floor Area Ratio ⁶	.15 for one story .3 for two story .4 for three story	.15 for one story .3 for two story .4 for three story .5 for four story .6

* When the lots are ~~under common ownership and are~~ designed in coordination, with shared access and interconnected driveways and pedestrian paths, shared maintenance and signage, and a unified architectural theme, these standards may be applied to the overall tract and not the internal lot lines.

7. Overall Design Standards. The overall project area should be coordinated from a planning and design standpoint, whether or not the lots are redeveloped by the same entity or different entities. Phased implementation is permitted at the discretion of the Redevelopment Entity, and must be set forth in a Redevelopment Agreement.

- a. Commercial buildings should be placed as close to the property line along Route 70 as possible in order to reduce the distance between the travelled roadway and commercial uses on the site, since the property line is approximately 120 feet from the edge of pavement. Alternatively, the commercial structures may be oriented inward in order to create a commercial space within the site.
- b. The development should provide:
 - i. Centrally located outdoor space that relates to buildings and that will be a social gathering place,
 - ii. Passive recreation space that includes landscape, hardscape, and street furniture.
- c. Sidewalks are required along Evesboro-Medford Road and along main access driveways within the site. Sidewalks must also be designed to provide logical connection points with adjacent properties.
- d. Shade trees at 40 foot intervals and landscaping (see section 62-56) shall be provided along sidewalk areas and along the right-of-way where existing

⁶ For the purpose of the Redevelopment Plan, a "story" is that portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above then the space between the floor and the ceiling above it. A story must have functional leasable area, but may also include first floor parking and/or storage space for tenants. For the purposes of determining Floor Area Ratio, stories above the first floor must cover a minimum of 50% of the first floor area.

vegetation is not maintained. Where large trees are maintained within the State Highway right-of-way, street trees are not required.

- e. Buffering, screening, and landscaping, including tree protection and installation shall be as required by § 160-17 and § 62-56, except:
 - i. As modified in section 12 below
 - ii. As modified in section f below for the buffer along the State Highway
 - iii. The buffer between the tract and adjacent commercial uses is 30 feet (planted buffer width 20 feet).
 - iv. Utilities including gas and electric meters must be located on the short end of buildings, should be positioned so that they are not visible from the surrounding roadway, and must be adequately shielded with evergreen landscaping or architectural screening; which details shall be provided on the site plan.
- f. Where parking is provided closer than fifteen feet to the right-of-way (as is permitted along the Route 70 frontage) landscaping (or native vegetation) must be provided and maintained for a minimum of 15 feet within the NJDOT right-of-way, consistent with the perimeter buffer landscape requirements in the Township Code (62-56 and 160-17) in order to maintain an attractive street frontage, unless rejected by NJDOT.
- g. Crosswalks at points where an access driveway meets the right-of-way and at main intersections and pedestrian crossings within the site must be constructed with stamped concrete, brick, or pavers.
- h. Driveways.
 - i. All driveways on the site must be interconnected.
 - ii. Main entrance driveways from Route 70 must be designed with a boulevard type entrance, unless rejected by NJDOT.
 - iii. Parallel parking may be provided along drive aisles within the development where properly dimensioned and designed.
 - iv. All driveways within the residential portion of a development shall be in conformance with New Jersey Residential Site Improvement Standards.
 - v. Though parcels within the Redevelopment Area may be developed at different times and by different redevelopers, pedestrian and vehicular interconnections should be provided together with necessary cross access easements and maintenance agreements.
 - vi. When the DPW site is redeveloped ~~the~~ an access driveway shall be aligned with Sharp Road.
- i. Bicycle racks must be incorporated into the commercial portion of the site plan in a safe and convenient location.

- j. Architectural elevations showing all sides of each building must be submitted along with a site plan application.
- k. Architectural design features shall be employed to create visual interest at the pedestrian or street level, and to integrate each building or structure with the surrounding area.
 - i. A building, structural, or landscape feature shall be constructed at the terminus of the entrance drives into the site to create a sense of arrival and to assist in defining the character of the development.
 - ii. Brickwork should be incorporated where practicable as a unifying material across individual buildings.
 - iii. Each commercial building or use with a door to the outside must have a prominent entryway flanked by large first floor windows that cover at least 50% of the principal facade, and a walkway leading from the entryway to the public realm.
 - iv. Entryways for commercial buildings shall provide shelter for pedestrians, such as awnings or porticos.
 - v. Building facades shall be broken up at twenty-five-to-fifty-foot intervals with facade variations or projections and recesses at least two feet in depth.
 - vi. Upper and lower cornice lines must be articulated.
 - vii All sides of a building visible to the public must be designed with treatment similar to the front facade.
 - viii. Variations in rooflines (parapets or other architectural screening) shall be used to completely screen HVAC and roof-mounted equipment, to provide interest, and reduce the scale of large buildings.
 - ix. Outdoor seating for restaurants should be delineated with decorative fencing, walls or planters, and landscaping.
 - x. The requirements of § 160-68F(1) also apply, but only for the portion of a building occupied by a commercial use.
- l. Corner buildings (whether at the intersection of two streets or intersecting internal streets) and buildings at a visual terminus (such as at the terminus of a main access drive into the site) should delineate the intersection with significant structures, special architectural treatment, and landscaping that responds to the street frontages and pedestrian vantage points.
- m. Shared and interconnected parking areas are encouraged, but the applicant must demonstrate the location and availability of adequate parking for all uses in accordance with §160-32, except that the parking requirements for commercial uses may be reduced by 10% where shared parking is provided. Also, parallel

parking may be permitted along drive aisles where properly dimensioned and designed.

- n. Measures to enhance sustainability should be considered in planning the site; such as using water and energy efficiently, using sustainable design elements and building materials, installing solar panels to generate power, collecting rainwater for irrigation, reducing waste, generally minimizing impacts to the environment, and ensuring a healthy indoor environment.

8. Requirements for Residential Development.

- a. Residential units are permitted only as part of a mixed use development that includes commercial uses on a portion of the first floor of at least one building with frontage on Route 70. The balance of the first floor may be used for parking, amenities, and residential units; and the second through fourth floors of mixed use buildings may include residential units. Properties that do not have frontage on Route 70 are not required to include commercial uses.
- b. The residential development will be inclusionary as set forth in section 6 above. The affordable housing units shall be set aside and reserved for low and moderate income households and shall strictly conform with the rules adopted by the New Jersey Council on Affordable Housing (COAH), or its successor, the Uniform Housing Affordability Controls (UHAC), and the requirements of the Township's affordable housing ordinances including, but not limited to requirements for phasing, bedroom mix, 50-50 low/mod split, 13% very low income, affirmative marketing, controls on affordability, adaptability requirements, etc.
- c. The majority of residential and mixed use buildings must be oriented toward one another or toward the public realm (such as toward a walkable street with pedestrian amenities, or a common green or park area) in order to encourage synergy between the buildings, to create spaces that are not dominated by parking lots, to encourage social and commercial interaction, and to create a sense of place. The majority of buildings may not be primarily oriented toward a parking lot.
- d. Buildings must be designed to avoid long, monotonous, uninterrupted walls or roof planes. Building wall offsets, including projections and recesses shall be used in order to add architectural interest and variety, and to relieve the visual effect of a simple long wall.

- e. Where parking is proposed on the first floor of a building, a wall a minimum of 24" in height must be constructed of materials consistent with the architectural design of the building (such as brick).
- f. Where parking is proposed on the first floor of a building, at least 50% of the façade area oriented to the public view (excluding vehicle access areas) must be enclosed with architectural wall treatment. The open areas of the first floor parking should be enclosed with a transparent decorative fence (such as iron or aluminum). The pedestrian access door to the building must be prominent with double doors and an overhead projection (such as canopy or awning).
- g. Horizontal or decorative siding may be used on the second through fourth stories of a mixed use building and on residential buildings.
- h. Balconies or patios, a minimum of six feet deep are required for at least 50% of the residential units, and are encouraged for all residential units.
- i. Indoor amenities must be provided for the benefit of the residents of the development and must be available to all tenants of residential units. Indoor amenities may include a fitness facility, conference room, library, party room, etc.
Facilities may be shared between various portions of the Redevelopment Area.
- j. Outdoor passive or active recreation space must be provided for the benefit of the residents of the development. Outdoor amenities may include pools, tennis courts, sitting areas, dog parks, grill and picnic areas, pavilions, etc. These areas must be landscaped to provide shade and to beautify the area.
Facilities may be shared between various portions of the Redevelopment Area.
- k. Each residential unit shall have a minimum of 300 cubic feet of separate lockable storage space in addition to typical indoor closets. This area may be part of a private garage (but in addition to the space needed for a vehicle), a separate storage area, or a storage space within the unit.

9. Enclosures for trash and recyclables.

- a. Trash enclosures or central trash compaction and recycling areas are required for all permitted uses and must comply with the requirements of chapter 118 and sections 160-27 and 160-27.1 of the Township Code except as modified below.
- b. Trash enclosures or compactors must be sufficiently sized to contain both trash and recyclable materials, such that dumpsters are not permitted to sit in the open anywhere on the site.

- c. Trash enclosures or central trash compaction/recycling areas shall be masonry structures, with an exterior facade to match the principal buildings (brick or stone veneer).
- d. If required, trash enclosure gates shall be decorative fencing materials to complement the buildings with a steel frame and self closing.
- e. Trash enclosures shall be a minimum of six feet in height, or higher as needed to shield the enclosure. Landscaping may also be used in combination with structures to shield the trash and recycling area.
- f. Trash enclosures are not permitted in any required buffer area.
- g. Trash enclosures for multi-family residential units must be located in a common area and include a door or opening for pedestrian access in addition to the truck access.
- h. When refuse disposal units are located more than 100 feet from a residential building being served, a valet trash service ~~must be offered~~ as an option for the residents of the development. should be considered

10. **Lighting.** Light fixtures should be designed to complement the architectural theme and to accent attractive site and landscape features.

- a. Promenade series lights shall be used within commercial parking lots, along driveways, and along pedestrian pathways (color black). Arm mount, post top, and building mounted fixtures may be used. Single head or double head mounts are permitted. A detail of the light is available from the Department of Community Development.
- b. Lighting plans shall be in accordance with the requirements of this chapter and section 62-55.

11. **Signs.** Signs shall conform to the requirements of § 160-75 for the C-1 Zone, in addition to the following. The requirements below supersede § 160-75 when there is a conflict.

- a. All permitted freestanding signs shall be monument-style signs no more than eight feet in height.
- b. The sign copy area of the primary freestanding monument sign on the south side of the site (Route 70 frontage) may not exceed 120 square feet in area. The entirety of the sign including the sign copy area, supports, and decorative features may not exceed 160 square feet in area.

- c. One freestanding monument sign per entrance driveway shall be permitted on the north side of the site (Evesboro-Medford Road.) Neither sign may exceed 32 square feet in area to identify the development.
- d. If there is a secondary access off of Route 70, then a second freestanding monument sign may be provided at the access point, and may not exceed 32 square feet in area.
- e. The base and support structure shall be designed to complement the building and site design (a brick or stone base is recommended).
- f. All illuminated signs shall be externally illuminated with a shielded light source, or internally illuminated channel-type letters. Fully illuminated sign boxes and neon lighting are not permitted.
- g. Facade signs must be channel letters (not box signs) and shall otherwise be in accordance with the permitted façade signs in the C-1 zone.
- h. Freestanding and ground signs shall have a landscaped area around the base. The landscaped area shall be a minimum of 1.5 times the area of the sign. For example, a twenty-four-square-foot sign must have a minimum thirty-six-square-foot landscaped area at the base consisting of evergreen shrubs, ground cover and seasonal flowers.
- i. The redeveloper may endeavor to obtain NJDOT approval to place a compliant freestanding sign along the property's frontage within the Route 70 right-of-way, as the property line is +/-120 feet back from the edge of pavement. Such location, setback a minimum of 15 feet from the edge of pavement, but within the right-of-way would provide better visibility to vehicle traffic.
- j. If placed within the property lines, a freestanding sign may be setback zero (0) feet from the Route 70 right-of-way (without obstructing any site lines).
- k. Sign details must be submitted for review prior to final site plan approval.
- l. Directional/ way-finding signs are permitted within the site consistent with the requirements of section 160-75.

12. Modifications to Ordinance Standards for Redevelopment Area

- a. A Tree Protection Management Plan identifying the tree protection zone and the limits of clearing and disturbance, and noting the means to protect existing trees to remain as required by section 62-56D(5) is required. Identification or surveying individual trees is not required, and tree compensation beyond the landscape requirements is not required.
- b. Planted parking lot islands are ~~required~~ **encouraged** to be installed to break up parking rows greater than 25 spaces in length.
- c. A berm is not required along the State Highway frontage, nor is a perimeter buffer required along the State Highway frontage given the vast vegetated right-of-way between the edge of pavement and the property line.
- d. All driveways within the residential portion of a development shall be in conformance with New Jersey Residential Site Improvement Standards. Drive aisles shall be a minimum of 24 feet in width where 90-degree parking stalls are provided.
- e. The provisions of 160-52 do not apply in computing gross density.

D. Potential Acquisition of Property within the Redevelopment Area

1. Only properties that have been designated as an Area in Need of Redevelopment and that have been determined to be blighted are subject to acquisition through eminent domain by the Redevelopment Entity. The Aristone Tract is an area in need of redevelopment (meets the criteria set forth in N.J.S.A. 40A:12A-5), but was not found to be blighted. It is not subject to acquisition through eminent domain. The DPW Site is owned by Evesham Township and is therefore not subject to acquisition through eminent domain.

The final terms and resolution of this issue, including any Redeveloper contribution toward a signal shall be as set forth in a Redeveloper Agreement.

E. Potential Infrastructure Improvements

The Redevelopment Plan requires that the access from lot 1.03 to Evesboro-Medford Road be aligned with Sharp Road. The Township and County will determine whether a traffic signal will be installed at the intersection. ~~If the traffic signal is deemed necessary, it shall be specified in the request for qualifications from prospective redevelopers and a cost estimate for the required improvements will be provided.~~

F. Redevelopment Entity and Implementation of Redevelopment Plan

1. The Evesham Township Council is hereby designated the Redevelopment Entity to implement this Redevelopment Plan (N.J.S.A. 40A:12A-4).
2. Evesham Township Council, acting as the Redevelopment Entity may take the actions authorized by New Jersey Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq) in order to effectuate the plan.
3. The following powers are specifically granted to Township Council in its capacity as Redevelopment Entity:
 - a. Undertake redevelopment projects and issue bonds in support of same.
 - b. Acquire property pursuant to the "Eminent Domain Act of 1971", N.J.S.A. 20:3-1 et seq.
 - c. Construct improvements to prepare sites for use in accordance with the redevelopment plan.
 - d. Arrange or contract for professional services in support of redevelopment projects and arrange or contract with redevelopers with the undertaking of redevelopment work (and collect revenue from a redeveloper to defray the redevelopment entity's costs).
 - e. Lease or convey property within the redevelopment area without public bidding, at prices and terms deemed reasonable
 - f. Arrange or contract with a public agency for the relocation of residents, industry, commerce displaced from a redevelopment area (pursuant to "Relocation Assistance Law" and "Relocation Assistance Act"). This requires a Workable Relocation Assistance Plan (WRAP) and approval of DCA.
 - g. Make plans for carrying out a program of voluntary redevelopment/rehabilitation and plans for the enforcement of laws, codes, and regulations relating to redevelopment.
 - h. Publish or disseminate information concerning any redevelopment area, plan, or project.
 - i. When necessary for the implementation of the Redevelopment Plan, enter into a contract with a redeveloper for any improvement, construction or other work forming

- a part of this Redevelopment Plan. The redeveloper may be chosen through a Request for Proposals, a Request for Qualifications or through direct negotiations.
- j. Enter Agreements with Redevelopers setting forth roles and responsibilities, expectations, obligations, time frames for redevelopment.
 - k. Exercise such other powers as may be vested in the Township Council, in its capacity as Redevelopment Entity, under N.J.S.A. 40A:12A-22.
4. The Redevelopment Plan standards supersede existing and underlying zoning requirements, and are accompanied by an amendment to the zoning map showing the locations of the redevelopment area.
5. Approval Process.
- a. All redevelopment projects within the redevelopment area must first be reviewed by Township Council in its capacity as the Redevelopment Entity, to insure that proposed development projects are generally consistent with the redevelopment plan and reflect the redevelopment entity's intentions for the area, and to confirm that the proposal is in agreement with any redeveloper agreements that have been or may be established. The Township Council must review proposed redevelopment projects before an application may be submitted to the Planning Board for subdivision or site plan review.
 - b. All applications for development within redevelopment area shall be submitted to the planning board for site plan/subdivision review and approval in accordance with the requirements of Municipal Land Use Law. The redeveloper shall be required to furnish escrows and performance guarantees as required by the Evesham Township Planning Board (N.J.S.A. 40:55D-53), and in accordance with any Memorandum of Understanding signed by the Redeveloper and the Evesham Township Council.
 - c. Expedited Planning Board review. The Township will facilitate a fast track review process for redevelopment projects that have been reviewed and recommended by Township Council in its capacity as the Redevelopment Entity.
 - d. Only a designated redeveloper who has entered into a Redevelopment Agreement or a Memorandum of Understanding with the Redevelopment Entity, outlining the redeveloper's responsibilities regarding the property may submit an application for land use approvals. The redeveloper may, with the Redevelopment Entity's approval enter into agreements with other developers to participate in the redevelopment of the Property.
 - e. The designated redeveloper shall agree to comply with all design standards and development regulations established in the Redevelopment Plan. "C" variances may be reviewed and considered by the Planning Board, but a designated Redeveloper may not request a "D" variance. Instead the Redeveloper must discuss potential changes to use, height, or floor area ratio requirements with Township Council and may request that the redevelopment plan be amended by ordinance.
 - f. Redevelopment Agreements. Township Council, acting as the Redevelopment Entity may enter into a redevelopment agreement with a designated redeveloper in order to identify redevelopment objectives for the site, specify roles and responsibilities of both the redeveloper and the Township, set forth time frames for

performance and completion of the project, identify any required off tract improvements required as part of the redevelopment, and provide for any special tax treatment or incentives for the proposed redevelopment.

- g. Applications to the Zoning Board of Adjustment. While not encouraged by the Redevelopment Plan, as applications for “d” variances would be inconsistent with the intent of the plan, nothing herein is intended to preclude an applicant not subject to a redevelopment agreement from seeking such relief as may be available through application to the Zoning Board of Adjustment.
6. The Redevelopment Entity shall be empowered under N.J.S.A. 40A:12A-1 et. seq. and N.J.S.A. 40A:21-1 et. seq. to allow for the implementation of alternative tax structures to assist in realizing the redevelopment plan objectives and to make redevelopment projects economically feasible. The establishment of redevelopment agreements and financial agreements including provisions for short term or long term tax abatement or exemption may benefit the Township by making private investment in the properties attractive and feasible, by enabling the construction of high quality affordable housing as a percentage of the development, and by increasing the long term value of the properties. The alternative tax structures must be mutually beneficial for the Township and the redeveloper. Each project and payment structure shall be subject to an individualized program through negotiation and will be based on the specific circumstances, development and operational costs and revenues.
- a. Short term exemption and abatement (N.J.S.A. 40A:21-1 et seq.). The short term exemption and abatement is an inducement for property owners to invest in their properties, as it ensures that the improvements will not result in an immediate increase in their property taxes. This tool may be used in the redevelopment and rehabilitation area for adaptive reuse and improvements to existing buildings, construction of new buildings, and the improvement or expansion of commercial or industrial structures. Tax exemption may be granted from property taxes on all or a portion of the added assessed value from an improvement or new construction. A Payment in Lieu of Taxes (PILOT) may then be established along with a schedule for phasing into full taxation at the end of a five-year period. Abatement may be granted to reduce the taxes for a portion of the existing assessed value of a property. Abatement is potentially available for the conversion of non-residential structures to residential use, for the construction of residential dwellings and for new commercial and industrial buildings, but not for improvements to existing commercial or industrial buildings.
 - b. Long term exemption (N.J.S.A. 40A:20-1 et seq.). In order to utilize long term exemption, the redevelopment project must have a public purpose linked to the redevelopment plan, it must be limited to a specific time period (up to 30 years), and the profits of the corporation receiving the exemption must be limited. The exemption applies to the value of the new improvements, not to the value of the land. Long term exemptions may only be granted to an Urban Renewal Entity – a private corporation formed for the purpose of undertaking redevelopment. The urban renewal entity must apply to the Township for tax exemption, and must provide all required information about the project, architectural plans, site plans, estimated project cost, sources of private capital funds, projected revenue, and a fiscal plan for the project. The dividends or profits of the corporation are limited. Instead of paying property taxes, the redeveloper pays an annual service charge to the municipality,

referred to as a PILOT (payment in lieu of taxes). The amount is established as part of the redevelopment agreement. The PILOT may be a percentage of the total project cost or the annual gross revenue. The PILOT is phased into full taxation by the end of the exemption period.

G. Master Plan Consistency (State, County, Municipal)

1. State Plan. Block 16 lots 1, 1.01, 1.02, 1.04, and 1.05 (now consolidated as lot 1.06) and lot 1.03 are located within Planning Area 2 (the Suburban Planning Area) on the New Jersey State Plan Map. Planning Area 2 is considered a “smart growth area” where redevelopment, adaptive reuse, and infill development are encouraged. The properties are located within a suburban area with access to necessary infrastructure and major transportation routes.

A new State Plan framework had been under development in 2011 and 2012, but it was not concluded. Though not yet adopted by the State Planning Commission, the new Plan would also support redevelopment as proposed by the Redevelopment Plan.

2. Burlington County Plan. Burlington County does not have a comprehensive Master Plan, as one is not required under the County Planning Act.⁷ The County generally supports municipal redevelopment and revitalization efforts that are consistent with smart growth planning.
3. Evesham Township Master Plan.

2020 Vision Plan

Several of the goals of the Evesham 2020 Vision Plan, which was adopted as part of the Master Plan in 2010, may be advanced by the implementation of Redevelopment Plans for the designated redevelopment and rehabilitation areas:

- Make Marlton Village a More Vibrant Destination. *Marlton Village should become more vibrant with civic gathering places and an inviting mix of shops, restaurants and services along a more pedestrian-friendly streetscape.*
- Establish a Landmark at Evesham Crossroads. *The intersection of Routes 70 & 73 and the commercial areas in the vicinity are envisioned as a recognizable landmark in the region defined by signature development and civic art.*
- Retrofit and Transform Outdated Commercial Corridors *Retrofit and transform outdated or vacant commercial sites into mixed-use places with buildings framing pedestrian-oriented streets and public spaces.*
- Create the Evesham Crossroads Trail Network. *The Evesham Crossroads Trail will link residential neighborhoods with a network of trails, sidewalks, and greenways that connect to parks, public spaces and mixed use places.*
- Enhance the Livability of Neighborhoods. *The quality of life within each neighborhood should be protected with a plan to enhance parks, greenways,*

⁷ Confirmed in an email from the Burlington County Bridge Commission's Regional Planning Coordinator on October 8, 2013.

waterways, sidewalk and trail connectivity, street trees, traffic calming and pedestrian safety.

Master Plan

Section E of the 2012 Master Plan Reexamination addresses the recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law" into the land use plan element of the municipal Master Plan. The Master Plan indicates that it is the Township's intent to utilize all available planning tools to work toward implementation of the Township's vision, to advance its goals and objectives, to improve the quality of life for current and future residents, and to maintain and enhance opportunities for smart growth economic development. The Master Plan acknowledges that as the Township continues to assess conditions, particularly within the "Evesham Crossroads" and "Marlton Village" areas, specific properties or areas may emerge as candidates for redevelopment or rehabilitation area designation; and provides that where redevelopment or rehabilitation designation has the potential to reverse a trend toward decline, to incentivize redevelopment or revitalization, to advance the Township's vision and create community value, then such areas may be recommended in accordance with Local Redevelopment and Housing Law.

Housing Element and Fair Share Plan

This Redevelopment Area is included in the 2018 Housing Element and Fair Share Plan, with inclusionary family rental housing anticipated. In total the site is expected to yield 48 affordable housing units (33 on lot 1.06 and 15 on lot 1.03). The Housing Element and Fair Share Plan was adopted in November 2018 and set forth a schedule for implementation. This redevelopment plan is consistent with the Housing Plan and the implementation schedule.

H. Affordable Housing Provisions

Local Redevelopment and housing law requires that the Redevelopment Plan address the following with regard to affordable housing.

1. Inventory of affordable residential units in the redevelopment area. There are no affordable residential units currently located within the redevelopment area. Therefore, no affordable units are proposed to be removed or relocated. However, if developed in accordance with this plan, 10% to 15% of all new housing units will be affordable to low and moderate income households.
2. Plan for the provision of affordable replacement housing. A plan for the provision of affordable replacement housing is not needed since there are currently no affordable residential units within the designated redevelopment area or rehabilitation area.
3. The Township Council, acting as the Redevelopment Entity, reserves the option to amend the Redevelopment Plan in the future to alter the inclusionary housing component as may be necessary to provide ample affordable housing opportunities in the Township, if it is determined that such housing is needed to satisfy the Township's fair share affordable housing obligations.

I. Time Limits.

The Redevelopment Plan does not have an expiration date. Once a redevelopment project has been completed in accordance with the Redevelopment Plan and Redevelopment Agreement, and the Redevelopment Entity has affirmed that all obligations have been satisfied; the conditions that warranted the redevelopment area designation shall be deemed to no longer exist. This shall also be reflected in covenants established between the Township/Redevelopment Entity and a redeveloper in accordance with N.J.S.A. 40A:12A-9.

APPENDIX F-4

CareOne Amended Resolution of Approval

**EVESHAM TOWNSHIP ZONING BOARD
RESOLUTION # 2024-ZB-09
CAREONE AT EVESHAM ASSISTED LIVING, LLC**

(X) "C" Variances	Application # <u>Z-23-15</u>
(X) Amended "D(1)" Use & "D(4)" FAR Variances	Applicant: <u>CareOne at Evesham Assisted Living, LLC</u>
(X) Waiver	Owner: <u>Elmwood Evesham Associates, LLC and 471 Evesboro-Medford Road, LLC</u>
(X) Amended Preliminary and Final Major Site Plan	<u>173 Bridge Plaza North, Fort Lee, NJ 07024</u>
(X) Approved	Block <u>16</u> , Lot <u>3</u> and <u>3.03</u>
(X) General Conditions\Additional Conditions	Action: <u>June 17, 2024</u>
	Memorialized: <u>August 19, 2024</u>

WHEREAS, the Applicant has applied to the Evesham Township Zoning Board of Adjustment (ETZBA) in conjunction with proposing to construct a 3-story addition to the existing 3-story assisted living facility on the north side of the site. The following relief, variances, waivers and approvals are requested:

1. Amended Preliminary and Final Major Site Plan.
2. Per Ordinance §160-68A and §160-68B, assisted living facilities are not permitted in this zoning district. An amended d(1) variance is required.
3. Ordinance §160-68E(7) states that the permitted floor area ratio (FAR) within the zone is 0.22. The existing FAR is 0.17. The proposed FAR is 0.27. A d(4) variance is required.
4. Ordinance §160-68E(4) states that the maximum building height in this zoning district is 40 FT. The proposed 3-story addition is proposed at 43.4 FT in height. A variance is required.
5. §160-68.F(2)/Attachment 1 – A landscape buffer of at least 15 feet in width is required between an institutional use and a commercial use, where a buffer of approximately 12 feet is proposed. A variance is required.
6. Per §160-22C(2), Fences are permitted to have a maximum height of 6 feet, where a fence of 8 feet in height is proposed to enclose the courtyard of the proposed building expansion. A variance is required.
7. §160-32.B(2) – No parking is permitted within a required buffer area, where parking lots will encroach within the required 15-foot buffer area along the northwestern property line. Approximately 12 feet is proposed. A variance is required.

8. Per §160-32B(4), parking is not permitted within the front yard setback in the C-1 zoning district. The front yard setback is 100 FT. Parking is located within the setback on the Evesboro-Medford Road frontage and the Route 70 frontage. Approximately 61.18 feet from Evesboro Medford Road is the current setback, with 55.8 feet proposed. A variance is required. Approximately 5 feet from Route 70 exits, with additional spaces proposed at 5 feet.
9. Per §160-32B(4), parking required to be setback 25 FT from the side property line. Parking is proposed 11.9 FT from the north western property line. A variance is required.
10. Per §160-32D(2), one loading zone for every 50 beds is required. For this project, 6 loading spaces are required. Three (3) are existing and proposed. A variance is required.
11. Per §160-32F(1), sidewalks or pedestrian access shall be provided for all developments in the Township. A path is proposed along the Evesboro-Medford Road frontage, but none is proposed along the Route 70 frontage. A variance is required.
12. Per §160-86.E(3) a front yard setback for buildings is required at 100 feet, and the new/proposed building is to be setback from Evesboro-Medford Road at 76.30. A variance is required.
13. §62-55.I(3)(d) – Planting islands within a parking area are required to contain one shade tree plus shrubs, ground cover, or perennials. Two of the landscape islands within the parking area will include only juniper ground covers, and no shade tree. A design waiver is required.

WHEREAS, the application was considered by the Board on June 17, 2024; and

WHEREAS, a public hearing was required and the Board has considered that public comments were not made by the public; and

WHEREAS, it appears that all jurisdictional and procedural requirements of applicable Township Ordinances have been met; and

WHEREAS, the Board has considered the application and the evidence and arguments submitted by the Applicant in support thereof; and

WHEREAS, the Board has considered the recommendations and testimony of its professional staff and the following reports:

- Review letter dated May 1, 2024 by Zoning Board Engineer, Rakesh Darji, PE, CME, PP, CFM, of Environmental Resolutions, Inc. (ERI), attached hereto as Exhibit A and incorporated herein by reference
- Review letter dated February 8, 2024 by Planning Board Planner, Chris Dochney, PP, AICP, of CME Associates (CME), attached hereto as Exhibit B and incorporated herein by reference

- Review letters dated September 21, 2023, January 11, 2024, April 11, 2024 and June 5, 2024 by Evesham Fire Marshal, Deputy Chief Scott Freedman attached hereto as Exhibit C and incorporated herein by reference

WHEREAS, requirements necessary to approve the application have been met; and

WHEREAS, the Board has made the following findings of fact and conclusions of law (see attached);

NOW, THEREFORE, BE IT RESOLVED that the relief and approvals requested are hereby granted as follows:

1. Amended Preliminary and Final Major Site Plan.
2. Per Ordinance §160-68A and §160-68B, assisted living facilities are not permitted in this zoning district. An amended d(1) variance.
3. Ordinance §160-68E(7) states that the permitted floor area ratio (FAR) within the zone is 0.22. The existing FAR is 0.17. The proposed FAR is 0.27. A d(4) variance.
4. Ordinance §160-68E(4) states that the maximum building height in this zoning district is 40 FT. The proposed 3-story addition is proposed at 43.4 FT in height.
5. §160-68.F(2)/Attachment 1 – A landscape buffer of at least 15 feet in width is required between an institutional use and a commercial use, where a buffer of approximately 12 feet is proposed.
6. Per §160-22C(2), Fences are permitted to have a maximum height of 6 feet, where a fence of 8 feet in height is proposed to enclose the courtyard of the proposed building expansion.
7. §160-32.B(2) – No parking is permitted within a required buffer area, where parking lots will encroach within the required 15-foot buffer area along the northwestern property line. Approximately 12 feet is proposed.
8. Per §160-32B(4), parking is not permitted within the front yard setback in the C-1 zoning district. The front yard setback is 100 FT. Parking is located within the setback on the Evesboro-Medford Road frontage and the Route 70 frontage. Approximately 61.18 feet from Evesboro Medford Road exists, with 55.8 feet proposed. Approximately 5 FT from Route 70 exists, with additional spaces proposed at 5 FT.
9. Per §160-32B(4), parking required to be setback 25 FT from the side property line. Parking is proposed 11.9 FT from the north western property line.
10. Per §160-32D(2), one loading zone for every 50 beds is required. For this project, 6 loading spaces are required. Three (3) are existing and proposed.

11. Per §160-32F(1), sidewalks or pedestrian access shall be provided for all developments in the Township. A path is proposed along the Evesboro-Medford Road frontage, but none is proposed along the Route 70 frontage.
12. Per §160-86.E(3) a front yard setback for buildings is required at 100 feet, and the new/proposed building is to be setback from Evesboro-Medford Road at 76.30.

BE IT FURTHER RESOLVED that the **WAIVER** requested is hereby granted as follows:

1. §62-55.I(3)(d) – Planting islands within a parking area are required to contain one shade tree plus shrubs, ground cover, or perennials. Two of the landscape islands within the parking area will include only juniper ground covers, and no shade tree.

BE IT FURTHER RESOLVED that **EXISTING NON-CONFORMING CONDITIONS** have been identified and are acknowledged as follows:

- a. §160-68E(3) requires the minimum lot depth to be 800 FT. The existing lot depth is 725.1 FT.
- b. §160-68E(3) requires the minimum lot width to be 600 FT. The lot width at Evesboro-Medford Road is 529.8 FT existing and 530.6 FT proposed.
- c. §160-68E(3) requires that minimum front yard setback is 100 FT. The existing assisted living facility is 61.18 FT from Evesboro-Medford Road.
- d. §160-68E(3) requires the minimum front yard setback is 100 FT. The existing skilled nursing facility is 19 FT from Route 70.
- e. §160-68.F(2)/Attachment 1 – A landscape buffer of at least 50 feet in width is required between an institutional use and a residential use, where a buffer of approximately 20 feet is proposed to the east, due to the location of a stormwater basin. This is an existing condition.
- f. §160-32B(4) The minimum parking setback is 100 feet and 5 feet exists. This is an existing condition.

BE IT FURTHER RESOLVED that the approval(s) hereby granted are made subject to the following **GENERAL CONDITIONS** applicable to this type of application (see attached); and

BE IT FURTHER RESOLVED that the approvals hereby granted are made subject to the following **ADDITIONAL CONDITIONS OF APPROVAL**, and as further detailed herein, at

the time of the hearings, in the professional review letters identified and attached hereto as Exhibits, and identified as follows:

1. Applicant agrees to all comments, requests and recommendations as listed in the referenced ERI review letters, the CME review letter and the Deputy Chief Scott Freedman, Fire Marshal review letters, all attached hereto and incorporated by reference.

2. Applicant agrees to provide the eight Medicaid eligible beds required and give consideration to providing those beds in individual bedrooms if and as possible.

3. With regard to comment 7 in the April 11, 2024 revised memo from the Fire Marshal, Applicant agrees to contact the Fire Marshal and meet with the First Marshal and his staff prior to any shut down/termination of the sprinkler system and any possible “stand-by” by the Fire Department and set up a schedule and process agreeable to the Fire Marshal.

4. Applicant agrees to Title 39 enforcement at the P.I.Q. to be amended to include the new proposed improvements and balance of the entire site.

5. Applicant agrees to provide prior to the new building being constructed, an acceptable scratch coating of asphalt for review and approval, sufficient for a truck weight of 75,500 pounds, to be maintained during construction.

6. Applicant agrees to maintain an access road to and from Lot 3 and Lot 3.03 in a manner acceptable to the Zoning Board professionals and Fire Marshal, with the right in the future to relocate the access point and access road between the two properties, with any proposed alternative location and access point for that road for emergency access to be acceptable to the Board Engineer, Planner and Fire Marshal. If the future proposed relocation is acceptable to the Board Engineer, Planner and Fire Marshal, further application to and approval from the Board will not be necessary. If not acceptable, further application to and approval by the Board will be necessary. The emergency access road requirement and condition of approval to remain will be memorialized and confirmed by way of a cross-access agreement and deed restriction, in a form acceptable to the Board Engineer and Solicitor, with those documents to be amended with any approved relocation of the access point and access road.

7. Applicant agrees to provide a written agreement between the owners of Lots 3 and 3.03 for temporary access and temporary parking and construction staging on Lots 3.03, with a copy to be provided to the Board professionals.

8. Applicant agrees that Lot 3.03 will be lighted appropriately, and parking and staging areas will be repaired and restriped, in a manner acceptable to the Board Engineer and Planner.

9. Applicant agrees that it will provide a route of travel for pedestrian’s from Lot 3.03 to Lot 3 in a safe and effective manner and in a manner acceptable to the Board professionals, sidewalk or otherwise, with employees and construction workers only parking on Lot 3.03.

10. In conjunction with ERI review comment paragraph 34(a) and in lieu of pipes being televised to determine the condition of each, Applicant agrees that if any stormwater problems are identified or develop deficiencies, they will be repaired and remedied in a manner acceptable to the Board Engineer.

11. Applicant agrees to no parking in any grass areas.

12. Applicant agrees to provide an opinion letter from the Applicant's Traffic Engineer addressing access points on Route 70, associated improvements on Route 70 and no interest from the State and County.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The Applicant, CareOne at Evesham Assisted Living, LLC (hereinafter, "Applicant"), has applied for an Amended site plan, d(1) use variance for the proposed non-conforming use, a d(4) variance for FAR and variances for loading, front yard, side yard and parking setbacks, building height and a waiver for the site located within the C-1 Commercial Zoning District, with an address of 870-874 Route 70 East and 471 Evesboro-Medford Road, Marlton, New Jersey and as more fully particularly described as Block 16, Lot 3 and 3.03 on the Evesham Township Tax Map (hereinafter referred to as the "P.I.Q.").

2. The Applicant previously received from the ETZBA the granting of preliminary and final major site plan approval and associated bulk and use variance approvals. The prior referenced approvals related to proposed expansion and construction of an additional 23 assisted living units and 18 Alzheimer Units. The Applicant had proposed to construct a 25,775 square foot two-floor addition to the existing facility and to reconstruct the parking area and associated landscaping. Thereafter, extensions of said approvals were granted in 2016, 2017 and 2018, but the addition was never constructed. In 2019 the applicant was granted approval by the Board to construct a two-story expansion very similar to the 2012 approval, which would include 41 new beds, common amenity spaces, and circulation improvements on the site. This addition however was never constructed. A FAR variance was granted. Construction of the proposed building addition was never started; however, the applicant did install underground utilities and some improvements to the parking area.

3. The site is comprised of 13.75 acres and is located on the north side of Route 70 and the south side of Evesboro-Medford Road (C.R. 618). The site is improved with a one-story, 45,500 SF skilled nursing facility with 144 beds and a 3-story, 52,230 SF assisted living facility with 80 beds. The applicant is now again proposing to construct an addition to the 3-story assisted living facility on the north side of the site. The building addition would also be 3-stories in height, and would be located on the west side of the existing assisted living facility, occupying space that is currently cleared. The addition would include 73 new assisted living beds as well as common spaces and other areas. Additional proposed improvements include parking spaces around the building, a new dumpster enclosure, a new canopy over the proposed drop-off location near the northern frontage of the building. The construction will bring the total number of assisted living beds on the site to 153. Additional improvements are proposed for the parking and circulation surrounding the nursing home facility on the south side of the property, including new parking spaces, curbing, and a retaining wall. Some of the site work surrounding the new

building addition, including some of the parking and circulation, is already in place as a result of previous approvals that were not fully constructed.

4. The P.I.Q. is located in the C-1 Commercial Zoning District. The site is surrounded by a mixture of multi-family residential uses, wooded areas, and commercial uses along Route 70 and Evesboro-Medford Road. To the immediate west is a former skating center, a multifamily housing development, and a wooded area along the wetlands. East of the site is the Barclay Chase multi-family residential development. North of the site is a mixture of wooded areas and single-family residential development. South of the site is the Whitebridge residential development and wooded areas.

5. Counsel for the Applicant, Beth L. Marlin, Esquire introduced the application to the Board and described the nature of the relief being sought as detailed herein and in all of the application materials and review letters, all incorporated herein by reference.

6. The Applicant marked the following exhibits:

A-1 Existing conditions, four photos.

A-2 Colorized rendering – proposed elevation. (Sheet SKO5 black and white previously submitted)

A-3 Sheet SK07 – Construction phasing plan.

7. The Applicant's first witness was Michael Fowler, PE of Langan Engineers. He was sworn and qualified. He provided a detailed history of the site, prior Land Use Board applications and approvals, improvements on site over the years and also confirmed the current operations of the Applicant on site. He described in detail the new proposed improvements as detailed herein and in the application material. He identified the additional proposed square footage, and confirmed the additional and total assisted living bed count as detailed herein. He also identified existing parking, additional new proposed parking, and confirmed a proposed total parking count of 180 "raw" or real spaces, taking no additional credit for EV spaces. He calculated a required parking count of 172 spaces, so no relief is necessary for parking. They are expanding the existing trash area to accommodate additional recycling and a new trash enclosure and landscaping. He identified and discussed fencing, with an internal fenced area for residents with fencing at 8', where 6' maximum is permitted. He detailed that the fencing is internal, for safety reasons and will not be visible from the roads. He confirmed that they are adding new landscaping and identified same. He noted that the adjacent lot (3.03) is part of this proposal, and is to be used for temporary parking during construction and will also allow for construction staging areas. He identified all proposed modifications to existing site lighting and relocation of select fixtures (three). He identified additional lighting in the new courtyard and the new entrance. With regard to phasing for the project, he defined the anticipated manner of construction and a new temporary entrance and the utilization of lot 3.03 as a construction staging area, and certain beds being taken offline, with some eliminated, with a proposed bed total as detailed herein. He discussed parking available on both lots during and upon completion of construction, and also provided testimony concerning the access road between the lots, its purpose and agreement for that road to remain in place going forward. He identified the phasing for construction, with 4 phases identified and testified consistent with that submitted phasing plan, with new installations and relocations of utilities and water, and parking to be added,

building construction and roof drain connections, final utility connections, paving and other improvements adjacent to the new building. He discussed site circulation and parking on both lots during and after completion of construction. He identified anticipated visitor parking closer to the facility, with employee parking on lot 3.03 as well as parking for construction workers.

8. He discussed emergency medical transport and access both during and upon completion of construction, all at the front doors of both facilities. He confirmed adequate circulation for trucks and emergency vehicles on both lots both during and after construction. He identified the EV spaces required and to be provided (three) for the assisted living, most likely on the south side of the building, to be “EV ready.”

9. He went on to testify about the stormwater facilities on site and newly proposed (underground retention) and the site also served by an existing detention basin. He discussed and identified fire lanes and markings existing and to be refreshed, and appropriate signage of no parking, and confirmed adequate circulation for all fire emergency vehicles, trash trucks and delivery vehicles, and adequate weight design for the paving to support the weight of all of those anticipated vehicles.

10. He confirmed the Applicant environmental submissions, and agreed to provide the supplemental submissions as requested by the Board professionals.

11. In addressing the May 1, 2024 ERI review letter, he inquired as to item #34(a), and in lieu of televising the pipes, the applicant agreed to the condition of approval as identified previously herein. He discussed drainage on site and confirmed the applicant’s obligation to maintain and be responsible for the existing stormwater management facilities. He also confirmed agreement as a condition of approval to the recommendations and requests contained in the ERI review letter, except as noted herein.

12. The Applicant’s second witness was Michael Pomarico, of Pomarico Design Studios, a licensed architect. He was sworn and qualified. He testified consistent with all the application submissions and specifically the marked and identified exhibits listed above. He specifically described the substance and content of Exhibits A-1, A-2 and A-3, including colors, material, windows, height and architectural elements, existing and proposed phasing and make ready work. He explained the design of the addition and provided testimony detailing the applicant’s intent and purpose for the proposed addition. He described the design as residential in nature. The design's purpose is to harmoniously blend with the existing structure and developments on site. It is an extension of the existing building, matching the overall aesthetics of the existing building. He discussed the temporary work and construction to be completed in phases and the temporary entrances proposed. He identified access to the buildings and the patient and other rooms in the buildings and described the overall layout of each building and the site. He also described submitted floor plans, sheets SK01, SK02, SK03 & SK04, and the roof plan and mounted equipment. He confirmed that there is not a fourth floor, it is just a purely aesthetic detail. It is unoccupiable space designed to shield the HVAC equipment. He identified the new proposed basement area as well. The new addition does not project higher than the existing building.

13. Counsel for the Board then disclosed that the Board Chair had a family member that years ago stayed at this facility. The Chair indicated on the record that nevertheless she could be impartial as to this application and applicant's council had no objection.

14. Mr. Pomarico confirmed that the fire suppression system will be fully operational during construction. With any interconnection that needs to be done, there would be less than a four hour shutdown. He then addressed issues raised in the fire official review memorandums and agreed to the fire official's recommendations and requests as conditions of approval. He discussed anticipated timing of the proposed phasing, with no hard construction schedule in place yet.

15. The Applicant's next witness was Karl Pehnke, Traffic Engineer. He was sworn and qualified. He testified consistent with the traffic statement submitted, incorporated herein by reference. He discussed the proposed improvements and additional beds on site being categorized as moderate traffic generators, anticipated additional trips and anticipated continued good levels of service to be maintained. He discussed access to the site, between the lots and parking and circulation on the two lots. He confirmed that no new permit will be required from NJDOT given the anticipated limited additional traffic counts. He addressed the ERI letter comments, and specifically the positioning of the ADA parking spaces, and consideration of elimination of 1 regular space and sliding the ADA spaces (comment 58b) and also at that same location no stop sign being necessary, with no conflicting traffic requiring same (comment 58a).

16. The Applicant's next witness was Joseph Straus, an Applicant representative, and he was sworn. He confirmed that there have been no issues or problems with any of the stormwater facilities including inlets, pipes and basins, and that they are currently functioning as designed, and he agreed to the condition of approval as detailed herein with regard to those facilities and in lieu of televising the pipes. He detailed specifically how this new proposed building and renovation will affect operations at the facility, with an identification, in part, of beds and floors dedicated to memory care, with increased demand for memory care beds. He discussed delays to this project as a result of Covid. He discussed residents being grouped by acuity levels with appropriate staffing. The addition is to be completely for additional memory care residents and beds. They are at capacity for memory care and have been "24/7." He discussed deliveries one to two times a week by box trucks, with quick unloading, with three loading spaces now that are adequate and being proposed as well. He discussed waste removal from the site once every two weeks and confirmed a trash compactor on site. He confirmed that of the new beds proposed (73), eight will be Medicaid eligible, which is the required set aside. He described how that process works, with month to month leases with residents, with no particular bed designated, just the total set aside. He addressed the Board Planner's comment concerning the Medicaid beds being provided in individual bedrooms as opposed to shared rooms, if possible. Mr. Straus testified concerning why that is not possible based on operations (comment (u) in the CME review letter). The operations are too fluid, with transient operations and couples that want to be together in one bedroom.

17. The Applicant's next witness was Paul Phillips, a licensed Planner, who was sworn and qualified. He provided testimony detailing the proposed improvements and the project zoning, both in terms of compliance and necessary variances and relief requested, all as detailed herein. He addressed the necessary proofs for the d and c variances and provided his expert opinion that the Applicant satisfied those burdens of proof, warranting an approval of the

requested relief. He identified the Applicant use as inherently beneficial and a presumptive satisfaction of the positive burden of proof criteria, and identified the demand for this expansion of memory care units. He identified the Township's Master Plan and most recent Reexamination Report and cited portions of both (expressed goals) which supported the Applicants requested relief in this instance. He addressed the negative criteria proofs, and confirmed this operation has been in place since 1988, that it is part of the neighborhood fabric and that the proposed expansion will have a minimal effect on the neighborhood and adjacent uses. The expansion will be well screened and distant to the closest residential development. Mr. Phillips noted that none of the residents of the addition will drive given that they are adding additional memory care beds, so the use is not intense, and the expansion will not overburden the site. There was a brief exchange concerning the necessity of a d(1) or d(2) use variance, with additional testimony from the Board Planner, Mr. Dochney, and it was agreed that the relief necessary would be identified as an amended d(1) variance, not a d(2), with the same proofs being necessary for both. He offered additional expert testimony in support of the d(4) variance. Mr. Phillips offered additional expert testimony in support of the identified c variances and waiver, and offered expert testimony in support of the relief under both c(1) and c(2) criteria, with specific citation to the MLUL purposes of zoning.

18. At the time of the hearing, Deputy Chief Scott Freedman, Fire Marshall, identified all of his review letters attached herein as Exhibit C and incorporated herein by reference, and testified consistent with the contents of those reports. He reviewed the points identified in his review letters. He requested clarification of testimony and certain conditions, which the applicant provided and agreed to, as identified herein. He inquired as to sprinkler coverage of the existing building, item number 7 in his revised April 11, 2024 memo, and addressed sprinkler termination for transition. There was a discussion and an agreement to maintain the cross access road between Lot 3 and 3.03 for emergency access and necessity of a cross access agreement between the owners of Lot 3 and 3.01 and a cross access deed restriction to be approved and reviewed by the Board professionals.

19. At the time of the hearing, Ryan McCarthy, PE, CME, of ERI, the Board's Engineer, identified the ERI review letter dated May 1, 2024, attached hereto as Exhibit A and incorporated herein by reference, and testified consistent with the contents of the report. He requested additional testimony regarding the number of employees per shift, and Applicant's counsel identified the maximum peak employee count as 85. He identified select portions of the ERI review letter with recommendations that the Applicant has agreed to, as detailed herein. Mr. Fowler responded that he did in fact review the parking lot at Lot 3.03 and it does require some pothole repair and general cleanup and restriping the parking spaces and he confirmed that the existing sight lighting at Lot 3.03 is operational. Mr. McCarthy had no objection to the omission of the identified stop sign.

20. At the time of the hearing, Chris Dochney, PP, AICP of CME Associates, the Board's Planner, identified his review letter dated February 8, 2024, attached hereto as Exhibit B and incorporated herein by reference, and testified consistent with the contents of his report. He clarified the affordable housing issue identified in his review letter and the required eight set aside Medicaid eligible beds. He discussed the Township's affordable housing plan and an analysis of bedrooms verses beds. He confirmed that there are existing eight set aside beds, and with the additional eight set aside beds, there is a proposed total of 16 Medicaid eligible set aside

beds. This was confirmed by Applicant's counsel. He confirmed that the Applicant is satisfying its requirements. He also mentioned the bulk standards in this C-1 zone.

21. The matter was then opened to the Board for questions. Board member Masson inquired as to the adjoining property at Lot 3.03 and inquired as to when completion of construction is over, what the plan was eventually for the possible sale of that property or development of that property. He also inquired about parking on the grass. Applicant agreed that would not continue or be permitted. There was an exchange concerning maximum staff count as 85.

22. There was then a question from the Board Chair with regard to the variances being requested, parking on Lots 3 and 3.03 and regulating same and specifically the d(4) FAR variance. The Fire Marshal responded and Mr. Dochney responded and provided a description and details of the FAR relief being requested. The Board Chair also asked about the bed count and beds not usable during construction and the Applicant confirmed no anticipated move of residents.

23. Board member Ganju inquired about safety for the residents during construction. There was a response from Mr. Straus. The residents will not be disturbed.

24. The matter was then opened to the public and there were no public comments.

25. Based upon all the foregoing testimony, the application and other documents and the Board's familiarity with the P.I.Q., the Board finds that in regard to the P.I.Q., the purposes of the Municipal Land Use Law, N.J.S.A. 40:55D-2, would be advanced by the requested relief as detailed herein and that the benefits of the approval would substantially outweigh any detriment. Additionally, the Board finds that in regard to the P.I.Q., the positive criteria has been satisfied.

26. The Board further finds that the requested relief as detailed herein can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Evesham Township Master Plan and Land Use Ordinances. The negative criteria has also been satisfied.

27. The Board, therefore, concludes that the approvals requested should be and hereby are granted to the P.I.Q. subject to the conditions set forth in this Resolution, at the meeting and as identified in the professional review letters referenced and attached.

The foregoing action was taken by the ETZBA on June 17, 2024 on bifurcated motions. There were three separate motions. The first motion to approve the amended d(1) use variance was moved by Granter and seconded by Smith. The second motion to approve the d(4) variance was moved by Smith and seconded by Carragher. The third motion on all of the requested c variances, waiver and approval of an amended preliminary and final major site plan was moved by Grantner and seconded by Smith. All three motions were approved on a 7 to 0 vote with the affirmative votes being from Grantner, Masson, Smith, Willmott, Ganju, Carragher and Thomas.

The foregoing action was memorialized by the ETZBA on August 19, 2024 upon the motion of Masson, seconded by Smith with the vote on the motion being as follows:

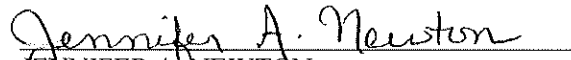
AYE: Ganju, Grantner, Masson, Smith, Willmott, Carragher and Thomas

NAY:

BE IT FURTHER RESOLVED that a certified copy of the memorialized Resolution be sent to Applicant's counsel/Applicant within ten (10) days of adoption. A brief notice of this decision should be published in the official newspaper of the Township.

CERTIFICATION

The undersigned Secretary of the ETZBA hereby certifies that the above is a true copy of Resolution #2024-ZB-09 adopted by the ETZBA on August 19, 2024.


JENNIFER A. NEWTON,
BOARD SECRETARY

GENERAL CONDITIONS OF APPROVAL

1. Any variance granted permitting the erection or alteration of any structure(s) or a specified use shall expire unless such construction, alteration or use shall have been actually commenced on each and every structure permitted by said variance within one (1) year from the date of the ETZBA's action and is diligently pursued to completion; except, however, the running of this period shall be tolled from the date of filing an appeal from the ETZBA's decision to Township Council, or to a court of competent jurisdiction, until the termination in any manner of such appeal or proceeding (Code Section 15-5). This Condition shall not apply if preliminary approval has been granted, extended and is still in effect pursuant to N.J.S.A. 40:55D-49 or if final approval has been granted, extended and is still in effect pursuant to N.J.S.A. 40:55D-52.

2. A brief notice of this decision shall be published in the official newspaper of the Township, at the Applicants' expense. The aforementioned notice shall be sent to the official newspaper for publication within ten (10) days of the date of this decision is memorialized (Code Section 15-19). A proof of publication shall be filed with the Administrative Officer of the ETZBA within thirty (30) days of the date the decision is memorialized.

3. The Applicants shall promptly pay any professional staff fees billed, in excess of the required application escrows, or appeal in accordance with Code Section 94-10K.

4. These General Conditions of Approval shall be binding upon the Applicants, the owner and any successors and/or assigns of either.

5. The Additional Conditions of Approval, if any, shall be binding upon the Applicants, the owner and any successors and/or assigns of either.

6. The approval(s) granted is/are conditioned upon the Applicants obtaining the following governmental approval(s), as necessary:

- Burlington County Planning Board
- Pinelands Commission

7. Prior to the commencement of any construction, the Applicants shall obtain the following governmental approvals and/or permits:

- Evesham Township Construction Code Official
- Evesham Township Director of Community Development
- Zoning Board Engineer
- Burlington County Soil Conservation District
- New Jersey Department of Transportation or an acceptable opinion letter from Applicant's professional traffic engineer
- Burlington County Engineer Highway Access Permit
- Burlington County Engineer Utility Connection Permit
- Burlington County Board of Health Approvals

- (X) Evesham Municipal Utilities Authority approval (including, without limitation, W-4 and S-4 permits)
- () New Jersey Department of Environmental Protection
- () New Jersey Department of Environmental Protection-wetlands delineation, wetlands transition area and/or general permit(s) approval

8. The Applicants shall be responsible for and shall satisfy, in accordance with the Evesham Township Land Use Ordinance if and as applicable, the following fees and charges:

- (X) Mandatory Development Fees;
- (X) Floor area Ratio Fees in the amount of \$(**to be calculated**).

9. Any improvement(s) to be constructed as a result of the ETZBA approving this application shall be constructed and operated in full compliance with the Code of Evesham Township, the Revised Statutes of the State of New Jersey and any other applicable county and/or Federal law.

10. Unless specifically waived in whole or in part and noted in the Additional Conditions of this approval, if the above application involves the granting of a final major subdivision approval or a final site plan approval or the approval for the issuance of a zoning permit, the Applicants, in order to assure the installation and maintenance of all required improvements required by the preliminary approval or as a condition to the issuance of a zoning permit, shall furnish written performance guarantees and written maintenance guarantees in the form(s) which comply with the provisions of N.J.S.A. 40:55D-53, et seq., and the Evesham Township Code. The amount of each performance guarantee shall equal 120% of the amount estimated by the Township Engineer as the cost of installing the required improvements. The maintenance guarantee shall equal 15% of the cost of the improvements and shall cover a period of two (2) years after the final acceptance of the improvements.

11. If the above application involves the granting of a final subdivision or final site plan approval, the Chairperson and Secretary of the ETZBA shall not sign the Final Subdivision Plat or Final Site Plan nor shall any zoning permit issue until the Applicants have posted the required performance guarantee and the Applicants have demonstrated that all conditions of the final approval have been satisfied.

12. Applicants seeking site plan or preliminary and/or final subdivision approval shall:

A. Submit five (5) copies of a complete survey of the property (except for streets) to be dedicated, which survey shall be performed and certified by a licensed surveyor.

B. Submit a topographic survey showing contour intervals of two (2) feet at a scale no larger than one (1) inch equaling one hundred (100) feet.

C. Submit five (5) copies of complete (as-built) plan of any improvements, except for streets, on the dedicated property.

D. Submit a deed of conveyance, approved as to form, content and description by the Township Attorney. The said deed shall contain provision for the signature of the Mayor and attestation by the Township Clerk. Where streets are offered for acceptance, a legal description by metes and bounds describing the centerline shall be included.

E. Obtain title insurance naming the Township of Evesham as the insured party in an amount equal to the fair market value of the dedicated property; this requirement shall not pertain to streets. In the case of drainage easements not shown on or generated after the final plan is filed in the County Clerk's office and property having a fair market value on one thousand dollars (\$1,000.00) or less, a title search indicating marketable title shall be sufficient, provided that said search is certified by a title insurance company authorized to do business in the State of New Jersey.

13. If a minor subdivision approval has been granted, such approval shall lapse unless within 190 days from the date of approval has been granted the Applicants either files a plat in conformity with the approval and the "Map Filing Law" (N.J.S.A. 46:23-9.9, et seq.) or records a deed with the County Clerk which clearly describe the approved minor subdivision and files a copy of the deed with the Township's Engineer and the Township's Tax Assessor. Such deed shall also be signed by the Chairman and Secretary of the ETZBA.

14. If a final approval has been granted, the Applicants shall submit to the ETZBA Engineer for his review a minimum of 8 complete sets of plans which shall incorporate all of the revisions that have been made conditions of this approval.

15. As part of this first application for final approval, the Applicants shall provide a construction schedule as required by the Evesham Township Ordinances which must be satisfactory to the ETZBA Engineering Consultant.

16. The Applicants shall comply with Title 39 of the New Jersey Statutes.

17. The Applicants shall construct all drainage basins or alternate drainage facilities upon the P.I.Q., including inflow and outflow structures, prior to the commencement of any construction upon the P.I.Q.

APPENDIX F-5

211 Quail Run Affordable Housing Agreement



Township of Evesham

Mayor Jaclyn Veasy - Councilwoman Heather Cooper - Councilwoman Ginamarie Espinoza - Councilman Eddie Freeman, III - Councilwoman Patricia Hansen

984 Tuckerton Road • Marlton • NJ 08053 • 856-983-2900 • www.evesham-nj.org

Township Manager - Robert Corrales
Township Clerk - Mary Lou Bergh

July 12, 2024

David C. Patterson, Esquire
Maressa Patterson, LLC
191 West White Horse Pike
Berlin, New Jersey 08009

Re: Affordable Housing Agreement - Township of Evesham and Robert Dirscherl

Dear Mr. Patterson:

Per your correspondence dated July 9, 2024 to Evesham Township Solicitor representative Jill S. Mayer, Esquire, enclosed please find the following:

- A certified copy of Resolution No. 227-2024, adopted by the Evesham Township Council at its meeting of July 10, 2024.
- Fully-executed Affordable Housing Agreement

If you require any additional information, please do not hesitate to call.

Sincerely,

Rebecca Andrews
Acting Township Clerk

Enclosure

cc: Lavon Phillips, Acting Township Manager (via e-mail)
Kevin Rijs, Community Development Director (via e-mail)
Amy Sauls, Chief Financial Officer (via e-mail)
Jill Mayer, Esquire, Parker McCay, PA (via e-mail)

THE TOWNSHIP OF EVESHAM
RESOLUTION NO. 227-2024

RESOLUTION AUTHORIZING EXECUTION OF AN AFFORDABLE HOUSING AGREEMENT
WITH THE PROPERTY OWNER OF 211 QUAIL ROAD TO ALLOW THE PROPERTY
OWNER'S PARTICIPATION IN THE MARKET TO AFFORDABLE PROGRAM, WITHDRAW
FROM THE AFFORDABLE HOUSING TRUST FUND, AND SIGNING A CONSENT ORDER
TO DEED RESTRICT 211 QUAIL ROAD

WHEREAS, the Township of Evesham (the "Township") has a Constitutional and statutory obligation pursuant to P.L.2024, c.2 and the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301, et seq. ("FHA") to create a realistic opportunity for the provision of affordable housing; and

WHEREAS, on February 17, 2022, the Honorable Jeanne T. Covert, A.J.S.C. conditionally approved the Township's Amended 2021 Housing Element and Fair Share Plan; and

WHEREAS, on July 21, 2022, the Township received a Final Judgement of Compliance and Repose from the Court in which the Township's Affordable Housing Spending Plan ("Spending Plan") was approved; and

WHEREAS, by Resolution 204-2022, the Spending Plan as amended was approved;

WHEREAS, the Township's Housing Element and Fair Share Plan and Spending Plan provides for a market to affordable program with restrictions for low and moderate income deed restrictions also known as controls on affordability; and

WHEREAS, the Township has the opportunity to deed restrict the property located at 211 Quail Road as an affordable unit that will participate in the market to affordable program; and

WHEREAS, on or about July 14, 1993, an Affordable Housing Agreement was executed and recorded at the Burlington County Clerk's Office via Deed, Book 4605, Page 246 between the State of New Jersey Council on Affordable Housing and Diane M. Benash that deed restricted 211 Quail Road, Block 17, Lot 7, Qualifier CO211 (the "Quail Road Property") as an affordable housing unit; and

WHEREAS, on March 13, 2015, a deed was made between Diane M. Benash and Robert Dirscherl (the "Owner") and recorded in the Burlington County Clerk's office, Book 13163, Page 3773 that continued the deed restrictions on the Quail Road Property until the municipality in which the unit is located elected to release the unit. Prior to such municipal election, the unit was to remain restricted for a period of at least thirty (30) years; and

WHEREAS, the deed restriction on the Quail Road Property has expired on or about July 14, 2023; and

WHEREAS, under the laws of the State of New Jersey, the FHA, and the Township's Final Judgement of Compliance and Repose, the Township has established an Affordable Housing Trust Fund ("Trust Fund"); and

WHEREAS, Trust Fund monies were earmarked for expenditure in the Court-approved Spending Plan to facilitate the implementation of "Uniform Housing Affordability Controls" ("UHAC") as authorized by N.J.A.C. 5:80-26.1; and

WHEREAS, the Owner has agreed to participate in the Township's market to affordable program, whereby the Township will record a deed restriction on the Quail Road Property in exchange for the payment of seventy-five thousand dollars (\$75,000.00) from the Trust Fund to the

Owner; the Township will also pay 3% of the sales price of the property (the Administrative Agent Fee) to the Administrative Agent; and

WHEREAS, the Township and the Owner of 211 Quail Road wish to enter into an Affordable Housing Agreement (the "Agreement") to deed restrict the Property in exchange for a sum of \$75,000, attached hereto as "Exhibit A"; and

WHEREAS, the Township has agreed to pay the Administrative Agent Fee associated with the sale of the Property, that is, 3% of the sales price, to CGP & H; and

WHEREAS, the Township and the Administrative Agent have agreed that the maximum sales price of the Property is \$136,600.00; and

WHEREAS, the Township will seek approval in the form of a consent order from the Court, with Fair Share Housing Center ("FSHC") as defendant-intervenor, with the approval of the Court-appointed special master, Mary Beth Lonergan, PP to ensure the Township is authorized to withdraw the payment of \$75,000, and the 3 % Administrative Agent Fee and to ensure that the Township receives the appropriate amount of credit for the Properties in order to contribute to the Township's Affordable Housing Obligation; and

WHEREAS, the payment to the Owner of the Quail Road Property is conditioned upon the Township receiving approval from the Court and FSHC; and

WHEREAS, the purpose of this Resolution is to authorize the Township to sign the consent order with the Court and FSHC to ensure the deed restriction of the Property in order for the Township to receive the appropriate amount of credits towards its Affordable Housing

obligation, to execute the Agreement, to approve the \$75,000 and 3% Administrative Agent Fee expenditure from the Trust Fund, and to allow the Owner of the Quail Road Property to participate in the market to affordable program; and

WHEREAS, the \$75,000 payment and the 3% Administrative fee is a proper expenditure of Trust Fund monies.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Evesham, County of Burlington, State of New Jersey, on this 10th day of July, 2024, as follows:

1. The Township Council authorizes Counsel for Evesham Township to sign the consent order on behalf of the Township.
2. The Township Council authorizes the acceptance of the Affordable Housing Restrictions Agreement with the Owner, attached hereto as "Exhibit A."
3. The Township Council authorizes the withdrawal of a sum of \$75,000.00 from the Affordable Housing Trust Fund, pending the Court's approval, for the Owner's participation in the market to affordable program for the following property:
211 Quail Road, Block 17, Lot 7, Qualifier C0211.
4. The Township Council authorizes the withdrawal of 3 % of the sales price of the Property, from the Trust Fund, to be paid to CGP & H, for the Administrative Agent Fee associated with the sale of the Property.

This resolution was adopted at a meeting of the Township Council held on July 10, 2024, and shall take effect immediately.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Evesham, County of Burlington, State of New Jersey, is hereby authorized to enter into and execute any and all additional documents that may be required to perfect this proposed deed restriction.

I HEREBY CERTIFY that the foregoing resolution was adopted by the Township Council of the Township of Evesham, County of Burlington, State of New Jersey at their meeting held in the Meeting Room of the Municipal Complex, 984 Tuckerton Road, Marlton, New Jersey 08053 on July 10, 2024.

Rebecca Andrews
 Rebecca Andrews, Acting Township Clerk

ROLL CALL VOTE						
COUNCIL MEMBER	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
COOPER	✓		✓			
ESPINOZA		✓	✓			
FREEMAN			✓			
HANSEN						✓
MAYOR VEASY			✓			

AFFORDABLE HOUSING AGREEMENT

This **AFFORDABLE HOUSING AGREEMENT** (hereinafter referred to as the “**Agreement**”), made this 12th day of JULY, 2024, by and between the **TOWNSHIP OF EVESHAM**, a municipal corporation of the State of New Jersey, with offices at 984 Tuckerton Road, Marlton, New Jersey 08053 (hereinafter referred to as the “**Township**”) and Robert Dirscherl, the Property Owner, whose address is 211 Quail Road, (hereinafter referred to as the “**Owner**”) and his successors and/or assigns.

RECITALS

WHEREAS, the Township of Evesham (the “**Township**”) has an obligation pursuant to P.L.2024, c.2 and the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301, et seq. (“**FHA**”) to create a realistic opportunity for the provision of affordable housing; and

WHEREAS, on February 17, 2022, the Honorable Jeanne T. Covert, A.J.S.C. conditionally approved the Township’s Amended 2021 Housing Element and Fair Share Plan; and

WHEREAS, on July 21, 2022, the Township received a Final Judgment of Compliance and Repose from the Court in which the Township’s Affordable Housing Spending Plan (“**Spending Plan**”) was approved; and

WHEREAS, by Resolution 204-2022, the Spending Plan as amended was approved; and

WHEREAS, the Township of Evesham’s Housing Element and Fair Share Plan and Spending Plan provides for a market to affordable program with restrictions for low and moderate income deed restrictions also known as controls on affordability; and

WHEREAS, under the laws of the State of New Jersey, the FHA, and the Township’s Final Judgment of Compliance and Repose, the Township has established an Affordable Housing Trust Fund (“**Trust Fund**”); and

WHEREAS, Trust Fund monies were earmarked for expenditure in the Court-approved Spending Plan to facilitate the implementation of “Uniform Housing Affordability Controls” (“**UHAC**”) as authorized by N.J.A.C. 5:80-26.1; and

WHEREAS, on or about July 14, 1993, an Affordable Housing Agreement was executed and recorded at the Burlington County Clerk’s Office via Deed, Book 4605, Page 246 between the State of New Jersey Council on Affordable Housing and Diane M. Benash that deed restricted 211 Quail Road, Block 17, Lot 7, Qualifier CO211 (the “**Property**”) as an affordable housing unit; and

WHEREAS, on March 13, 2015, a deed was made between Diane M. Benash and the Owner and recorded in the Burlington County Clerk’s office, Book 13163, Page 3773 that continued the deed restrictions on the Property until the municipality in which the unit is located

elected to release the unit. Prior to such municipal election, the unit was to remain restricted for a period of at least thirty (30) years; and

WHEREAS, the deed restriction has expired on or about July 14, 2023; and

WHEREAS, the Owner has agreed to participate in the Township of Evesham's market to affordable program by deed-restricting the Property in exchange for the payment of seventy-five thousand dollars (\$75,000.00) to the Owner from the Trust Fund; and

WHEREAS, the Township has agreed to pay the Administrative Agent Fee associated with the sale of the Property, that is, 3% of the sales price of the Property, to CGP & H.

WHEREAS, the Township will seek approval in the form of a consent order from the Court and Fair Share Housing Center ("FSHC") as defendant-intervenor with the approval of the Court-appointed special master, Mary Beth Lonergan, PP to ensure the Township is authorized to withdraw the payment of \$75,000 and to ensure it receives the appropriate amount of credit for the unit for its Affordable Housing Obligation;

WHEREAS, the payment to the Owner from the Trust Fund is conditioned upon the Township receiving approval from the Court and FSHC;

WHEREAS, the Township of Evesham has authorized the payment from the Trust Fund as memorialized in Resolution No. 2024-_____, adopted _____ 2024; and

WHEREAS, the Owner has agreed to deed restrict the unit for low or moderate income housing for a minimum period of thirty (30) years ("Deed Restriction").

NOW THEREFORE, IT IS AGREED AS FOLLOWS:

1. **PURPOSE OF AGREEMENT**

The purpose of this Agreement is to allow the Owner to participate in the Market to Affordable Housing Program and to record the Deed Restriction on the Property subject to the rules and regulations of the Uniform Housing Affordability Controls N.J.A.C. 5:80-26.1, et seq., in order to ensure that the Property remains affordable to low and moderate income households for not less than thirty (30) years. It is the intent of this Agreement to ensure that the affordability controls are recorded against the Property so as to bind the Owner, its successors and/or assigns to the covenants, conditions, and restrictions in the Deed Restriction as discussed herein and to notify all future purchasers of the Property that the housing unit is encumbered with affordability controls.

2. **CONSIDERATION**

In consideration of the imposition of the Deed Restriction the Township shall pay the Owner the sum of seventy-five thousand (\$75,000.00) from the Affordable Housing Trust Fund

and pay the Administrative Agent Fee associated with the sale of the Property, that is, 3% of the sales price of the Property, to CGP & H.

3. DEED RESTRICTION, COMPLIANCE WITH THE UNIFORM HOUSING AFFORDABILITY CONTROLS, INCOME QUALIFICATION AND PAYMENT.

The Township will seek approval and confirmation from the Court and FSHC in the form of a consent order to ensure that the Township is eligible to receive the appropriate amount of credits for the unit to count towards its affordable housing obligations. Upon receiving approval, the Owner expressly agrees to complete and execute a Deed Restriction provided by the Township. The Owner acknowledges and consents to the Township recording the Deed Restriction in the Burlington County Clerk's Office, encumbering the Property to create an affordable housing unit. The thirty (30) year controls on affordability Deed Restriction shall comply with UHAC as confirmed by the Township's attorneys and Administrative Agent and shall commence on the date when it is occupied by an income qualified household.

Upon the execution of the Deed Restriction in the Burlington County Clerk's Office, and proof that the Owner held title to the Property at the time of the recording of the Deed Restriction, the Township shall pay the Owner the sum of seventy-five thousand dollars (\$75,000.00) from the Trust Fund.

Thereafter, the Property may only be conveyed to an income qualified household who has been approved in advance and in writing by the Evesham Housing Official, an Administrative Agent appointed under the UHAC (hereinafter, collectively, the "Administrative Agent"). No sale of the Property shall be lawful, unless approved in advance and in writing by the Administrative Agent. Additionally, no sale shall exceed the maximum permitted sale price of one hundred thirty-six thousand six hundred dollars (\$136,600.00), as determined by the Administrative Agent.

The contents, obligations, commitments and requirements in said Deed Restriction are incorporated by reference herein as if set forth herein at length. The Township will provide the owner with a certified copy of the recorded Deed Restriction within five (5) days of receipt of the recorded document from the Burlington County Clerk's Office.

4. DEFAULT AND REMEDIES.

In the event that any party to this Agreement shall fail to perform any undertaking required to be performed by it pursuant to the terms of this Agreement, unless such obligation is waived in writing by the party or parties for whose benefit such obligation was intended, such failure to perform shall constitute an event of default under this Agreement. In the event of default, the non-defaulting party shall have available any and all rights and remedies that may be provided in law or in equity, including, but not limited to the right of specific performance and/or the right to bring a motion in aid of litigant's rights. Prior to such proceedings, there shall be an opportunity to cure said alleged default as follows (i) the benefitted party shall notify the defaulting party of such alleged default specifying the nature of the default, (ii) the defaulting party shall thereafter have thirty (30) business days to effect a cure; (iii) the benefitted party shall promptly notify the

defaulting party of its acceptance of the proposed cure, or its alternative election to seek judicial remedies.

Upon the occurrence of a breach of this Agreement by the Owner, or any successor in interest of other owner of the Property, the Administrative Agent shall have all the remedies provided at law or equity including but not limited to forfeiture, foreclosure, acceleration of all sums due under any mortgage, recouping of any funds from a sale in violation of the Agreement, diverting of rent proceeds from illegal rentals, injunctive relief to prevent further violation of said Agreement, entry on the premises, those provided under Title 5, Chapter 80, Subchapter 26 of the New Jersey Administrative Code and specific performance.

5. **MISCELLANEOUS.**

a. **Notice.** All notices required under this Agreement shall be in writing and shall be given by certified mail, return receipt requested, or by recognized overnight personal carriers with certified proof of receipt, and by duplicate facsimile transmission if under 25 pages. All notices shall be deemed received upon the date of delivery which is set forth in the mailing certifications by the mail or delivery services used, and all times for performance based upon such notices, shall be from the date set forth in such proof of delivery. The persons and entities to receive notice shall be as follows:

To the Owner:	Robert Dirscherl 211 Quail Road Marlton, New Jersey 08053
To the Owner's Attorney:	David C. Patterson, Esq. MARESSA PATTERSON 191 West White Horse Pike Berlin, New Jersey 08009
To the Township:	Township Manager Evesham Township 984 Tuckerton Road Marlton, New Jersey 08054
With Copy to:	Christopher Orlando, Esquire Parker McCay P.A. 9000 Midlantic Drive, Suite 300 Mount Laurel, New Jersey 08054

With Copy to: Heather Mahaley, PP, AICP
Senior Planner / Project Manager
CGP & H
Community Grants, Planning & Housing
1249 South River Road, Suite 301
Cranbury, NJ 08512-3633

Should any of the above entities have a successor, notice shall be sufficient only if the successor has notice as specified herein provided that notice has been provided of said successor.

b. **Captions.** Captions and titles to this Agreement are inserted for the purposes of convenience and reference only, and are in no way to be construed as limiting or modifying the scope and intent of the various purposes and provisions of this Agreement.

c. **Cooperation.** The parties expressly agree to cooperate with each other in order to effectuate and carry out the purposes of this Agreement in addition to the Mount Laurel II doctrine and the Fair Housing Act.

d. **Waiver.** Each of the parties waives all rights to challenge the validity and enforceability of this Agreement. Failure to enforce provisions or obligations in this Agreement by any party shall not be construed as a waiver of these provisions and obligations.

e. **Entire Agreement.** This Agreement and its prefatory statements and recitals constitute the entire agreement between the parties. No representative, agent or employee of any party has been authorized to make any representation and/or promises that are not contained herein or to otherwise modify, amend, vary or alter the terms hereof except as stated herein. No modifications, amendments, variations or alternations shall be binding unless reduced to writing and signed by the parties.

f. **Counterpart Signatures.** This Agreement may be executed simultaneously or in one or more counterparts, each of which, when so executed and delivered, shall constitute an original, fully enforceable counterpart for all purposes. Electronic signatures and counterparts shall be accepted and enforceable. Immediately upon the delivery of a counterpart, the sending party shall deliver a counterpart with the original execution page.


g. **Ambiguities.** Each party has participated fully in the review and revision of this Agreement. Any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in interpreting this Agreement. The language in this Agreement shall be interpreted as to its fair meaning and not strictly for or against any party.

h. **Validity.** In the event that one or more of the provisions of this Agreement shall be held to be invalid, unenforceable, or void, the parties shall within thirty (30) days of such determination, attempt to restructure this Agreement consistent with its underlying intent. If the parties fail to resolve such a restructuring, any party may seek Court review and a ruling to

restructure the Agreement in a legally acceptable manner reflecting the underlying intent of the parties as expressed herein.

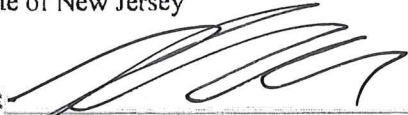
IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year appearing below their names.

Attest:



Rebecca Andrews, Acting Township Clerk

Date: 7/10/24

TOWNSHIP OF EVESHAM
A Municipal Corporation of the
State of New Jersey

By: 
Levon Phillips,
Acting Township Manager

Attest:


AS AUTHORIZED
Print Name: DAVID C. PETERSON

Date: 7/9/24

ROBERT DIRSCHERL

By: 
Robert Dirscherl

RECORDING INFORMATION SHEET

49 RANCOCAS RD,
MT. HOLLY, NJ 08060

INSTRUMENT NUMBER:

5124668

DOCUMENT TYPE:

DEED

Official Use Only

TIMOTHY D. TYLER
BURLINGTON COUNTY

RECEIPT NUMBER
8235252
RECORDED ON
March 18, 2015 8:42 AM

INSTRUMENT NUMBER
5124668

BOOK: OR13163
PAGE: 3773

Document Charge Type DEED - LOW AND MODERATE INCOME

Return Address (for recorded documents)
LLC SIMPLIFILE
4844 NORTH 300 WEST
PROVO UT 84604

No. Of Pages
(Excluding Recording Information and/or Summary Sheet) **6**

Consideration Amount **\$75,000.00**

Recording Fee **\$90.00**

Realty Transfer Fee **\$75.00**

Total Amount Paid **\$165.00**


Municipality EVESHAM TWP

Parcel Information
Block: 17
Lot: 7

First Party Name DIANE M BENASH

Second Party Name ROBERT T DIRSCHERL

Additional Information (Official Use Only)



5124668


Ctrl Id: 5297040 Recording Clerk: bscelza

***** DO NOT REMOVE THIS PAGE. *****
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***** RETAIN THIS PAGE FOR FUTURE REFERENCE. *****



Burlington County Document Summary Sheet

BURLINGTON COUNTY CLERK 49 RANCOCAS RD MOUNT HOLLY NJ 08060 1317	Transaction Identification Number	2386729	1635832
	Return Address <i>(for recorded documents)</i> SURETY TITLE COMPANY 11 EVES DRIVE, SUITE 150 MARLTON, NJ 08053		

Official Use Only	Submission Date <i>(mm/dd/yyyy)</i>		03/16/2015
	No. of Pages <i>(excluding Summary Sheet)</i>		6
	Recording Fee <i>(excluding transfer tax)</i>		\$90.00
	Realty Transfer Tax		\$75.00
	Total Amount		\$165.00
	Document Type	DEED LOW/MODERATE INCOME(PARTIAL EXEMPTION FROM RTF)	
	Electronic Recordation Level L2 - Level 2 (With Images)		
	Municipal Codes EVESHAM TWP		13
	Bar Code(s) <div style="text-align: center;">  17 67 61 </div>		

Additional Information (Official Use Only)

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Burlington County Document Summary Sheet

DEED LOW/MODERATE INCOME(PARTIAL EXEMPTION FROM RTF)	Type		DEED LOW/MODERATE INCOME(PARTIAL EXEMPTION FROM RTF)			
	Consideration		\$75,000.00			
	Submitted By		SIMPLIFILE, LLC. (SIMPLIFILE)			
	Document Date		03/13/2015			
	Reference Info					
	Book ID	Book	Beginning Page	Instrument No.	Recorded/File Date	
	GRANTOR		Name		Address	
			BY HER ATTORNEY IN D DIANE M BENASH			
	GRANTEE		Name		Address	
			ROBERT T DIRSCHERL			
	Parcel Info					
	Property Type	Tax Dist.	Block	Lot	Qualifier	Municipality
	13	17	7 (C0211)		13	

Unofficial Document

<p>* DO NOT REMOVE THIS PAGE.</p> <p>COVER SHEET [DOCUMENT SUMMARY FORM] IS PART OF BURLINGTON COUNTY FILING RECORD.</p> <p>RETAIN THIS PAGE FOR FUTURE REFERENCE.</p>

Prepared by: ROBERT J. KELTOS, ESQ.

441135T.01
Record and Return
Surety Title Company, LLC
11 Eves Drive, Suite 150
Marlton, NJ 08053

NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY
HOUSING AFFORDABILITY SERVICE
637 South Clinton Avenue
P.O. Box 18550
Trenton, NJ 08650-2085

2/3

MANDATORY DEED FORM FOR OWNERSHIP UNITS
Deed

**DEED-RESTRICTED AFFORDABLE HOUSING UNIT WITH
RESTRICTIONS ON RESALE AND REFINANCING**

To State Regulated Property
With Covenants Restricting Conveyance
And Mortgage Debt

This DEED is made on this day **March 13, 2015** by and between

Diane M. Benash, Single, by her Attorney in Fact **Lynn Diamond** (Grantor) whose address is **211 Quail Road, Marlton, NJ 08053** and

Robert Dirscherl, Single (Grantee), whose address about to become **211 Quail Road, Marlton, NJ, 08053**.

Article 1. Consideration and Conveyance

In return for payment to the Grantor by the Grantee of **Seventy Five Thousand Dollars, (\$75,000.00)**, the receipt of which is hereby acknowledged by the Grantor, the Grantor hereby grants and conveys to the Grantee all of the land and improvements thereon as is more specifically described in Article 2, hereof (the Property).

Article 2. Description of Property

The Property consists of all of the land, and improvements thereon, that is located in the municipality of **Evesham Township**, County of **Burlington**, State of New Jersey, and described more specifically as **Block No. 17, Lot No 07, Qualifier C0211**, and known by the street address:

**211 Quail Road
Marlton, NJ 08053**

Schedule A attached hereto.

Being the same premises conveyed to **Diane M. Benash** herein by Deed from **Burlington Properties LTD., Inc.** dated **July 14, 1993** and recorded on **August 30, 1993** in Deed Book **4598**, page **291** in the office of the Clerk of **Burlington** County.

Article 3. Grantor's Covenant

The Grantor hereby covenants and affirms that Grantor has taken no action to encumber the Property. This promise is called a "covenant as to grantor's act" (N.J.S.A. 46:4-6). This promise means that the Grantor has not allowed anyone else to obtain any legal rights which affect the property (such as by making a mortgage or allowing a judgment to be entered against the Grantor.)

Article 4.

Affordable Housing Covenants

Sale and use of the Property is governed by regulations known as the Uniform Housing Affordability Controls, which are found in New Jersey Administrative Code at Title 5, chapter 80, subchapter 26 (N.J.A.C. 5:80-26.1, *et seq.*, the "Regulations") and any amendments, changes or supplements thereto. Consistent with the Regulations, the following covenants (the "Covenants") shall run with the land for the period of time commencing upon the earlier of (a) the date hereof or (b) the prior commencement of the "Control Period", as that term is defined in the Regulations, and terminating upon the expiration of the Control Period as provided in the Regulations.

In accordance with N.J.A.C. 5:80-26.5, each restricted unit shall remain subject to the requirements of this subchapter, the "Control Period," until the municipality in which the unit is located elects to release the unit from such requirements. Prior to such a municipal election, a restricted unit must remain subject to the requirements of this subchapter for a period of at least 30 years; provided, however, that units located in high-poverty census tracts shall remain subject to these affordability requirements for a period of at least 10 years;

- A. The Property may be conveyed only to a household who has been approved in advance and in writing by the Housing Affordability Service of the New Jersey Housing and Mortgage Finance Agency, or other administrative agent appointed under the Regulations (hereinafter, collectively, the "Administrative Agent").
- B. No sale of the Property shall be lawful, unless approved in advance and in writing by the Administrative Agent, and no sale shall be for a consideration greater than maximum permitted price ("Maximum Resale Price", or "MRP") as determined by the Administrative Agent.
- C. No refinancing, equity loan, secured letter of credit, or any other mortgage obligation or other debt (collectively, "Debt") secured by the Property, may be incurred except as approved in advance and in writing by the Administrative Agent. At no time shall the Administrative Agent approve any such Debt, if incurring the Debt would make the total of all such Debt exceed Ninety-Five Percent (95%) of the applicable MRP.
- D. The owner of the Property shall at all times maintain the Property as his or her principal place of residence.
- E. Except as set forth in F, below, at no time shall the owner of the Property lease or rent the Property to any person or persons, except on a short-term hardship basis as approved in advance and in writing by the Administrative Agent.
- F. If the Property is a two-family home, the owner shall lease the rental unit only to income-certified low-income households approved in writing by the Administrative Agent, shall charge rent no greater than the maximum permitted rent as determined by the Administrative Agent, and shall submit for written approval of the Administrative Agent copies of all proposed leases prior to having them signed by any proposed tenant.
- G. No improvements may be made to the Property that would affect its bedroom configuration, and in any event, no improvement made to the Property will be taken into consideration to increase the MRP, except for improvements approved in advance and in writing by the Administrative Agent.

Article 5.

Remedies for Breach of Affordable Housing Covenants

A breach of the Covenants will cause irreparable harm to the Administrative Agent and to the public, in light of the public policies set forth in the New Jersey Fair Housing Act, the Uniform Housing Affordability Control rules found at N.J.A.C. 5:80-26, and the obligation for the provision of low and moderate-income housing. Accordingly, and as set forth in N.J.A.C. 5:80-26.10A(b):

- A. In the event of a threatened breach of any of the Covenants by the Grantee, or any successor in interest or other owner of the Property, the Administrative Agent shall have all remedies provided at law or equity, including the right to seek injunctive relief or specific performance.

EXHIBIT "A"

LEGAL DESCRIPTION

File No.: 44113ST-01

ALL THAT CERTAIN tract or parcel of land and premises lying, being and situate in Evesham Township, Burlington County, and State of New Jersey being more particularly described as follows:

This is to certify that I find Unit #211 in Whitebridge Condominium, a Condominium, situate in the Township of Evesham, County of Burlington and State of New Jersey, is located substantially as depicted in the Master Deed and attached amendments as existing or any future amendments thereto creating said Condominium, which Master Deed is dated 5/4/1992 and recorded in the Burlington County Clerk's Office on 10/9/1992 in Deed Book 4132 Page 38. Together with an undivided 0.4310344% interest in the Common Elements.

BEING premises No. 211 Quail Road.

BEING Block: 17, Lot: 7 C0211

BEING the same land and premises which became vested in Diane M. Benash, by deed from Burlington Properties LTD., Inc., dated 7/14/1993, recorded 8/30/1993, in the Burlington County Clerk/Register's Office in Deed Book 4598, Page 291.

Unofficial Document

B. Upon the occurrence of a breach of any Covenants by the Grantee, or any successor in interest or other owner of the Property, the Administrative Agent shall have all remedies provided at law or equity including but not limited to forfeiture, foreclosure, acceleration of all sums due under any mortgage, recouping of any funds from a sale in violation of the Covenants, diverting of rent proceeds from illegal rentals, injunctive relief to prevent further violation of said Covenants, entry on the premises, those provided under Title 5, Chapter 80, Subchapter 26 of the New Jersey Administrative Code and specific performance.

EXECUTION BY GRANTOR

Signed by the Grantor on the date hereof. If the Grantor is a corporation, this Deed is signed by a corporate officer who has authority to (a) convey all interests of the corporation that are conveyed by this Deed, and (b) to bind the corporation with respect to all matters dealt with herein.

Signed, sealed and delivered in the presence of or attested by:

Alison M. Casach, Single, Buyer
Attorney-in-Fact for Diane M. Benash seal]
 DIANE M. BENASH, SINGLE
 BY HER ATTORNEY-IN-FACT
 LYNN DIAMOND [seal]
 _____ [seal]
 _____ [seal]

CERTIFICATE OF ACKNOWLEDGEMENT BY INDIVIDUAL

State of New Jersey, County of DuSable

I am either (check one) a Notary Public or _____ a _____, an officer authorized to take acknowledgements and proofs in the state of New Jersey. I sign this acknowledgement below to certify that it was executed before me. On this the 13 day of June, 2015, LYNN DIAMOND appeared before me in person. (If more than one person appears, the words "this person" shall include all persons named who appeared before the officer making this acknowledgement). I am satisfied that this person is the person named in and who signed this Deed.

This person also acknowledged that the full and actual consideration paid or to be paid for the transfer of title to realty evidenced by this Deed, as such consideration is defined in P.L. 1968, c. 49, sec. 1(c), is \$ 15,000.00.

**DIANE M. BENASH BY HER ATTORNEY-IN-FACT

Caroline M. Miller
 Officer's signature: Sign above, and print stamp or type name below
Caroline M. Miller
 Notary Public of New Jersey
 Commission Expires 12/29/17

STATE OF NEW JERSEY
AFFIDAVIT OF CONSIDERATION FOR USE BY SELLER

(Chapter 49, P.L.1988, as amended through Chapter 33, P.L. 2006) (N.J.S.A. 46:15-5 et seq.)

BEFORE COMPLETING THIS AFFIDAVIT, PLEASE READ THE INSTRUCTIONS ON THE REVERSE SIDE OF THIS FORM.

STATE OF NEW JERSEY

FOR RECORDER'S USE ONLY	
Consideration	\$ _____
RTF paid by seller	\$ _____
Date	By _____

COUNTY Burlington } SS. County Municipal Code 0313

MUNICIPALITY OF PROPERTY LOCATION Evesham Twp

*Use symbol "C" to indicate that fee is exclusively for county use.

(1) PARTY OR LEGAL REPRESENTATIVE (Instructions #3 and #4 on reverse side)

Deponent, Lynn Diamond, being duly sworn according to law upon his/her oath, deposes and says that he/she is the Attorney in fact for Diane M. Benash in a deed dated March 13, 2015 transferring real property identified as Block number 17 Lot number 7 C0211 located at 211 Quail Road, Marlton, NJ 08053 and annexed thereto.

(2) CONSIDERATION \$ 75,000.00 (Instructions #1 and #5 on reverse side) no prior mortgage to which property is subject.

(3) Property transferred is Class 4A 4B 4C (circle one). If property transferred is Class 4A, calculation in Section 3A below is required.

(3A) REQUIRED CALCULATION OF EQUALIZED VALUATION FOR ALL CLASS 4A (COMMERCIAL) PROPERTY TRANSACTIONS: (Instructions #5A and #7 on reverse side)

Total Assessed Valuation + Director's Ratio = Equalized Assessed Valuation

\$ _____ + _____ % = \$ _____

If Director's Ratio is less than 100%, the equalized valuation will be an amount greater than the assessed value. If Director's Ratio is equal to or in excess of 100%, the assessed value will be equal to the equalized valuation.

(4) FULL EXEMPTION FROM FEE (Instruction #8 on reverse side)

Deponent states that this deed transaction is fully exempt from the Realty Transfer Fee imposed by C. 49, P.L. 1968, as amended through C. 66, P.L. 2004, for the following reason(s). Mere reference to exemption symbol is insufficient. Explain in detail.

(5) PARTIAL EXEMPTION FROM FEE (Instruction #9 on reverse side)

NOTE: All boxes below apply to grantor(s) only. ALL BOXES IN APPROPRIATE CATEGORY MUST BE CHECKED. Failure to do so will void claim for partial exemption. Deponent claims that this deed transaction is exempt from State portions of the Basic, Supplemental, and General Purpose Fees, as applicable, imposed by C. 176, P.L. 1975, C. 113, P.L. 2004, and C. 66, P.L. 2004 for the following reason(s):

- A. SENIOR CITIZEN Grantor(s) 62 years of age or over. (Instruction #9 on reverse side for A or B)
 - B. { BLIND PERSON Grantor(s) legally blind or: *
 - DISABLED PERSON Grantor(s) permanently and totally disabled receiving disability payments not gainfully employed*
- Senior citizens, blind persons, or disabled persons must also meet all of the following criteria:
- Owned and occupied by grantor(s) at time of sale. Resident of State of New Jersey.
 - One or two-family residential premises Owners as joint tenants must all qualify.

*IN CASE OF HUSBAND AND WIFE, PARTNERS IN A CIVIL UNION COUPLE, ONLY ONE GRANTOR NEED QUALIFY IF TENANTS BY THE ENTIRETY.

C. LOW AND MODERATE INCOME HOUSING (Instruction #9 on reverse side)

- Affordable according to H.U.D. standards. Reserved for occupancy.
- Meets income requirements of region. Subject to resale controls.

(6) NEW CONSTRUCTION (Instructions #2, #10, #12 on reverse side)

- Entirely new improvement. Not previously occupied.
- Not previously used for any purpose. "NEW CONSTRUCTION" printed clearly at top of first page of the deed.

(7) RELATED LEGAL ENTITIES TO LEGAL ENTITIES (Instructions #5, #12, #14 on reverse side)

- No prior mortgage assumed or to which property is subject at time of sale.
- No contributions to capital by either grantor or grantee legal entity.
- No stock or money exchanged by or between grantor or grantee legal entities.

(8) Deponent makes this Affidavit to induce county clerk or register of deeds to record the deed and accept the fee submitted herewith in accordance with the provisions of Chapter 49, P.L. 1988, as amended through Chapter 33, P.L. 2006.

Subscribed and sworn to before me this 13 day of Mar, 2015

[Signature] Signature of Deponent
211 Quail Rd, Marlton, NJ 08053 Deponent Address
XXX-XXX-XXXX Last three digits in Grantor's Social Security Number

[Signature] Grantor Name
211 Quail Rd, Marlton, NJ 08053 Grantor Address at Time of Sale
[Signature] Name/Company of Settlement Officer

Caroline M. Miller
Notary Public of New Jersey
Commission Expires 12/28/17

FOR OFFICIAL USE ONLY	
Instrument Number	County _____
Deed Number	Book _____ Page _____
Deed Dated	Date Recorded _____

County recording officers shall forward one copy of each RTF-1 form when Section 3A is completed to: STATE OF NEW JERSEY
PO BOX 251
TRENTON, NJ 08695-0251
ATTENTION: REALTY TRANSFER FEE UNIT

The Director of the Division of Taxation in the Department of the Treasury has prescribed this form as required by law, and it may not be altered or amended without prior approval of the Director. For information on the Realty Transfer Fee or to print a copy of this Affidavit, visit the Division's website at: www.state.nj.us/treasury/taxation/lpt/localtax.shtml.



State of New Jersey
SELLER'S RESIDENCY CERTIFICATION/EXEMPTION
(C.55, P.L. 2004)

(Please Print or Type)

SELLER(S) INFORMATION (See Instructions, Page 2)

Names(s)

Diane M. Benash, by her Attorney In Fact Lynn Diamond

Current Resident Address:

Street: 211 Quail Rd.

City, Town, Post Office

Marlton

State

NJ

Zip Code

08053

PROPERTY INFORMATION (Brief Property Description)

Block(s)

Lot(s)

Qualifier

17

7

C0211

Street Address:

211 Quail Road

City, Town, Post Office

Marlton

State

NJ

Zip Code

08053

Seller's Percentage of Ownership

Consideration

Closing Date

100%

\$75,000.00

3/13/2015

SELLER ASSURANCES (Check the Appropriate Box) (Boxes 2 through 10 apply to Residents and Non-residents)

1. I am a resident taxpayer (individual, estate, or trust) of the State of New Jersey pursuant to N.J.S.A. 54A:1-1 et seq. and will file a resident gross income tax return and pay any applicable taxes on any gain or income from the disposition of this property.
2. The real property being sold or transferred is used exclusively as my principal residence within the meaning of section 121 of the federal Internal Revenue Code of 1986, 26 U.S.C. s. 121.
3. I am a mortgagor conveying the mortgaged property to a mortgagee in foreclosure or in a transfer in lieu of foreclosure with no additional consideration.
4. Seller, transferor or transferee is an agency or authority of the United States of America, an agency or authority of the State of New Jersey, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.
5. Seller is not an individual, estate or trust and as such not required to make an estimated payment pursuant to N.J.S.A.54A:1-1 et seq.
6. The total consideration for the property is \$1,000 or less and as such, the seller is not required to make an estimated payment pursuant to N.J.S.A. 54A:5-1-1 et seq.
7. The gain from the sale will not be recognized for Federal income tax purposes under I.R.C. Section 721, 1031, 1033 or is a cemetery plot. (CIRCLE THE APPLICABLE SECTION). If such section does not ultimately apply to this transaction, the seller acknowledges the obligation to file a New Jersey Income tax return for the year of the sale (see instructions).
 No non-like kind property received.
8. Transfer by an executor or administrator of a decedent to a devisee or heir to effect distribution of the decedent's estate in accordance with the provisions of the decedent's will or the intestate laws of this state.
9. The property being sold is subject to a short sale instituted by the mortgagee, whereby the seller has agreed not to receive any proceeds from the sale and the mortgagee will receive all proceeds paying off an agreed amount of the mortgage.
10. The deed being recorded is a deed dated prior to the effective date of P.L. 2004, c. 55 (August 1, 2004), and was previously unrecorded.

SELLER(S) DECLARATION

The undersigned understands that this declaration and its contents may be disclosed or provided to the New Jersey Division of Taxation and that any false statement contained herein could be punished by fine, imprisonment, or both. I furthermore declare that I have examined this declaration and, to the best of my knowledge and belief, it is true, correct and complete. By checking this box I certify that the Power of Attorney to represent the seller(s) has been previously recorded or is being recorded simultaneously with the deed to which this form is attached.

March 13, 2015
Date

Diane M. Benash, by her Attorney In Fact Lynn Diamond
Signature

(Seller) Please indicate if Power of Attorney or Attorney in Fact

Date

Signature

(Seller) Please indicate if Power of Attorney or Attorney in Fact

APPENDIX F-6

Ballerini Redevelopment Agreement

REDEVELOPMENT AGREEMENT

This **REDEVELOPMENT AGREEMENT** ("Redevelopment Agreement"), dated as of September 20, 2024 (the "Effective Date"), by and between Lorenzo Ballerini, 23 East Main Street, Marlton, New Jersey, 08053, (the "Redeveloper"), and the Township of Evesham (the "Township"), with offices at 984 Tuckerton Rd., Marlton, New Jersey, 08053 Township; collectively referred to as the "Parties".

WITNESSETH

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented ("Redevelopment Law"), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, on October 21, 2014, pursuant to Resolution No. 339-2014, the Township Council of the Township of Evesham declared the Property of certain blocks and lots within the Township as an Area in Need of Redevelopment designated the "Marlton Village Redevelopment Area,"; and

WHEREAS, the real property formerly known as Block 4.06, Lot 3, now known as Block 4.06, Lots 3.01, 3.02 and 3.03 (the "Property") is collectively an 18,282 sf parcel with frontage on East Main Street and Oak Avenue located within the Marlton Village Rehabilitation Area;" and

WHEREAS, the Township Council adopted the Redevelopment Plan entitled "23 East Main Street Redevelopment Plan" prepared by Scott D. Taylor, PP, AICP, LLA of Taylor Design Group, dated April 27, 2022, by Ordinance 9-6-2022, adopted June 1, 2022 (the "Redevelopment Plan") for the Property; and.

WHEREAS, a Redevelopment Plan, was adopted as a Redevelopment Plan in Accordance with N.J.S.A. 40A:12A-1, et seq. and the Township Council declared and determined that said Redevelopment Plan meets the criteria, guidelines and conditions set forth in N.J.S.A. 40A:12A-7, provides realistic opportunities for the planning development and rehabilitation within the Township and specifically the Redevelopment Area, and is otherwise in conformance with N.J.S.A 12A-1, et seq.; and

WHEREAS, Redeveloper desires to redevelop the Redevelopment Area in

accordance with the Redevelopment Plan; and

WHEREAS, the Township desires that Redevelopment Area be redeveloped by Redeveloper in accordance with the Redevelopment Plan; and

WHEREAS, Redeveloper obtained Site Plan approval for a redevelopment project on the Property that will include 5 new dwelling units (two single-family units and three townhouse units) on the Property, in addition to an existing mixed-use building with specified commercial or offices uses on the first floor and two apartments on the second floor, as memorialized in Resolution No. 2022-PB-19 adopted December 15, 2022 (the “Project”); and.

WHEREAS, pursuant to the Redevelopment Law, the parties desire to enter into an agreement that sets forth the terms and conditions pursuant to which the Redevelopment Area is to be redeveloped.

NOW, THEREFORE, for and in consideration of the premises and of the mutual representations, covenants and agreements herein set forth, the parties hereto, each binding itself, its successors and assigns, do mutually promise, covenant and agree as follows:

ARTICLE 1

GENERAL REPRESENTATIONS AND WARRANTIES

SECTION 1.1. Representations and Warranties by Redeveloper. The Redeveloper hereby represents and warrants the following to the Township for the purpose of inducing Township to enter into this Redevelopment Agreement and to consummate the transactions contemplated hereby, all of which shall be true as of the date hereof:

(a) The Redeveloper has all the requisite power and authority to carry on its business as now and whenever conducted, and to enter into and perform its obligations under this Redevelopment Agreement.

(b) The Redeveloper has the legal power, right, and authority to enter into this Redevelopment Agreement and the instruments and documents referenced herein to

which the Redeveloper is a party, to consummate the transactions contemplated hereby, to take any steps or actions contemplated hereby, and to perform its obligations hereunder.

(c) This Redevelopment Agreement is duly executed by the Redeveloper, and is valid and legally binding upon the Redeveloper and enforceable in accordance with its terms. The execution and delivery hereof shall not constitute default under or violate the terms of any indenture, agreement or other instrument to which Redeveloper is a party.

(d) There is no pending, or to the best of the Redeveloper's knowledge, threatened litigation that would prevent the Redeveloper from performing its duties and obligations hereunder or have a material adverse effect on the financial condition of the Redeveloper.

(e) There are no suits, other proceedings, or investigations pending or, to the best of the Redeveloper's knowledge, threatened against the Redeveloper that would have a material adverse effect on the financial condition of the Redeveloper or its members.

(f) To the Redeveloper's knowledge, all materials and documentation submitted by the Redeveloper and its agents to the Township and its agents were, at the time of such submission, and as of the Effective Date, except to the extent such materials were updated or superseded by subsequent submission to the Township, materially accurate and the Redeveloper shall continue to inform the Township of any material changes in the documentation submitted.

SECTION 1.2. Representations and Warranties by Township of Evesham. The Township hereby represents and warrants the following to the Redeveloper for the purpose of inducing the Redeveloper to enter into this Redevelopment Agreement:

(a) The Township has the legal power, right and authority to enter into this Redevelopment Agreement and the instruments and documents referenced herein to which the Township is a party, to consummate the transactions contemplated hereby, and to perform their obligations hereunder.

(b) This Redevelopment Agreement is duly executed by the Township and is valid and legally binding upon the Township and enforceable in accordance with its terms on the basis of Legal Requirements presently in effect and the execution and delivery thereof, shall not, with due notice or the passage of time, constitute a default under or violate the terms of any indenture, agreement or other instrument to which the Township is a party.

(c) There is no pending, or to the best of the Township's knowledge, threatened litigation that would prevent the Township from performing its duties and obligations hereunder.

(d) The Township has acted pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. ("LRHL") and all other applicable statutes and ordinance in designating the Property a Redevelopment Area and thereafter adopting the Redevelopment Plan.

ARTICLE 2
REDEVELOPER COVENANTS; DECLARATION OF COVENANTS AND
RESTRICTIONS

SECTION 2.1. Redeveloper Covenants. The Redeveloper covenants and agrees that (collectively, "Redeveloper Covenants"):

(a) The Redeveloper shall carry out the Project in accordance with the provisions of this Redevelopment Agreement and Legal Requirements.

(b) The Redeveloper shall undertake with due diligence: (i) the financing, construction, and development of the Project; (ii) to begin and complete the Project on or within three (3) years of the Effective Date, with the ability to seek two extensions of one (1) year each as per the rights conferred on the Redeveloper pursuant to the Site Plan approval, if and as needed to complete the work; and (iii) to seek tenants and purchasers, as applicable, for the Project Improvements.

(c) Until the issuance of a Certificate of Completion, the Redeveloper shall only use the Project Improvements, or any part thereof, in a manner that is consistent with the Redevelopment Plan, the Site Plan approval and this Redevelopment Agreement (excluding temporary construction and sales structures and facilities).

(d) The Redeveloper shall not discriminate against or segregate any person, or group of persons, on account of race, color, religion, creed, national origin, ancestry, physical handicap, age, marital status, sex or affectional preference in the sale, lease, transfer, use, occupancy, tenure or enjoyment of each unit within the Project Site.

ARTICLE 3 IMPLEMENTATION OF PROJECT

SECTION 3.1. Exclusive Redeveloper. The Redeveloper, subject to the provisions hereof, is the designated Redeveloper and shall have the exclusive right to carry out the Project. For the term of this Redevelopment Agreement, the Township shall not have the right to designate any person or entity other than the Redeveloper (which the Redeveloper has been so designated), including owners of real property within the Redevelopment Area, as a redeveloper within the Redevelopment Area nor to enter into a redevelopment agreement pursuant to Section 8(f) of the Redevelopment Law with such

SECTION 3.2. Governmental Approvals. The Redeveloper acknowledges that it shall be responsible, at its sole cost and expense, for obtaining all such Governmental Approvals. The Redeveloper shall use diligent efforts to secure or cause to be secured any and all Governmental Approvals, and shall carry out the Project in conformance therewith.

SECTION 3.3. Affordable Housing Obligation.

(a) One of the three (3) townhouse units shall be deed restricted as a moderate income unit pursuant to the New Jersey Fair Housing Act and the Uniform Housing Affordability Controls (UHAC) N.J.A.C. 5:80-26.1, as amended, consistent with Township Ordinances. The designated affordable unit shall be a 3-bedroom townhouse adaptable unit that is affordable to a moderate-income household earning 80% of median

income or less (the "Affordable Unit"). If the unit is modified to meet the accessibility requirements, the unit will become a 4-bedroom unit eligible to be rented and to receive rent based on a 4-bedroom count with three bedrooms on the second floor and an accessible bedroom on the first floor.

(b) The submitted floor plan for the affordable unit requires revision and the revised plan must be reviewed and approved by the Director of Community Development in consultation with the Administrative Agent and the Construction Official.

(c) The term of the deed restriction on the Affordable Unit shall be as specified in Chapter 161-2.M. for thirty (30) years and subject to the requirements of the UHAC.

(d) The Property formerly designated as Block 4.06 Lot 3, now known as Block 4.06, Lots 3.01, 3.02 and 3.03, also known as 23 East Main Street, Marlton, New Jersey shall not be further subdivided or subject to a Planned Real Estate Division (i.e. converted to a condominium or coop) without the consent of Evesham Township.

(e) The redeveloper must record the affordable housing deed restriction on the Affordable Unit consistent with the UHAC and the approval of the township's affordable housing administrator before a building permit is issued for the first new market-rate unit. A Certificate of Occupancy must be obtained for the Affordable Unit before a Certificate of Occupancy is issued for the third new market-rate dwelling unit.

SECTION 3.4. Existence of Utilities; Infrastructure.

The Redeveloper acknowledges that local public utility providers may have certain rights with respect to the Property and may own certain facilities located therein. The Redeveloper agrees that it is its sole responsibility, at its sole cost and expense, to undertake the appropriate measures to negotiate with, acquire, relocate, or otherwise address the existence of these utilities and improvements and easements therefore, in order to complete the Project as provided by this Redevelopment Agreement. The Redeveloper shall consult local public utility providers with respect to all Project Site preparation and construction and shall take all precautions to prevent personal injury, property damage, and other liabilities related to utilities above, at, or under the Property,

including, but not limited to, assuring uninterrupted utility service to all properties during construction.

SECTION 3.5. Infrastructure Improvements and Public Improvements. The Redeveloper shall design any infrastructure improvements required for the Project in accordance with typical and ordinary standards required by the governmental body with jurisdiction and shall construct the infrastructure improvements in a good and workmanlike manner and in accordance with all applicable Legal Requirements. The Township Engineer shall inspect, in phases, all infrastructure improvements as same are completed for compliance with the preceding sentence and, if found compliant, shall so certify to the Township.

SECTION 3.6. Environmental Obligations. The Redeveloper shall, at its own cost and expense, reserving any and all rights against parties other than the Township, undertake, perform and complete all environmental investigation, remediation, wetlands mitigation and other activities for the removal, treatment or containment of Hazardous Substances on the Property, as necessary for fulfillment of its obligations under this Redevelopment Agreement, if any are necessary.

SECTION 3.7. Certificate of Completion.

(a) The substantial completion of the Project shall be evidenced by a certificate issued by the Township in recordable form reasonably satisfactory to Redeveloper ("Certificate of Completion"), accepting the terms of a written certification of a duly authorized officer of the Redeveloper stating that: (i) the Project has been completed in material compliance with the Site Plan and all labor, services, materials and supplies used in connection therewith have been paid for or adequate security has been posted in connection therewith; (ii) a Certificate of Occupancy for the Project has been obtained from the Township; and (iii) all project site improvements necessary for the use and operation of the Project have been completed in material compliance with this Agreement. The Township shall not unreasonably withhold, condition, or delay the delivery of the Certificate of Completion. The issuance of a Certificate of Completion shall be accompanied by a release of any performance guarantee held by the Township,

except for any security posted for minor finish items as noted below. If the Township determines that the Redeveloper is not entitled to a Certificate of Completion the Township shall provide the Redeveloper with a written statement of the reasons the Township refused or failed to furnish a Certificate of Completion. The Township shall issue its Certificate of Completion upon the posting of a bond (or other reasonable security) with the Township to guarantee completion of only the specific punch list items by the Redeveloper, in an amount representing the fair value of the work not yet completed. Reduction pursuant to N.J.S.A. 40:55D-53 of the estimated line-item amount for any improvement listed on the bond estimate corresponding to the performance bond(s) furnished hereunder shall be deemed to constitute approval and acceptance of the improvement so estimated to the extent of such reduction(s).

(b) Effect of Certificate of Completion. The Certificate of Completion shall constitute a recordable, conclusive determination of the satisfaction and termination of the agreements and covenants in this Redevelopment Agreement and in the Redevelopment Plan with respect to the Redeveloper's obligation to construct the Project within the timeframes set forth herein and that the conditions that were found and determined to exist with respect to the Property at the time the Property was determined to be in need of redevelopment shall be deemed to no longer exist and the Property shall no longer be subject to the possibility of eminent domain as a result of those determinations. The Certificate of Completion shall release the Redeveloper from all responsibility, obligation or liability under the Agreement with respect to the Project.

SECTION 3.8. Five Year Tax Exemption. The property shall be subject to a tax exemption pursuant to the Five Year Exemption and Abatement Law, N.J.S.A. 40A:21-1 et. seq. There is currently a structure on Lot 3.01. Lots 3.02 and 3.03 are currently vacant land. Each lot will be separately taxed upon the recording of the subdivision. Each lot will be fully taxed until the first full tax year after the issuance of a Certificate of Occupancy for all of the improvements on each lot. Redeveloper shall file an application for a Five Year Tax Exemption within thirty (30) days of the completion of the improvements on each lot.

Beginning in the first full tax year after the issuance of a Certificate of Occupancy

for all of the improvements on each lot, in lieu of full property tax payments on each lot, Redeveloper shall pay to the Township an amount annually equal to the following percentage of taxes otherwise due **on the new improvements constructed on the lot after the Effective Date:**

- a. In the first full tax year after completion, no payment in lieu of taxes otherwise due on the improvements;
- b. In the second tax year, an amount not less than 20% of taxes otherwise due on the Eligible Property;
- c. In the third tax year, an amount not less than 40% of taxes, otherwise due on the Eligible Property;
- d. In the fourth tax year, an amount not less than 60% of taxes, otherwise due on the Eligible Property; and
- e. In the fifth tax year, an amount not less than 80% of taxes otherwise due on the Eligible Property.

Notwithstanding the foregoing, (i) for Lot 3.01, taxes shall be assessed and paid on the assessed land value of the property and the value of the improvements that existed on the lot prior to the completion of the improvements for the full period of the exemption, subject to and with reservation of rights as to any appeal of the assessment on Lot 3.01 in the ordinary course; and (ii) for Lots 3.02 and 3.03, taxes shall be paid on the assessed land value for each lot for the full period of the exemption.

ARTICLE 4

TRANSFERS

SECTION 4.1. Transfers Prohibited. The Redeveloper shall not, without the prior written consent of the Township, which shall not be unreasonably withheld, conditioned or delayed: (a) effect or permit any change of Control of Redeveloper or any change of ownership of the Project Site prior to the issuance of the Certificate of Completion for all or any part of the Project, (b) assign or attempt to assign this Redevelopment Agreement or any rights herein prior to the issuance of the Certificate of Completion for all or any part of the Project, or (c) make any total or partial sale, transfer, or conveyance of the whole or any part of its interest in the Redevelopment Project prior

to the issuance of the Certificate of Completion for all or any part of the Project, except transfers to a Holder in a deed in lieu of foreclosure transaction, to a transferee resulting from foreclosure, (individually and collectively, a "Transfer"), in which case, the Township's consent shall not be required. Notwithstanding the foregoing, Redeveloper may lease any dwelling unit in the Project upon the issuance of a Certificate of Occupancy for that unit.

ARTICLE 5
MISCELLANEOUS

SECTION 5.1. Notices. Formal notices, demands, and communications between the Township and the Redeveloper and from the Redeveloper to the Township (as required herein) shall be deemed sufficiently given if dispatched to the address set forth below by registered or certified mail, postage prepaid, return receipt requested, and shall be deemed delivered upon receipt. Copies of all notices, demands, and communications shall be sent as follows:

If to the Redeveloper:
Lorenzo Ballerini
23 E. Main Street
Marlton, NJ 08053

With a copy to;
Robert S. Baranowski, Jr., Esq.
6000 Sagemore Drive, Suite 6301
Marlton, NJ 08053

If to the Township:
Manager,
Township of Evesham
984 Tuckerton Rd.
Marlton, NJ 08053
Parker McCay, PA

2 Cooper Street, Suite 1901
Camden, NJ 08102
Attn.: Kevin D. Sheehan, Esq.

SECTION 5.2. Titles of Articles and Sections. The titles of the several Articles and Sections of this Redevelopment Agreement are inserted for the convenience of reference only and shall be disregarded in construing or interpreting any of its provisions.

SECTION 5.3. Severability of Provisions. If any term or provision of this Redevelopment Agreement or the application thereof shall to any extent be held to be invalid or unenforceable, the remainder of this Redevelopment Agreement, or the application of such term or provision to circumstances other than those to which it is invalid or unenforceable, shall not be affected thereby, and each other term and provision of this Redevelopment Agreement shall be valid and shall be enforced to the extent permitted by law.

SECTION 5.4. Modification of Redevelopment Agreement. No modification, waiver, amendment, discharge, or change of this Redevelopment Agreement shall be valid unless the same is in writing, duly authorized, and signed by the party against which the enforcement of such modification, waiver, amendment, discharge, or change is or may be sought.

SECTION 5.5. Execution of Counterpart. This Redevelopment Agreement may be executed in one or more counterparts and when each party has executed and delivered at least one counterpart, this Redevelopment Agreement shall become binding on the parties and such counterparts shall constitute one and the same instrument.

SECTION 5.6. Drafting Ambiguities; Interpretation. In interpreting any provision of this Redevelopment Agreement, no weight shall be given to, nor shall any construction or interpretation be influenced by, the fact that counsel for one of the parties drafted this Redevelopment Agreement, each party acknowledging that it and its counsel

have had an opportunity to review this Redevelopment Agreement and have contributed to the final form of same.

SECTION 5.7. Conflict of Interest. No member, official, or employee of the Township shall have any direct or indirect interest in this Redevelopment Agreement, nor participate in any decision relating to the Redevelopment Agreement which is prohibited by law.

SECTION 5.8. Governing Law. This Redevelopment Agreement shall be governed by and construed in accordance with the applicable laws of the State of New Jersey.

SECTION 5.9. Withholding of Approvals. All approvals, consents, and acceptances required to be given or made by any person or party hereunder shall not be unreasonably withheld or delayed unless specifically stated otherwise.

SECTION 5.10. Local Purchase of Supplies, Materials, and Equipment. Whenever possible and/or practicable, and to the extent not prohibited by law, the Redeveloper, its contractors and subcontractors shall solicit quotes for supplies, materials and equipment from businesses within the Township. Where such supplies, materials and equipment necessary for the Project are not available from businesses within the Township, this provision shall be deemed not applicable.

IN WITNESS WHEREOF, the parties hereto have caused this Redevelopment Agreement to be executed, all as of the date first above written.

Witness

By: _____

By: 
Lorenzo Ballerini

Attest:

TOWNSHIP OF EVESHAM

By: 
Rebecca Andrews, Acting Twp. Clerk

By: 
Lavon Phillips, Acting Township Manager

**TOWNSHIP OF EVESHAM
RESOLUTION NO. 293-2024**

**RESOLUTION APPROVING REDEVELOPMENT AGREEMENT WITH
LORENZO BALLERINI FOR DEVELOPMENT OF 23 EAST MAIN
STREET AND AUTHORIZING EXECUTION OF THE SAME.**

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. as amended and supplemented, ("Act") provides a process for Redevelopment Entities to participate in the redevelopment and improvement of areas designated as in need of redevelopment or rehabilitation; and

WHEREAS, on October 21, 2014 by Resolution No. 339-2014, in order to stimulate redevelopment for the Township of Evesham, the Township formally designated 23 East Main Street (the "Project Site") as an "area in need of rehabilitation" in accordance with the Act; and

WHEREAS on November 10, 2021, the Township adopted Resolution No. 360-2021 authorizing redevelopment discussions with the owner of the Project Site Mr. Lorenzo Ballerini; and

WHEREAS, the Township adopted a Redevelopment Plan by Ordinance No. 9-6-2022 for the Project Site, and Mr. Ballerini has received Planning Board approval (Resolution 2022-PB-19) to develop the Project Site in accordance with the Redevelopment Plan; and

WHEREAS, Mr. Ballerini will serve as redeveloper of the Project Site (the "Redeveloper"); and

WHEREAS, the Township and the Redeveloper have negotiated an agreement to govern the obligations and benefits of each party and providing for the redevelopment of the Project Site in accordance with the Redevelopment Plan ("Redevelopment Agreement"), in substantially the form attached hereto as Exhibit A, together with any non-material changes as may be agreed to by the Township through the office of the Township Manager; and

WHEREAS, in accordance with the Section 8 of the Redevelopment Law (N.J.S.A. 40A:12A-8), the Council desires to name Mr. Lorenzo Ballerini as the Redeveloper of the Project Site subject to the Redeveloper entering into the Redevelopment Agreement with the Township for the redevelopment of the Project Site in accordance with the Redevelopment Plan; and

WHEREAS, N.J.S.A. 40A:12-9 requires that all agreements, leases, deeds and other instruments between a municipality and a redeveloper shall contain a covenant running with the land addressing the matters set forth in a declaration of restrictions; and

WHEREAS, the Redevelopment Agreement contains such a covenant by the Redeveloper and its successors or assigns for as long as the Redevelopment Agreement remains in effect, as well as a covenant by the Redeveloper and its successors or assigns not to unlawfully discriminate upon the basis of age, race, color, creed, religion, ancestry, national origin, sex or

familial status in the sale, lease, rental, use or occupancy of the Project Site or the Redevelopment Project; and

WHEREAS, the Redevelopment Agreement also provides that, except as set forth therein, the Project Site, and the Redevelopment Agreement and Redeveloper's interest therein, shall not be transferable, subject to certain conditions, prior to the issuance of a Certificate of Completion of the Redevelopment Project, and further provides certain remedies to the Township for defaults under the Redevelopment Agreement, including but not limited to violations of the covenants therein; and

WHEREAS, the Redevelopment Law provides that the Township may designate the Redeveloper and approve the Redevelopment Agreement through resolutions of the Township Council; and

WHEREAS, the Township Council desires to designate the Redeveloper and approve the execution of the Redevelopment Agreement on behalf of the Township;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Evesham, County of Burlington, and State of New Jersey that Mr. Lorenzo Ballerini is hereby designated as Redeveloper for the Project Site as set forth above; and

BE IT FURTHER RESOLVED, that the Township Manager and Township Clerk are hereby authorized to execute the Redevelopment Agreement, in substantially the form attached hereto as Exhibit A, together with any non-material changes as may be agreed to by the Township through the office of the Township Manager with Mr. Lorenzo Ballerini; and

BE IT FURTHER RESOLVED, that the Mayor and Township Manager, together with the necessary staff and professionals of the Township, are hereby authorized and directed to (i) deliver the fully executed, attested and sealed document to the other parties thereto and (ii) perform such other actions as the Township Manager deems necessary or desirable in relation to the execution and delivery of the Redevelopment Agreement; and


BE IT FURTHER RESOLVED, that if any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution; and

BE IT FURTHER RESOLVED, that a copy of this Resolution and the Redevelopment Agreement approved hereunder shall be available for public inspection at the offices of the Township Clerk; and

BE IT FURTHER RESOLVED, that this resolution shall take effect in accordance law.

EVESHAM TOWNSHIP COUNCIL

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Township Council of the Township of Evesham, County of Burlington, State of New Jersey at their meeting held in the Meeting Room of the Municipal Complex, 984 Tuckerton Road, Marlton, NJ 08053 on September 10, 2024.


Rebecca Andrews, Acting Township Clerk

ROLL CALL VOTE						
COUNCIL MEMBER	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
COOPER	✓		✓			
ESPINOZA		✓	✓			
FREEMAN						✓
HUNTER			✓			
MAYOR VEASY			✓			

APPENDIX F-7

Woodview Deed Restriction



Burlington County Document Summary Sheet

JOANNE SCHWARTZ BURLINGTON COUNTY CLERK P.O. BOX 6000 50 RANOCAS RD, 3rd FLOOR MOUNT HOLLY, NJ 08060-1317	Return Name and Address Rebecca Andrews, Deputy Twp. Clerk Township of Evesham 984 Tuckerton Road Marlton, NJ 08053
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Official Use Only

Submitting Company	Township of Evesham
Document Date (mm/dd/yyyy)	05/04/2022
Document Type	Deed Restriction
No. of Pages of the Original Signed Document (Including the cover sheet)	6
Consideration Amount (If applicable)	

	Name(s) <small>(Last Name First Name Middle Initial Suffix) (or Company Name as written)</small>	Address (Optional)
First Party <small>(Grantor or Mortgagor or Assignor) (Enter up to five names)</small>	Township of Evesham CGP&H, LLC	984 Tuckerton Rd, Marlton, NJ 08053 1249 South River Rd, Suite 301, Cranbury, NJ 08512-3633

	Name(s) <small>(Last Name First Name Middle Initial Suffix) (or Company Name as written)</small>	Address (Optional)
Second Party <small>(Grantee or Mortgagee or Assignee) (Enter up to five names)</small>	East Coast Woodview at Marlton, LLC	175 Daphne Drive, Marlton, NJ 08053

	Municipality	Block	Lot	Qualifier	Property Address
Parcel Information <small>(Enter up to three entries)</small>	Evesham	17	11		various

	Book Type	Book	Beginning Page	Instrument No.	Recorded/File Date
Reference Information <small>(Enter up to three entries)</small>					

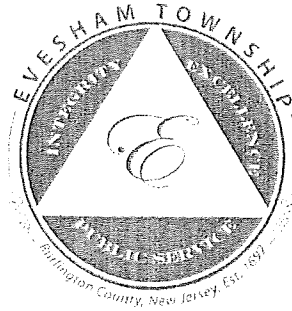
*DO NOT REMOVE THIS PAGE.

DOCUMENT SUMMARY SHEET (COVER SHEET) IS PART OF BURLINGTON COUNTY FILING RECORD. RETAIN THIS PAGE FOR FUTURE REFERENCE.

REFERENCE/DESCRIPTION	NET AMOUNT
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Vendor: BU031 BURLINGTON CO CLERK'S OFFICE
 PO: 22-01532 DESC: Recording of Deed Restriction 18.00

Check Date: 05/11/22 Check Amount: \$*****18.00



DETACH BEFORE DEPOSITING

THIS DOCUMENT HAS A COLORED BACKGROUND AND FLUORESCENT FIBERS • SEE ADDITIONAL SECURITY FEATURES ON REVERSE SIDE • MISSING A FEATURE INDICATES A COPY



TOWNSHIP OF EVESHAM
 BURLINGTON COUNTY
 984 TUCKERTON ROAD, MARLTON, NJ 08503
 OPERATING ACCOUNT



55-7035
2312

No. 116725

DATE	CHECK NO.	AMOUNT
05/11/22	116725	\$*****18.00

Eighteen AND 00/100 dollars

TO THE ORDER OF BURLINGTON CO CLERK'S OFFICE
 50 RANOCAS RD, 3RD
 PO BOX 6000
 MOUNT HOLLY, NJ 08060



Robert Cousins
 _____ MP
 TOWNSHIP MANAGER
 _____ MP
 CHIEF FINANCIAL OFFICER

After Recording Return To:

Prepared by: Megan York

Megan York
CGP&H
1249 South River Road, Suite 301
Cranbury, NJ 08512-3633

Deed Restriction

THIS DEED RESTRICTION, entered into as of this the 4th day of MAY, 2022, by and between CGP&H, LLC, with offices at 1249 South River Road, Suite 301, Cranbury, NJ 08512-3633 ("Administrative Agent"), or its successor, acting on behalf of the Township of Evesham, with offices at 984 Tuckerton Road, Marlton, NJ 08053, and East Coast Woodview at Marlton LLC, whose mailing address is 175 Daphne Drive, Marlton, NJ 08053, the developer/sponsor (the "Owner") of a residential low- or moderate-income rental project (the "Project"):

WITNESSETH

Article 1. Consideration

In consideration of benefits and/or right to develop received by the Owner from the Municipality regarding this rental Project, the Owner hereby agrees to abide by the covenants, terms and conditions set forth in this Deed restriction, with respect to the land and improvements more specifically described in Article 2, hereof (the Property).

Article 2. Description of Property

The Property consists of the land, and a portion of the improvements thereon, that is located in the municipality of the Township of Evesham, County of Burlington, State of New Jersey, and described more specifically as Block No. 17, Lot 11. More specifically, the 44 units designated by address, bedroom size, and income restriction are listed below:

369 Pavonia Drive, 2-Bedroom, Moderate Income
108 Daphne Drive, 3-Bedroom, Low Income
239 Pavonia Drive, 2-Bedroom, Moderate Income
367 Pavonia Drive, 2-Bedroom, Moderate Income
203 Pavonia Drive, 1-Bedroom, Moderate Income
397 Pavonia Drive, 1-Bedroom, Moderate Income
125 Halsey Lane, 3-Bedroom, Moderate Income
100 Daphne Drive, 2-Bedroom, Low Income
101 Daphne Drive, 2-Bedroom, Moderate Income
109 Daphne Drive, 3-Bedroom, Moderate Income
124 Halsey Lane, 3-Bedroom, Low Income
202 Pavonia Drive, 1-Bedroom, Low Income
204 Pavonia Drive, 1-Bedroom, Low Income
205 Pavonia Drive, 1-Bedroom, Moderate Income
214 Pavonia Drive, 2-Bedroom, Low Income
215 Pavonia Drive, 2-Bedroom, Moderate Income

218 Pavonia Drive, 1-Bedroom, Low Income
219 Pavonia Drive, 1-Bedroom, Moderate Income
220 Pavonia Drive, 1-Bedroom, Low Income
221 Pavonia Circle, 1-Bedroom, Moderate Income
230 Pavonia Drive, 2-Bedroom, Low Income
231 Pavonia Drive, 2-Bedroom, Moderate Income
238 Pavonia Drive, 2-Bedroom, Low Income
246 Pavonia Drive, 2-Bedroom, Low Income
247 Pavonia Drive, 2-Bedroom, Moderate Income
350 Pavonia Drive, 2-Bedroom, Low Income
351 Pavonia Drive, 2-Bedroom, Moderate Income
358 Pavonia Drive, 2-Bedroom, Low Income
359 Pavonia Drive, 2-Bedroom, Moderate Income
366 Pavonia Drive, 2-Bedroom, Low Income
368 Pavonia Drive, 2-Bedroom, Low Income
378 Pavonia Drive, 1-Bedroom, Low Income
379 Pavonia Drive, 1-Bedroom, Moderate Income
380 Pavonia Drive, 1-Bedroom, Low Income
381 Pavonia Drive, 1-Bedroom, Moderate Income
394 Pavonia Drive, 1-Bedroom, Low Income
395 Pavonia Drive, 1-Bedroom, Moderate Income
396 Pavonia Drive, 1-Bedroom, Low Income
402 Pavonia Drive, 1-Bedroom, Low Income
403 Pavonia Drive, 1-Bedroom, Moderate Income
404 Pavonia Drive, 1-Bedroom, Low Income
405 Pavonia Circle, 1-Bedroom, Moderate Income
422 Pavonia Drive, 3-Bedroom, Low Income
423 Pavonia Drive, 3-Bedroom, Moderate Income

Article 3. Affordable Housing Covenants

The following covenants (the "Covenants") shall run with the land for the period of time (the "Control Period") commencing upon September 1, 1999 and shall expire as determined under the Uniform Controls, as defined below.

In accordance with N.J.A.C. 5:80-26.11, each restricted unit shall remain subject to the requirements of this subchapter, the "Control Period," until the municipality in which the unit is located elects to release the unit from such requirements. Prior to such a municipal election, a restricted unit must remain subject to the requirements of this subchapter for a period of 99 years.

- A. Sale and use of the Property is governed by regulations known as the Uniform Housing Affordability Controls, which are found in New Jersey Administrative Code at Title 5, chapter 80, subchapter 26 (N.J.A.C. 5:80-26.1, et seq., the "Uniform Controls")
- B. The Property shall be used solely for the purpose of providing dwelling units for very low, low, or moderate income households, and no commitment for any such very low, low, or moderate income dwelling unit shall be given or implied, without exception, to any person who has not been certified

for that unit in writing by the Administrative Agent. So long as any very low, low, or moderate income dwelling unit remains within its Control Period, sale of the Property must be expressly subject to these Deed Restrictions, deeds of conveyance must have these Deed Restrictions appended thereto, and no sale of the Property shall be lawful, unless approved in advance and in writing by the Administrative Agent and municipality.

- C. No improvements may be made to the Property that would affect the bedroom configuration of any of its very low, low, or moderate income dwelling units, and any improvements to the very low, low, or moderate income dwelling units must be approved in advance and in writing by the Administrative Agent and municipality.
- D. The Owner shall notify the Administrative Agent and the Municipality of any foreclosure actions filed with respect to the Property within five (5) business days of service upon Owner.
- E. The Owner shall notify the Administrative Agent and the Municipality within three (3) business days of the filing of any petition for protection from creditors or reorganization filed by or on behalf of the Owner.

Article 4. Remedies for Breach of Affordable Housing Covenants

A breach of the Covenants will cause irreparable harm to the Administrative Agent, to the Municipality and to the public, in light of the public policies set forth in the New Jersey Fair Housing Act, the Uniform Housing Affordability Control rules found at N.J.A.C. 5:80-26, and the obligation for the provision of low and moderate-income housing.

- A. In the event of a threatened breach of any of the Covenants by the Owner, or any successor in interest of the Property, the Administrative Agent and the Municipality shall have all remedies provided at law or equity, including the right to seek injunctive relief or specific performance.
- B. Upon the occurrence of a breach of any Covenants by the Grantee, or any successor in interest or other owner of the Property, the Administrative Agent and the Municipality shall have all remedies provided at law or equity, including but not limited to, forfeiture, foreclosure, acceleration of all sums due under any mortgage, recouping of any funds from a sale in violation of the Covenants, diverting of rent proceeds from illegal rentals, injunctive relief to prevent further violation of said Covenants, entry on the premises, those provided under Title 5, Chapter 80, Subchapter 26 of the New Jersey Administrative Code and specific performance.

IN WITNESS WHEREOF, the Administrative Agent and the Owner have executed this Deed Restriction in triplicate as of the date first above written.

CGP&H, LLC

BY: [Signature]
Heather Mahaley
Administrative Agent

East Coast Woodview at Marlton LLC

BY: [Signature]
Jonathan Morgan
President

APPROVED BY THE TOWNSHIP OF EVESHAM

BY: [Signature]
Jaclyn Veasy
Mayor

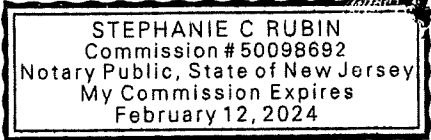
ACKNOWLEDGEMENTS

STATE OF NEW JERSEY)
) SS.:
COUNTY OF Middlesex)

I CERTIFY that on this the 18th day of April, 2022, Heather Mahaley personally came before me and stated to my satisfaction that this person:

- (a) was the maker of the attached instrument;
- (b) was authorized to and did execute this instrument as Administrative Agent for the Township of Evesham, the entity named in this instrument; and
- (c) executed this instrument as the act of the entity named in this instrument.

[Signature]
NOTARY PUBLIC



APPENDIX F-8

Draft Affordable Housing Overlay Districts Ordinance

TOWNSHIP OF EVESHAM

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWNSHIP OF EVESHAM, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, ADOPTING AN AFFORDABLE HOUSING OVERLAY ZONING DISTRICT FOR CERTAIN PROPERTIES IDENTIFIED IN THE FOURTH ROUND HOUSING PLAN ELEMENT & FAIR SHARE PLAN

WHEREAS, The Township of Evesham has a statutory requirement under the Fair Housing Act to provide a realistic opportunity for the creation of its regional fair share of the need for low and moderate income housing; and

WHEREAS, the Planning Board has adopted a Housing Element and Fair Share Plan intended to address this regional fair share obligation; and

WHEREAS, the Housing Plan recommends the creation of new Affordable Housing overlay zoning districts to create the potential for new inclusionary affordable housing on sites that are either vacant or currently underutilized; and

WHEREAS, the Council of the Township finds that these sites are suitable for inclusionary multi-family housing and has decided to enact the mechanisms identified in the Housing Plan; and

NOW, THEREFORE BE IT ORDAINED AN ENACTED, that the Township’s zoning code at Chapter 160 of the municipal code shall be amended to include the following new section:

§160-74.3 Affordable Housing Overlay (AHO-1)

The following properties shall be included in the Affordable Housing Overlay District, and the Township’s zoning map shall be amended to identify these parcels as the Affordable Housing Overlay 1 District:

Block	Lot
35.30	20 & 20.03
16	3.03

- A. **Purpose. The purpose of the AHO-1 Overlay District is to create the opportunity for the construction of new non-age restricted inclusionary multi-family housing in furtherance of the Township’s affordable housing obligations, and consistent with the Township’s Housing Plan. This district shall serve as an optional overlay zoning designation. All underlying zoning regulations shall remain. A developer shall have the option to pursue development through this overlay or through the regulations found in the underlying zoning.**
- B. **Principal Permitted uses.**
 - 1. **Multi-family dwellings**

2. Attached single-family dwellings (townhouses)

C. Accessory uses.

1. Off-street parking

2. Fences and walls

3. Stormwater management systems

4. Porches, decks, gazebos, and similar structures

5. Home business in accordance with §160-41

D. Performance standards and regulations

1. Minimum Lot Area

(a) Multi-family: 20,000 square feet

(b) Townhouse: 2,000 square feet per unit

2. Minimum Front Yard

(a) Multi-family: 50 feet

(b) Townhouse: 20 feet if garage attached in front, 10 feet if no garage in front

3. Minimum Side Yard

(a) Multi-family: 50 feet

(b) Townhouse: 0 feet internal; 20 feet building to building

4. Minimum Rear Yard

(a) Multi-family: 75 feet

(b) Townhouse: 40 feet

5. Maximum Impervious Coverage

(a) Multi-family: 60 percent

(b) Townhouse: 75% per lot

6. Maximum Building Height

(a) Multi-family: 4 stories / 50 feet

(b) Townhouses: 3 stories / 40 feet

7. Maximum permitted density

Block	Lot	Maximum Density
35.30	20 & 20.03	20 units / acre
16	3.03	12 units / acre

8. Affordable Housing Obligations

(a) Any multi-family or townhouse development of five (5) or more dwelling units shall set aside a minimum of 15% of the units for very low, low, and moderate income households if the project is a rental project, or 20% of the units for low and moderate income households if the project is intended for the units to be owner occupied.

(b) All affordable housing shall be have the following bedroom distribution:

i. No more than 20% of the affordable units shall be studio or one-bedroom units;

ii. A minimum of 20% of the affordable units shall be three or four bedroom units;

iii. The remainder of the affordable units may be two bedroom units;

(c) All affordable housing shall have the following income distribution:

i. No more than 50% of the affordable units shall be priced to be affordable to a moderate income household;

ii. A minimum of 50% of the units shall be priced to be affordable to a low income household.

iii. For any rental project, a minimum of 13% of the affordable units shall be priced to be affordable to a very low income household. This requirement shall be included as a portion of the obligation to provide 50% of the affordable units as affordable to low income households.