

Florence, New Jersey 08518-2323
May 27, 2025

The regular meeting of the Florence Township Planning Board was held in-person and virtually via Zoom on the above date at the Municipal Complex, 711 Broad Street, Florence, NJ. Chairman Pagano called the meeting to order at 7:30 p.m. followed by a salute to the flag.

Chairman Pagano read the following statement: "I would like to announce that this meeting is being held in accordance with the provisions of the Open Public Meetings Act. Adequate notice has been provided to the official newspapers and posted in the main hall of the Municipal Complex."

Upon roll call the following members were found to be present:

Bernard Isaacson	Fred Gabriele
Mayor Kristan Marter	Chairman John Pagano
Kecia Taylor (virtual)	

ABSENT: Councilman John Fratinardo, Carl Mattson, Newell Kehr

ALSO PRESENT: Solicitor David Frank, Planner Pat VanBernum

MINUTES

It was the Motion of Mr. Isaacson, seconded by Mr. Gabriele to adopt the minutes of the regular meeting held on April 22, 2025. Motion unanimously approved by all members present.

CORRESPONDENCE

- A. Email re: Climate Hazard Vulnerability Assessment for Burlington County - Poll for availability

An email from the County was circulated to the Administrator, Mayor and Planning Board & Planning Board Secretary regarding a poll for upcoming meetings about climate change assessment. A poll was included asking which sessions people prefer to attend.

Mayor Marter said she attended the initial meeting that was open to the public and the county is looking to complete the meetings by September 30.

Mr. Mattson said that each Planning Board member wasn't included in the email, so there are some questions about who is invited to take the poll.

A Motion was made by Mr. Gabriele, and seconded by Mr. Isaacson to received and file the correspondence. Motion unanimously approved by all members present.

MASTER PLAN

A. Florence Township Fourth Round Housing Element and Fair Share Plan (HEFSP)

Ms. Mary Beth Lonergan is the Affordable Housing Planner for Florence Township. Solicitor Frank swore in Ms. Lonergan. She was also accepted as an expert witness by Chairman Pagano.

The board has been presented with the Fourth Round Housing Element and Fair Share Plan provided from Ms. Lonergan's firm, Clarke Canton and Hintz. The Housing Element is a Master Plan element and this updates the third-round housing element and fair share plan from 2018 the Superior Court had approved in 2021.

Ms. Lonergan explained that recently the 2025 income limits came out and a two-person household can make up to ~\$75,000/yr which is the moderate-income level. A four-person household can make up to ~\$95,000/yr.

The Fourth Round Element housing law came into effect a little over a year ago in 2024. The Amendment to the NJ Fair Housing Act abolished the COAH (Council of Affordable Housing). Although it is abolished, the state recognizes all prior regulations.

The new law also instituted an Affordable Housing Dispute Resolution Program which is only for disputes. The Township has filed everything correctly so there was no appearance for this program.

There are also new specific deadlines that have been set forth and it required the Department of Community Affairs (DCA) to enact new regulations which are not yet effective. The DCA also requires to issue guidance Fourth Round Fair Share numbers. The Township was not required to use those numbers but the township did. There is a present need of 42 which means the rehab obligation. Also, there is a perspective need/new construction obligation which is 107.

On January 31, 2025, the Governing Body adopted the binding resolution committing to addressing the Fourth Round numbers which met the deadline. The Superior Court issued an order on April 8 accepting the resolution. The Township also met the February 15 deadline for the trust fund and unit monitoring.

The deadline for all towns for the adopted Housing Element and Fair Share Plan to be submitted to the Superior Court is June 30, 2025 and it must be submitted within 48 hours of adoption.

The plan is a cumulative plan including the first, second and third plans. The Fourth Round will be from July 1, 2025 to June 30, 2035. Participating in this process provides immunity because there is a presumption of validity in the planning documents which includes the Master Plan and Zoning Ordinance.

The first part of the Plan in the Fourth Round Rehab share and the obligation for this is 42. Florence Township has consistently participated in Burlington County Homeowner Occupied rehabilitation program. Florence Township also participates in a group of about 10 different

municipalities for a Renter Occupied Rehabilitation Program which is for landlords who agree to upgrade and improve systems.

The second part of the plan is the prior round obligation which consists of the first and second round combined. The Township previously worked with the Multiple Sclerosis Society at the Roebing Arms on Hornberger Avenue. There have also been agreements with Duffy School and MEND and Project Freedom to meet the obligations. The township also has agreements for inclusionary housing where 80-85% is market rate housing and 15-20% is affordable housing at Legacy for seniors. Route 130 & Cedar Lane has been approved for family rentals in the future at the Weiss development.

The prospective need in the Fourth Round is 107 which includes Phase 2 of Project Freedom off Hornberger Ave and the Roebing VFW expansion site which is for senior affordable housing. The second phase of Project Freedom will supply 59 total family affordable housing units and the Roebing senior site at the VFW will produce 36 affordable senior rental units. The township is also able to request and receive bonuses for the land contribution for the Project Freedom sites.

Mayor Marter asked Ms. Lonergan to explain where the monies in the trust fund come from. Ms. Lonergan explained that it is not taxpayer money. In the 90s, the home-build court case allowed municipalities to charge residential developers and non-residential developers who were not producing affordable housing to help fund affordable housing so that the funding does not come from tax revenue. Mayor Marter added that developers in our town, pay a portion that goes towards the affordable housing trust fund which goes toward purchasing land while making sure we meet the requirement. Every non-residential developer in every municipality pays the development fee but only the towns that participate have access to those trust funds. Florence Township has a court approved affirmative marketing plan, a development fee ordinance and a fair share ordinance which provides all the details to any developer.

Ms. Lonergan's recommendation is to adopt the Fourth Round Housing Element and Fair Share Plan. She believes it addresses the Municipal Land Use Law as well as the Amended Fair Housing Act and the Mt Laurel doctrine. The Housing Element is consistent with the goals and objectives Master Plan.

Mayor Marter asked Ms. Lonergan to explain what happens if we do not meet our numbers and we are sued by builder's remedy. Ms. Lonergan explained that once this is approved, the township is protecting itself by adopting the HEFSP and meeting the deadlines. If the deadlines aren't met, the town could lose immunity. The towns who do not participate can be sued for Builders Remedy, which means a developer can obtain land that the court can approve without the town's approval. Florence Township has agreements with providers like Project Freedom and MEND to provide the 20% Affordable Housing requirements without the 80-85% market rate housing.

Ms. Taylor asked if this resolution and plan includes sites downtown and Ms. Lonergan confirmed that it does.

26.

A Motion was made by Mr. Isaacson, seconded by Mr. Gabriele to open public comments. Motion unanimously approved by all members present.

Ms. Cristin Mustillo 132 Sixth Ave, Roebling. Ms. Mustillo has ideas for enhancing Roebling Park in conjunction with the proposed senior housing that will be built at the old Roebling VFW. Ms. Mustillo has spoken at a recent council meeting when the VFW site was acquired by the Township. Ms. Mustillo said that, currently, there is not great public access to the park.

Solicitor Frank said that the Housing Element and Fair Share Plan is a general idea of location of units on the Roebling VFW property. As of now, there is no specific design for the site. Solicitor Frank suggested Ms. Mustillo save the presentation for the Administrator at a separate meeting, or when the site plan application is being heard at a future Planning Board meeting.

A Motion was made by Mayor Marter, seconded by Mr. Gabriele to adopt Florence Township's Fourth Round Housing Element and Fair Share Plan.

Upon Roll Call the Board voted as follows:

YEA: Marter, Gabriele, Isaacson, Taylor, Pagano

NO: None

PUBLIC COMMENTS

There were no members of the public in attendance.

ADJOURNMENT

Motion by Mayor Marter, seconded by Mr. Isaacson to adjourn the meeting at 8:10PM, which was unanimously approved by all members present.

John Fratinardo, Secretary

JF/ah