

**TOWNSHIP OF MOUNT HOLLY  
BURLINGTON COUNTY, NEW JERSEY**

**RESOLUTION NO. 2025-36**

**RESOLUTION OF MOUNT HOLLY TOWNSHIP EXPRESSING ITS INTENT TO  
CHALLENGE 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 Mount Holly has a Fourth Round present need of forty-two (42) units and a prospective need of forty-one (41) units; and

**WHEREAS**, the FHA provides municipalities the option to dispute the DCA’s findings of present and prospective need and thereby participate in a dispute resolution proceeding to arrive at a lesser number of present and prospective need units in order to 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 challenge the Programs findings to file a declaratory judgment

complaint with the Superior Court of New Jersey, Civil Part by February 28, 2025 challenging 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 challenge and dispute the calculations of the Fourth Round prospective affordable housing need attributable to Mount Holly Township; and

**WHEREAS**, the Township affordable housing professionals further believe it is in the best interest of the Township for the Township to challenge of the findings of the DCA.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of Mount Holly Township, in the County of Burlington, and State of New Jersey, that the Township accepts the calculation of a present need of forty-two (42) units, but does not accept the prospective need of forty-one (41) units for the Fourth Round as calculated by the Department of Community Affairs for the following specific reasons:

1. The Township does not dispute the present need calculation of forty-two (42) units;
2. The Township disputes the prospective need calculation of forty-one (41) units for the following reasons:
  - a. The Township, nor any non-profit within the Township, owns any land that would allow for a 100% affordable development;
  - b. The Township, after review and consultation with its Planner, has identified three potential sites for inclusionary development which meet the Site Suitability criteria of N.J.A.C. 5:93-5.3. These areas consist of a total of 11.369 acres.
  - c. After consultation with the Township Planner, the Township feels that the appropriate density would be 8 dwellings per acre.
  - d. This amounts to 90.95 total units and using a 20% affordable set aside would allow for the development of 18.19 affordable dwellings.
  - e. The Township does not have sufficient funds in its Affordable Housing Trust Fund to purchase the above-referenced properties and is unlikely to have sufficient funds in the next ten (10) years as the only major future developer in Mount Holly that could generate fees is Virtua Health Systems who, as a non-profit, is exempt from such fees.
3. For the reasons stated herein, the Township believes that the correct calculation for a Prospective Need is 18 units.

**BE IT FURTHER RESOLVED**, that Mount Holly Township affordable housing professionals shall take such action as is necessary to satisfy the February 28, 2025 deadline

established in the FHA for the challenge to the 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

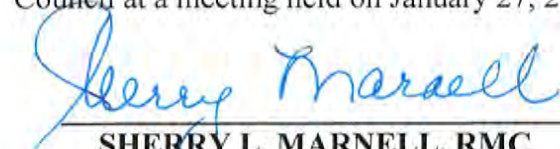
**BE IT FURTHER RESOLVED**, upon resolution of this challenge, the Township’s affordable housing professionals shall develop a Fourth Round Housing Element and Fair Share Plan (“HEFSP”) that will provide an opportunity for the creation of sufficient low- and moderate-income housing by 2035, to satisfy 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.

Councilmember	Motion	2 <sup>nd</sup>	Yea	Nay	Recuse	Abstain	Absent
T. Astor			X				
L. Brown							X
K. Burkus		X	X				
R. DiFolco	X		X				
C. Banks			X				

**CERTIFICATION**

I, Sherry L. Marnell, Township Clerk of the Township of Mount Holly, hereby certify the foregoing to be a true copy of a Resolution adopted by the Mount Holly Township Council at a meeting held on January 27, 2025.

  
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**SHERRY L. MARNELL, RMC**  
**TOWNSHIP CLERK**

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 Marc H. Selover, LSRP, PG

January 29, 2025

**MEMORANDUM**

**TO:** Stephen E. Raymond, Esq.  
**FROM:** David J. Benedetti, PP, AICP  
**RE:** *Mount Holly 4th Round Affordable Housing*

I am following up on The Mount Holly Township Council Meeting on Monday, January 27, 2025. ERI has identified three potential sites for inclusionary development that meet Site Suitability Pursuant to N.J.A.C. 5:93-5.3. The Township feels the appropriate density is 8 dwelling units per acre.

- Site A4 Block 136, Lots 30, 31, 32, and 33 (2.936 acres)
- Site B4 Block 22, Lots 10, 29, 30, 31, 32, and 33 (4.333 acres)
- Site C4 Block 69, Lot 29 (4.100 acres)

**Summary**

There are a total of eleven parcels to provide affordable housing.  
 Table 1 Realistic Development Potential

Site	Block	Lot	Property Location	Developable Acres	Shape Area	Assembled Acres	Total Units RDP Yield (8 du/acre)	Affordable Setaside (20%)
A4	136	30	331-337 Washington St	2.269	98835.9792	2.936	23.49	4.70
	136	31	Washington S	0.233	10161.1080			
	136	32	Washington S	0.214	9325.2941			
	136	33	325-327 Washington St	0.220	9568.2852			
B4	22	10	218 High St	0.672	29286.8763	4.333	34.67	6.93
	22	29	Grant St	0.083	3619.5708			
	22	30	Grant St	2.914	126933.4467			
	22	31	Grant St	0.107	4649.8913			
	22	32	Clifton Ave	0.081	3519.4527			
	22	33	Clifton Ave	0.476	20743.6422			
C4	69	29	27 Cedar St	4.100	178591.6739	4.100	32.80	6.56
<b>TOTAL</b>						<b>11.369</b>	<b>90.95</b>	<b>18.19</b>

These parcels combined are 11.369 acres and can provide 90.95 total dwellings at 8 dwellings per acre and twenty percent of those units are 18.19 affordable dwellings.  
 Based on the preliminary data Mount Holly cannot come close to the assigned 41 Prospective Need units.

**Site A4**

Site A4 contains the following parcels:

Table 2. Site A4 Properties

Block	Lot	Property Location	Developable Acres	Property Class	Owner of Record	Notes	Zone
136	30	331-337 Washington St	2.269	1	10 Lippincott, LP		I
136	31	Washington St	0.233	1	10 Lippincott, LP	Add Lot to Lot 30	I
136	32	Washington St	0.214	1	10 Lippincott, LP	Add Lot to Lot 30	R3
136	33	325-327 Washington St	0.220	1	10 Lippincott, LP		R3

**Site Control** – Mount Holly Tax Assessment records identify the current property owner of Site A4 to be 10 Lippincott, LP.

**Available** -- Title searches on the lots have not been performed but it is believed that the parcels would have clear title and no legal encumbrances which would preclude development for affordable housing.

The wetlands have been removed from the gross acres.

Based on information NJ GEOWeb as of January 29, 2025, there are no environmental constraints to this property. However, there are properties in the area with groundwater contamination, notably the intersection of Lippincott Lane and Washington Street.

**Suitable** – The zoning of Site A4 will have to be amended to permit residential development.

Developable -- The Mount Holly Municipal Utilities Authority Engineer has confirmed that all the lots in Site A4 are within the sewer service area of the Wastewater Management Plan. The site is situated within the service area of New Jersey American Water and Mount Holly MUA.

**Approvable** – Site A4 is approvable with the appropriate zoning in place.

**RDP** – net developable acreage is 2.936 acres yielding 23.49 total units (8 dwellings per acre) and 4.70 affordable units.

**Site B4**

Site B4 contains the following parcels:

Table 3. Site B4 Properties

Block	Lot	Property Location	Developable Acres	Property Class	Owner of Record	Notes	Zone
22	10	218 High St	0.672	4A	Alaimo, Richard A	Mother Lot to Lot 30	OB
22	29	Grant St	0.083	1	Alaimo, Richard A	Mother Lot to Lot 31	OB
22	30	Grant St	2.914	1	Alaimo, Richard A	Add Lot to Lot 10	OB
22	31	Grant St	0.107	1	Alaimo, Richard A	Add Lot to Lot 30	OB
22	32	Clifton Ave	0.081	1	Alaimo, Richard A		OB
22	33	Clifton Ave	0.476	1	Alaimo, Richard A		OB

**Site Control** – Mount Holly Tax Assessment records identify the current property owner of Site B4 to be Alaimo, Richard A.

**Available** -- Title searches on the lots have not been performed but it is believed that the parcels would have clear title and no legal encumbrances which would preclude development for affordable housing.

The wetlands have been removed from the gross acres on Lots 30, 31, 32, and, 33.

Based on information from NJ GEOWeb as of January 29, 2025, there are no environmental constraints to this property.

**Suitable** – The zoning of Site B4 will have to be amended to permit residential development.

**Developable** -- The Mount Holly Municipal Utilities Authority Engineer has confirmed that all the lots in Site B4 are within the sewer service area of the Wastewater Management Plan. The site is situated within the service area of New Jersey American Water and Mount Holly MUA.

**Approvable** – Site B4 is approvable with the appropriate zoning in place.

**RDP** – Site B4 has a net developable acreage of 4.333 acres yielding 34.67 total units (8 dwellings per acre) and 6.93 affordable units.

#### Site C4

Site C4 contains the following parcels:  
Table 4. Site C4 Properties

Block	Lot	Property Location	Developable Acres	Property Class	Owner of Record	Notes	Zone
69	29	27 Cedar St	4.100	4A	Virtua Memorial		OB

**Site Control** – Mount Holly Tax Assessment records identify the current property owner of Site C4 to be Virtua Memorial Hospital.

**Available** -- Title searches on the lots have not been performed but it is believed that the parcels would have clear title and no legal encumbrances which would preclude development for affordable housing.

Wetlands were not present on the current NJDEP Maps.

Based on information from NJ GEOWeb as of January 29, 2025, there are no environmental constraints to this property.

**Suitable** – The zoning of Site C4 will have to be amended to permit residential development.

**Developable** -- The Mount Holly Municipal Utilities Authority Engineer has confirmed that the lot has an active sewer connection. The site is situated within the service area of New Jersey American Water and Mount Holly MUA.

**Approvable** – Site C4 is approvable with the appropriate zoning in place.

**RDP** – Site C4 has a net developable acreage of 4.100 acres yielding 32.80 total units (8 dwellings per acre) and 6.56 affordable units.







# Richard A. Alaimo RDP Area



**Legend**

- Vacant RDP Parcels - Developable Area
- Mount Holly Wetlands
- Mount Holly Parcels
- Mount Holly Municipal Border

Date: 1/29/2025    Drafted By: PVB

**ENVIRONMENTAL RESOLUTIONS, INC.**  
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Springfield Township  
 Westampton Township  
 Eastampton Township  
 Mount Holly Township  
 Hainesport Township  
 Lumberton Township

# Virtua RDP Area



## Legend

- Vacant RDP Parcels - Developable Area
- Mount Holly Wetlands
- Mount Holly Parcels
- Mount Holly Municipal Border

Date: 1/29/2025 Drafted By: PVB



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