



# **THIRD AMENDMENT TO THE HOUSING ELEMENT AND FAIR SHARE PLAN**

TOWNSHIP OF LAWRENCE | MERCER COUNTY, NEW JERSEY

ADOPTED JULY 19, 2021



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## **INTRODUCTION & PURPOSE**

This *Third Amendment to the Housing Element and Fair Share Plan* amends the *Second Amendment to the Housing Element and Fair Share Plan*. Those portions of the previous housing plan and amendments that are not amended by the following remain in full force and effect as the policy and implementation document for affordable housing in Lawrence Township.

The Township executed a *Settlement Agreement* with Fair Share Housing Center (hereinafter "FSHC") on April 28, 2017. The Planning Board then adopted a *Housing Element and Fair Share Plan* that was consistent with that 2017 Settlement Agreement on June 15, 2018. That Settlement Agreement and Housing Plan established the Township's affordable housing obligation and mechanisms to satisfy the obligation, which notably included a vacant land adjustment. The Township executed a *First Amendment to the Settlement Agreement* with FSHC on April 20, 2021. This Settlement Agreement reflected the *First Amendment to the Housing Element and Fair Share Plan* adopted on July 20, 2020 and the *Second Amendment to the Housing Element and Fair Share Plan* adopted on November 2, 2020. These amendments to the Settlement Agreement and Housing Plan adjusted the Township's vacant land adjustment and affordable housing sites.

Additionally, the Township executed a *Second Amendment to the Settlement Agreement* with FSHC on June 15, 2021. This Settlement Agreement adjusts the Lawrence Shopping Center (Block 2001, Lots 3, 60-66, 68) unmet need site to reflect the Zoning Board's April 28, 2021 site plan approval for a 53 unit affordable housing development (54 total units, including one on-site manager unit). The purpose of this Amendment to the Housing Plan is to create consistency with the *Second Amendment to the Settlement Agreement* with FSHC, specifically that the Lawrence Shopping Center site will produce 53 affordable units.

## **LAWRENCE SHOPPING CENTER/RPM DEVELOPMENT**

The Lawrence shopping center site (Block 2001, Lots 3, 60-66, 68) is a 48-acre property located along Brunswick Pike, Texas Avenue and Princeton Pike. However, only a 4.3 acre portion of the site along Texas Avenue will be redeveloped for affordable housing; the remaining shopping center will continue.

The 2017 *Settlement Agreement* with FSHC and the 2018 *Housing Element and Fair Share Plan* utilized this site for unmet need. The July 2020 *First Amendment to the Housing Element and Fair Share Plan* moved the site from unmet need to RDP because a redevelopment study identified a 4.1-acre parcel on the site that was suitable for development of affordable housing. The November 2020 *Second Amendment to the Housing Element and Fair Share Plan* moved the site back to unmet need.

On April 28, 2021 RPM Development, an experienced tax-credit developer of affordable housing in New Jersey, received Preliminary Major Site Plan and Preliminary and Major Subdivision approval for construction of a 100% affordable housing development on new Lot 2.02. At the time of the November 2020 *Second Amendment to the Housing Element and Fair Share Plan* it was expected the site would



produce 70 affordable units. However, during the course of the site plan application site constraints became better understood and the development was ultimately approved for 54 family rental dwelling units, with one-unit set aside for an on-site supervisor/manger, resulting in a total of 53 affordable family rental units. Additional improvements include access, parking, and outdoor recreation. It is anticipated that RPM Development will apply for 9% Low Income Housing Tax Credits (hereinafter “LIHTC”) in 2021.

RPM’s 100% affordable development shall comply with the bedroom and income distribution requirements in the Uniform Housing Affordability Controls, *N.J.A.C. 5:80-26.1*, et seq. (“UHAC”), with the sole exception that thirteen percent (13%) of the affordable units within each bedroom distribution shall be required to be for very low-income households earning thirty percent (30%) or less of the median income. The affordable units shall be deed restricted and controlled for at least thirty (30) years, and they shall be affirmatively marketed in accordance with the Settlement Agreement and First Amendment.

As part of the July 2020 *First Amendment to the Housing Element and Fair Share Plan*, the Township committed a municipal subsidy in the amount of \$750,000 in order to make the LIHTC application more competitive. In March 2021, the Township committed an additional \$400,000 subsidy for a total of \$1,150,000. This subsidy is reflected in the Township’s Spending Plan. Notwithstanding, since this development is an unmet need mechanism, the Township shall not be required to bond to fund a shortfall if RPM is unsuccessful at obtaining 9% tax credits.

The following the pages summarize the Township’s satisfaction of the prior round obligation, third round RDP, and third round unmet need.

**Satisfaction of the 891 Unit Prior Round Obligation**

Name	Program Type	Unit Type	Sale / Rental	Units	Prior Round	
					Bonus Credits	Credits
Trenton (Avalon Bay)	RCA	n/a	n/a	62	0	62
RCA - Trenton (Yorkshire Village (88 of 98 units))	RCA	n/a	n/a	88	0	88
Allies, Inc.	100% Affordable	Special Needs	Rent	6	6	12
The ARC Mercer (Lawrence Rd.)	100% Affordable	Special Needs	Rent	6	6	12
The ARC Mercer (Vanderveer Dr.)	100% Affordable	Special Needs	Rent	4	4	8
The ARC Mercer (Darrah Lane)	100% Affordable	Special Needs	Rent	4	4	8
Community Options, Inc. (Federal City Rd.)	100% Affordable	Special Needs	Rent	3	3	6
Community Options, Inc. (Texas Ave.)	100% Affordable	Special Needs	Rent	3	3	6
Service Center of New Jersey	100% Affordable	Special Needs	Rent	4	4	8
Brookshire (24 of 117)	100% Affordable	Senior	Rent	24	0	24
Lawrence Plaza	100% Affordable	Senior	Rent	161	0	161
Avalon Run	Inclusionary	Family	Rent	64	64	128
Avalon Run East	Inclusionary	Family	Rent	31	31	62
Eagles Chase	Inclusionary	Family	Sale	40	0	40
Lawrence Square Village	Inclusionary	Family	Sale	159	0	159
Steward's Crossing	Inclusionary	Family	Rent	36	36	72
Stonerise	Inclusionary	Family	Sale	12	0	12
Tiffany Woods	Inclusionary	Family	Sale	23	0	23
<b>Total</b>				<b>730</b>	<b>161</b>	<b>891</b>

**Satisfaction of the 702 Third Round RDP**

Name	Program Type	Unit Type	Sale / Rental	Third Round		
				Units	Bonus Credits	Credits
RCA - Trenton (Yorkshire Village (10 of 98 units))	RCA	n/a	n/a	10	0	10
CIFA III	100% Affordable	Special Needs	Rent	4	4	8
Eden Acres, Inc. (Lawrenceville-Pennington Rd.)	100% Affordable	Special Needs	Rent	3	3	6
Hillcrest Group Home, Inc.	100% Affordable	Special Needs	Rent	5	5	10
Homefront-TLC, Inc.	100% Affordable	Special Needs	Rent	6	6	12
Mercer Alliance	100% Affordable	Special Needs	Rent	3	3	6
Project Freedom	100% Affordable	Special Needs	Rent	54	54	108
Brookshire (91 of 117; 2 surplus)	100% Affordable	Senior	Rent	91	11	102
Berk's Walk (formerly Lawrenceville Gardens)	Inclusionary	Family	Rent	2	2	4
Carriage Park – For Sale	Inclusionary	Senior	Sale	21	0	21
Carriage Park – Rental	Inclusionary	Senior	Rent	16	0	16
The Gatherings (formerly Milestones) 22	Inclusionary	Senior	Sale	22	0	22
Liberty Green	Inclusionary	Family	Sale	64	0	64
Morris Hall/St. Mary's	Inclusionary	Senior	Rent	10	0	10
Traditions at Federal Point (13 of 28)	Inclusionary	Senior	Sale	13	0	13
Brandywine	Inclusionary	Family	Rent	42	42	84
Nexus Properties	Inclusionary	Family	Rent	22	22	44
Quakerbridge Mall	Inclusionary	Family	Rent	70	0	70
Extension of Expiring Controls - Various	Extension of Controls	Sale	Sale	105	0	105
<b>Total</b>				<b>563</b>	<b>152</b>	<b>715</b>
<b>Surplus toward Unmet Need</b>						<b>13</b>

### Unmet Need Mechanisms

Name	Site	Type
Lawrence Shopping Center/RPM Development	Block 2001, Lots 3, 60-66, and 68	Approved for 100% Affordable Development – 53 Affordable Family Rental Units
Morris Hall	Block 4901, Lot 1	Zoned for Family Housing at 14 du/a 15% Rental/20% For-Sale Affordable Housing Set-Aside
HUB City Distributing	Block 3901, Lot 2.01	Zoned for Family Housing at 10 du/a 20% Affordable Housing Set-Aside
Capital Health	Block 3901, Lot 4.01	Zoned for Family Housing at 8 du/a 20% Affordable Housing Set-Aside
Tricone Engineers	Block 4201.01, Lot 33.03	Zoned for Family Housing at 15 du/a 20% Affordable Housing Set-Aside
Fampec, LLC	Block 4201.01, Lot 32.01.2	Zoned for Family Housing at 15 du/a 20% Affordable Housing Set-Aside
Mandatory Affordable Housing Set-Aside	Municipality-Wide	15% Rental/20% For-Sale Affordable Housing Set-Aside