

Lawrence Township Council
Lawrence Township Municipal Building
Council Meeting Room – Lower Level

Thursday, June 26, 2025 – 4:30 p.m.

The following are the Minutes of a Special Meeting of the Lawrence Township Council held on Thursday, June 26, 2025, at 4:30 p.m.

The meeting was opened with the Inspiration and Pledge of Allegiance, led by the Municipal Clerk.

At the commencement of the meeting Mayor Farmer read the following statement of proper notice:

STATEMENT OF PROPER NOTICE: "Adequate notice of this Special Meeting of the Lawrence Township Council being held on Thursday, June 26, 2025, was forwarded to The Trentonian, The Times and The Princeton Packet on June 23, 2025 by the Municipal Clerk."

The roll was then called as follows:

Present: Councilmembers Bobbitt, Kownacki, Perry and Mayor Farmer.
Absent: Councilwoman Santos.

Also, in attendance were Kevin Nerwinski, Esq., Municipal Manager, and Arthur Sypek, Esq., Municipal Attorney

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Municipal Manager, Kevin Nerwinski, stated that the Lawrence Township's Affordable Housing Plan, like all municipalities in the State of New Jersey, has a deadline of June 30<sup>th</sup>, 2025. He explained that a public hearing took place before the Planning Board on June 16<sup>th</sup> with regard to this housing plan, which included public participation, and the Resolution was passed unanimously. Mr. Nerwinski relayed that he and Municipal Attorney, Arthur Sypek, felt it was appropriate for the Governing Body to pass a Resolution in order to meet the June 30<sup>th</sup> deadline, which is the purpose of this Special Meeting. He wished to make it clear to the public and Council that this special meeting came about out of necessity to meet a deadline.

Additionally, Mr. Nerwinski stated that Lawrence Township Planner, Beth McManus, is here tonight to give Council the same presentation that she gave the Planning Board, so that Council members who are not on the Planning Board will be privy to the same information prior to tonight's vote.

Mr. Sypek added that the Township is in litigation and has action with the Superior Court of New Jersey involving the Housing Plan, and after much discussion with Mr. Nerwinski and the Planning Board attorney, they felt it was best to file everything by the June 30<sup>th</sup> deadline, which is why he was insistent that they hold this Special Session meeting. He thanked Council for coming, understanding that it is an inconvenience, but explained that this is a critical document for the Township that will hopefully be endorsed by Council today. Mr. Sypek relayed that once it is endorsed, he will file it with the Superior Court Clerk's Office tomorrow, after he receives a certified copy from the Clerk, and this will fulfill the court order obligation from which the Township is under.

Mayor Farmer introduced Ms. Beth McManus, and explained that she will be presenting the Round Four Housing Plan to Council, and thanked Ms. McManus for being here this afternoon.

Ms. Beth McManus stated that she will present an overview of the Housing Plan that Council is being asked to endorse today. She provided background regarding why New Jersey has affordable housing laws, which she explained, comes from a constitutional obligation to plan for low to moderate-income housing pursuant to a 1975 court decision. She relayed that municipalities and councils that do not adopt, submit and endorse housing plans are vulnerable to "builder's remedy" litigation, which is hugely disruptive to a municipality. This means that a developer could, through a court process, usurp the planning and zoning abilities in order to construct an inclusionary housing development, which would be 80% market-rate housing and 20% affordable housing, and that development would not comply with the municipal zoning, but would be at a density greater than what the municipality is comfortable with. Ms. McManus explained that townships, like Lawrence, have housing plans to maintain control over their own zoning, land use and community.

In addition to the legal reasons, Ms. McManus conveyed that having Housing Plans helps to advance affordability and quality of life in a community. Planning for affordable housing is a way to make sure housing is open and inclusive, and that folks from all incomes can live in the community, which is helpful for community building.

She explained that affordable housing is both a rehabilitation obligation, as well as a new construction obligation. She stated that she is here this afternoon to go through the second phase in this process, which is to submit all of the Township's documentation. Ms. McManus relayed that the planning board has done most of the hard work already in the sense they've put together and adopted the housing plan on June 16<sup>th</sup>, and having the Council endorse the plan today will be the final step in the formal submission of the housing plan necessary to enjoy protection from builder's remedy.

Ms. McManus stated that she would first like to address the rehabilitation obligation, which is 68 units. The calculation was done by the Department of Community Affairs (DCA), and based upon an estimate of low or moderate-income households in Lawrence Township that are living in substandard units. The way that the Township can satisfy this obligation is through continuation of the Home Improvement Program.

The next component of the obligation Ms. McManus wished to address is the new construction obligation, which is often labeled as the "Rounds" obligation. Ms. McManus informed Council that they have completed Rounds One through Three, and provided an overview of the process of each Round, detailing the work the Township has historically put in to meet this obligation. She stated that Lawrence is now in the Round Four obligation, which is the most important part of the planning. This round consists of 320 units, which was originally calculated by the DCA and assigned by the court earlier this year, with an additional (Realistic Development Potential) RDP of 56 units.

Ms. McManus highlighted that Lawrence has a surplus of RDP within the Township, as the Township's efforts to provide Affordable Housing in the past continue to be helpful today. She stated that Lawrence is satisfying their obligation with the additional surplus credits from the 3131 Princeton Pike project, the Carriage Park project, the Quakerbridge Mall site, and with the 3641 Lawrenceville Road property. She then highlighted some of these properties in more detail and how they help to meet the obligation.

In summation, Ms. McManus explained that Lawrence Township's current Housing Plan satisfies the Fourth Round RDP, and it also satisfies the Fourth Round unmet need with substantial credits. She stated that if Council is inclined to endorse the Housing Plan this afternoon, the Resolution will be submitted to the court, where there will be a two-month objection period until the end of August, followed by a mediation process to determine if or when the Housing Plan should be amended. If there are no objections, then the next step is to wait for the Compliance Certification, which is essentially the court's stamp of approval that the Housing Plan meets all of the applicable requirements, and also means that Lawrence has the immunity from builder's remedy to the end of the Fourth Round, which is July of 2035 (which is the longest time for which a Township can gain immunity).

A discussion took place regarding the fact that the Township did not seek out the four areas proposed for development, but were privately owned sites that had developers approaching Lawrence Township with requests to build on and improve those properties. The discussion also addressed how taking a vacant land adjustment factors into the Township's responsibility to the community—specifically to meet with prospective developers and establish a development plan that aligns with the character and fabric of the Township. During the discussion, there was an explanation of the vacant land adjustment process and the legal circumstances the Township could face if it did not meet with prospective developers. It was also noted that by engaging with developers, the Township is able to structure plans in a way that is most advantageous to the community.

Mr. Nerwinski stated that Lawrence Township has always taken their Affordable Housing obligations as a moral responsibility, and to make sure that everyone has the ability to own a home in our community.

Resolution 241-25 (A-1) was approved on the following roll call vote:

| COUNCIL      | AYE | NAY | PRESENT | ABSENT | ABSTAIN | MOVE | SECOND |
|--------------|-----|-----|---------|--------|---------|------|--------|
| Mr. Bobbitt  | X   |     |         |        |         | X    |        |
| Mr. Kownacki | X   |     |         |        |         |      | X      |
| Ms. Perry    | X   |     |         |        |         |      |        |
| Ms. Santos   |     |     |         | X      |         |      |        |
| Mayor Farmer | X   |     |         |        |         |      |        |

Cited Resolution is spread in its entirety in the Resolution Books of the Township of Lawrence.

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Resolution 242-25 (A-2) was approved on the following roll call vote:

| COUNCIL      | AYE | NAY | PRESENT | ABSENT | ABSTAIN | MOVE | SECOND |
|--------------|-----|-----|---------|--------|---------|------|--------|
| Mr. Bobbitt  | X   |     |         |        |         | X    |        |
| Mr. Kownacki | X   |     |         |        |         |      | X      |
| Ms. Perry    | X   |     |         |        |         |      |        |
| Ms. Santos   |     |     |         | X      |         |      |        |
| Mayor Farmer | X   |     |         |        |         |      |        |

Cited Resolution is spread in its entirety in the Resolution Books of the Township of Lawrence.

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#### Public Participation

There was no public participation.

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There being no further business to come before this Council, the meeting adjourned at 5:20 p.m.

Respectfully submitted by,

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Tonya D. Carter, Municipal Clerk

Attest:

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Patricia Farmer, Mayor