

**TOWNSHIP OF LUMBERTON  
LAND DEVELOPMENT BOARD  
NOTICE OF DECISION**

The Lumberton Township Land Development Board at meeting held on February 12, 2026, approved the following:

**LUMBERTON TOWNSHIP LAND DEVELOPMENT BOARD**

**RESOLUTION NUMBER: 2026-09**

**REPORTING THE LAND DEVELOPMENT BOARD'S FINDINGS AND RECOMMENDATIONS TO THE TOWNSHIP COMMITTEE WITH RESPECT TO THE PROPOSED ORDINANCE 2026-03 AMENDING CHAPTERS 130 AND 90, REGARDING THE ADOPTION OF STANDARDS GOVERNING DEVELOPMENT FEES AND OTHER PROVISIONS RELATING TO AFFORDABLE HOUSING**

**WHEREAS**, Lumberton Township Committee ("Committee"), introduced Ordinance #2026-03 which relates to the Township's continuing Affordable Housing obligation, consistent with New Jersey law and the Court approved Settlement Agreement and findings entered in favor of the Township of Lumberton's Affordable Housing plan; and

**WHEREAS**, Ordinance #2026-03 was introduced by the governing body and referred to the Land Development Board ("the Board") consistent with legal requirements, namely, for the Board to review the Ordinance for its consistency with the Township's Master Plan and to promptly report its findings back to the governing body; and

**WHEREAS**, the purpose of introducing and enacting Ordinance #2026-03 is to enable the Township to continue to meet its constitutional obligation to provide its fair share of affordable housing options within the Township and to comply with established law in the State of New Jersey relating to the continuing obligation of municipal entities to provide for and govern the development of affordable housing in the State of New Jersey; and

**WHEREAS**, Ordinance #2026-03 establishes necessary provisions for development fees and the framework for achieving and maintaining the Township's Court-approved Affordable Housing obligation by enacting legislation which will both encourage continuation of building and sustaining affordable housing units while preventing developers from utilizing certain types of subdivisions, rezoning requests, variances or other creative means where they are designed to avoid this obligation; and

**WHEREAS**, Ordinance #2026-03 amends Sections 130-79 and 130-80 and Section 90 of the Township's Code for the imposition of development fees and set-asides governing the development of various types and levels of affordable housing units, which provisions are consistent with State law and are designed to enable the Township to meet its constitutional obligations with respect to imposition of development fees and other permissible extractions, to maintain the Township's affordable housing stock; and

**WHEREAS**, the proposed Ordinance incorporates the Township's court-approved Housing Element and Fair Share Plan ("HEFSP") and to ensure that affordable units are created with controls on affordability over time and to ensure that the obligation is funded by the imposition of development fees from developers, which the Board found to be purposes which are consistent with the goals of the Township's Master Plan; and

**WHEREAS**, the Courts in New Jersey have held that the proposed standards are consistent with state law; and

**WHEREAS**, pursuant to New Jersey's Municipal Land Use Law (N.J.S.A. 40:55D-1, et seq.) any ordinance involving land use and zoning must be referred to the Land Development Board for review, comment and a finding of consistency with the Township's Master Plan; and

**WHEREAS**, at a public meeting held on February 12, 2026, the Lumberton Township Land Development Board reviewed the purpose, provisions and features of the proposed Ordinance, and its purpose and the Board made certain findings and recommendations as to the proposed Ordinance.

**NOW THEREFORE BE IT RESOLVED**, by the Lumberton Township Land Development Board assembled in public session the 12th day of February, 2026, as follows:

1. A Public Hearing was conducted on February 12, 2026, on the proposed Ordinance in which the Board reviewed the provisions of Ordinance #2026-03, heard and considered the comments of its professional

consultants and other testimony submitted, as to how the enactment of the Ordinance is consistent with and advances the goals of the Township's Master Plan as well as promoting good professional planning principles. In particular, the adoption of the Ordinance advances the goal of the Township's Master Plan in complying with its constitutional obligation to provide and sustain sufficient Affordable Housing opportunities within the Township and to provide detailed development fees consistent with state law.

2. The Board heard and considered comments by various members of the public.

3. The Board accepted and adopted the reasoning and opinion of its consultants that the adoption of the Ordinance advances the goal of the Township's Master Plan in complying with its constitutional obligation to provide sufficient Affordable Housing opportunities within the Township as well as advances the goal of the Township's Master Plan in complying with its constitutional obligation to provide sufficient Affordable Housing opportunities within the Township, the Planning Board recommends that the governing body adopt Ordinance #2026-03 as introduced by the Township Committee.

4. The Board further authorizes the Board Chairman to execute a Resolution consistent with its findings prior to the next meeting of the Land Development Board, so that the Board Secretary may transmit said signed Resolution to the governing body as its report to the Mayor and Committee. The Board further authorizes the Board Chairman and/or Board Secretary to take such action as is necessary and appropriate, in consultation with the Board's Solicitor, to promptly report its findings to the Municipal Clerk and/or to the Mayor and governing body.

Copy of the findings of fact is on file in the office of the Land Development Board at the Municipal Complex, 35 Municipal Drive, Lumberton, New Jersey 08048.

Catherine A. Borstad  
Land Development Board Secretary