

TOWNSHIP OF UPPER DEERFIELD

RESOLUTION 21-113

AUTHORIZING AMENDMENT OF AN AGREEMENT WITH LAND PARTNERS OF NJ, LLC, FOR THE PROVISION OF AFFORDABLE HOUSING AS PART OF THE DEVELOPMENT OF BLOCK 818, LOTS 1-6, BLOCK 819, LOTS 1-7, BLOCK 820, LOTS 1-31 BLOCK 821, LOTS 1-25, ALSO KNOWN AS “SEABROOK EAST”

WHEREAS, Upper Deerfield Township entered into Developer’s Agreement with Land Partners of NJ, LLC, dated December 12, 2018 and amended by Resolution 19-157, which Developer’s Agreement, among other things, provided for the ability of the Land Partners of NJ, LLC to develop affordable housing units to satisfy its obligation for inclusionary development; and

WHEREAS, Land Partners is not in compliance with its obligation to provide affordable housing units pursuant to the Developer’s Agreement; and

WHEREAS, Land Partners and D R Horton have requested an Amendment to the Developer’s Agreement which, among other things, requested a modification to the schedule for release of Certificates of Occupancy for market rate units; and

WHEREAS, the Township Solicitor in consultation with Fair Share Housing and the Township’s affordable housing planner has with the authority of the Committee provided 2 options to Land Partner’s and Horton to afford them the opportunity to come into compliance and to modify the schedule for release of Certificates of Occupancy for the market rate units. Those options were set forth in the Township Solicitor’s email dated May 26, 2021, a copy of which is attached; and

WHEREAS, Land Partners and Horton have accepted the onsite option set forth in the Township Solicitor’s email and the Township Committee of Upper Deerfield Township is agreeable to executing an amendment to the Developer’s Agreement that is consistent with the essential terms as set forth in the Township Solicitor’s email and which is satisfactory to the Township Solicitor as to form and substance.

NOW THEREFORE BE IT RESOLVED by the Township Committee of Upper Deerfield Township hereby authorizes the Mayor and Clerk to execute an amendment to the Developer’s Agreement that is consistent with the essential terms as set forth in the Township Solicitor’s email and which is satisfactory to the Township Solicitor as to form and substance:

Moved By: John Daddario

Seconded By: Scott Smith

VOTING

James P. Crilley
John L. Daddario
John T. O’Neill, Sr
Bruce T. Peterson
Scott Smith

<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
X			
X			
X			
X			
X			

CERTIFICATION

I hereby certify that the foregoing is a true copy of Resolution adopted by the Township Committee of the Township of Upper Deerfield, in the County of Cumberland, at a meeting thereof held June 3, 2021.

Roy J. Spoltore, Township Clerk