

RESOLUTION 05-25PB OF THE PLANNING BOARD OF THE TOWN OF HAMMONTON ADOPTING A FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, the Town of Hammonton (hereinafter the “Town” or “Hammonton”) has a demonstrated history of voluntary compliance as evidenced by its Third Round record; and

WHEREAS, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (Mount Laurel IV), on July 15, 2015, the Town of Hammonton filed a Declaratory Judgment Complaint in Superior Court, Law Division seeking, among other things, a judicial declaration that its Third Round Housing Element and Fair Share Plan, to be amended as necessary, satisfied its “fair share” of the regional need for low and moderate income housing pursuant to the “Mount Laurel doctrine,” and

WHEREAS, that culminated in a Court-approved Third Round Housing Element and Fair Share Plan and a Final Judgment of Compliance and Repose, which precluded all Mount Laurel lawsuits, including builder’s remedy lawsuits, until July 7, 2025; and

WHEREAS, the Town continues to actively implement its Court-approved Third Round Housing Element and Fair Share Plan; and

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, which amended the 1985 New Jersey Fair Housing Act (hereinafter the “Amended FHA”); and

WHEREAS, the Town adopted Resolution #32-2025 accepting the DCA-calculated Present Need and Prospective Need, as required by the Amended FHA, on January 27, 2025, establishing its Fourth Round Present Need of 64 and Prospective Need of 49 affordable housing units (hereinafter referred to as the “Binding Resolution”); and

WHEREAS, in accordance with the Amended FHA and the Administrative Office of the Court’s Directive No. 14-24, the Town filed a timely Fourth Round Declaratory Judgment Complaint (“DJ Complaint”) with the Affordable Housing Dispute Resolution Program (“the Program”), along with its Binding Resolution, on January 28, 2025; and

WHEREAS, the filing of the DJ Complaint gave the Town automatic, continued immunity from all exclusionary zoning lawsuits, including builder’s remedy lawsuits, which is still in full force and effect; and

WHEREAS, the Town did not receive any objections to its Present and Prospective Need numbers by February 28, 2025, resulting in the statutory automatic acceptance of the Town’s Fourth Round obligations on March 1, 2025; and

WHEREAS, on March 27, 2025, the Court entered an order establishing the Town’s Fourth Round Present Need of 64 and Prospective Need of 49 affordable housing units; and

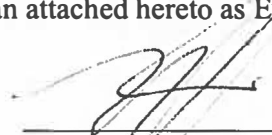
WHEREAS, now that the Town has its Fourth Round Obligations, the Amended FHA and March 27, 2025 Court Order require the Town to adopt a Fourth Round Housing Element and Fair Share Plan by June 30, 2025; and

WHEREAS, in accordance with the Amended FHA, the Town's affordable housing planner drafted a Fourth Round Housing Element and Fair Share Plan; and

WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Planning Board held a public hearing on the Fourth Round Housing Element and Fair Share Plan on June 4, 2025; and

WHEREAS, the Planning Board determined that the attached Fourth Round Housing Element and Fair Share Plan is consistent with the goals and objectives of the Town's current Master Plan, and that adoption and implementation of the Fourth Round Housing Element and Fair Share Plan is in the public interest and protects public health and safety and promotes the general welfare.

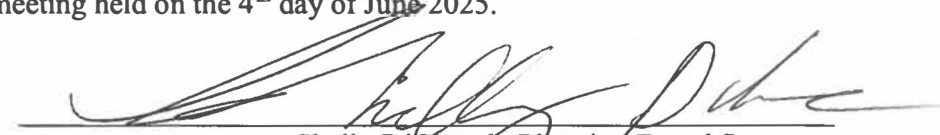
NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Town of Hammonton, County of Atlantic, State of New Jersey, that the Planning Board hereby adopts the Fourth Round Housing Element and Fair Share Plan attached hereto as Exhibit A.



Bill Olivo, Chairman

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Planning Board of the Town of Hammonton at a regular meeting held on the 4th day of June 2025.



Shelly DiChurch, Planning Board Secretary

BOARD VOTING IN FAVOR:

BOARD OPPOSED:

RECUSED:

Ed Wuillermin
Councilman Oliva
James Matro
Ray Scipione
Ralph Cappaccio
Michael Messina
Michael Hozik
Jonathan Baske
Chairman Olivo