

## BOROUGH OF EDGEWATER PLANNING BOARD

### RESOLUTION APPROVING AND ADOPTING A HOUSING ELEMENT AND FAIR SHARE PLAN TO SATISFY THE BOROUGH'S FOURTH ROUND AFFORDABLE HOUSING OBLIGATION

Made By: Robert Christiansen

Seconded By: Erma Kelley

**WHEREAS**, on March 20, 2024, Governor Murphy signed into law P.L.2024, c.2, establishing a new framework for determining and enforcing municipal affordable housing obligations under the New Jersey Supreme Court's Mount Laurel doctrine and the New Jersey Fair Housing Act (the "FHA") (N.J.S.A. 52:27D-301, *et al.*); and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-304.1(f)(1)(b), each municipality was to adopt a binding resolution no later than January 31, 2025, determining and setting forth its present and prospective fair share obligations for the "Fourth Round" of affordable housing obligations ("Fourth Round"); and

**WHEREAS**, the Council of the Borough of Edgewater ("Borough") adopted Resolution No. 2025-073 on January 21, 2025, identifying its present need obligation as 6 units and prospective need obligation as 295 affordable units for the Fourth Round.

**WHEREAS**, in accordance with the FHA and Administrative Directive #14-24, issued by the Administrative Office of the Courts on December 13, 2024 ("Directive #14-24"), the Borough filed a Complaint for Declaratory Judgment with the Superior Court of New Jersey, Law Division, Bergen County, entitled In the Matter of the Application of the Borough of Edgewater, County of Bergen, State of New Jersey, Docket No. BER-L-560-25 on January 23, 2025 (the "DJ Action"), identifying its present and prospective fair share obligations for the Fourth Round as set forth above, and committing to adopting and submitting a Fourth Round Housing Element and Fair Share Plan ("HEFSP") as required by the FHA; and

**WHEREAS**, no parties challenged the Borough's present and prospective need obligations; and

**WHEREAS**, on May 16, 2025, the Honorable Gregg A. Padovano, J.S.C., issued an Order setting the Borough's present need obligation at 6 units and the prospective need obligation at 295 affordable units and further authorized the Borough to proceed with preparation and adoption of a proposed HEFSP to satisfy the Borough's affordable housing obligation; and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-304.1(f)(2)(a) and Directive #14-24, each municipality must adopt and file as part of its DJ Action a HEFSP, with associated resolutions and proposed drafts of the appropriate zoning and other ordinances, necessary to implement its HEFSP, no later than June 30, 2025; and

**WHEREAS**, the Borough's Affordable Housing Planner, Gregory Associates LLC, prepared a proposed HEFSP, entitled "Round 4 Housing Element & Fair Share Plan" dated June 2025 (the "Fourth Round HEFSP"); and

**WHEREAS**, pursuant to N.J.S.A. 40:55D-28, the Borough of Edgewater Planning Board (“Board”), may prepare and adopt or amend a master plan or component parts thereof, after a public hearing, to guide the use of lands within the municipality in a manner which protects health and safety and promotes the general welfare; and

**WHEREAS**, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Board held a public hearing on the proposed Fourth Round HEFSP on June 23, 2025, during which the proposed Fourth Round HEFSP was presented to the Board and public, and opportunity for comments and questions was provided; and

**WHEREAS**, with the conclusion of the public hearing, the Board finds and hereby determines that the proposed Fourth Round HEFSP is consistent with the goals and objectives of the Master Plan of the Borough, will guide the use of lands in the municipality in a manner which protects public health and safety and promotes the general welfare in accordance with N.J.S.A. 40:55D-28, and is designed to achieve the goal of access to affordable housing to meet present and prospective housing needs in accordance with N.J.S.A. 52:27D-310; and

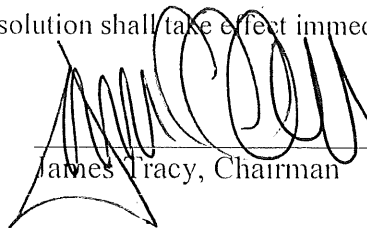
**WHEREAS**, by the adoption of this Resolution, the Board memorializes its adoption of the proposed Fourth Round HEFSP as the Housing Element and Fair Share Plan components of the Borough of Edgewater Master Plan, in accordance with N.J.S.A. 40:55D-28, the FHA and Directive #14-24.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Edgewater Planning Board that the plan entitled “Round 4 Housing Element & Fair Share Plan”, prepared by Gregory Associates, LLC, dated June 2025 (the “Fourth Round HEFSP”), is hereby approved and adopted as the 2025 Housing Element and Fair Share Plan components of the Borough of Edgewater Master Plan.

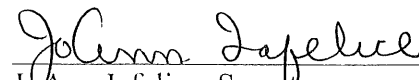
**BE IT FURTHER RESOLVED** the Board Secretary is hereby authorized and directed to transmit a certified, electronic copy of the Fourth Round HEFSP and this resolution to the Borough’s affordable housing counsel for further disposition

**BE IT FURTHER RESOLVED** the Board Secretary is hereby authorized and directed to provide a copy of the adopted Fourth Round HEFSP and a certified copy of this Resolution to the Bergen County Planning Board and New Jersey Office of Planning Advocacy, in accordance with the requirements of N.J.S.A. 40:55D-13.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.



James Tracy, Chairman



JoAnn Iafelice, Secretary

Dated: June 23, 2025



## BOROUGH OF EDGEWATER RESOLUTION

COUNCILPERSON	YES	NO	ABSTAIN	ABSENT
GUIERREZ				✓
LAWLOR	✓			
MONTE	✓			
VIDAL	✓			
MARTIN	✓			
BARTOLOMEO	✓			
MAYOR				

DATE: June 23, 2025RESOLUTION No. 2025-160INTRODUCED BY: MARTINSECOND BY: LAWLOR

### RESOLUTION ENDORSING THE 2025 HOUSING ELEMENT AND FAIR SHARE PLAN

**WHEREAS**, on March 20, 2024, Governor Murphy signed into law P.L.2024, c.2, establishing a new framework for determining and enforcing municipal affordable housing obligations under the New Jersey Supreme Court's Mount Laurel doctrine and the New Jersey Fair Housing Act (the "FHA") (N.J.S.A. 52:27D-301, *et al.*); and

**WHEREAS**, among other things, the Act abolished the Council on Affordable Housing (hereinafter, "COAH"), and replaced it with seven retired, on recall judges designated as the Program and authorized the Director of the Administrative Office of the Courts, (hereinafter, respectively, "Director" and "AOC") to create a framework to process applications for affordable housing compliance certification; and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-304.1(f)(1)(b), each municipality was to adopt a binding resolution no later than January 31, 2025, determining and setting forth its present and prospective fair share obligations for the "Fourth Round" of affordable housing obligations ("Fourth Round"); and

**WHEREAS**, the Council of the Borough of Edgewater ("Borough") adopted Resolution No. 2025-073 on January 21, 2025, identifying its present need obligation as 6 units and prospective need obligation as 295 affordable units for the Fourth Round.

**WHEREAS**, in accordance with the FHA and Administrative Directive #14-24, issued by the Administrative Office of the Courts on December 13, 2024 ("Directive #14-24"), the Borough filed a Complaint for Declaratory Judgment with the Superior Court of New Jersey, Law Division, Bergen County, entitled In the Matter of the Application of the Borough of Edgewater, County of Bergen, State of New Jersey, Docket No. BER-L-560-25 on January 23, 2025 (the "DJ Action"), identifying its present and prospective fair share obligations for the Fourth Round as set forth above, and committing to adopting and submitting a Fourth Round Housing Element and Fair Share Plan ("HEFSP") as required by the FHA; and

**WHEREAS**, no parties challenged the Borough's present and prospective need obligations; and

**WHEREAS**, on May 16, 2025, the Honorable Gregg A. Padovano, J.S.C., issued an Order setting the Borough's present need obligation at 6 units and the prospective need obligation at 295 affordable units and further authorized the Borough to proceed with preparation and adoption of a proposed HEFSP to satisfy the Borough's affordable housing obligation; and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-304.1(f)(2)(a) and Directive #14-24, each municipality must adopt and file as part of its DJ Action a HEFSP, with associated resolutions and proposed drafts of the appropriate zoning and other ordinances, necessary to implement its HEFSP, no later than June 30, 2025; and

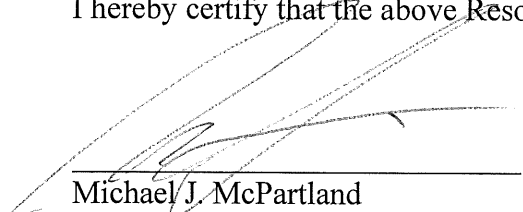
**WHEREAS**, the Borough of Edgewater Planning Board ("Board") adopted the HEFSP, entitled "Round 4 Housing Element & Fair Share Plan" prepared by the Gregory Associates, LLC (the "Fourth Round HEFSP"), as an amendment to the Borough's Master Plan on June 23, 2025; and

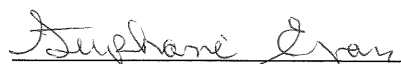
**WHEREAS**, the Governing Body desires to endorse the Fourth Round HEFSP adopted by the Board on June 23, 2025.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Edgewater, Bergen County as follows:

1. The Governing Body does hereby endorse the Fourth Round HEFSP adopted by the Borough of Edgewater Planning Board on June 23, 2025.
2. The Governing Body does hereby authorize the filing of this Resolution endorsing the Fourth Round HEFSP adopted by the Board on eCourts for review by the Program.
3. The Mayor and Clerk, together with other appropriate officers and employees of the Borough of Edgewater, are hereby authorized to take all steps necessary to effectuate the purposes of this Resolution.
4. This Resolution shall take effect immediately.

I hereby certify that the above Resolution was adopted by the Mayor and Council on June 23, 2025.

  
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Michael J. McPartland  
Mayor

  
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Stephanie Evans, RMC  
Borough Clerk