

CINNAMINSON PLANNING BOARD

RESOLUTION NO. 2025-12

**RESOLUTION ADOPTING A FOURTH ROUND
HOUSING ELEMENT AND FAIR SHARE PLAN**

WHEREAS, on March 20, 2024, P.L. 2024, c.2, was signed into law which amended the FHA at N.J.S.A. 52:27D-301 *et seq.*, (“Amended FHA”); and

WHEREAS, in addition to the Amended FHA, the Acting Administrative Director of the Administrative Office of the Courts issued Directive #14-24, dated December 13, 2024 (“Administrative Directive #14-24”); and

WHEREAS, in response to the Amended FHA and the Administrative Directive #14-24, the Township of Cinnaminson adopted a binding resolution on January 29, 2025 committing to address the DCA Fourth Round Present Need or Rehabilitation Obligation of thirty-two (32) units and the Fourth Round Prospective Need Obligation of eighty-six (86) units; and

WHEREAS, pursuant to the requirements of the amended FHA and Administrative Directive #14-24, on January 30, 2025, the Township of Cinnaminson filed a Fourth Round DJ action (which included its January 23, 2025 adopted binding resolution) with the Superior Court/Affordable Housing Dispute Resolution Program (“Program”) under Docket No. BUR-L-238-25, asking the Court to declare Cinnaminson Township’s Fourth Round HEFSP constitutionally compliant, and seeking protection and repose against exclusionary zoning litigation for a ten (10) year period (July 1, 2025 to June 30, 2035); and

WHEREAS, objections were filed challenging the Township’s calculations provided for in the Township’s adopted January 29, 2025 binding resolution; and

WHEREAS, pursuant to Administrative Directive #14-24, “After the entry of an order determining present and prospective fair share obligations, the municipality must file with the Program its adopted housing element and fair share plan ... within 48 hours after adoption or by June 30, 2025, whichever is sooner.”; and

WHEREAS, a Court Order, dated April 17, 2025, was issued which set the Township’s Fourth Round Present Need or Rehabilitation Obligation of thirty-two (32) units and the Township’s Fourth Round Prospective Need Obligation of eighty-six (86) units (with recognition by the Township that the agreed upon settlement is eighty-nine (89) units); and

WHEREAS, the Amended FHA provides that “All parties shall be entitled to rely upon regulations on municipal credits, adjustments, and compliance mechanisms adopted by COAH unless those regulations are contradicted by statute, including P.L. 2024, c.2, or binding court decisions” (N.J.S.A. 52:27D-311(m)); and

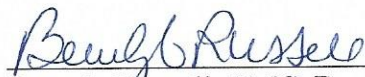
WHEREAS, the Township's and Planning Board's Planner, Frank Banisch, PP, AICP, has prepared a Fourth Round HEFSP, dated May 30, 2025, that addresses the Township's Fourth Round affordable housing obligations; and

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 HEFSP on June 9, 2025; and

WHEREAS, the Planning Board has determined that the Fourth Round HEFSP is consistent with the goals and objectives of the Township of Cinnaminson's Master Plan and Master Plan Re-examination Report, and that the adoption and implementation of the Fourth Round HEFSP is in the public interest, protects public health and safety and promotes the general welfare.

NOW THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Cinnaminson, Burlington County, State of New Jersey, that the Planning Board hereby adopts the Fourth Round Housing Element and Fair Share Plan on this 9th day of June, 2025.

BE IT FURTHER RESOLVED the Planning Board of the Township of Cinnaminson hereby directs its Planning Board Attorney and Planning Board Secretary to assist the Township Attorney of the Township of Cinnaminson to file this adopted resolution and this adopted Fourth Round HEFSP as part of the Township's Fourth Round Declaratory Judgment action under Docket No. BUR-L-238-25, in Burlington County Superior Court and with the Program within 48 hours after adoption of this Fourth Round HEFSP via ECourts per Directive #14-24.

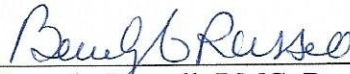


Beverly Russell, RMC, Board Secretary



Cynthia Lamon, Board Chairperson

I hereby certify that this is a true copy of the resolution adopting the Fourth Round Housing Element and Fair Share Plan of the Township of Cinnaminson, Burlington County, on June 9, 2025.



Beverly Russell, RMC, Board Secretary