

## **RESOLUTION 2025-7**

### **RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF WILLINGBORO ADOPTING A FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN**

**WHEREAS**, the Township of Willingboro (hereinafter the “Township” or “Willingboro”) 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 June 12, 2015, the Township of Willingboro 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 precludes all Mount Laurel lawsuits, including builder’s remedy lawsuits, until July 1, 2025; and

**WHEREAS**, the Township 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 Township adopted a “binding resolution” accepting the DCA-calculated Present Need and Prospective Need, as required by the Amended FHA, on January 21, 2025, establishing its Fourth Round Present Need of 16 and Prospective Need of 77; and

**WHEREAS**, in accordance with the Amended FHA and the Administrative Office of the Court’s Directive No. 14-24, the Township 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 23, 2025; and

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

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

**WHEREAS**, on April 8, 2025, the Court entered an order establishing the Township’s Fourth Round Present Need of 16 and Prospective Need of 77; and

**WHEREAS**, now that the Township has its Fourth Round Obligations, the Amended FHA requires the municipality to adopt a Fourth Round Housing Element and Fair Share Plan by June 30, 2025; and

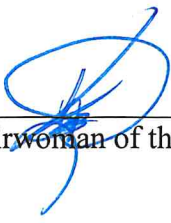
**WHEREAS**, in accordance with the Amended FHA, the Township's affordable housing planner drafted a Fourth Round Housing Element and Fair Share Plan; and

**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 9, 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 Township'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 Township of Willingboro, County of Burlington, State of New Jersey, that the Planning Board hereby adopts the Fourth Round Housing Element and Fair Share Plan attached hereto as Exhibit A.

	YES	NO	N.V.	A.B.	MOT	SEC
D. Curtis	X					
K.Davis Chair	X					
K. McIntosh CW				X		
M. Turner	X					
S. Whitfield Mayor	X				X	
G. Lawery	X					
M. Nock Vice Chair	X					X
Alt A. Avant	X					
<b>X-Indicates Vote</b>	<b>NV-Not Voting</b>	<b>AB-Absent</b>	<b>MOT-Motion</b>	<b>SEC-Second</b>		

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Chairwoman of the Planning Board

**CERTIFICATION**

I certify that the foregoing Resolution was duly adopted by the Planning Board of Township of Willingboro at a regular meeting held on the 9<sup>th</sup> day of June 2025.

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Planning Board Secretary