

**BOROUGH OF WOODBINE  
STATE OF NEW JERSEY**

**RESOLUTION NO. 2-6-2025**

**RESOLUTION OF THE CONSOLIDATED LAND USE BOARD OF THE BOROUGH  
OF WOODBINE ADOPTING THE FOURTH ROUND HOUSING ELEMENT AND  
FAIR SHARE PLAN**

**WHEREAS**, the BOROUGH OF WOODBINE (hereinafter “BOROUGH”) has a demonstrated history of voluntary compliance with the Mount Laurel doctrine and the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301, et seq.; 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 8, 2015, the BOROUGH filed a Declaratory Judgment Action in Superior Court, Law Division, Cape May County, under Docket No. CPM-L-310-15 (“2015 Action”) seeking, among other things, a judicial declaration that the BOROUGH’s Housing Element and Fair Share Plan (hereinafter “Fair Share Plan”), to be amended as necessary, satisfies its “fair share” of the regional need for low and moderate income housing pursuant to the Mount Laurel doctrine; and

**WHEREAS** the BOROUGH’s 2015 Action ultimately culminated in a Court-approved Housing Element and Fair Share Plan and a Final Judgment of Compliance and Repose, entered on June 12, 2018, which entitles the BOROUGH to immunity and precludes Mount Laurel lawsuits and builder’s remedy lawsuits from being filed against the BOROUGH until after July 1, 2025; and

**WHEREAS**, the BOROUGH 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 among other things, amended various provisions of the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq. (“FHA”), abolished the Council on Affordable Housing (“COAH”) and established the Affordable Housing Dispute Resolution Program (“Program”); and

**WHEREAS**, the BOROUGH adopted a “binding resolution” accepting the DCA-calculated Present Need and Prospective Need, as required by the Amended FHA, on January 6, 2025, establishing its Fourth Round Present Need of 27 and Prospective Need of 27; and

**WHEREAS**, in accordance with the Amended FHA and the Administrative Office of the Court’s Directive No. 14-24, the BOROUGH filed a timely Fourth Round Declaratory Judgment complaint (“DJ Complaint”) with the Affordable Housing Dispute Resolution Program (“the Program”), along with its binding resolution; and

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

**WHEREAS**, the BOROUGH did not receive any objections to its Present and Prospective Need numbers resulting in the statutory automatic acceptance of the BOROUGH's Fourth Round obligations; and

**WHEREAS**, on March 27, 2025, the Court entered an order establishing the BOROUGH's Fourth Round Present Need of 27 and Prospective Need of 27; and

**WHEREAS**, now that the BOROUGH 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 Fair Housing Act, the BOROUGH'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 Consolidated Land Use Board held a public hearing on the Fourth Round Housing Element and Fair Share Plan on June 11, 2025; and

**WHEREAS**, the Consolidated Land Use Board determined that the attached Fourth Round Housing Element and Fair Share Plan is consistent with the goals and objectives of the BOROUGH'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** on this 11th day of June, 2025, by the Consolidated Land Use Board of the BOROUGH of WOODBINE, County of Cape May, New Jersey, that the Consolidated Land Use Board hereby approves and adopts the Plan entitled "Borough of Woodbine Fourth Round Housing Element and Fair Share Plan", dated June 11, 2025, which is a part of the record in these proceedings and a copy of which is attached hereto.

BE IT FURTHER RESOLVED that a copy of the Plan as adopted will be submitted to the Borough of Woodbine Council.

Memorialized: June 11, 2025

At the time of Memorialization:

Offered by: Joseph Petro

Seconded by: Louis Ciabatonì

RCV: Yea: Councilman Bennett  
Louis Ciabatonì  
Chairperson Lisa Fisher  
Anthony Phillip

Linette Childs  
Harry Ciabatonì  
Joseph Petro

0 Abstained 0 Opposed

This Resolution is adopted on June 11, 2025, in full memorialization of the decision made by the Borough of Woodbine Consolidated Land Use Board at its regular meeting on June 11, 2025.

Dated: 6-11-2025

Borough of Woodbine Consolidated Land Use Board

/s/ Lisa Fisher

Lisa Fisher, Chairperson

**CERTIFICATION**

I hereby CERTIFY that the foregoing is a true copy of a Resolution adopted by the Borough of Woodbine Consolidated Land Use Board at a duly advertised meeting held on June 11, 2025, at which a quorum was present.

Monserrate Gallardo

Monserrate Gallardo  
Consolidated Land Use Board Secretary