

RESOLUTION NO. 2025-18

RESOLUTION OF THE LAND USE BOARD, IN ITS CAPACITY AS A PLANNING BOARD, OF THE TOWNSHIP OF MANTUA, IN THE COUNTY OF GLOUCESTER, APPROVING AND ADOPTING A HOUSING ELEMENT AND FAIR SHARE PLAN TO SATISFY THE TOWNSHIP'S FOURTH ROUND AFFORDABLE HOUSING OBLIGATION

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

WHEREAS, pursuant to the Amended FHA and the Administrative Office of the Court's Directive No. 14-24 ("Directive #14-24"), the Township of Mantua ("Township") Committee adopted a "binding resolution" committing to a Present Need obligation of twenty-one (21) units and a Prospective Need obligation of one-hundred and thirty-one (131) units based on the Township's Affordable Housing Planner, James Kyle, P.P., A.I.C.P. ("Planner")'s calculations using the methodology in the Amended FHA; and

WHEREAS, in accordance with the Amended FHA and Directive #14-24, the Township filed a Fourth Round Declaratory Judgment complaint ("DJ Complaint") with the Affordable Housing Dispute Resolution Program ("Program"), along with its binding resolution; 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 New Jersey Builders Association ("NJBA") filed a timely challenge to the DJ Action; and

WHEREAS, the Honorable Julio L. Mendez, J.S.C. (Ret.) was assigned to manage the proceedings, host settlement conferences, and make recommendations to the Mount Laurel Judge of the Gloucester Vicinage; and

WHEREAS, the Township and NJBA reached an agreement that was put on the record at a settlement conference that took place on March 27, 2025, before Judge Mendez; and

WHEREAS, on May 5, 2025, the court prepared an order fixing the Township's obligation at twenty-one (21) units for Present Need and one hundred and thirty-four (134) units for Prospective Need and authorized the Township to proceed with preparing and adopting its Housing Element and Fair Share Plan for the Fourth Round ("Court Order"); and

WHEREAS, in accordance with the Amended FHA, Directive #14-24 and the Court Order, the Planner drafted a Fourth Round Housing Element and Fair Share Plan ("Fourth Round HEFSP"); and

WHEREAS, pursuant to N.J.S.A. 40:55D-28, the Township of Mantua Land Use Board, in its capacity as a 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 in accordance with N.J.S.A. 40:55D-13, the Board held a public hearing on June 17, 2025, on the adoption of the Fourth Round HEFSP as required by the Municipal Land Use Law. Said hearing was attended by the Planner, who was duly sworn, and provided testimony regarding the Fourth Round HEFSP; and

WHEREAS, the hearing was opened to the public, and whereas no members of the public attended the hearing; and

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

NOW, THEREFORE, BE IT RESOLVED by the Land Use Board of the Township of Mantua, County of Gloucester, State of New Jersey, that the Land Use Board hereby adopts the Fourth Round HEFSP, attached hereto as Exhibit A.

BE IT FURTHER RESOLVED that the Land Use Board of the Township of Mantua adopts this resolution to memorialize the action taken by the Board following the close of the public hearing on June 17, 2025.

BE IT FURTHER RESOLVED that the Secretary is hereby authorized and directed to transmit a copy of the adopted Fourth Round HEFSP and a certified copy of this Resolution to the governing body together with this Board's request that the governing body endorse the adopted Fourth Round HEFSP.

ROLL CALL VOTE ON MOTION TO ADOPT THE HOUSING ELEMENT AND FAIR SHARE PLAN AFTER FINDING THAT IT IS CONSISTENT WITH THE MASTER PLAN.

(June 17, 2025)

Moved By: *Glenn de Mers*

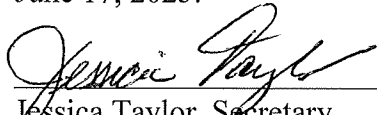
Seconded By: *Jason Moore*

Those in Favor: *5*

Those Opposed: *—*

Those Absent or Recused: *7*

I hereby certify this to be a true and accurate copy of the resolution adopted by the Land Use Board of the Township of Mantua, Gloucester County, New Jersey at a public meeting held on June 17, 2025.

A handwritten signature in black ink, appearing to read "Jessica Taylor", is written over a horizontal line.

Jessica Taylor, Secretary

Mantua Township Land Use Board

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