

Town of Guttenberg
Clerk's Office

SEP 24 2025

RESOLUTION #2025-21

JOINT PLANNING/ZONING BOARD OF ADJUSTMENT
TOWN OF GUTTENBERG
COUNTY OF HUDSON, STATE OF NEW JERSEY

Received

RESOLUTION ADOPTING THE MASTER PLAN HOUSING ELEMENT AND FAIR
SHARE PLAN FOR THE TOWN OF GUTTENBERG

Hearing Date: September 24, 2025

Date of Resolution: September 24, 2025

Recitals

WHEREAS, the Fair Housing Act, *N.J.S.A.* 52:27D-301 to -329.20 (the “Act”), was amended effective March 20, 2024, *P.L.* 2024, *c.* 2, to address municipalities’ affordable housing obligations, including obligations relating to the Fourth Round covering the period July 1, 2025 through June 30, 2025; and

WHEREAS, the amendments to the Act provide, *inter alia*, that a municipality may seek approval for its fair share affordable housing obligation, adopted pursuant to a binding resolution of the municipal governing body and then filed with the Superior Court of New Jersey, said obligation to be determined using guidance and standards published by the New Jersey Department of Community Affairs (the “DCA”); and

WHEREAS, the Administrative Director of the Courts has, through Administrative Directive #14-24 (dated December 13, 2024), established the procedure for a municipality to seek approval for its fair share affordable housing obligation by commencing a declaratory judgment action in the Superior Court of New Jersey in the county in which the municipality is located; and

WHEREAS, on January 29, 2025, the Mayor and Town Council of the Town of Guttenberg (the “Town”) adopted Resolution 50-2025, which established, pursuant to the DCA standards, the present and prospective affordable housing needs; and

WHEREAS, on January 31, 2025, the Town filed a declaratory judgment action in the Superior Court of New Jersey, Law Division, Civil Part, Hudson County (the “Court”), captioned *In the Matter of the Application of the Town of Guttenberg*, docket number HUD-L-406-25 (the “DJ Action”), in accordance with Administrative Directive #14-24; and

WHEREAS, by order entitled, “Order Affirming and Fixing Present and Prospective Need Affordable Housing Obligation” entered on April 21, 2025, the Court determined the Town’s present need (rehabilitation obligation) is thirty-one (31) units, and the Town’s prospective future need obligation (new construction) is twenty-two (22) units; and

WHEREAS, in the April 21, 2025 order, the Court further instructed the Town to prepare and adopt a Fourth Round Housing Element and Fair Share Plan in accordance with the requirements and procedures set forth in the Act by June 30, 2025; and

WHEREAS, by order entitled, “Order Submitted under the 5 Day Rule Affirming and Fixing Present and Prospective Need Affordable Housing Obligation” entered on May 19, 2025, the Court corrected the April; 21, 2025 order and determined the Town’s present need (rehabilitation obligation) is 116 units, and the Town’s prospective future need obligation (new construction) is fifty-six (56) units; and

WHEREAS, in the May 19, 2025 order, the Court extended the time for the Town to adopt its Fourth Round Housing Element and Fair Share Plan to September 30, 2025; and

WHEREAS, the Joint Planning/Zoning Board of Adjustment of the Town of Guttenberg (the “Board”) is required by the Act to review and adopt, at a public hearing, the Fourth Round Housing Element and Fair Share Plan, as an amendment to the Town’s Master Plan; and

WHEREAS, the Town has commissioned a Master Plan Housing Element and Fair Share Plan dated September 3, 2025, prepared by Paul N. Ricci, AICP, P.P., of Ricci Planning (the “Town HEFSP”); and

WHEREAS, the Board held a special meeting on September 24, 2025 for the purpose of conducting a public hearing on the Town HEFSP, said meeting being duly noticed at least ten (10) days in advance of the meeting pursuant to *N.J.S.A.* 40:55D-13; and

WHEREAS, the Board has reviewed the Town HEFSP and has received the testimony of Mr. Ricci and has heard and considered public comments with regard to the Town HEFSP;

NOW THEREFORE, BE IT RESOLVED BY THE JOINT PLANNING/ZONING BOARD OF ADJUSTMENT OF THE TOWN OF GUTTENBERG:

1. The foregoing Recitals are hereby incorporated at length as set forth at length herein and constitute findings of fact of the Board.
2. The Board hereby adopts the Town HEFSP as an amendment to the Master Plan of the Town of Guttenberg, as amended through the Master Plan Reexamination Report dated May 15, 2023.
3. The Board hereby recommends that the Mayor and Town Council endorse and implement the Town HEFSP. The Board further recommends the Town file its resolution endorsing the Town HEFSP and the Town HEFSP with the Court in the DJ Action to obtain approval under the Act.
4. The Board Secretary shall provide a copy of this Resolution and the Town HEFSP to the Town Clerk, the Town Attorney, and special Redevelopment Counsel for the Town promptly upon adoption and execution.

5. The Board Secretary shall provide a copy of this Resolution and the Town HEFSP to the Office of Planning Advocacy, the Hudson County Planning Board, and all other agencies to which the Resolution and the Town HEFSP shall be provided pursuant to the Act and all other applicable laws, statutes, ordinances, and directives, within thirty (30) days from the date of adoption of the Resolution.

6. The Board reserves the right to amend the Town HEFSP, if necessary, in accordance with the procedures established in Administrative Directive 14-24.

This Resolution was adopted by the Joint Planning/Zoning Board of Adjustment of the Town of Guttenberg at a meeting held on September 24, 2025.



RUDDYS ANDRADE
Chair

On Motion by Commissioner: Mantineo

Seconded by Commissioner: Rogers

	YES	NO	ABSTAIN	ABSENT
Chairperson: Ruddys Andrade	X			
Vice Chairperson: Annette Rogers	X			
Commissioner: Lauren Cabrera	X			
Commissioner: Jorge deArmas	X			
Commissioner: Erick Paredes				X
Commissioner: Luz Shah				X
Commissioner: Jolene Mantineo (Class I Mayor's Designee)	X			
Commissioner: Eduardo Cardenas (Class II municipal official)				X
Councilperson (Class III): William Hokien	X			
Alternate Member 2: Rupert Verano				X

I, Ashley Valdez, Board Secretary to the Joint Planning/Zoning Board of Adjustment of the Town of Guttenberg, do hereby certify this to be a true and accurate copy of a resolution adopted by the Joint Planning/Zoning Board at a meeting held on September 24, 2025.

Attest.

September 24, 2025



 Ashley Valdez
 Board Secretary