

**RESOLUTION OF THE LAND USE BOARD
OF THE TOWNSHIP OF FRANKLIN TOWNSHIP
ADOPTING THE FOURTH ROUND ELEMENT AND FAIR SHARE PLAN**

Approved: June 12, 2025
Memorialized: June 12, 2025

WHEREAS, the Township of Franklin (hereinafter known as the “Township”) has demonstrated a history of voluntary compliance as evidenced by its Third Round Housing Element and Fair Share Plan Record; and,

WHEREAS, pursuant to In Re Adoption of N.J.A.C. 5:95 and 5:97, 2021 N.J. 1 (2015), Mount Laurel IV, on July 8, 2015, the Township of Franklin filed a Declaratory Judgment Complaint in the Superior Court, Law Division, seeking, among other things, a judicial declaration that its Third Round Housing Element and Fair Share Plan 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-ordered Third Round Housing Element and Fair Share Plan and Final Judgment of Compliance and Repose which precluded all Mount Laurel lawsuits, including Builder’s Remedy lawsuits, until July 1, 2025; and,

WHEREAS, the Township continues to actively implement the Court-ordered Third Round Housing Element and Fair Share Plan; and,

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L. 2004, c.2 which amended the 1985 New Jersey Fair Share Housing Act (N.J.S.A. 25:27D-301, et seq.) (hereinafter the “Amended FHA”); and,

WHEREAS, the Township adopted a Court binding Resolution accepting the DCA calculated present need and prospective need as required by the Amended FHA on January 28, 2025, establishing its Fourth Round Present Need of 0 and its Prospective Need Obligation of 52; and

WHEREAS, in accordance with the Amended FHA and the Administrative Office of the Courts, Directive #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 28, 2025; and,

WHEREAS, the filing of the DJ Complaint gave the Township automatic, continued immunity from all inclusionary 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 a statutory automatic acceptance of the Township’s Fourth Round obligation on March 1, 2025; and,

WHEREAS, on March 27, 2025, the Court entered an Order establishing the Township’s Fourth Round Present Need as 0 and Prospective Need as 52 entered by Judge Mennen; and,

WHEREAS, now that the Township has had its Fourth Round Obligation amended, FHA requires the municipality to adopt a Fourth Round Housing and Fair Share Plan by June 30, 2025; and,

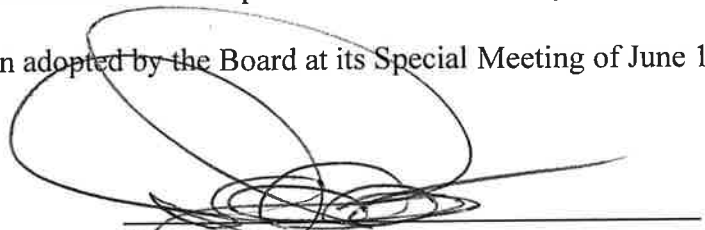
WHEREAS, in accordance with the Amended FHA, the Township’s Affordable Housing Planner, Darlene A. Green of Colliers Engineering and Design, drafted the Fourth Round Housing Element and Fair Share Plan; and,

WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Land Use Board held a public hearing on the Fourth Round Housing Element and Fair Share Plan on June 12, 2025; and,

WHEREAS, after having listened to the testimony of its Planner and having taken into account the comments of the public, the Land Use 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 the adoption and implementation of the Fourth Round Housing Element and Fair Share Plan is in the public interest and protects the public health and safety, and promotes the general welfare:

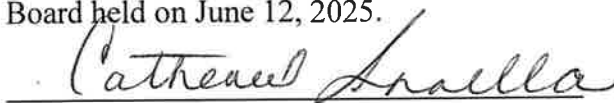
NOW, THEREFORE, BE IT RESOLVED, on this 12th day of June 2025, by the Land Use Board of the Township of Franklin, County of Hunterdon, State of New Jersey, hereby adopts the Fourth Round Housing Element and Fair Share Housing Plan attached hereto as Exhibit A.

The undersigned Chairman of the Franklin Township Land Use Board hereby certifies that the above is a true copy of the Resolution adopted by the Board at its Special Meeting of June 12, 2025.



Dave Dallas, Chairman
Township of Franklin Land Use Board

I, Catherine Innella, the Land Use Board Secretary of the Township of Franklin, in the County of Hunterdon and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution passed at a Special Meeting of the Township of Franklin Land Use Board held on June 12, 2025.



Catherine Innella, Secretary

Township of Franklin Land Use Board

RWT:jm 06/06/2025