

**TOWNSHIP OF KINGWOOD
PLANNING BOARD
Resolution Adopting the Amended Fourth Round Housing Element & Fair Share Plan
Resolution No. 2026-06**

WHEREAS, pursuant to N.J.A.C. 5:96 and 5:97 and 221 N.J. 1 (2015) (Mount Laurel IV), the Township of Kingwood 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, to be amended as necessary, satisfied its "fair share" of the regional need for low and moderate housing pursuant to the "Mount Laurel Doctrine"; and

WHEREAS, the Township of Kingwood (hereinafter the "Township") has a demonstrated history of voluntary compliance as evidenced in its Third Round record; and

WHEREAS, that culminated in a Third Round Housing Element and Fair Share Plan adopted by the Planning Board on June 12, 2018, after a Settlement Agreement with Fair Share Housing Center dated November 2017; and

WHEREAS, the Township continues to incorporate and implement its Third Round Housing Element and Fair Share Plan as a durational adjustment municipality; and

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2. which amended the 1985 Fair Share Housing Act (hereinafter the "Amended FHA"); 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") on January 29, 2025; and

WHEREAS, no parties appeared to object to the DJ Complaint; and

WHEREAS, the Township submitted that its present need is twenty (20) units and prospective need is fifty (50) units, which was uncontested; and

WHEREAS, an Order was entered by The Honorable William Mennen, J.S.C., to that effect on March 27, 2025; and

WHEREAS, the Township authorized the preparation of a Fourth Round Housing Element and Fair Share Plan to be prepared by the Township's Planner, David Banisch, PP, AICP, of Banisch Associates; and

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

WHEREAS, the Planning Board determined, after hearing testimony from the Township Planner and the public, that the 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; and

WHEREAS, the Planning Board adopted a resolution that night on June 12, 2025, approving and adopting the Fourth Round Housing Element and Fair Share Plan, which was timely filed with the court and the affordable housing dispute resolution program as required by the Amended FHA; and

WHEREAS, the Township Committee endorsed the Planning Board's resolution and adopted their own endorsement resolution on June 18, 2025, which was also timely filed with the court and the affordable housing dispute resolution program as required by the Amended FHA; and

WHEREAS, on September 2, 2025, Fair Share Housing Center ("FSHC") filed an objection letter with the affordable housing dispute resolution program seeking additional information and documentation with respect to the Township's Fourth Round Plan; and

WHEREAS, no other interested parties filed a challenge to the Township's Fourth Round Plan; and

WHEREAS, FSHC and the Township have resolved any outstanding issues with respect to FSHC's objection letter and have prepared a proposed consent order that is to be submitted for the court's review; and

WHEREAS, the terms of the settlement with FSHC requires a slight alteration of the adopted Fourth Round Plan; and

WHEREAS, the Planning Board has held a duly noticed public hearing on February 12, 2026, taken testimony from its professionals and the public, and at this meeting considered an amended Fourth Round Housing Element and Fair Share Plan; and

WHEREAS, the Planning Board determined after considering the evidence presented that the amended plan will guide the use of lands in the Township in a manner which protects the public health, safety, and welfare, and promotes the general welfare pursuant to N.J.S.A. 40:55D-28 and is designed to satisfy the Township's constitutional obligation to provide the reasonable opportunity for affordable housing pursuant to N.J.S.A. 52:27D-310; and

WHEREAS, the Planning Board recommends by this resolution that the Township Committee endorse the amended plan;

NOW, THEREFORE, BE IT RESOLVED, on this 12th day of February, 2026, that the Planning Board of the Township of Kingwood, County of Hunterdon, State of New Jersey, hereby adopts the Amended Fourth Round Housing Element and Fair Share Housing Plan attached hereto as Exhibit A.

Certification

I, Jovonna Zubko, Secretary of the Planning Board of the Township of Kingwood do hereby certify the foregoing to be a true and correct copy of a Resolution passed at a regular meeting of the Board held on February 12, 2026.

ROLL CALL VOTE:

Motion: P. Jelvani Second: F. Conlon

Those in Favor: P. Jelvani, L. Voronin, F. Floyd, J. Mathieu, F. Conlon

Those Opposed: S. Harris

Absent: D. Haywood, K. Bloom, S. McNicol


Jovonna Zubko, Board Secretary

EXHIBIT A

HOUSING ELEMENT AND FAIR SHARE PLAN
KINGWOOD TOWNSHIP

4TH ROUND INCLUSIONARY ZONING TO ADDRESS DURATIONAL ADJUSTMENT

Kingwood Township will address the 4th Round durational adjustment by adopting inclusionary zoning at two sites to permit townhouses and rental apartment housing at sufficient densities to fully address the 50-unit Prospective Share obligation. The inclusionary zoning amendments will be applied to three (3) parcels of land situated on Route 12 in the Eastern Gateway Village Center Overlay Zone. These sites are depicted on **FIGURE 1**, entitled “Affordable Housing Sites, Kingwood Township, June 2025, and listed below:

- A portion of Block 15, Lot 8.02 (Site #1.a. on FIGURE 1); and
- All of Block 17, Lots 11 & 15 (Site #1.b. on FIGURE 1).

The sites will be zoned Eastern Gateway Village Center Overlay - Affordable Housing (EGVCO-AH) and adjoin existing 3rd Round sites that were zoned with inclusionary zoning to address 3rd Round obligations that are zoned EGVCO-AH.

EGVCO-AH inclusionary zoning permits townhouse development at a density of 12 du/ac with a 20% set-aside; and/or rental apartments at a density of 15 du/ac with a 20% set-aside. Under both densities, the zoning will provide a minimum of 64 affordable housing units to address the 50-unit 3rd Round Prospective Share. The affordable unit yield for each of the two sites is listed in Table 2 below, entitled 4th Round EGVCO-AH Affordable Unit Yield.

Table 2: 4th Round EGVCO-AH Affordable Unit Yield:

Site	Gross Acres	Net. Acres	@ 12 du/ac – 20% set-aside	@ 15 du/ac – 20% set-aside
Site #1.a. Block 15, Lot 8.02	24.5	17.5	210 units x 20% =	263 units x 20% =
<i>Affordable Units:</i>			42	57
Site 1.b. Block 17, Lots 11 & 15	21.7	13.6	163 units x 20% =	204 units x 20% =
<i>Affordable Units:</i>			33	41

Kingwood Township’s proposed durational adjustment inclusionary zoning (EGVCO-AH) on these two sites will produce a range of 64 affordable housing units to 81 affordable housing units to fully address Kingwood Township’s 50-unit 4th Prospective Share.

- **Affordable unit yield: 75-98-unit vs. 50 unit 4th Round Prospective Share**

SITE SUITABILITY ANALYSIS