

**RESOLUTION NO. 2025-061225**

**RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF EWING, IN  
THE COUNTY OF MERCER, 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**, the Township adopted a "binding resolution" on January 28, 2025, committing to a Present Need obligation of ninety-nine (99) units and a Prospective Need obligation of two-hundred and thirty-one (231) units based on the Township's Affordable Housing Planner, Charles Latini, 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 the Administrative Office of the Court's Directive No. 14-24, the Township filed a timely Fourth Round Declaratory Judgment complaint ("DJ Complaint") with the Affordable Housing Dispute Resolution Program ("Program") on January 30, 2025, 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 Mary C. Jacobson, A.J.S.C. (Ret.) was assigned to manage the proceedings, host settlement conferences, and make recommendations to the Honorable Robert Lougy, A.J.S.C., the Mount Laurel Judge of Mercer Vicinage; and

**WHEREAS**, after a settlement conference and session on March 26, 2025 with the Township and NJBA, Judge Jacobson made a recommendation based on the expert report of special adjudicator, Jennifer C. Beahm, P.P., A.I.C.P., and

**WHEREAS**, on April 22, 2025, Judge Lougy prepared an order accepting Judge Jacobson's recommendation and rejecting the challenge of NJBA; and

**WHEREAS**, the order fixed the Township's obligation at ninety-nine (99) for the Present Need and two-hundred and thirty-one (231) for the 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**, per 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 Ewing 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 12, 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 Planning Board of the Township of Ewing, County of Mercer, State of New Jersey, that the Planning Board hereby adopts the Fourth Round HEFSP, attached hereto as Exhibit A.

**BE IT FURTHER RESOLVED** that the Planning Board of the Township of Ewing adopts this resolution to memorialize the action taken by the Board following the close of the public hearing on June 12, 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.

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

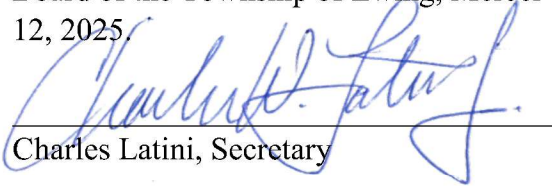
(June 12, 2025)

Moved By:	Jennifer Keyes Maloney
Seconded By:	Shirley Hicks
Those in Favor:	RichardOwen
	Laurence Ganges
	Evan Crumiller
	Fredricka Billups
	Shirl Thomas

Those Opposed: None

Those Absent: Mayor Steinmann, Mr Smith, Mr Perkins, Mr McManimon

I hereby certify this to be a true and accurate copy of the resolution adopted by the Planning Board of the Township of Ewing, Mercer County, New Jersey at a public meeting held on June 12, 2025.



Charles Latini, Secretary

Ewing Township Planning Board  
4910-0570-9127, v. 1