

**RESOLUTION OF THE PLANNING BOARD OF THE
TOWNSHIP OF HOPEWELL, MERCER COUNTY, NEW JERSEY**

RESOLUTION NO. 25-010

RE: 2025 HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, the Hopewell Township Planning Board is organized in accordance with N.J.S.A. 40:55D-23 and 24; and

WHEREAS, the Hopewell Township Planning Board has the statutory power to adopt and amend its Master Plan under N.J.S.A. 40:55D-25(1); and

WHEREAS, the Planning Board of the Township of Hopewell, Mercer County, State of New Jersey (“Planning Board”) previously adopted a Third Round Housing Element and Fair Share Plan (“HEFSP”) pursuant to the Municipal Land Use Law at N.J.S.A.40:55D-28, the Fair Housing Act (“FHA”) at N.J.S.A. 52:27D-310 and the court-upheld Council on Affordable Housing (“COAH”) regulations at N.J.A.C. 5:93 *et seq.*; and

WHEREAS, the New Jersey Superior Court approved the Township’s 2019 Third Round HEFSP and issued a Third Round Judgement of Compliance and Repose (“JOR”), which provided the Township Third Round immunity from builder remedy lawsuits through July 1, 2025; and

WHEREAS, the compliance judgment for the Township’s Third Round Housing Element Fair Share Plan addressed the court approved affordable housing obligation that resulted from settlement of lawsuits between Hopewell Township, Fair Share Housing Center (FSHC) and a number of interveners; and

WHEREAS, on March 20, 2024, P.L. 2024, c.2, was signed into law which amended the FHA at N.J.S.A. 52:27D-301 *et seq.*, (“Amended FHA”); and

WHEREAS, in addition to the Amended FHA, the Acting Administrative Director of the Courts issued Directive #14-24, dated December 13, 2024 (“Administrative Directive #14-24”); and

WHEREAS, the Department of Community Affairs (hereinafter DCA) issued a report which calculated a Fourth Round (years 2025 – 2035) present need of eight (8) units and a prospective need of 543 units for the Township of Hopewell; and

WHEREAS, by the deadline of January 31, 2025, the Township of Hopewell opted into the Affordable Housing Dispute Resolution Program (AHDRP or The Program) by adopting their determinations of Fourth Round present need and prospective need obligations; and

WHEREAS, the Township's determination of its Fourth-Round need was challenged by FSHC and the New Jersey Builders Association; and

WHEREAS, the Township and FSHC reached agreement that the Township's fair share obligation would be eight (8) units of present need and 399 units of prospective need; and

WHEREAS, that agreement was endorsed by the Hon. Mary C. Jacobson, AJSC (ret.), the Program Member assigned to the case; and was memorialized by Order of the Hon. Robert T. Lougy, AJSC, dated April 8, 2025; and

WHEREAS, the Township's Planning Consultant, Francis J. Banisch, PP/AICP, has prepared a Fourth Round HEFSP to address the Township's Fourth Round affordable housing obligation; and

WHEREAS, the HEFSP prepared by Mr. Banisch meets the requirements for an HESFP as set forth in the Amended FHA and Administrative Directive 14-24, and demonstrates how the Township will provide for its fair share of the regional need for affordable housing for the next ten years; and

WHEREAS, THE HEFSP contains recommendations as to how the unmet need of the Township will be achieved; and

WHEREAS, upon notice duly provided pursuant to N.J.S.A.40:55D-13, the Planning Board held public hearings on the Fourth Round HEFSP on June 24, 2025 and June 26, 2025; and

WHEREAS, the public participated with questions and comments at both hearings.

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

NOW THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Hopewell, Mercer County, State of New Jersey, that the Planning Board has adopted the Fourth Round Housing Element and Fair Share Plan on this 26th day of June, 2025; and

BE IT FURTHER RESOLVED by the Planning Board of the Township of Hopewell, Mercer County, State of New Jersey, on this 26th day of June, 2025, that this Resolution memorializes the action taken by the Board on June 26, 2025 approving the Housing Element and Fair Share Plan; and

BE IT FURTHER RESOLVED that the Planning Board of the Township of Hopewell hereby directs its Planning Board Secretary to assist the Township Attorney to file this adopted Resolution and this adopted Fourth Round HEFSP as part of the Township's Fourth Round DJ Action, Docket #MER-

L-232-25, in Mercer County Superior Court and with the Program within 48 hours after adoption of this Fourth Round HEFSP via ECourts per Directive #14-24.

Vote on Resolution – June 26, 2025

Yes 9 No 0 Absent 0 Abstain 0 Not Voting 0

Atay	Y
Kiss	Y
Kuchinski	Y
Lagman	Y
Murphy	Y
Parker	Y
Purandare	Y
Sandom	Y
Swords	Y

I hereby certify that this is a true copy of the Resolution adopting the Fourth Round Housing Element and Fair Share Plan of the Township of Hopewell Planning Board, Mercer County, on June 26, 2025.



Katie Ronollo
Planning Board Secretary