

RESOLUTION

THE TOWNSHIP OF HAZLET ENDORSING FOURTH
ROUND HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, the Township of Hazlet has a demonstrated history of voluntary compliance as evidenced by its Third-Round record; and

WHEREAS, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (Mount Laurel IV), the Township of Hazlet obtained a Final Order of Judgment of Compliance and Repose in Superior Court, Law Division, under Docket No. Mon-L-4224-15, 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-approved Third Round Housing Element and Fair Share Plan and a Final Judgment of Compliance and Repose, which precludes all Mount Laurel lawsuits, including builder’s remedy lawsuits, until July 1, 2025; and

WHEREAS, the Township of Hazlet continues to actively implement its Court-approved Third Round Housing Element and Fair Share Plan; and

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, which amended the 1985 New Jersey Fair Housing Act (hereinafter the “amended FHA”); and

WHEREAS, on January 28, 2025, the Township of Hazlet adopted a “binding resolution” accepting the DCA-calculated of Present Need of 0 and reduced the Prospective Need from 140 units to 120 units for the Fourth Round; and

WHEREAS, in accordance with the Amended FHA and the Administrative Office of the Court’s Directive No. 14-24, the Township of Hazlet filed a timely Fourth Round Declaratory Judgment complaint (“DJ Complaint”) with the Affordable Housing Dispute Resolution Program (“Program”), along with its binding resolution, on January 29, 2025, under Docket No. Mon-L-389-25; and

WHEREAS, the filing of the DJ Complaint gave the Township of Hazlet an automatic, continued immunity from all exclusionary zoning lawsuits, including builder’s remedy lawsuits, which is still in full force and effect; and

WHEREAS, the Township of Hazlet received an objection from New Jersey Builders Association regarding the reduction of the Prospective Need from 140 units to 120 units; and

WHEREAS, the parties mediated the matter and agreed to resolve the objection with the Township modifying the Prospective Need to 132 units and the Court entered an order establishing the Township of Hazlet’s Fourth Round Present Need of 0 and Prospective Need of 132; and

WHEREAS, now that the Township of Hazlet has its Fourth Round Obligations, the Amended FHA requires the municipality to adopt a Fourth Round Housing Element and Fair Share Plan by June 30, 2025; and

WHEREAS, in accordance with the Amended FHA, the Township of Hazlet's affordable housing planner drafted a Fourth Round Housing Element and Fair Share Plan; and

WHEREAS, the Land Use Board of the Township of Hazlet held a public hearing on the Fourth Round Housing Element and Fair Share Plan on June 25, 2025 and adopted the Fourth Round Housing Element and Fair Share Plan via a resolution on that same night; and

WHEREAS, the Acting Administrative Director of the AOC issued Directive #14-24 on December 19, 2024, which stated that the Fourth Round Housing Element and Fair Share Plan should be endorsed by the municipal governing body; and

WHEREAS, the Township Committee of the Township of Hazlet wishes to endorse the Fourth Round Housing Element and Fair Share Plan.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hazlet, County of Monmouth, State of New Jersey, as follows:

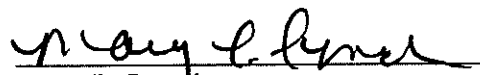
1. The Township Committee hereby endorses the Fourth Round Housing Element and Fair Share Plan, which is attached hereto as Exhibit A, which was adopted by the Township's Land Use Board on June 25, 2025.

2. The Township Committee hereby directs the Township's Affordable Housing Counsel to (a) file with the Program and the Court, the Fourth Round Housing Element and Fair Share Plan if it has not done so already, along with any additional documents the professionals deem necessary or desirable and (b) seek Program and Court approval of the Fourth Round Housing Element and Fair Share Plan via a Compliance Certification.

3. The Township Committee reserves the right to further amend the Fourth Round Housing Element and Fair Share Plan, should that be necessary.

CERTIFICATION

I, MARY L. LYNCH, Municipal Clerk of Hazlet Township do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 26th day of June 2025.


Mary L. Lynch
Municipal Clerk

R-25-154