RESOLUTION OF THE TOWNSHIP OF HOWELL PLANNING BOARD APPROVING AMENDED HOUSING PLAN ELEMENT AND FAIR SHARE PLAN

WHEREAS, the Township of Howell, County of Monmouth, State of New Jersey, (hereinafter, "Township" or "Howell") has a demonstrated history of voluntary compliance with its constitutional affordable housing obligations and in fact obtained a Final Round Three Judgment of Compliance and Repose on from the Court in the matter captioned In the Matter of the Application of the Township of Howell, County of Monmouth, Superior Court of New Jersey, Law Division, Docket No. MON-L-2522-15 thereby immunizing the Township from builder's remedy litigation until July 1, 2025 (the "Third Round Litigation"); and

WHEREAS, on March 20, 2024, Governor Phil Murphy signed into law P.L. 2024, c.2, an Amendment to the 1985 Fair Housing Act (hereinafter "Amended FHA" or the "Act"); and

WHEREAS, the Township filed a timely declaratory judgment complaint in accordance with AOC Directive #14-24 known as In the Matter of the Application of the Township of Howell County of Monmouth, State of New Jersey, Docket No. MON-L-000291-25 seeking a declaration as to the Township's Fourth Round affordable housing obligation and the approval of the Township's Housing Element and Fair Share Plan ("HEFSP") which sets forth the affordable housing mechanisms the Township will implement to satisfy its Fourth Round affordable housing obligation; and

WHEREAS, the Court entered an order on April 14, 2025 setting the Township's Fourth Round fair share obligations as a Present Need of 63 units and a Prospective Need of 304 units and order the Township to file a Housing Element and Fair Share Plan ("HEFSP") by June 30, 2025; and

WHEREAS, Fair Share Housing Center and two private developers having filed objections to the Township's Fourth Round HEFSP; and

WHEREAS, the Township having engaged in Mediation before the Program Member, the Hon. Mary C. Jacobson, A.J.S.C. (Ret.), and after having conducted numerous settlement conferences, the Township reached an agreement with Fair Share Housing Center excluding the private developer objectors; and

WHEREAS, the Township having entered into a Mediation Agreement with Fair Share Housing enter which requires the Township to take certain actions, including the adoption of an Amended HEFSP in accordance with the requirements of the Amended Fair Housing Act by March 16, 2026; and

WHEREAS, the Court having Order on February 26, 2026 approving the Mediation Agreement and dismissing the challenges filed by the private developers and ordering the Township to amend its HEFSP and the Fourth Round implementing ordinances and Resolutions by March 16, 2026; and

WHEREAS, CME Associates (Laura J. Neumann, PE, PP, CFM, CME and Christopher Dochney, PP, AICP) having prepared an Amended Housing Element and Fair Share Plan dated February 20, 2026 conforming the Township's Fourth Round HEFSP to the Mediation Agreement; and

WHEREAS, the Planning Board of the Township of Howell, Monmouth County, State of New Jersey, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, held a public hearing on March 9, 2025 on the HEFSP; and

WHEREAS, the Planning Board has determined that the Amended HEFSP is consistent with the goals and objectives of the Township of Howell's Master Plan and that adoption and implementation of the Amended HEFSP is consistent with the Amended FHA and satisfies its constitutional obligation to provide for its fair share of affordable housing.

NOW THEREFORE BE IT RESOLVED by the Planning Board of the Township of Howell, County of Monmouth, State of New Jersey that it hereby adopts the Amended Housing Plan Element and Fair Share Housing Plan prepared by Laura J. Neumann, PE, PP, CFM, CME and Christopher Dochney, PP, AICP of CME Associates dated February 20, 2026.

Certification

The foregoing is a true copy of a resolution passed by the Planning Board of the Township of Howell at a meeting held on March 9, 2026.

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Eileen Rubano
Planning Board Secretary