

**RESOLUTION NO. 90-2025  
BOROUGH OF SEA GIRT**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF SEA GIRT,  
COUNTY OF MONMOUTH ENDORSING FOURTH ROUND HOUSING PLAN  
ELEMENT AND FAIR SHARE PLAN**

**WHEREAS**, the Borough of Sea Girt, County of Monmouth, State of New Jersey, (hereinafter, "Borough" or "Sea Girt") 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 from the Court in the matter captioned In the Matter of the Application of the Borough of Sea Girt, County of Monmouth, Superior Court of New Jersey, Law Division, Docket No. MON-L-002312-20 thereby immunizing the Borough from builder remedy litigation until July 1, 2025 (the "Third Round Litigation"); and

**WHEREAS**, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, an Amendment to the 1985 Fair Housing Act (hereinafter "Amended FHA" or "Act") establishing the statutory calculation of the state-wide fair share obligation for the Fourth Round of affordable housing for the time period 2025-2035; and

**WHEREAS**, the Amended FHA requires the Department of Community Affairs ("DCA") to provide its calculation of every municipality's Fourth Round fair share affordable housing obligations based upon the criteria on the Amended FHA and the DCA issued a report on October 18, 2024 (the "DCA Report") wherein it supplied its calculation of the fair share affordable housing obligation for all municipalities, including the Borough of Sea Girt; and

**WHEREAS**, the DCA Report calculated Sea Girt Fourth Round fair share obligations as follows: Present Need (Rehabilitation) Obligation of 0 and a Fourth Round Prospective Need (New Construction) Obligation of 73 affordable housing units; and

**WHEREAS**, the Borough Council adopted Resolution 09-2025 accepting the DCA calculation of the Borough Fourth Round affordable housing obligation of a Present Need Obligation of 0 units and a Fourth Round Prospective Need obligation of 73 units, subject to the Borough's right to a Vacant Land Adjustment in accordance with N.J.S.A 52:27D-311 of the Amended Act; and

**WHEREAS**, in addition to the above, the Acting Administrative Director issued Directive #14-24 dated December 13, 2024 and pursuant to that Directive, a municipality seeking a certification of compliance with the Act is required to file a legal action in the form of a declaratory judgment complaint within 48 hours after adoption of the municipal resolution of fair share obligations, or by February 3, 2025, whichever is sooner; and

**WHEREAS**, the Borough filed a timely declaratory judgment complaint in accordance with AOC Directive #14-24 known as In the Matter of the Application of the Borough of Sea Girt, County of Monmouth, State of New Jersey, Docket No. MON-L-000337-25 seeking a declaration as to the Borough's Fourth Round affordable housing obligation and the approval of the Borough's Housing Element and Fair Share Plan

(“HESP”) which sets forth the affordable housing mechanisms the Borough will implement to satisfy its Fourth Round affordable housing obligation; and

**WHEREAS**, the Amended FHA requires municipalities to adopt a Housing Element and Fair Share Plan (“HESP”) by June 30, 2025 setting forth the Borough’s affordable housing obligation and the mechanisms the Borough will establish to meet its constitutional obligation to provide for its fair share of affordable housing in order to maintain immunity from builder’s remedy obligation; and

**WHEREAS**, the Borough Planner, Jennifer C. Beahm, PP, AICP prepared the Fourth Round Housing Plan Element and Fair Share Plan dated June 18, 2025, which concludes the Borough of Sea Girt is entitled to rely upon a Vacant Land Adjustment resulting in the Borough’s Fourth Round Realistic Development Potential of zero affordable housing units and the Borough’s Fourth Round Unmet Need of 73 units; and

**WHEREAS**, the Borough of Sea Girt, Monmouth County, State of New Jersey, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, held a public hearing on June 18, 2025 on the HESP; and

**WHEREAS**, the Combined Planning and Zoning Boards of the Borough of Sea Girt adopted a Resolution approving the HESP and finding it is consistent with the goals and objectives of the of the Borough of Sea Girt’s Master Plan and that adoption and implementation of the Housing Plan Element and Fair Share Plan 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 Borough Council of the Borough of Sea Girt, County of Monmouth, State of New Jersey, that it hereby endorses the Fourth Round Housing Plan Element & Fair Share Housing Plan dated June 20, 2025.

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I, Dawn Harriman, Municipal Clerk of the Borough of Sea Girt, do hereby *certify* that the foregoing is a true and exact copy of the Resolution adopted by the Borough of Sea Girt Borough Council on the 20th day of June, 2025.

*Dawn Harriman*

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Dawn Harriman, RMC  
Municipal Clerk

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
ANTHONY		x	x			
DIFEO			x			
DOWNEY			x			
PERRY			x			
RICHMAN			x			
ZAKIN	x		x			

