

RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF WALL ADOPTING A FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, the Township of Wall (hereinafter the “Township” or “Wall”) 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), on July 2, 2015, the Township of Wall filed a Declaratory Judgment Complaint in Superior Court, Law Division seeking, among other things, a judicial declaration that its Third Round Housing Element and Fair Share Plan, to be amended as necessary, 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; and

WHEREAS, the Township 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, the Township adopted a “binding resolution” challenging the DCA-calculated Present Need and Prospective Need, as required by the Amended FHA, on January 29, 2025, establishing its Fourth Round Present Need of 224 and Prospective Need of 492; 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 (“the Program”), along with its binding resolution, on January 31, 2025; 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 Township received objections to its Fourth Round affordable housing obligations established in the DJ Complaint and resolution from the New Jersey Builder’s Association (“NJBA”) on February 27, 2025 and Fair Share Housing Center (“FSHC”) on February 28, 2025, which required a settlement negotiation between the Township and FSHC; and

WHEREAS, the settlement negotiations resulted in the entering into of a Mediation Agreement between the Township and FSHC that established agreed upon adjusted Fourth Round obligations, which was subsequently approved via a resolution adopted by the Township on March 26, 2025; and

WHEREAS, on April 14, 2025, the Court entered an order establishing the Township’s Fourth Round Present Need of 224 and Prospective Need of 650; and

WHEREAS, the Amended FHA required municipalities to adopt and file with the Program and the Court a Fourth Round Housing Element and Fair Share Plan by June 30, 2025, but allowed for municipalities to file a motion for an extension of that deadline; and

WHEREAS, after the Township filed a motion on May 21, 2025 requesting a 60-day extension to file its Fourth Round Housing Element and Fair Share Plan, the Court granted the Township an extension on June 12, 2025 to file its adopted Fourth Round Housing Element and Fair Share Plan on or before August 29, 2025, instead of June 30, 2025; and

WHEREAS, in accordance with the Amended FHA, the Township's affordable housing planner drafted a Fourth Round Housing Element and Fair Share Plan, which is attached hereto as Exhibit A; and


WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Planning Board held a public hearing on the Fourth Round Housing Element and Fair Share Plan on August 25, 2025; and

WHEREAS, the Planning Board determined that the attached Fourth Round Housing Element and Fair Share Plan is consistent with the goals and objectives of the Township's current Master Plan, and that adoption and implementation of the Fourth Round Housing Element and Fair Share Plan 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 Wall, County of Monmouth, State of New Jersey, that the Planning Board hereby adopts the Fourth Round Housing Element and Fair Share Plan attached hereto as Exhibit A.

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Planning Board of the Township of Wall at a regular meeting held on the 25th day of August 2025.



NORA COYNE, ACTING SECRETARY
Wall Township Planning Board

TOWNSHIP OF WALL

RESOLUTION NO. 25-0819

**AUTHORIZATION TO ENDORSE A FOURTH ROUND HOUSING
ELEMENT AND FAIR SHARE PLAN**

WHEREAS, the Township of Wall (hereinafter the “Township” or “Wall”) 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), on July 2, 2015, the Township of Wall filed a Declaratory Judgment Complaint in Superior Court, Law Division seeking, among other things, a judicial declaration that its Third Round Housing Element and Fair Share Plan 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 Third Round Judgment of Compliance and Repose; 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, the Township adopted a “binding resolution” challenging the DCA-calculated Present Need and Prospective Need, as required by the Amended FHA, on January 29, 2025, establishing its Fourth Round Present Need of 224 and Prospective Need of 492; 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 (“the Program”), along with its binding resolution, on January 31, 2025; 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 Township received objections to its Fourth Round affordable housing obligations established in the DJ Complaint and resolution from the New Jersey Builder’s Association (“NJBA”) on February 27, 2025 and Fair Share Housing Center (“FSHC”) on February 28, 2025, which required a settlement negotiation between the Township and FSHC; and

WHEREAS, the settlement negotiations resulted in the entering into of a Mediation Agreement between the Township and FSHC that established agreed upon adjusted Fourth Round obligations, which was subsequently approved via a resolution adopted by the Township on March 26, 2025; and

WHEREAS, on April 14, 2025, the Court entered an order establishing the Township’s Fourth Round Present Need of 224 and Prospective Need of 650; and

WHEREAS, the Amended FHA required municipalities to adopt and file with the Program and the Court a Fourth Round Housing Element and Fair Share Plan by June 30, 2025, but allowed for municipalities to file a motion for an extension of that deadline; and

WHEREAS, after the Township filed a motion on May 21, 2025 requesting a 60-day extension to file its Fourth Round Housing Element and Fair Share Plan, the Court granted the Township an extension on June 12, 2025 to file its adopted Fourth Round Housing Element and Fair Share Plan on or before August 29, 2025, instead of June 30, 2025; and

WHEREAS, in accordance with the Amended FHA, the Township's affordable housing planner drafted a Fourth Round Housing Element and Fair Share Plan, which is attached hereto as Exhibit A; and

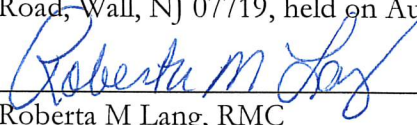
WHEREAS, the Planning Board held a public hearing on the Fourth Round Housing Element and Fair Share Plan on August 25, 2025, and adopted the Fourth Round Housing Element and Fair Share Plan via a resolution on that same night; and

WHEREAS, the Township Committee wishes to endorse the Fourth Round Housing Element and Fair Share Plan that was adopted by the Planning Board.

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

1. The Township Committee hereby endorses the Fourth Round Housing Element and Fair Share Plan attached hereto as Exhibit A, which was adopted by the Township's Planning Board on August 25, 2025.
2. The Township Committee hereby directs the Township's Affordable Housing Counsel to seek Program and Court approval of the Fourth Round Housing Element and Fair Share Plan via a Compliance Certification, and to take whatever actions are necessary to maintain the Township's immunity from all Mount Laurel exclusionary zoning lawsuits.
3. The Township reserves the right to further amend the Fourth Round Housing Element and Fair Share Plan, should that be necessary.

I, Roberta M. Lang, Township Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a Regular Meeting, located at 2700 Allaire Road, Wall, NJ 07719, held on August 25, 2025.


 Roberta M Lang, RMC
 Township Clerk