

**Planning Board of Rockaway Township
County of Morris, State of New Jersey
65 Mount Hope Road
Rockaway, New Jersey 07866**

Adoption of the Amended Housing Element and Fair Share Plan of the Master Plan

WHEREAS, on March 20, 2024, Governor Murphy signed P.L. 2024, c.2., into law, which established a new framework for determining and enforcing municipalities' affordable housing obligations under the Mount Laurel doctrine and the Fair Housing Act (the "Amended Act"); and

WHEREAS, the Township of Rockaway (the "Township" or "Rockaway") filed a resolution of participation in the Affordable Housing Dispute Resolution Program (the "Program") and a declaratory judgment action pursuant to N.J.S.A. 52:27D-301 et. seq. (the "Fair Housing Act") on January 22, 2025; and

WHEREAS, the Court entered an order on May 13, 2025 setting the Township's Fourth Round fair share obligations as a Present Need of 20 units and a Prospective Need of 301 units, which no party appealed, and ordering the Township to file a Housing Element and Fair Share Plan ("HEFSP") by June 30, 2025; and

WHEREAS, on June 16, 2025, the Planning Board voted to adopt a Housing Element and Fair Share Plan prepared by Burgis Associates, Inc., dated June 16, 2025 (2025 HEFSP) to address the Township's Fourth Round affordable housing obligations, with a memorializing Resolution adopted on August 18, 2025; and

WHEREAS, the Township of Rockaway filed its 2025 HEFSP on June 17, 2025 on eCourts; and

WHEREAS, Fair Share Housing Center ("FSHC") having filed a challenge pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) regarding the Township's 2025 HEFSP on September 2, 2025; and

WHEREAS, representatives of the Township and FSHC entered into a Mediation Agreement dated December 30, 2025 that resolved the issues raised in the FSHC challenge subject to, among other requirements, the adoption of an Amended HEFSP that incorporates changes to certain compliance mechanisms as reflected in the Mediation Agreement; and

WHEREAS, an Amended Housing Element and Fair Share Plan of the Township of Rockaway Master Plan, dated January 9, 2026 ("Amended HEFSP"), has been prepared by Burgis Associates, Inc., which incorporates the changes required by the Mediation Agreement between the Township and FSHC; and

WHEREAS, upon proper notice, the Planning Board of the Township of Rockaway held a public hearing on February 9, 2026, concerning the Amended HEFSP which included testimony of its planner, David Novak PP, AICP; and

WHEREAS, the Planning Board carefully considered any and all comments made by members of the public at said hearing; and

WHEREAS, the Planning Board determined that the Amended HEFSP addresses the Township's fair share obligation and its capacity to accommodate the present and prospective affordable housing needs in accordance with proper land use planning.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby adopts the Amended HEFSP and the Master Plan of the Township of Rockaway is amended by replacing the 2025 HEFSP with the Amended HEFSP.

BE IT FURTHER RESOLVED, that a copy of the Amended HEFSP was filed with the Morris County Planning Board and the Office of Planning Advocacy.

BE IT FURTHER RESOLVED, that a copy of this resolution and the Amended HEFSP shall be filed promptly with the Morris County Planning Board and the Office of Planning Advocacy.

BE IT FURTHER RESOLVED, that a copy of this resolution and the Amended HEFSP be sent to the municipal clerk of each adjoining municipality who requests a copy of same; and

BE IT FURTHER RESOLVED, that the Planning Board secretary shall transmit an electronic copy of this resolution and the Amended HEFSP to the Township's affordable housing counsel for further disposition; and

BE IT FURTHER RESOLVED, that if the Mayor and Council endorse the Amended HEFSP, it submitted to the court for its approval.



Planning Board Chairman Elko

I certify that the above is a true copy of a resolution adopted by the Rockaway Township Planning Board at a duly convened meeting held on February 9th, 2026.


Planning Board Secretary

