

#26-164

**RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY RESOLUTION ENDORSING THE AMENDED FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN**

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

**WHEREAS**, pursuant to the Amended FHA and the Administrative Office of the Court’s Directive No. 14-24 (“Directive 14-24”), the Township of Manchester (“Township”) Council adopted Resolution #25-80, accepting the DCA-calculated Present Need and Prospective Need, on January 27, 2025, establishing its Fourth Round Present Need of one hundred and fifty-four (154) units and Prospective Need of four hundred and twelve (412) units; and

**WHEREAS**, the Township filed a timely Fourth Round Declaratory Judgment action (“DJ Action”) with the Affordable Housing Dispute Resolution Program (“Program”), along with its binding resolution, on January 28, 2025; and

**WHEREAS**, the filing of the DJ Action 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 did not receive any objections to its Present and Prospective Need numbers by February 28, 2025, resulting in the statutory automatic acceptance of the Township’s Fourth Round obligations on March 1, 2025; and

**WHEREAS**, on March 27, 2025, the court prepared an order fixing the Township’s obligation and authorizing the Township to proceed with preparing and adopting its Housing Element and Fair Share Plan for the Fourth Round; and

**WHEREAS**, the Township’s Affordable Housing Planner, Daniel Bloch, PP, AICP, EADA, prepared a Fourth Round Housing Element and Fair Share Plan (“Fourth Round HEFSP”) pursuant to the Amended FHA and Directive 14-24, that addresses the Township’s Fourth Round affordable housing obligation; and

**WHEREAS**, the Township of Manchester Planning Board (“Board”), at a duly noticed meeting held on June 18, 2025, reviewed the Fourth Round HEFSP and determined that it was consistent with the Master Plan and that implementation of the Fourth Round HEFSP is in the public interest and would promote the general welfare and, by Resolution No. 25-279, dated June 18, 2025, adopted the Fourth Round HEFSP;

**WHEREAS**, EETTSA, LLC and D.R. Horton, Inc. filed a challenge to the Township’s Fourth Round HEFSP on August 13, 2025 and Fair Share Housing Center (“FSHC”) filed a challenge on August 29, 2025; and

**WHEREAS**, on February 11, 2026, the Program filed a program settlement recommendation (“Recommendation”) to the Ocean County Mount Laurel Judge recounting that the Township has agreed to execute a mediation agreement with FSHC and a separate settlement agreement with FSHC, EETTSA, and DR Horton to resolve any issues from the challenges; and

**WHEREAS**, as a result of the Recommendation and pending agreements with FSHC, EETTSA, and DR Horton, the Township must amend its HEFSP (“Amended HEFSP”) related to the Heritage Minerals Site and the Fourth Round requirements for Family Units, Very Low Income Units, and the Age Restricted Cap; and

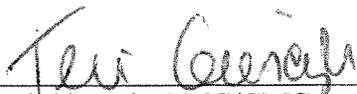
**WHEREAS**, the Planning Board adopted the Amended HEFSP at a duly noticed meeting held on March 19,2026 by Resolution #2026-16, dated 3/19/2026.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Township of Manchester, County of Ocean, State of New Jersey, on this 23<sup>rd</sup> day of March 2026, that:

1. The Township Council hereby endorses the Amended Fourth Round HEFSP as adopted by the Planning Board and agrees to implement the Amended Fourth Round HEFSP by adopting applicable ordinances.
2. The Mayor, Business Administrator, and Township Clerk, together with all other officers, professionals and employees of the Township are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution.
3. This Resolution shall take effect immediately.

**CERTIFICATION**

I, Teri Giercyk, Clerk of the Township of Manchester, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council on the 23<sup>rd</sup> day of March 2026.

  
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Teri Giercyk, RMC/CMC  
Municipal Clerk