

RESOLUTION NO. 2025-011
TOWNSHIP OF PILESGROVE PLANNING BOARD
RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF PILESGROVE,
SALEM COUNTY, NEW JERSEY MEMORIALIZING THE ADOPTION OF THE
FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN OF THE
TOWNSHIP OF PILESGROVE MASTER PLAN

WHEREAS, the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq. (the "MLUL") authorizes the Municipal Planning Board to adopt and subsequently amend the municipalities Master Plan by following the procedures set forth in the MLUL; and,

WHEREAS, one component of the Master Plan is the Housing Element and Fair Share Plan ("HEFSP"); and,

WHEREAS, in March of 2024, an amendment to the New Jersey's Fair Housing Act (the "FHA"), P.L. 2024,c2 was signed into law (hereafter the "FHA II"); and,

WHEREAS, FHA II establishes a procedure by which municipalities can secure approval of a Fourth Round HEFSP; and,

WHEREAS, that procedure contemplated that the municipality would adopt a binding resolution by January 31, 2025, committing to a Fourth Round Present Need Obligation and a Fourth Round Prospective Need Obligation, and filing a Fourth Round declaratory relief action with the Affordable Housing Dispute Resolution Program (the "Program") and the New Jersey Superior Court (the "Court"), along with the binding resolution, within forty-eight (48) hours of adoption of said resolution, and then file a Fourth Round HEFSP by June 30, 2025; and,

WHEREAS, the Township adopted the resolution committing to a Fourth Round Present Need Obligation of Zero (0) and a Fourth Round Prospective Need Obligation of 20, and submitted same by January 31, 2025 to the Program and the Court; and

WHEREAS, it is now the Township of Pilesgrove Planning Board's statutory obligation to review and adopt a Fourth Round HEFSP, which can then be filed with the Program and the Court for review and approval; and,

WHEREAS, accordingly the Township of Pilesgrove Affordable Housing Planning Consultant, Michael Davis, P.P., A.I.C.P., of Heyer, Gruel & Associates, has prepared a Fourth Round HEFSP to address the Township of Pilesgrove's affordable housing obligations (the "Township Fourth Round HEFSP"); and,

WHEREAS, according to the provisions of N.J.S.A. 40:55D-13 of the MLUL, the Township of Pilesgrove Planning Board scheduled a public hearing for the review and adoption of the Township Fourth Round HEFSP for June 18, 2025 at 7:00 p.m. at the Township of Pilesgrove Municipal Building; and,

WHEREAS, in accordance with provisions of N.J.S.A. 40:55D-13 of the MLUL, the Township of Pilesgrove Planning Board published a notice of this public hearing in the Township's official newspaper at least ten (10) days before the scheduled date of the public hearing and served a copy of said notice upon the clerks of all municipalities adjoining the Township upon the Salem County Planning Board and upon the New Jersey Office of Planning Advocacy; and,

WHEREAS, a copy of the Township Fourth Round HEFSP was placed on file with the Township of Pilesgrove Planning Board Secretary and Township of Pilesgrove Clerk and was available for public view at least ten (10) days before the scheduled date of the public hearing; and,

WHEREAS, the Township of Pilesgrove Planning Board held a public hearing on the Township Fourth Round HEFSP on June 18, 2025; and,

WHEREAS, at the public hearing, Michael Davis, P.P., A.I.C.P provided professional planning testimony regarding the Township Fourth Round HEFSP and members of the public were provided with an opportunity to ask questions and to provide comments about the Township Fourth Round HEFSP; and,

WHEREAS, the Township of Pilesgrove Planning Board, after carefully considering the evidence presented at the hearing, makes the following factual findings and conclusions of law:

- a. The Township of Pilesgrove Planning Board is empowered under the MLUL to adopt and/or amend the Township's Master Plan.
- b. A HEFSP is a component of the Township of Pilesgrove's Master Plan.
- c. The adoption of a HEFSP is a way for the Township of Pilesgrove to plan to address its affordable housing obligations.
- d. FHA II establishes a procedure in which municipalities can secure approval of their HEFSP.

- e. In accordance with the procedures established by FHA II, the Township of Pilesgrove adopted a resolution committing to a Fourth Round Present Need Obligation of Zero (0) and a Fourth Round Prospective Need Obligation of 20 before the January 31, 2025 deadline established by the FHA II.
- f. The Township of Pilesgrove's affordable housing consultant, Michael Davis, P.P., A.I.C.P, of Heyer, Gruel & Associates, has prepared the Township Fourth Round HEFSP.
- g. The Township of Pilesgrove Planning Board scheduled a public hearing on the Township Fourth Round HEFSP for June 18, 2025.
- h. The Township Fourth Round HEFSP was placed on file with the Planning Board at least 10 days in advance of the public hearing and was available for public review.
- i. Notice of the June 18, 2025 public hearing was published in the Township of Pilesgrove's official newspaper at least 10 days in advance of the public hearing and a copy of this notice was served upon the clerks of the municipalities adjoining the Township of Pilesgrove, the Salem County Planning Board, and upon the New Jersey Office of Planning Advocacy.
- j. At the public hearing, testimony regarding the Township Fourth Round HEFSP was provided by the Township of Pilesgrove's Professional Planner, Michael Davis, P.P., A.I.C.P, of Heyer, Gruel & Associates, who provided an outline of the State's affordable housing process and provided testimony, both orally and through the Township Fourth Round HEFSP, as to the Township of Pilesgrove's affordable housing obligations and how the Township proposes to satisfy those obligations.
- k. At the public hearing, the public was provided an opportunity to comment on the Township Fourth Round HEFSP.
- l. The Township of Pilesgrove Planning Board finds that the Township Fourth Round HEFSP is consistent with the goals and

objectives of the Township of Pilesgrove Master Plan, that it will guide the use of the lands in the municipality in a manner which protects public health and safety and promotes the general welfare in accordance with N.J.S.A. 40:55D-28 of the M.U.L.U., and that its adoption will achieve access to affordable housing to meet present and prospective housing needs in accordance with the FHA II.

- m. The Township of Pilesgrove Planning Board also finds that the Township Fourth Round HEFSP provides appropriate planning strategies in order to satisfy the Township of Pilesgrove's affordable housing obligations
- n. The Township of Pilesgrove further recognizes that the adoption of the Township Fourth Round HEFSP to address the Township of Pilesgrove's affordable housing obligations on or before June 30, 2025 is necessary in order to comply with FHA II and secure the benefits that accompany such compliance, which includes, but is not limited to the issuance of a Compliance Certification from the Program that will grant the Township immunity from all Mount Laurel lawsuits, including builder's remedy lawsuits until June 30, 2035.

NOW, THEREFORE, BE IT RESOLVED, on this 18th day of June 2025, that the Planning Board of the Township of Pilesgrove hereby approves and adopts the Township Fourth Round HEFSP, which is attached hereto; and,

BE IT FURTHER RESOLVED, that the Township Fourth Round HEFSP supersedes and replaces any prior HEFSP; and,

BE IT FURTHER RESOLVED, that this resolution and the Township Fourth Round HEFSP shall be forwarded to the Township of Pilesgrove Township Committee for endorsement by the Township; and,

BE IT FURTHER RESOLVED, that the Township of Pilesgrove Committee is authorized to pursue approval of the Township Fourth Round HEFSP and submit such additional documents that may be necessary or desirable in an effort to secure such approval.

BE IT FINALLY RESOLVED, that a copy of this resolution with the adopted Township Fourth Round HEFSP is to be forwarded to the Salem County Planning Board, the municipal clerks of each adjoining municipality of the Township of Pilesgrove, and the New Jersey Office of Planning Advocacy.

The undersigned, Chairperson of the Township of Pilesgrove Planning Board, does hereby certify that the above is a true copy of a Resolution adopted by the Board on June 18, 2025, to memorialize its action taken on said date.

Township of Pilesgrove Planning Board

BY: 

JEFFREY STRING, Chairperson

ATTEST:


BRENDA SHARP, Secretary

z:\my documents\client files - pilesgrove planning board\2025 fair share housing\resolution to approve.docq