

CITY OF SALEM PLANNING BOARD**RESOLUTION NO: 2025-10****RESOLUTION ADOPTING AN AMENDMENT TO THE HOUSING ELEMENT AND FAIR SHARE PLAN OF THE MASTER PLAN OF THE CITY OF SALEM**

WHEREAS, the New Jersey Legislature amended the State's Fair Housing Act ("Amended FHA" or "Law") pursuant to P.L. 2024, c.2 which was signed into law by the Governor on March 20, 2024; and

WHEREAS, among other amendments, the Amended FHA requires the New Jersey Department of Community Affairs ("DCA") to perform a calculation of regional need and municipal present and prospective obligations for affordable housing in accordance with the formulas established in the Law; and

WHEREAS, pursuant to the requirements of the Amended FHA, DCA issued a report entitled "Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background ("DCA Report"); and

WHEREAS, in the DCA Report, DCA has calculated the City's present need of affordable housing obligations for Round 4 in the year 2025 to be ten (10) units (the "Present Need"); and

WHEREAS, the City's total prospective affordable housing obligation for Round 4, according to the DCA calculations for the years 2025 to 2035, is three (3) units (the "Prospective Need"); and

WHEREAS, on January 13, 2025, by way of Resolution #2025-57, the City accepted the DCA-calculated Present Need and Prospective Need; and

WHEREAS, on January 14, 2025, in accordance with the Amended FHA and the Administrative Office of the Court's Directive #14-24, the City filed a timely Fourth Round Declaratory Judgment Complaint (the "DJ Complaint") with the Affordable Housing Dispute Resolution Program (the "Program"), Docket No. SLM-L-000010-25; and

WHEREAS, the filing of the DJ Complaint gave the City immunity from all exclusionary zoning lawsuits, including builder's remedy lawsuits, which will continue in full force and effect; and

WHEREAS, the City did not receive any objections to its Present Need and Prospective Need calculations by the February 28, 2025 deadline, resulting in the statutory automatic acceptance of the City's Fourth Round obligations on March 1, 2025; and

WHEREAS, on April 28, 2025, the Court entered an Order establishing the City's Fourth Round Present Need of 10 and Prospective Need of 3; and

WHEREAS, N.J.S.A. 52:27D-306 requires the City to adopt and endorse a Fourth Round Housing Element and Fair Share Plan by June 30, 2025; and

WHEREAS, N.J.S.A. 40:55D-25(b)(3) authorizes the Planning Board to perform such advisory duties as assigned to it by resolution of the governing body; and

WHEREAS, by way of Resolution #2025-57, the Common Council of the City of Salem requested that the City of Salem Planning Board, in conjunction with the City's Planner, adopt a new Housing Element and Fair Share Plan; and

WHEREAS, N.J.S.A. 40:55D-28 authorizes the Planning Board to prepare and, after public hearing, adopt or amend a Master Plan or component parts thereof, to guide the use of lands within the municipality in a manner which protects public health and safety and promotes the general welfare; and


WHEREAS, the Housing Element and Fair Share Plan, dated June 2025, was prepared by the City's Planner, the Office of Local Planning Services of the New Jersey Department of Community Affairs, in accordance with N.J.S.A. 40:55D-28(b)(3) of the Municipal Land Use Law, N.J.S.A. 40:55D-1, et. seq., and the mandatory requirements of a Housing Element under the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 to -329.20, and the Administrative Office of the Courts Directive #14-24; and


WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the City of Salem Planning Board held a public hearing on the Housing Element and Fair Share Plan on June 26, 2025, at which time the Planning Board reviewed the Housing Element and Fair Share Plan; and

WHEREAS, the City of Salem Planning Board has determined that the Housing Element and Fair Share Plan is consistent with the goals and objectives of the City of Salem's Master Plan and that adoption and implementation of the Housing Element and Fair Share Plan is in the public interest and promotes the public health, safety, and the general welfare.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the City of Salem, County of Salem, State of New Jersey, that the Planning Board of the City of Salem hereby adopts the Housing Element and Fair Share Plan, dated June 2025, and prepared by the New Jersey Department of Community Affairs Local Planning Services.

The undersigned Chairman of the City of Salem Planning Board hereby certified that the above is a true copy of a resolution adopted by said Board this 26th day of June, 2025 to memorialize action taken by the Board on June 26, 2025.


Aileen Westcott, Secretary
Salem City Planning Board


William Corbin, Vice Chairman
Salem City Planning Board