

**THE HAMPTON TOWNSHIP
PLANNING BOARD**

RESOLUTION NO. PB-01-2025

**RESOLUTION APPROVING AND ADOPTING A HOUSING ELEMENT
AND FAIR SHARE PLAN TO SATISFY THE TOWNSHIP'S FOURTH
ROUND AFFORDABLE HOUSING OBLIGATION**

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L.2024, c.2, establishing a new framework for determining and enforcing municipal affordable housing obligations under the New Jersey Supreme Court's Mount Laurel doctrine and the New Jersey Fair Housing Act (the "FHA") (N.J.S.A. 52:27D-301, *et al.*); and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.1(f)(1)(b), each municipality was to adopt a binding resolution no later than January 31, 2025, determining and setting forth its present and prospective fair share obligations for the "Fourth Round" of affordable housing obligations ("Fourth Round"); and

WHEREAS, the Township Committee of the Township of Hampton ("Township") adopted Resolution No. R2025-19 on January 28, 2025, identifying its present need obligation as 0 units and prospective need obligation as 81 affordable units for the Fourth Round; and

WHEREAS, in accordance with the FHA and Administrative Directive #14-24, issued by the Administrative Office of the Courts on December 13, 2024 ("Directive #14-24"), the Township filed a Complaint for Declaratory Judgment with the Superior Court of New Jersey, Law Division, Sussex County, entitled In the Matter of the Application of the Township of Hampton, County of Sussex, State of New Jersey, Docket No. SSX-L-80-25 on January 30, 2025 (the "DJ Action"), identifying its present and prospective fair share obligations for the Fourth Round as set forth above, and committing to adopting and submitting a Fourth Round Housing Element and Fair Share Plan ("HEFSP") as required by the FHA; and

WHEREAS, no parties challenged the Township's present and prospective need obligations; and

WHEREAS, on April 24, 2025, the Honorable Janine M. Allen, J.S.C., issued an Order setting the Township's present need obligation at 0 units and the prospective need obligation at 81 affordable units and further authorized the Township to proceed with preparation and adoption of a proposed HEFSP to satisfy the Township's affordable housing obligation; and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.1(f)(2)(a) and Directive #14-24, each municipality must adopt and file as part of its DJ Action a HEFSP, with associated resolutions and proposed drafts of the appropriate zoning and other ordinances, necessary to implement its HEFSP, no later than June 30, 2025; and

WHEREAS, the Township's Affordable Housing Planner, Heyer, Gruel & Associates, prepared a proposed HEFSP, entitled "Fourth Round Housing Element & Fair Share Plan" dated June 5, 2025 (the "Fourth Round HEFSP") as an amendment to the Township's Master Plan; and

WHEREAS, pursuant to N.J.S.A. 40:55D-28, the Township of Hampton Planning Board ("Board"), may prepare and adopt or amend a master plan or component parts thereof, after a public hearing, to guide the use of lands within the municipality in a manner which protects health and safety and promotes the general welfare; and

WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Board held a public hearing on the proposed Fourth Round HEFSP on June 19, 2025, during which the proposed Fourth Round HEFSP was presented to the Board and public, and opportunity for comments and questions was provided; and

WHEREAS, with the conclusion of the public hearing, the Board finds and hereby determines that the proposed Fourth Round HEFSP is consistent with the goals and objectives of the Master Plan of the Township, will guide the use of 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, and is designed to achieve the goal of access to affordable housing to meet present and prospective housing needs in accordance with N.J.S.A. 52:27D-310; and

WHEREAS, by the adoption of this Resolution, the Board memorializes its adoption of the proposed Fourth Round HEFSP as the Housing Element and Fair Share Plan components of the Township of Hampton Master Plan, in accordance with N.J.S.A. 40:55D-28, the FHA and Directive #14-24.

NOW, THEREFORE, BE IT RESOLVED by the Township of Hampton Planning Board that the plan entitled "Fourth Round Housing Element & Fair Share Plan", prepared by Heyer, Gruel & Associates, dated June 5, 2025, is hereby approved and adopted as the 2025 Housing Element and Fair Share Plan components of the Township of Hampton Master Plan; and

BE IT FURTHER RESOLVED the Board Secretary is hereby authorized and directed to transmit a certified, electronic copy of the Fourth Round HEFSP and this resolution to the Township's affordable housing counsel for further disposition; and

BE IT FURTHER RESOLVED the Board Secretary is hereby authorized and directed to provide a copy of the adopted Fourth Round HEFSP and a certified copy of this Resolution to the Sussex County Planning Board and New Jersey Office of Planning Advocacy, in accordance with the requirements of N.J.S.A. 40:55D-13; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

CERTIFICATION

I certify that the foregoing resolution is a true and certified copy of the Resolution adopted by the Planning Board of the Township of Hampton at the regularly scheduled meeting held on June 19, 2025, at the Hampton Township Municipal Building, 1 Rumsey Way, New Jersey.

A handwritten signature in dark ink, appearing to read 'K. Schroder', is written over a horizontal line.

Kathryn Schroder
Hampton Township Planning Board Secretary

**HAMPTON TOWNSHIP RESOLUTION
#R2025-61**

**A RESOLUTION OF HAMPTON TOWNSHIP ENDORSING THE 2025
HOUSING ELEMENT AND FAIR SHARE PLAN**

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L.2024, c.2, establishing a new framework for determining and enforcing municipal affordable housing obligations under the New Jersey Supreme Court’s Mount Laurel doctrine and the New Jersey Fair Housing Act (the “FHA”) (N.J.S.A. 52:27D-301, *et al.*); and

WHEREAS, among other things, the Act abolished the Council on Affordable Housing (hereinafter, “COAH”), and replaced it with seven retired, on recall judges designated as the Program and authorized the Director of the Administrative Office of the Courts, (hereinafter, respectively, “Director” and “AOC”) to create a framework to process applications for affordable housing compliance certification; and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.1(f)(1)(b), each municipality was to adopt a binding resolution no later than January 31, 2025, determining and setting forth its present and prospective fair share obligations for the “Fourth Round” of affordable housing obligations (“Fourth Round”); and

WHEREAS, the Township Committee of the Township of Hampton (“Township”) adopted Resolution No. 2025-19 on January 28, 2025, identifying its present need obligation as 0 units and prospective need obligation as 81 affordable units for the Fourth Round; and

WHEREAS, in accordance with the FHA and Administrative Directive #14-24, issued by the Administrative Office of the Courts on December 13, 2024 (“Directive #14-24”), the Township filed a Complaint for Declaratory Judgment with the Superior Court of New Jersey, Law Division, Sussex County, entitled In the Matter of the Application of the Township of Hampton, County of Sussex, State of New Jersey, Docket No. SSX-L-80-25 on January 30, 2025 (the “DJ Action”), identifying its present and prospective fair share obligations for the Fourth Round as set forth above, and committing to adopting and submitting a Fourth Round Housing Element and Fair Share Plan (“HEFSP”) as required by the FHA; and

WHEREAS, no parties challenged the Township’s present and prospective need obligations; and

WHEREAS, on April 24, 2025, the Honorable Janine M. Allen, J.S.C., issued an Order setting the Township’s present need obligation at 0 units and the prospective need obligation at 81 affordable units and further authorized the Township to proceed with preparation and adoption of a proposed HEFSP to satisfy the Township’s affordable housing obligation; and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.1(f)(2)(a) and Directive #14-24, each municipality must adopt and file as part of its DJ Action a HEFSP, with associated resolutions and proposed drafts of the appropriate zoning and other ordinances, necessary to implement its HEFSP, no later than June 30, 2025; and

WHEREAS, the Township of Hampton Planning Board ("Board") adopted the HEFSP, entitled "Fourth Round Housing Element & Fair Share Plan" prepared by the Township's affordable housing planner, Heyer, Gruel & Associates, dated June 5, 2025 (the "Fourth Round HEFSP"), as an amendment to the Township's Master Plan on June 19, 2025; and

WHEREAS, the Township Committee desires to endorse the Fourth Round HEFSP adopted by the Board on June 19, 2025.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Hampton Township, in the County of Sussex, and State of New Jersey, that:

1. The Township Committee does hereby endorse the Fourth Round HEFSP adopted by the Township of Hampton Planning Board on June 19, 2025.
2. The Township Committee does hereby authorize the filing of this Resolution endorsing the Fourth Round HEFSP adopted by the Board on eCourts for review by the Program.
3. The Mayor and Clerk, together with other appropriate officers and employees of the Township of Hampton, are hereby authorized to take all steps necessary to effectuate the purposes of this Resolution.
4. This Resolution shall take effect immediately.

CERTIFICATION

I certify that the foregoing resolution is a true and certified copy of the Resolution adopted by the Township Committee of the Township of Hampton at the regularly scheduled meeting held on June 24, 2025, at the Hampton Township Municipal Building, 1 Rumsey Way, New Jersey.


 Diana Jaurez, RMC
 Hampton Township Clerk/Administrator

**HAMPTON TOWNSHIP RESOLUTION
#R2025-62**

**A RESOLUTION OF HAMPTON TOWNSHIP ADOPTING FOURTH
ROUND SPENDING PLAN**

WHEREAS, in accordance with the Mount Laurel Doctrine every municipality has a constitutional obligation to create a realistic opportunity for producing a fair share of the regional present and prospective need for housing low and moderate income families; and

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L.2024, c.2, establishing a new framework for determining and enforcing municipal affordable housing obligations under the New Jersey Supreme Court's Mount Laurel doctrine and the New Jersey Fair Housing Act (the "FHA") (N.J.S.A. 52:27D-301, et al.); and

WHEREAS, among other things, the Act abolished the Council on Affordable Housing (hereinafter, "COAH"), and replaced it with seven retired, on recall judges designated as the Program and authorized the Director of the Administrative Office of the Courts, (hereinafter, respectively, "Director" and "AOC") to create a framework to process applications for affordable housing compliance certification; and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.1(f)(1)(b), each municipality was to adopt a binding resolution no later than January 31, 2025, determining and setting forth its present and prospective fair share obligations for the "Fourth Round" of affordable housing obligations ("Fourth Round"); and

WHEREAS, the Township Committee of the Township of Hampton ("Township") adopted Resolution No. 2025-19 on January 28, 2025, identifying its present need obligation as 0 units and prospective need obligation as 81 affordable units for the Fourth Round; and

WHEREAS, in accordance with the FHA and Administrative Directive #14-24, issued by the Administrative Office of the Courts on December 13, 2024 ("Directive #14-24"), the Township filed a Complaint for Declaratory Judgment with the Superior Court of New Jersey, Law Division, Sussex County, entitled In the Matter of the Application of the Township of Hampton, County of Sussex, State of New Jersey, Docket No. SSX-L-80-25 on January 30, 2025 (the "DJ Action"), identifying its present and prospective fair share obligations for the Fourth Round as set forth above, and committing to adopting and submitting a Fourth Round Housing Element and Fair Share Plan ("HEFSP") as required by the FHA; and

WEHREAS, the Township of Hampton Planning Board ("Board") adopted the HEFSP, entitled "Fourth Round Housing Element & Fair Share Plan" prepared by the Township's affordable housing planner, Heyer, Gruel & Associates, dated June 5, 2025 (the "Fourth Round HEFSP"), as an amendment to the Township's Master Plan on June 19, 2025; and

WHEREAS, the Fourth Round HEFSP includes a Fourth Round Spending Plan component, pursuant to the FHA and Directive #14-24, which project anticipated revenues to the

Township's Affordable Housing Trust Fund, and describes estimated expenditures of funds to address its fair share obligations as set forth in the Fair Share plan and which specifically establishes that the expenditure of funds contemplated in the Fourth Round Spending Plan constitute a commitment for expenditure pursuant to N.J.S.A. 52:27D-329.2.d, with the four year time period beginning to run with the date of collection of the funds, as such time may be extended by virtue of the date of the Superior Court's approval of this Fourth Round Spending Plan; and

WHEREAS, the Township Committee has reviewed the Fourth Round Affordable Housing Spending Plan appended to the Fourth Round HEFSP adopted by the Board on June 19, 2025, and wishes to adopt said plan.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of Hampton Township, in the County of Sussex, and State of New Jersey, hereby adopts the Affordable Housing Spending Plan prepared by Heyer, Gruel & Associates; and,

BE IT FURTHER RESOLVED by the Township Committee of Hampton Township, in the County of Sussex, and State of New Jersey, that this resolution shall take effect immediately.

CERTIFICATION

I certify that the foregoing resolution is a true and certified copy of the Resolution adopted by the Township Committee of the Township of Hampton at the regularly scheduled meeting held on June 24, 2025, at the Hampton Township Municipal Building, 1 Rumsey Way, New Jersey.


Diana Jaurez, RMC
Hampton Township Clerk/Administrator

**HAMPTON TOWNSHIP RESOLUTION
#R2025-63**

**A RESOLUTION OF HAMPTON TOWNSHIP OF INTENT TO BOND IN THE EVENT
THAT THERE IS A SHORTFALL IN FUNDING TO EFFECTUATE CERTAIN
AFFORDABLE HOUSING MECHANISMS IN ITS FOURTH ROUND HOUSING
ELEMENT AND FAIR SHARE PLAN**

WHEREAS, the Township Committee of the Township of Hampton (“Township”) desires to create a realistic opportunity for the creation of affordable housing within the Township; and

WHEREAS, the Township voluntarily brought a timely declaratory judgment action pursuant to the procedures set forth by Administrative Directive #14-24 seeking approval of a Housing Element and Fair Share Plan that satisfied the Township’s obligation to provide for its fair share of the regional need of low- and moderate-income housing; and

WHEREAS, the Township of Hampton Planning Board has adopted a Fourth Round Housing Element and Fair Share Plan pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, et seq., which addresses the requirements of N.J.A.C. 5:93-1, et seq., as amended and supplemented, N.J.A.C. 5:80-26.1, et seq. as amended and supplemented, and the New Jersey Fair Housing Act; and

WHEREAS, the Fourth Round Housing Element and Fair Share Plan provides for expenditures to fund and support its affordable housing mechanisms; and

WHEREAS, the Township has adopted a Development Fee Ordinance in order to generate revenue for the Township’s Affordable Housing Trust Fund; and

WHEREAS, the Township of Hampton anticipates that monies collected and deposited in the Affordable Housing Trust Fund, along with other permitted funding sources, will be sufficient to effectuate the above-referenced mechanisms; and

WHEREAS, the Township of Hampton is committed to securing approval of its Fourth Round Housing Element and Fair Share Plan; and

WHEREAS, the Township of Hampton acknowledges the affordable housing rules and regulations that provide that, although utilization of a mandatory development fee ordinance is an appropriate mechanism to raise money for the purpose of off-setting the expenses incurred in connection with the Housing Element and Fair Share Plan, there must be an alternative funding source in the event that insufficient monies are derived from the mandatory development fee ordinance or other resources, or the funds are not received in a timely fashion, for the purpose of effectuating the 100 percent (100%) affordable housing mechanism; and

WHEREAS, the Township of Hampton wishes to express its commitment to cover such funding shortfalls and to fully implement the mechanisms set forth in its Fourth Round Housing

Element and Fair Share Plan through bonding or other lawful means.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Hampton Township, in the County of Sussex, and State of New Jersey, that it does hereby confirm its intent that in the event that the projected funding from the mandatory development fee ordinance the Township has adopted is insufficient to complete the aforementioned affordable housing mechanisms, it is the intention of the Township Committee of Hampton Township to adopt appropriate bond ordinances in order to provide the requisite funding in an appropriate time frame.

CERTIFICATION

I certify that the foregoing resolution is a true and certified copy of the Resolution adopted by the Township Committee of the Township of Hampton at the regularly scheduled meeting held on June 24, 2025, at the Hampton Township Municipal Building, 1 Rumsey Way, New Jersey.



Diana Jaurez, RMC
Hampton Township Clerk/Administrator