

**Borough of Fanwood Planning Board
Resolution Adopting the Housing Element and Fair**

WHEREAS, the Borough of Fanwood ("Fanwood"), County of Union, State of New Jersey, has demonstrated a history of voluntary compliance with its affordable housing obligations; and

WHEREAS, the Fanwood Borough Planning Board ("Planning Board") last adopted the Fanwood Borough Housing Plan Element and Fair Share Plan on November 30, 2016; and

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

WHEREAS, Fanwood adopted a "binding resolution" accepting the DCA "calculated Present Need and Prospective Need, as required by the Amended FHA, on January 21, 2025, establishing its Fourth Round Present Need of 0 and the Prospective Need of 109; and

WHEREAS, in accordance with the Amended FHA and the Administrative Office of the Court's Directive No. 14-24, Fanwood filed a timely Fourth Round Declaratory Judgment complaint ("DJ Complaint") with the Affordable Housing Dispute Resolution Program ("the Program"), along with its binding resolution on January 23, 2025; and

WHEREAS, the filing of the DJ Complaint gave Fanwood automatic, continued immunity from all exclusionary zoning lawsuits, including builder's remedy lawsuits, which is still in full force and effect; and

WHEREAS, on March 27, 2025 the Court entered an order establishing Fanwood's Fourth Round Present Need of 0 and Prospective Need of 109; and

WHEREAS, now that Fanwood has its established Fourth Round Obligations, the Amended FHA requires the municipality to adopt and endorse a Fourth Round Housing Element and Fair Share Plan by June 30, 2025; and

WHEREAS, in accordance with the Amended FHA, Fanwood's affordable housing planner drafted a Fourth Round Housing Element and Fair Share Plan; and

WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Planning Board held a public hearing on the Fourth Round Housing Element and Fair Share Plan on June 25, 2025; and

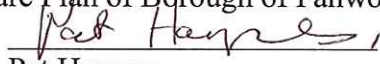
WHEREAS, the Planning Board determined that the attached Fourth Round Housing Element and Fair Share Plan is consistent with the goals and objectives of Fanwood's

current Master Plan, and that adoption and implementation of the Fourth Round Housing Element and Fair Share Plan is in the public interest and protects public health and safety and promotes the general welfare and recommends that the Borough Mayor and Council endorse same,

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Fanwood, County of Union, State of New Jersey, that the Planning Board hereby adopts the Fourth Round Housing Element and Fair Share Plan attached hereto as Exhibit A.


Chairman of Planning Board

I hereby certify that this is a true copy of the resolution adopting the Housing Element and Fair Share Plan of Borough of Fanwood on June 25, 2025.


Pat Hoynes
Planning Board Secretary