

**PLANNING BOARD  
CITY OF RAHWAY**

**A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF RAHWAY  
MEMORIALIZING THE ACTION OF THE PLANNING BOARD'S  
REVIEW AND ADOPTION OF  
THE FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN  
TO THE MASTER PLAN**

**WHEREAS**, N.J.S.A. 40:55D-28 of the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq. (the “**MLUL**”) permits planning boards to prepare and, after public hearing, adopt or amend a master plan or component parts thereof; and

**WHEREAS**, a Fourth Round Housing Element and Fair Share Plan dated March 12, 2026, was prepared by Heyer Gruel & Associates (“**HEFSP**”), and is attached hereto as **EXHIBIT A**, which will amend the City’s Master Plan, and which was prepared in accordance with N.J.S.A. 40:55D-28 of the MLUL, and S. Burlington County. NAACP v. Township of Mount Laurel (“**Mount Laurel I**”), 67 N.J. 151, 179, 187, appeal dismissed and cert. denied, 423 U.S. 808, 96 S. Ct. 18, 46 L. Ed. 2d 28 (1975); citing S. Burlington County NAACP v. Township of Mount Laurel (“**Mount Laurel II**”), 92 N.J. 158, 205 (1983), In Re Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1, 6 (2015) (“**Mount Laurel IV**” and collectively, the “**Mount Laurel Doctrine**”); and 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 (collectively with the Mount Laurel Doctrine, the “**Mount Laurel Requirements**”); and

**WHEREAS**, the Board provided the requisite notice of, and complied with other applicable procedural requirements for, the hearing to review the HEFSP in accordance with N.J.S.A. 40:55D-13 of the MLUL, and the applicable portions of P.L. 2025, c. 72, codified at N.J.S.A. 35:3-1, et seq., specifically N.J.S.A. 35:3-2; and

**WHEREAS**, a public hearing was held before the Planning Board on March 24, 2026, to consider and review the HEFSP and

**WHEREAS**, the Planning Board heard testimony and comments from its professionals, and with the public having had an opportunity to be heard and present comments; and

**WHEREAS**, the Planning Board adopts this Resolution to memorialize its review and adoption of the HEFSP in accordance with N.J.S.A. 40:55D-10(g) of the MLUL.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the City of Rahway, that the Planning Board, as further set forth on the record at the Hearing, finds and concludes:

1. The Recitals set forth above are incorporated as if fully set forth herein.
2. This Resolution shall serve as the Board's findings on its review and adoption of the HEFSP.
3. The Planning Board finds the HEFSP meets the requirements set forth in the MLUL for a master plan element, the Mount Laurel Requirements, and is not inconsistent with, and is substantially consistent with the City's Master Plan and is designed to effectuate the City's Master Plan.
4. The Planning Board pursuant to N.J.S.A. 40:55D-28, hereby adopts the Fourth Round Housing Element and Fair Share Plan dated March 12, 2026, prepared by Heyer Gruel & Associates, attached hereto as **EXHIBIT A**.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** by the Planning Board of the City of Rahway, that the Planning Board, that:

1. The Planning Board Secretary shall deliver this Resolution with a copy of the HEFSP, to the City Clerk for distribution to the City Council.
2. The Planning Board Secretary shall in accordance with N.J.S.A. 40:55D-13 of the MLUL provide a copy this Resolution with a copy of the HEFSP, by certified mail return receipt requested, to :
  - i. The Clerk of each adjoining municipality; and
  - ii. The State Office of Planning Advocacy; and
  - iii. The Union County Planning Board; and
  - iv. The military facility commander of a military facility, if any have registered with the municipality pursuant to section 1 of P.L. 2005, c. 41 (N.J.S.A. 40:55D-12.4).
3. The Planning Board Secretary shall publish a notice of the adoption of this Resolution on the City's website in accordance with the requirements of N.J.S.A. 40:55D-10(i) and N.J.S.A. 40:55D-13 of the MLUL, N.J.S.A. 35:3-2, and, Court Rule 4:69-6(b)(3).

***[Resolution continues on the following page]***

The foregoing is a true copy of a Resolution adopted by the Planning Board of the City of Rahway at its meeting held on March 24, 2026.

  
 Steven Decker, Board Secretary  
 City of Rahway

RECORD OF VOTE OF APPROVAL AND ON MEMORIALIZING RESOLUTION					
M/S	Name & Title	AYE	NAY	ABSENT	NV/A/R
	Robert Simon, Chairman, Class IV Member	X			
M	William Hering, Vice Chairman, Class IV Member; Board of Adjustment Member	X			
	Eric Miles, Class I Member; Mayor's Designee	X			
S	Joanna Miles, Class III Member; Council Member	X			
	Kyle Gustofson, Class II Member			X	
	Alexander Shipley, Class IV Member	X			
	Ruta Padulo, Class IV Member	X			
	William Cladek, Class IV Member			X	
	Christopher Brown, Class IV Member	X			
	Helga Badillo, 1 <sup>st</sup> Alternate			X	
	Margarita Ehrig 2 <sup>nd</sup> Alternate	X			

**M = Motion, S = Second**

**"X" Indicates vote**

**NV = Not Voting, A = Abstain, R = Recusal**

**EXHIBIT A**

Fourth Round Housing Element and Fair Share Plan dated March 12, 2026,  
prepared by Heyer Gruel & Associates