

RESOLUTION NO. 2025-04

**RESOLUTION OF THE LAND USE BOARD OF THE TOWNSHIP OF HARDWICK
ADOPTING A FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN**

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, the Township adopted a “binding resolution” accepting the Department of Community Affairs (hereinafter “DCA”) -calculated Present Need and Prospective Need obligations, as required by the Amended FHA, on January 21, 2025, establishing its Fourth Round Present Need of zero (0) obligation and Prospective Need of 29 obligation; and

WHEREAS, in accordance with the Amended FHA and the Administrative Office of the Court’s Directive No. 14-24, the Township 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 22, 2025; and

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

WHEREAS, the Township did not receive any objections to its Present and Prospective Need numbers by February 28, 2025, resulting in the statutory presumption of validity of the municipally determined Fourth Round obligations on March 1, 2025; and

WHEREAS, now that the Township has its 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, the Township ’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 Land Use Board held a public hearing on the Fourth Round Housing Element and Fair Share Plan on June 18, 2025; and

WHEREAS, the Land Use Board determined that the attached Fourth Round Housing Element and Fair Share Plan is consistent with the goals and objectives of the Township ’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.

NOW, THEREFORE, BE IT RESOLVED by the Land Use Board of the Township of Hardwick, County of Warren, State of New Jersey, that the Land Use Board hereby adopts the Fourth Round Housing Element and Fair Share Plan.

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Land Use Board of Township of Hardwick at a special meeting held on the June 18, 2025


Kristin Shipps
Land Use Board Secretary