

RESOLUTION 2026-2

**RESOLUTION ADOPTING THE
AMENDED FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN
WHITE TOWNSHIP PLANNING BOARD, WARREN COUNTY, NEW JERSEY**

WHEREAS, on March 20, 2024, Governor Murphy signed P.L.2024, c.2. into law, establishing a new framework for determining and enforcing municipalities' 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 must adopt a binding resolution no later than January 31, 2025 determining its present and prospective fair share obligation for the Fourth Round; and

WHEREAS, pursuant to Administrative Directive #14-24 issued by the Administrative Office of the Courts on December 13, 2024, "[a] municipality seeking a certification of compliance with the [Fair Housing Act] shall file an action in the form of a declaratory judgment complaint and Civil Case Information Statement (Civil CIS) in the county in which the municipality is located" within 48 hours of adopting the municipal resolution of fair share obligations; and

WHEREAS, the White Township Committee (the "Committee") adopted Resolution No. 2025-14 on January 30, 2025 identifying its present and prospective fair share obligation for the Fourth Round: as follows:

Present Need: 100

Prospective Need: 53; and

WHEREAS, the Township of White (the "Township") filed a Complaint for Declaratory Judgement, captioned *IMO White Township*, Docket No. WRN-L-64-25 on January 31, 2025 identifying its present and prospective fair share obligation for the Fourth Round as set forth above and committing to adopting and submitting a fourth round housing element and fair share plan as required by the FHA (the "Declaratory Judgment Action"); and

WHEREAS, Fair Share Housing Center ("FSHC") and the New Jersey Builder's Association ("NJBA") filed challenges to the Declaratory Judgment Action; and

WHEREAS, the Affordable Housing Dispute Resolution Program held a settlement conference on March 18, 2025 presided over by the Honorable Thomas C. Miller, A.J.S.C. (ret.); and

WHEREAS, Joseph H. Burgis, P.P. served as the Special Adjudicator at the Settlement Conference; and

WHEREAS, FSHC and the Township reached a settlement agreement during the Settlement Conference, which was placed on the record and endorsed by Judge Miller and Special Adjudicator Burgis setting the Township's Fourth Round Affordable Housing Obligations as follows:

Present Need: 100

Prospective Need: 237

WHEREAS, the Court entered an Order on April 8, 2025 approving such settlement; and

WHEREAS, WHEREAS, the Township Land Use Board adopted its HEFSP on June 10, 2025 and filed such with the Court; and

WHEREAS, Fair Share Housing Center ("FSHC") filed a challenge pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) regarding the Township's HEFSP on August 31, 2025; and

WHEREAS, the Township and FSHC agreed to amicably resolve the issues set forth in FSHC's challenge and entered into a Consent Order filed on February 27, 2026; and

WHEREAS, the Consent Order requires amendments to the HEFSP; and

WHEREAS, upon notice duly provided, pursuant to N.J.S.A. 40:55D-13, the Board held a public hearing on the proposed "2026 Amended Housing Element and Fair Share Plan" on March 10, 2026 (the "Hearing"); and

WHEREAS, at the Hearing, the Board Planner, Daniel Bloch, PP, AICP of Colliers Engineering & Design (the "Board Planner"), testified as to the "2026 Amended Housing Element and Fair Share Plan" ("Amended HEFSP") in general, the met and unmet affordable housing needs of the Township and the manner in which the Master Plan and the Amended HEFSP, as part of same, will address those needs; and,

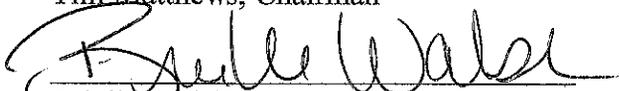
WHEREAS, upon the conclusion of the public hearing, the Board determined that the proposed 2026 Amended Fourth Round Housing Plan Element and Fair Share Plan is consistent with the goals and objectives of the Master Plan of the Township of White, will guide the use of lands in the municipality in a manner 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 access to affordable housing to meet present and prospective housing needs in accordance with N.J.S.A. 52:27D-310;

NOW, THEREFORE, BE IT RESOLVED, by the White Township Land Use Board as follows:

1. The Board hereby approves and adopts the Amended Fourth Round Housing Element and Fair Share Plan ("Amended HEFSP") in substantially the same form as attached hereto.
2. The Township Planner and Board Attorney are authorized to correct any typographical or grammatical errors in the Amended HEFSP.
3. The Board Secretary shall publish notice of the adoption of this resolution and the Amended HEFSP as required by applicable law.
4. The Board Secretary shall also transmit a copy of this resolution and the adopted plan to the Township Clerk and Committee.
5. The Board Secretary shall provide a copy of this resolution and the adopted plan to the Warren County Planning Board and New Jersey Office of Planning Advocacy, in accordance with N.J.S.A. 40:55D-13.
6. The Board Attorney is authorized to take all actions required by the FHA, including filing a copy of this Resolution and adopted Amended HEFSP with the Superior Court.

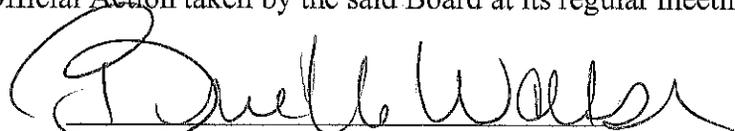


Tim Matthews, Chairman



Brielle Walsh, Secretary

I hereby certify the above to be a true copy of the Resolution adopted by the White Township Planning Board at its regular meeting on March 10, 2025, and further certify that same is a true memorialization of the Official Action taken by the said Board at its regular meeting on March 10, 2025.



Brielle Walsh, Secretary