

TOWNSHIP OF NORTH BRUNSWICK PLANNING BOARD

**RESOLUTION APPROVING AND ADOPTING THE
HOUSING ELEMENT AND FAIR SHARE PLAN DATED MAY 21, 2025**

WHEREAS, the Township of North Brunswick (the “Township”), pursuant to N.J.S.A. 52:27D-304.2, -304.3, and -304.1(f)(1)(c) of the New Jersey Fair Housing Act, N.J.S.A. 52:27D301, *et seq.* (collectively, the “FHA”), and in accordance with Section II.A of Administrative Directive #14-24 (“Directive #14-24”) of the “Program”, seeking a certification of compliance with the FHA, filed a Complaint for Declaratory Judgment dated January 22, 2025 in the Superior Court of New Jersey, Middlesex County, Law Division (the “DJ Complaint”) seeking a judgment of compliance and order of repose for its Fourth Round Housing Element and Fair Share Plan (the “HEFSP” or the “Fourth Round HEFSP”) and affordable housing obligations addressed therein; and

WHEREAS, the Township timely adopted its Resolution 67-1-25 on January 21, 2025, seeking deviation from the “prospective need” calculations allocated to it by the New Jersey Department of Community Affairs (“DCA”) in its report dated October 18, 2024 entitled *Affordable Housing Obligations for 2025-2035 (Fourth Round)* (the “DCA’s Fourth Round Report”), and based on the Township planner’s recommendation for 130 affordable housing units for “present need” and 212 units for a “prospective need” affordable housing obligation for the Fourth Round housing cycle; and

WHEREAS, a challenge to the Township calculations was timely filed by the New Jersey Builders Association (“NJBA”) by and through its counsel, wherein NJBA disputed the Township’s proposed obligation for prospective need, and supported DCA’s present and prospective need obligations as set forth in the DCA’s Fourth Round Report; and

WHEREAS, the Township and NJBA settled the aforementioned dispute in accordance with the settlement process established by the Program, resulting in an April 4, 2025 Decision and Order of the Superior Court of New Jersey, Law Division, Middlesex County, in the matter docketed as MID-L-436-25, establishing the present need obligation of the Township is fixed as 130 affordable units for the Fourth Round housing cycle, establishing that the prospective need obligation is fixed as 225 affordable units for the Fourth Round Housing cycle; and further directing and authorizing the Township to proceed to the compliance phase with preparation and adoption of the Fourth Round HEFSP, incorporating therein the “present need” and “prospective need” allocations aforesaid, to be adopted on or before June 30, 2025, as provided for and in accordance with Section III.A of Directive #14-24, and without further delay; and

WHEREAS, in accordance with the obligations set forth above, the Township of North Brunswick Planning Board (the “Board” or the “Planning Board”) has prepared the Fourth Round HEFSP, entitled “Housing Element and Fair Share Plan,” dated May 21, 2025, a copy of which is attached and annexed hereto as Exhibit A; and

WHEREAS, the Board has determined that the HEFSP is consistent with the goals and objectives of the Township of North Brunswick Master Plan, and that the adoption and implementation thereof is in the public interest and will protect the public’s health and safety and

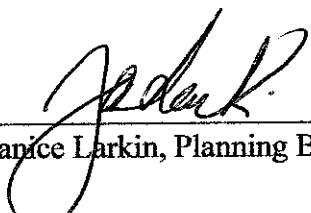
promote the general welfare, and is consistent with and addresses the Township's *Mount Laurel* obligations; and

WHEREAS, on May 21, 2025, the Board held a public hearing on the HEFSP, for which hearing notice was duly provided pursuant to N.J.S.A. 40:55D-13.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the Township of North Brunswick, Middlesex County, State of New Jersey, hereby approves and adopts the Fourth Round HEFSP, entitled "Housing Element and Fair Share Plan," , dated May 21, 2025, annexed hereto as Exhibit "A," as an amendment to the Master Plan of the Township of North Brunswick.

CERTIFICATION

This is to certify that the foregoing is a true copy of the Resolution adopted by the Planning Board of the Township of North Brunswick at its public meeting held on May 21, 2025.



Janice Larkin, Planning Board Secretary