

TOWNSHIP OF WARREN
RESOLUTION NO. 2019-058

ENDORSEMENT OF THE HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, on July 7, 2015, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (Mount Laurel IV), the Township of Warren (“Township”) filed a Declaratory Judgment Complaint in the Somerset County Superior Court, Law Division, (the “Declaratory Judgment Action”) seeking, among other things, a judicial declaration that its Housing Element and Fair Share Plan satisfies its “fair share” of the regional need for low and moderate income housing pursuant to the “Mt. Laurel doctrine”; and

WHEREAS, a Settlement Agreement (the “Settlement Agreement”) by and among the Township of Warren; Fair Share Housing Center; K. Hovnanian North Jersey Acquisitions, LLC; Premier Development; Chase Partners Warren, LLC and 284 King George Road LLC; American Properties at Mount Bethel Road, LLC; and North Hill Developers, Inc. was executed as of October 10, 2018; and

WHEREAS, a Fairness Hearing was held before Hon. Thomas C. Miller on December 4, 2018, at which time the Settlement Agreement was approved; and

WHEREAS, the approval of the Settlement Agreement was memorialized by an Order entered by the Court on December 18, 2018 (the “Court Order”); and

WHEREAS, as per the terms of the Settlement Agreement and the Court Order, a Housing Element and Fair Share Plan, a copy of which is annexed hereto as Exhibit A, was prepared by John Chadwick IV, P.P., Warren Township Planner; and

WHEREAS, the Housing Element and Fair Share Plan was sent to Frank Banisch III, PP/AICP, the Court-Appointed Master for review and approval; and

WHEREAS, the Warren Township Planning Board (the “Planning Board”) considered the Housing Element and Fair Share Plan at its meeting held on January 28, 2019, and held a public meeting thereon; and

WHEREAS, notice of the public hearing by the Planning Board on the adoption of the Housing Element and Fair Share Plan was provided in accordance with N.J.S.A. 40:55D-13; and

WHEREAS, following the public hearing on January 28, 2019, the Planning Board adopted the Housing Element and Fair Share Plan; and

WHEREAS, a true copy of the Resolution of the Planning Board adopting the Amended Housing Element and Fair Share Plan is attached hereto as Exhibit B; and

WHEREAS, the Township Committee of the Township of Warren desires to endorse the Housing Element and Fair Share Plan.

BE IT RESOLVED, by the Township Committee of the Township of Warren in the County of Somerset, and the State of New Jersey, as follows:

1. The Township Committee hereby endorses the Housing Element and Fair Share Plan, as adopted by the Warren Township Planning Board on January 28, 2019.
2. The Township Clerk is directed to forward a certified copy of this Resolution to the following:

Hon. Thomas C. Miller;
 Frank Banisch, Court-Appointed Master;
 All parties to the Settlement Agreement;
 All parties on the Service List for the Declaratory Judgment Action.

INTRODUCED	SECONDED	COMMITTEE	AYE	NAY	ABSTAIN	ABSENT
x		LAZO	x			
		GARAFOLA				x
	x	SORDILLO	x			
		MARION	x			
		DINARDO				x

CERTIFICATION

I, Cathy Reese, Township Clerk of the Township of Warren, in the County of Somerset, New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted at a meeting of the Township Committee held on February 7, 2019.


 Cathy Reese, RMC
 Township Clerk