

RESOLUTION

AFFORDABLE HOUSING OBLIGATIONS FOR 2025-2035 (FOURTH ROUND)

- 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 State's Fair Housing Act; and
- WHEREAS, the law requires that the New Jersey Department of Community Affairs (DCA) perform a calculation of regional need, and nonbinding municipal present and prospective affordable housing needs, in accordance with the formulas established in the law; and
- WHEREAS on October 18, 2024, the DCA released its "Affordable Housing Obligations For 2025-2035 (Fourth Round)" report, establishing the Fourth Round (2025- 2035) fair share methodology and calculations of low- and moderate-income housing obligations for New Jersey's 564 municipalities; and
- WHEREAS, the calculation and obligations for each municipality are presented by way of guidance in an Appendix at the end of the DCA report; and
- WHEREAS, per P.L. 2024, c.2, in order for the Township of West Windsor to maintain immunity from exclusionary zoning litigation, it must determine its municipal present and prospective obligations in accordance with the formulas established in sections 6 and 7 of the law by binding resolution no later than January 31, 2025; and
- WHEREAS, P.L. 2024, c.2 permits the Township of West Windsor to diverge from the DCA's calculations in determining its obligations, in case local factors exist that make the calculations unreasonable and/or incorrect; and
- WHEREAS, the Township of West Windsor has taken into consideration the calculations in the October 8, 2024 report published by the DCA to determine its obligations; and
- WHEREAS, the present and prospective fair share obligations of the Township of West Windsor are as follows: Present Need: 4 units; Prospective Need: 392 units; and
- WHEREAS, within 48 hours of adoption of this resolution, the Clerk of the Township of West Windsor shall post this resolution on its official website and with the Affordable Housing Dispute Resolution Program; and
- WHEREAS, the Township retains the right to conduct a vacant land adjustment (VLA) to determine its realistic development potential (RDP) at a later date which may be lower than the Prospective Need Obligation identified herein.

NOW, THEREFORE, BE IT RESOLVED on this 27th day of January, 2025, by the Township Council of the Township of West Windsor in the County of Mercer, and the State of New Jersey that, pursuant to P.L.2024, c.2: The Township Council of the Township of West Windsor hereby formally determines the present and prospective fair share obligations for the Fourth Round of municipal affordable housing compliance for the Township of West Windsor. These findings are documented in the report of its planner, Burgis Associates, attached hereto.

This resolution shall be posted on the Township of West Windsor's official website and with the Affordable Housing Dispute Resolution Program within 48 hours of adoption.

CERTIFICATION

I, Allison D. Sheehan, Township Clerk do hereby certify the foregoing is a true copy of a resolution adopted by the West Windsor Township Council at their meeting held on the 27th of January, 2025.



Allison D. Sheehan
Township Clerk
West Windsor Township