

**RESOLUTION OF THE PLANNING BOARD
OF THE TOWNSHIP OF WEST ORANGE
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” on January 28, 2025, accepting the DCA Fourth Round Present Need Obligation of 409 and Prospective Need of 660; and

WHEREAS, in accordance with the Amended FHA and 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 31, 2025; and

WHEREAS, the filing of the DJ Complaint gave the Township automatic immunity from all exclusionary zoning lawsuits, including builder’s remedy lawsuits; and

WHEREAS, the Township did not receive any objections to its Present and Prospective Need Obligations by February 28, 2025 resulting in the statutory automatic acceptance of the Township’s Fourth Round obligations on March 1, 2028; and

WHEREAS, on March 24, 2025, the Court entered an order establishing the Township’s Fourth Round Present Need Obligation of 409 affordable units for the Fourth Round Housing Cycle and 660 Prospective Need Obligation for the Fourth Round Housing Cycle; and

WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Planning Board held a public hearing on the Fourth Round Housing Element and Fair Share Plan on September 10, 2025, and November 10, 2025; and

WHEREAS, the Planning 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 the adoption and implementation of the Fourth Round Housing Element and Fair Share Plan is in the public interest and protects the public health and safety and promotes the general welfare,

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Township of West Orange, County of Essex, State of New Jersey, that the Planning Board hereby adopts the Fourth Round Housing Element and Fair Share Plan attached hereto as Exhibit A.

Dr. Robert Bagoff
Chairman of the Planning Board

CERTIFICATION

I certify that the foregoing resolution was duly adopted by the Planning Board of the Township of West Orange at a Special Meeting held on the ____ day of November, 2025.

Jamilet Baquerizo Vite
Planning Board Secretary