

**RESOLUTION OF THE PLANNING BOARD
OF THE BOROUGH OF ALLENTOWN**

**ADOPTING AN AMENDED HOUSING PLAN ELEMENT AND FAIR
SHARE PLAN
OF THE BOROUGH MASTER 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 established a new framework and regulations for affordable housing obligations in New Jersey; and

WHEREAS, as part of the new law, the New Jersey Department of Community Affairs (DCA) prepared a report in October 2024, calculating the fourth round (2025-2035) fair share methodology for each of the state’s municipalities including present need and prospective need; and

WHEREAS, the Borough adopted a “binding resolution” (Resolution 71-2025) on January 28, 2025 accepting the calculated Present Need and Prospective Need, as calculated by the DCA, and as required by the Amended FHA, establishing its Fourth Round Present Need of 0 units and Prospective Need of 28 units; and

WHEREAS, in accordance with the Amended FHA and the Administrative Office of the Court’s Directive No. 14-24, the Borough filed a Fourth Round Declaratory Judgment complaint (“DJ Complaint”) on January 30, 2025 with the Affordable Housing Dispute Resolution Program (“the Program”), along with its binding resolution; and

WHEREAS, the filing of the DJ Complaint provided the Borough automatic immunity from all exclusionary zoning lawsuits, including builder’s remedy lawsuits, which is still in full force and effect; and

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

WHEREAS, on April 1, 2025, the Program, by way of an Order from Superior Court, established the Borough’s Round 4 present and prospective need obligations based upon the Borough’s adopted binding resolution; and

WHEREAS, the Amended FHA requires a municipality to adopt and endorse a Fourth Round Housing Element and Fair Share Plan by June 30, 2025; and

WHEREAS, on June 2, 2025, the Borough adopted its Round 4 Housing Plan Element and Fair Share Plan; and

WHEREAS, on August 30, 2025 the Fair Share Housing Center challenged the Borough’s Housing Plan Element Plan citing a number of comments the Borough should address to achieve fourth round compliance; and

WHEREAS, a court master was appointed, and mediation settlement conferences were held in November and December 2025 culminating in a settlement.

WHEREAS, this Amended Housing Plan Element and Fair Share Plan dated January 26, 2026 was prepared pursuant to the mediation and settlement, and in accordance with Round 4 regulations and other Municipal Land Use Law (MLUL) regulations as required; and

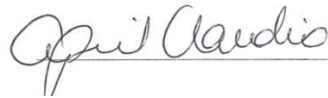
WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Planning Board held a public hearing on the Amended Housing Plan Element and Fair Share Plan on March 2, 2026; and

WHEREAS, at the public hearing the Planning Board reviewed and discussed the Amended Housing Plan Element and Fair Share Plan and took public comment; and

WHEREAS, the Planning Board determined that the attached Amended Housing Plan Element and Fair Share Plan is consistent with the goals and objectives of the Borough's current Master Plan, and that adoption and implementation of the Amended Housing Element and Fair Share Plan is in the public interest and protects public health and safety and promotes the general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Allentown, County of Monmouth, State of New Jersey, that the Planning Board hereby adopts the Amended Housing Element and Fair Share Plan attached hereto as Exhibit A.

I hereby certify that the foregoing is a true copy of a Resolution of the Allentown Planning Board adopted on March 2, 2026.



April Claudio
Planning Board Secretary