

## Resolution # 22-25

**RESOLUTION ADOPTING MASTER PLAN  
REEXAMINATION REPORT AND  
HOUSING ELEMENT AND FAIR SHARE PLAN**

**WHEREAS**, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2 which amended various provisions of the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq. ("Amended FHA")); and

**WHEREAS**, the Amended FHA sets forth that the Fourth Round period of affordable housing obligations shall run from July 1, 2025 through June 30, 2035 ("Fourth Round" or "Round Four"); and

**WHEREAS**, the Amended FHA requires, among other things, that municipalities prepare and adopt a Housing Element & Fair Share Plan on or before June 30, 2025;

**WHEREAS**, the Planning Board of the Borough of Branchville, County of Sussex, State of New Jersey (the "Board"), has reexamined its Master Plan pursuant to N.J.S.A. 40:55D-89 et seq.; and

**WHEREAS**, as a result of that reexamination, and the passage of the Amended FHA, the Board has determined to adopt a Fourth Round Housing Element & Fair Share Plan for the Borough of Branchville; and

**WHEREAS**, the Borough Consulting Planner has prepared a Master Plan Reexamination Report and Housing Element & Fair Share Plan which have been reviewed by the Board; and

**WHEREAS**, the Planning Board of the Borough of Branchville held a public hearing on the Housing Element & Fair Share Plan and related Reexamination Report on date, for which the required public notice was duly provided pursuant to N.J.S.A. 40:55D-13; and

**WHEREAS**, the Board has determined that the Housing Element & Fair Share Plan and the Master Plan Reexamination Report are consistent with the goals and objectives of the municipal Master Plan and the implementation of same is in the public interest and promotes the general welfare; and

**WHEREAS**, by this Resolution, the Board hereby approves the 2025 Master Plan Reexamination Report and the Fourth Round Housing Element and Fair Share Plan.

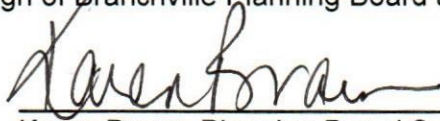
**NOW THEREFORE, BE IT RESOLVED**, by the Planning Board of the Borough of Branchville, Sussex County, New Jersey, that the Board hereby adopts the 2025 Master Plan Reexamination Report for the Borough of Branchville, dated June 11, 2025, prepared by J. Caldwell & Associates, LLC and the Fourth Round Housing Element & Fair Share Plan for the Borough of Branchville, dated June 11, 2025 and as amended through Planning Board comments, prepared by J. Caldwell & Associates, LLC, both of which are attached hereto and incorporated herein. The Board Secretary is hereby directed to send a copy of the Master Plan Reexamination Report and Housing Element & Fair Share Plan, and this Resolution, to the Sussex County Planning Board.



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Frank Sutton, Planning Board Vice Chair

I hereby certify that the foregoing is a true copy of a resolution duly adopted by the Borough of Branchville Planning Board at a meeting held on June 11, 2025.



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Karen Braun, Planning Board Secretary



**RESOLUTION # 22 - 2025****RESOLUTION ENDORSING THE 2025 HOUSING ELEMENT AND FAIR SHARE PLAN AND MASTER PLAN REEXAMINATION REPORT**

**WHEREAS**, on March 20, 2024, Governor Murphy signed into law P.L.2024, c.2, establishing a new framework for determining and enforcing municipal affordable housing obligations under the New Jersey Supreme Court's Mount Laurel doctrine and the New Jersey Fair Housing Act (the "FHA") (N.J.S.A. 52:27D-301, *et al.*); and

**WHEREAS**, among other things, the Act abolished the Council on Affordable Housing (hereinafter, "COAH"), and replaced it with seven retired, on recall judges designated as the Program and authorized the Director of the Administrative Office of the Courts, (hereinafter, respectively, "Director" and "AOC") to create a framework to process applications for affordable housing compliance certification; and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-304.1(f)(1)(b), each municipality was to adopt a binding resolution no later than January 31, 2025, determining and setting forth its present and prospective fair share obligations for the "Fourth Round" of affordable housing obligations ("Fourth Round"); and

**WHEREAS**, the Borough Council of the Borough of Branchville ("Borough") adopted Resolution No. 12-2025 on January 31, 2025, identifying its present need obligation as 4 units and prospective need obligation as 38 affordable units for the Fourth Round; and

**WHEREAS**, in accordance with the FHA and Administrative Directive #14-24, issued by the Administrative Office of the Courts on December 13, 2024 ("Directive #14-24"), the Borough filed a Complaint for Declaratory Judgment with the Superior Court of New Jersey, Law Division, Sussex County, entitled In the Matter of the Application of the Borough of Branchville, County of Sussex, State of New Jersey, Docket No. SSX-L-84-25 on February 3, 2025 (the "DJ Action"), identifying its present and prospective fair share obligations for the Fourth Round as set forth above, and committing to adopting and submitting a Fourth Round Housing Element and Fair Share Plan ("HEFSP") as required by the FHA; and

**WHEREAS**, no parties challenged the Borough's present and prospective need obligations; and

**WHEREAS**, on April 24, 2025, the Honorable Janine M. Allen, J.S.C., issued an Order setting the Borough's present need obligation at 4 units and the prospective need obligation at 38 affordable units and further authorized the Borough to proceed with preparation and adoption of a proposed HEFSP to satisfy the Borough's affordable housing obligation; and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-304.1(f)(2)(a) and Directive #14-24, each municipality must adopt and file as part of its DJ Action a HEFSP, with associated resolutions and proposed drafts of the appropriate zoning and other ordinances, necessary to implement its HEFSP, no later than June 30, 2025; and

**WHEREAS**, the Borough of Branchville Planning Board ("Board") adopted the HEFSP, entitled "Housing Element & Fair Share Plan" (the "Fourth Round HEFSP"), as well as the Master Plan Reexamination Report, prepared by the Borough's affordable housing planner, J Caldwell & Associates, LLC dated June 11, 2025, as an amendment to the Borough's Master Plan on June 11, 2025; and

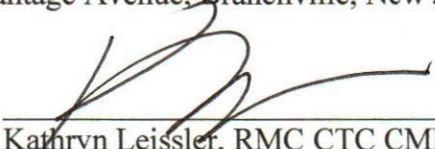
**WHEREAS**, the Borough Council desires to endorse the Fourth Round HEFSP adopted by the Board on June 11, 2025.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of Branchville Borough, in the County of Sussex, and State of New Jersey, that:

1. The Borough Council does hereby endorse the Fourth Round HEFSP and Master Plan Reexamination Report adopted by the Borough of Branchville Planning Board on June 11, 2025.
2. The Borough Council does hereby authorize the filing of this Resolution endorsing the Fourth Round HEFSP and Master Plan Reexamination Report adopted by the Board on eCourts for review by the Program.
3. The Mayor and Clerk, together with other appropriate officers and employees of the Borough of Branchville, are hereby authorized to take all steps necessary to effectuate the purposes of this Resolution.
4. This Resolution shall take effect immediately.

#### **CERTIFICATION**

I certify that the foregoing resolution is a true and certified copy of the Resolution adopted by the Borough Council of the Borough of Branchville at the special meeting held on June 25, 2025, at the Branchville Borough Municipal Building, 34 Wantage Avenue, Branchville, New Jersey.

  
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Kathryn Leissler, RMC CTC CMR  
Municipal Clerk