

# EXHIBIT 1



**TOWNSHIP COUNCIL  
MOUNT LAUREL MUNICIPAL CENTER**

Distribution \_\_\_\_\_

Resolution No. 25-R-67

REGULAR MEETING

JANUARY 30, 2025

**ESTABLISHING MOUNT LAUREL TOWNSHIP'S FOURTH  
ROUND AFFORDABLE HOUSING REQUIREMENT**

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 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 final calculation and obligations for each municipality are presented in an Appendix at the end of the report; and

WHEREAS, the Amended Fair Housing Act provides that the DCA Report is non-binding, thereby inviting municipalities to demonstrate that the Amended FHA would support a lower fair share calculation; and

WHEREAS, per *P.L. 2024, c.2.* in order for Mount Laurel Township 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 Mount Laurel Township to diverge from the DCA's calculations in determining its obligations, in case local factors exist that make the calculations unreasonable, so long as Mount Laurel Township adheres to the methodology set forth in *P.L. 2024, c.2.*; and

WHEREAS, Mount Laurel may take 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 Mount Laurel Township were identified as follows:

- Present Need: 46 units
- Prospective Need: 431 units

WHEREAS, the Township's Affordable Housing Planner, the Township Attorney, and other Township professional staff possess actual knowledge of present conditions in Mount Laurel which were not known to the DCA officials that evaluated Mount Laurel through raw data sets and land use/land cover data reflecting land uses and coverages in 2020; and

WHEREAS, such present day conditions, history and knowledge could not be known to DCA officials that were evaluating every municipality in the State of New Jersey; and

WHEREAS, the Township Attorney and Manager met with DCA officials and explained why the Township's evaluation differed from the DCA analysis; and

WHEREAS, the DCA officials concurred that the municipal analysis was detailed and encompassing and possessed knowledge of conditions not known to the DCA during their analysis; and

WHEREAS, the Township professionals evaluated DCA's vacant land analysis and identified land in Mount Laurel that should not be included in the final calculations; and

WHEREAS, on January 28, 2025, Michael Mistretta, PP, LLA, and Wyatt Grant of Harbor Consultants, the Township's Affordable Housing Planner produced a comprehensive report entitled Fourth Round (2025-2035) Affordable Housing Obligation Calculation Township of Mount Laurel, Burlington County, New Jersey (the "Report") which evaluated each of the factors that the DCA used to establish the Fourth Round obligation; and

WHEREAS, the Report is attached hereto as Exhibit A; and

WHEREAS, the Report concurs with the State's analysis regarding the Present Need obligation of 46 units; and

WHEREAS, the Report extensively reviews the data for the Prospective Need calculation and reaches a modified conclusion from the DCA analysis; and

WHEREAS, the three allocation factors (land capacity factor, nonresidential valuation factor, income capacity factor) are averaged to find the "average allocation factor", which is multiplied by the regional prospective need to get the Township's obligation; and

WHEREAS, the Report confirms the nonresidential valuation factor and income capacity factor used in the State's analysis but adjusted the land capacity factor as detailed in the Report; and

WHEREAS, the Planner's Report details this exhaustive review of each parcel of land and the reason for its continued inclusion or exclusion in this calculation; and

WHEREAS, the Planner tabulated these areas and confirmed that the vacant land in Mount Laurel is reduced from 367.796 acres to 50.592 acres; and

WHEREAS, the Township Planner has determined that the Land Capacity Allocation Factor must be adjusted from 1.96% of the region's vacant land (based on 367.8 acres) to .27% of the region's vacant land (based on 50.6 acres); and

WHEREAS, this reduces the Township's round 4 prospective need obligation from 431 to 380; and

WHEREAS, the Township's calculation of need is entitled to a "presumption of validity" because it complies with Sections 6 and 7 of the Act; and

WHEREAS, within 48 hours of adoption of this resolution, the Municipal Clerk of Mount Laurel shall file this resolution on its official website and with the Affordable Housing Dispute Resolution Program.

WHEREAS, pursuant to the Directive #14-24, a municipality seeking a certification in compliance with the FHA shall file an action in the form of a declaratory judgment complaint in the county in which the municipality is located within 48 hours after the adoption of the municipal resolution of the fair share obligations, or by February 3, 2025, whichever is sooner; and

WHEREAS, the Township of Mount Laurel seeks a certification of compliance with the FHA and, therefore, directs its affordable housing counsel to file a declaratory relief action within 48 hours of the adoption of this resolution in Burlington County.

**NOW, THEREFORE, BE IT RESOLVED** on this 30<sup>th</sup> day of January, 2025, by the Township Council of Township of Mount Laurel, in the County of Burlington, and the State of New Jersey that, pursuant to *P.L. 2024, c.2*:

1. All of the Whereas Clauses set forth above are incorporated into the operative clauses of this resolution.
2. The January 28, 2025 memo from Michael Mistretta, PP, LLA, and Wyatt Grant of Harbor Consultants, the Township's Affordable Housing Planner entitled Fourth Round (2025-2035) Affordable Housing Obligation Calculation Township of Mount Laurel, Burlington County, New Jersey is accepted in full by the Township Council as a detailed analysis of the regional and local requirements established by the



Department of Community Affairs. The report is attached hereto and incorporated herein as if the same was fully written herein.

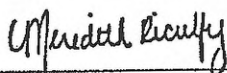
3. The Township Council of the Township of Mount Laurel hereby concurs with the findings of its professionals and accepts a Present Need obligation of 46 and a Prospective Need obligation of 380 as its Fourth Round (2025-2035) affordable housing obligation pursuant to P.L. 2024 c.2 and the Fair Housing Act, N.J.S.A. 52:27D-302 et. seq. These findings are to be documented in the Township's housing element and fair share plan.
4. The Township Council hereby directs its Township Solicitor to file a declaratory judgment action in Burlington County attaching this resolution within 48 hours after adopting this resolution.
5. The Township reserves its right to adjust its Fourth Round Affordable Housing obligation subject to any vacant land adjustments and other amendments as may be provided for by law.
6. This resolution shall be posted on the Township's official website and with the Affordable Housing Dispute Resolution Program within 48 hours of adoption.
7. This resolution shall take effect immediately, according to law.

Adopted: January 30, 2025

	MOTION	AYE	NAY	ABSTAINED	ABSENT	TRANSMITTED
Catalan-Culnan	2	✓				
Janjua	1	✓				
Moustakas		✓				
Pritchett		✓				
Steglik					✓	

**CERTIFICATION**

I, Meredith Riculfy, RMC, Mount Laurel Township Clerk, hereby certify that the foregoing Resolution was duly adopted by the Mount Laurel Township Council at its Meeting held on the 30<sup>th</sup> day of January, 2025.



Meredith Riculfy, RMC  
Mount Laurel Township Clerk