LAFAYETTE TOWNSHIP
SUSSEX COUNTY, NEW JERSEY

RESOLUTION 2026-23

A RESOLUTION OF THE TOWNSHIP OF LAFAYETTE ADOPTING A FOURTH ROUND AFFORDABLE HOUSING POLICY AND PROCEDURAL MANUAL FOR THE HOUSING REHABILITATION PROGRAM

WHEREAS, ahead of the Fourth-Round affordable housing obligations starting in 2025, the Governor signed new legislation (A4/S50) in March that sets a course for future enforcement of the Mount Laurel Doctrine by streamlining the affordable housing development process and codifying the methodology used to determine each municipality's obligations; and

WHEREAS, in October, 2024, the New Jersey Dept. of Community Affairs (DCA) released calculations on the number of affordable homes each municipality is required to allow over the next decade and set forth a schedule for how to address that number; and

WHEREAS, the New Jersey Dept. of Community Affairs (DCA) issued directives to assist participants in fair share housing planning at the municipal level outlining what steps municipalities must take, provides timelines and key dates for Fourth Round planning, and describes opportunities for public comment and advocacy; and

WHEREAS, the New Jersey Dept. of Community Affairs (DCA) identified principal compliance mechanism options, their key features, and advantages and disadvantages, and summarized several important principles, standards, and rules established in New Jersey's new law and pre-existing regulations and provided an update on municipal affordable housing trust funds; and

WHEREAS, Lafayette Township has undertaken the process of seeking Certification of Compliance with the Fair Share Housing Act by filing a Complaint for Declaratory Judgment on January 23, 2025 pursuant to N.J.S.A. 52:27D-304.1(f)(1)(c), 304.2, and 304.3 of the New Jersey Fair Share Housing Act that assigned Docket No.: SSX-L-000052-25; and

WHEREAS, Lafayette Township considered the DCA's Fourth Round Reports that calculated the Township's present need as seven (7) affordable units, and its prospective need obligation as fifty-two (52) affordable units and accepted those calculations without contest and adopted a governing body Resolution 2025-17 on January 21, 2025 formally committing to that number of affordable units in the Fourth Round subject to all reservation of rights as set forth in the Resolution; and

WHEREAS, the Honorable Janine M. Allen signed an Order on April 24, 2025 fixing Lafayette Township's present need obligation as seven (7) affordable units and the prospective need obligation as fifty-two (52) for the Fourth Round; and

WHEREAS, that same Order filed April 24, 2025 authorized the Township to proceed with preparation and adoption of its proposed Housing Element and Fair Share Plan (HEFSP) for the Fourth Round which was undertaken by the Lafayette Township Land Use Board and its professionals, including its Affordable Housing Administrator, and the Board having discussions over several meetings to address the Fourth-Round obligations and the suitable sites to locate these affordable units; and

WHEREAS, the Township Land Use Board recommended the Township governing body endorse the HEFSP as drafted and presented during a joint public hearing conducted on June 19, 2025 and adopted Board Resolution 2025-04 on June 19, 2025 to approve and adopt the Lafayette Township Amended Housing Plan Element and Fair Share for Round Four pursuant to Section 28 of the Municipal Land Use Law (MLUL) that was filed with the Court on June 26, 2025; and

WHEREAS, the governing body of Lafayette Township adopted a Resolution 2025-41 on June 19, 2025 endorsing the 2025 HEFSP adopted by the Lafayette Land Use Board on June 19, 2025 and directed its attorney to file the HEFSP and supporting documentation with the Court which was completed on June 23, 2025; and

WHEREAS, the Fair Share Housing Center (FSHC) was the only interested party to file a comment letter on August 25, 2025 that the Court subsequently in a Case Management Order filed October 15, 2025 recognized that FSHC did not formally challenge the HEFSP or the site selected for development in Lafayette, but rather identified certain items that were missing or otherwise needed to be supplied in order for the Township to qualify for issuance of a Certification of Compliance; and

WHEREAS, the Township professionals, including its Attorney and Affordable Housing Administrator have been communicating with FSHC to address the concerns raised in the August 25, 2025 letter and have supplied documentation requested and remain in communication with both the FSHC and the Court as the Declaratory Judgment process seeking Certification of Compliance remains pending; and

WHEREAS, the process of obtaining Certification of Compliance also requires that the Township adopt updated Ordinances, Resolutions and plans to support its HEFSP for the Fourth Round including a Resolution endorsing a manual that outlines the policies and procedures for the Housing Rehabilitation Program; and

WHEREAS, the Township has prepared a Fourth Round Policy and Procedure Manual to facilitate the Housing Rehabilitation Program that is consistent with the applicable statutes and regulations.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of Lafayette Township, in the County of Sussex, State of New Jersey, as follows:

1. The Township of Lafayette does hereby adopt the Fourth Round Policy and Procedure Manual to facilitate the Housing Rehabilitation Program attached hereto.

2. All members of the Administration and Township professionals are hereby authorized and directed to take all steps necessary to fulfill the purposes of this Resolution.

3. This Resolution shall take effect immediately.

CERTIFICATION

Certified as a true copy of a Resolution adopted by the Lafayette Township Committee, Sussex County, New Jersey at a meeting held on March 13, 2026.

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AnnaRose Fedish, RMC
Township Clerk