

**BOROUGH OF GLEN ROCK
BERGEN COUNTY, NEW JERSEY**

Resolution No:89-26

Offered by Council Member: Rozanski

Seconded by Council Member: Coll

**RESOLUTION OF THE BOROUGH OF GLEN ROCK
ENDORING THE BOROUGH'S FOURTH ROUND HOUSING ELEMENT AND FAIR
SHARE PLAN**

WHEREAS, the New Jersey Supreme Court declared that the discriminatory use of zoning powers was illegal and provided, as a matter of constitutional law, that each developing municipality “must, by its land use regulations, make realistically possible the opportunity for an appropriate variety and choice of housing for all categories of people who may desire to live there, of course including those of low and moderate income,” In Re Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1, 6 (2015) (“**Mount Laurel IV**”), citing S. Burlington County. NAACP v. Township of Mount Laurel (“**Mount Laurel I**”), 67 N.J. 151, 179, 187, appeal dismissed and cert. denied, 423 U.S. 808, 96 S. Ct. 18, 46 L. Ed. 2d 28 (1975), and that this constitutional obligation requires municipalities to provide “a realistic opportunity for the construction of [their] fair share of the present and prospective regional need for low and moderate income housing,” Id., citing S. Burlington County NAACP v. Township of Mount Laurel (“**Mount Laurel II**”), 92 N.J. 158, 205 (1983), (together with Mount Laurel I, the “**Mount Laurel Doctrine**”); and

WHEREAS, on March 20, 2024, Governor Murphy signed P.L.2024, c.2. (hereinafter “**A4**”) into law, amending the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 to -329 (the “**Act**”) and establishing a new framework for determining and enforcing municipalities’ affordable housing obligations under the Mount Laurel doctrine for the years 2025 – 2035 (the “**Fourth Round**”); and

WHEREAS, A4 required the New Jersey Department of Community Affairs (the “**DCA**”) to produce non-binding estimates of present and prospective need for low- and moderate- income housing in each municipality for the Fourth Round on or before October 20, 2024; and

WHEREAS, on October 18, 2024, in furtherance of such requirement, the DCA issued a report entitled “Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background” (the “**DCA Report**”) which report established the final calculation and obligations for each municipality in New Jersey, including the Borough of Glen Rock (the “**Borough**”); and

WHEREAS, the DCA Report calculated the Borough’s Fourth Round obligation as follows: a Present Need or Rehabilitation (“**Present Need**”) Obligation of 0 and a Prospective Need or New Construction Obligation (“**Prospective Need**”) of 222; and

WHEREAS, on January 22, 2025, the Borough Council adopted Resolution No. 57-25 (the “**Binding Resolution**”), accepting the “present need” but seeking a downward deviation from

“prospective need” obligation as set forth in the DCA Report to a “prospective need” of 201 units based on the recommendation of Edward Snieckus, Jr., PP, LLA, ASLA of Burgis Associates, Inc. (the “**Borough Planner**”); and

WHEREAS, pursuant to the Administrative Directive #14-24, dated December 13, 2024 (the “**Directive**”), implementing the Affordable Housing Dispute Resolution Program (the “**Program**”) on January 23, 2025, the Borough filed a declaratory judgment action in the Superior Court of Bergen County, bearing Docket No. BER-L-561-25 (the “**Declaratory Judgment Action**”); and

WHEREAS, on June 4, 2025, the Honorable Gregg A. Padovano, J.S.C., the designated Mount Laurel Judge for the Bergen Vicinage, entered an order (the “**Order**”) setting the Borough’s Present Need Obligation as 0 and the Prospective Need Obligation as 201, as set forth in the Binding Resolution; and

WHEREAS, the Borough Planner prepared a Housing Element and Fair Share Plan for the Fourth Round, dated June 5, 2025 (the “**Fourth Round HEFSP**”), consistent with the obligation set forth in the Binding Resolution and as upheld by the Order, which addresses the Borough’s Present Need and Prospective Need Obligations for the Fourth Round; and

WHEREAS, pursuant to N.J.S.A. 40:55D-28, the Borough of Glen Rock Planning Board (the “**Planning Board**”) is charged with the preparation and adoption of the Borough’s Master Plan, which includes the Fourth Round HEFSP; and

WHEREAS, on June 18, 2025, after providing notice in accordance with the Municipal Land Use Law, specifically N.J.S.A. 40:55D-13, the Planning Board held a public hearing to review the Fourth Round HEFSP; and

WHEREAS, after review and consideration of the Fourth Round HEFSP and presentation by the Borough Planner, the Planning Board determined it was consistent with the goals and objectives of the Borough’s current Master Plan, and adopted the same; and

WHEREAS, on June 25, 2025, pursuant to the Directive, the Borough Council adopted Resolution No. 181-25, endorsing the Fourth Round HEFSP; and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b), both 66 Glen Ave., L.L.C. (“**66 Glen**”) and Fair Share Housing Center (“**FSHC**”) filed challenges to the Fourth Round HEFSP (collectively, the “**Challenges**”); and

WHEREAS, following negotiations facilitated by the Program, the Borough, FSHC, and 66 Glen amicably agreed to resolve the issues set forth in the Challenges and entered into settlement agreements setting forth the terms agreed upon (the “**Settlement Agreements**”); and

WHEREAS, the Settlement Agreements require the Fourth Round HEFSP be amended to revise certain mechanisms to address the Borough's unmet need in accordance with the Binding Resolution; and

WHEREAS, the Borough Planner prepared an amendment to the Fourth Round HEFSP (the "**Amended Fourth Round HEFSP**"), dated February 18, 2026 and attached hereto as Exhibit A, which fully addresses all mechanisms agreed to in the Settlement Agreements; and

WHEREAS, on March 5, 2026, after review and consideration of the Amended Fourth Round HEFSP and presentation by the Borough Planner, the Planning Board determined it was consistent with the goals and objectives of the Borough's current Master Plan, and adopted the same; and

WHEREAS, after review and consideration of the Amended Fourth Round HEFSP, the Borough finds it is in the best interest of the Borough to endorse the Amended Fourth Round HEFSP as endorsement of the Amended Fourth Round HEFSP will materially advance and support the Court's issuance of a Judgment of Compliance with the Fair Housing Act and all applicable statutes and regulations.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Glen Rock, in the County of Bergen, New Jersey, as follows:

Section 1. The foregoing recitals are hereby incorporated by reference as if fully set forth herein.

Section 2. The Borough Council endorses the Amended Fourth Round HEFSP, attached hereto as Exhibit A, as prepared by the Borough Planner and adopted by the Planning Board.

Section 3. The Borough Council authorizes its professionals to file a copy of this Resolution, as well as a copy of the endorsed Amended Fourth Round HEFSP with the Program.

Section 4. This resolution shall take effect immediately.

ROLL CALL:

Council Member Martin - yes Council Member Orlich- yes
Council Member Coll - yes Council Member Rozanski - yes
Council Member Rosenstein- yes Council Member Hendl – yes

I, Jacqueline Scalia, the Borough Clerk of the Borough of Glen Rock, hereby certify that this is a true copy of a resolution passed by the Council of the Borough of Glen Rock at a meeting held this 11th day of March, 2026.

Jacqueline Scalia, Borough Clerk

Exhibit A

**Amendment to Fourth Round Housing Element and Fair Share Plan,
dated February 18, 2026**