

RESOLUTION NO: R-45-2026

**RESOLUTION OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK
REFERRING TO THE ELK TOWNSHIP COMBINED PLANNING AND ZONING BOARD OF
ADJUSTMENT TO REVIEW VARIOUS ORDINANCES TO ADDRESS THE TOWNSHIP OF
ELK'S 4TH ROUND AFFORDABLE HOUSING OBLIGATIONS**

WHEREAS, on March 20, 2024, the New Jersey Legislature adopted legislation known as P.L.2024, c.2, which set forth a procedure for calculating the 4th Round affordable housing obligation for municipalities, and which required this calculation to be adopted by the governing body of a municipality by way of Resolution; and

WHEREAS, N.J.S.A. 52:27D-304.2(b)(1) provides that the Fourth Round municipal affordable housing obligations shall run from the period of July 1, 2025 through June 30, 2035, and Region 5 consists of Burlington County, Camden County and Gloucester County ("Region 5"); and

WHEREAS, in accordance with N.J.S.A. 52:27D-304.1(f)(1)(b), on January 21, 2025, the Township of Elk adopted Resolution No. 33-2025, which set the Township's 4th Round affordable housing obligation as: (1) Present Need – 17 units; and (2) Prospective Need – 214 units; and

WHEREAS, on January 23, 2025, the Township filed a Complaint for Declaratory Judgment with the newly created Affordable Housing Dispute Resolution Program (the "Program") created pursuant to N.J.S.A. 52:27D-313.2, in a Declaratory Judgment action under the caption, In the Matter of the Township of Elk's determination of 4th Round Affordable Housing Obligations, Docket No.: GLO-L-00104-25 ("DJ Action"); and

WHEREAS, N.J.S.A. 52:27D-304.1(f)(2)(a), requires a municipality participating in the Program must adopt and submit to the Program a Housing Element and Fair Share Plan on or before June 30, 2025; and

WHEREAS, previously on June 18, 2025, the Combined Planning and Zoning Board of Adjustment adopted a 4th Round Housing Element and Fair Share Plan;

WHEREAS, thereafter the Township and the Combined Planning and Zoning Board of Adjustment entered into a Mediation Agreement in the lawsuit captioned, In the Matter of the Township of Elk's Determination of 4th Round Affordable Housing Obligations, Docket No.: GLO-L-00104-25 ("Mediation Agreement"); and

WHEREAS, in order to implement the Mediation Agreement, the Township has prepared several ordinances and resolutions relating to the Township's affordable housing obligations; and

WHEREAS, N.J.S.A. 40:55D-64 of the Municipal Land Use Law requires the Township to refer ordinances adopting zoning ordinances or amendments thereto to the planning board for review, prior to adoption, and the Mayor and Township Committee of the Township of Elk seek to refer the following ordinances to the Combined Planning and Zoning Board of Adjustment pursuant to N.J.S.A. 40:55D-64 in order to implement and comply with the Township's 4th Round affordable housing obligations (a) an Ordinance amending Chapter 40, "Affordable Housing"; (b) an Ordinance amending the Amended Aura III Redevelopment Plan; (c) and a Resolution approving the Affirmative Marketing Plan for Elk Township.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Elk, as follows:

1. The foregoing recitals are incorporated herein by reference as if fully set forth at length.
2. Mayor and Township Committee hereby requests that the Combined Planning and Zoning Board of Adjustment review the ordinances and resolutions listed above pursuant to N.J.S.A. 40:55D-64 and N.J.S.A. 40:55D-26(a) in order to implement and comply with the Township's 4th Round affordable housing obligations.
3. Mayor and Township Committee further request that the Combined Planning and Zoning Board of Adjustment submit to the Township Clerk and Township's Solicitor a copy of any recommendations and/or reports within twenty-four (24) hours of adoption.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

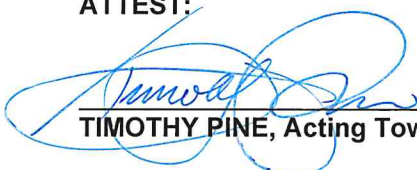
ADOPTED at a Regular Meeting of the Elk Township Committee held February 17, 2026.

TOWNSHIP OF ELK

BY: _____

JAMES RAMBO, Mayor

ATTEST:


TIMOTHY PINE, Acting Township Clerk

ROLL CALL VOTE				
COMMITTEE	AYE	NAY	ABSTAIN	ABSENT
Cammarata	✓			
Cowan	✓			
Lucas	✓			
Sammons	✓			
Rambo	✓			

CERTIFICATION

I hereby certify that the above resolution is a true copy of a resolution adopted by the Township Committee of the Township of Elk, County of Gloucester, State of New Jersey, at a meeting held by the same on February 17, 2026, in the Elk Township Municipal Building, 680 Whig Lane, Monroeville, New Jersey.

TIMOTHY PINE
Acting Clerk