

# TOWN OF DOVER PLANNING BOARD

- Rafael Rivera –Chairman
- Scott Miller – Vice Chairman
- William Isselin
- James Visioli
- Thomas Incera
- Osvaldo Orama
- John Londono
- Hon. Mayor James P. Dodd – Mayor

## TOWN OF DOVER

### Mailing Address

37 North Sussex Street  
Dover, New Jersey 07801

### Office Location

100 Princeton Avenue  
Dover, New Jersey 07801  
Telephone: 973-366-2200 (Ext. 2141)  
Email: [boardsecretary@dover.nj.us](mailto:boardsecretary@dover.nj.us)

- Ruben Gilgorri – Mayor Designee
- Arturo Santana – Council Member
- Reese Riley - Alternate I
- Alternate II - VACANT
- Stephen Hoyt – Board Engineer
- William J. Rush – Board Attorney
- John McDonough – Board Planner
- Paula Mendelsohn - Board Secretary

## Agenda for the Planning Board Meeting

### Thursday, June 26<sup>th</sup>, 2025

### SPECIAL MEETING

1. **Call to Order** - Reading of the New Jersey Open Public Meetings Notice.
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Approval of Minutes – NONE**
5. **New Business – 2025 Housing Element and Fair Share Plan**
6. **Resolutions**
  - a. **Resolution** – In the Matter of Amendments and Updates to the Town of Dover Master Plan Concerning the Town's Fourth Round Affordable Housing Obligations Decided on June 26, 2025.
7. **Applications - NONE**
8. **Old Business – NONE**
9. **Open to the Public**
10. **Adjournment**

The next schedule meeting is on July 17, 2025 @ 7:30 pm.

**RESOLUTION**  
**Town of Dover**  
**Planning Board**  
**In the Matter of Amendments and Updates to the**  
**Town of Dover Master Plan Concerning the Town's**  
**Fourth Round Affordable Housing Obligations**  
**Decided on June 26, 2025**  
**Memorialized on June 26, 2025**

**WHEREAS**, the Planning Board of the Town of Dover (the "Planning Board") has the statutory power, after public hearing, to adopt or amend a master plan, and/or any of the elements thereto, to guide the use of the lands within the Town in a manner that protects public health and safety and promotes the general welfare pursuant to N.J.S.A. 40:55D-28 of the Municipal Land Use Law (the "MLUL"); and

**WHEREAS**, on or about March 20, 2024, the New Jersey Legislature adopted amendments to the New Jersey Fair Housing Act of 1985, N.J.S.A. 52:27D-301, et seq. (the "FHA"), which amendments, inter alia, (a) abolish COAH, (b) codify a revised fair share methodology, (c) task the New Jersey Department of Community Affairs (the "DCA") with making initial calculations of Present Need and Prospective Need as guidance for municipalities, and (d) establish a process for submission and certification of Housing Element and Fair Share Plans through the Affordable Housing Dispute Resolution Program (the "Program"); and

**WHEREAS**, the FHA further provides that a municipality shall have immunity from exclusionary zoning litigation if the municipality complies with the deadlines established in N.J.S.A. 52:27D-304.1 of the FHA for both determining present and prospective obligations and for adopting a housing element and fair share plan to meet those obligations; and

**WHEREAS**, in order to maintain such immunity under the FHA for the Fourth Round (2025-2035) a municipality must, inter alia, adopt a housing element and fair share plan and propose drafts of the appropriate zoning and other ordinances and resolutions to implement its established present and prospective obligation, and then file the same with the Program as part of the above action no later than 48 hours after its adoption or by June 30, 2025, whichever is sooner; and

**WHEREAS**, Town of Dover has a "present need" (or rehabilitation) obligation of 349 units and a "prospective need" (or new units) of 113 under the 2024 FHA amendment, and related DCA guidance and Superior Court Order; and

**WHEREAS**, in accordance with the MLUL and the FHA, the Planning Board and its consultants and planning team have prepared amendments and updates to the Housing Plan Element & Fair Share Plan and Spending Plan of the Town's Master Plan for the Planning Board's consideration at its meeting of June 26, 2025, for the purposes of, inter alia, reviewing such planning documents and the changing circumstances and legislation related to affordable housing in the Town (collectively, the "Fourth Round HE&FSP and Spending Plan Update"); and

**WHEREAS**, the Planning Board has considered the testimony of its planning and engineering consultants, and any and all other Town consultants, and the comments and evidence offered by participants at the public hearing and other input as summarized herein; and

**WHEREAS**, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Planning Board held a public hearing on June 26, 2025 concerning the Fourth Round HE&FSP and Spending Plan Update and its contents as summarized herein; and

**WHEREAS**, the Planning Board has determined that the adoption and implementation the Fourth Round HE&FSP and Spending Plan Update are in the public interest and will serve to protect public health and safety and promote the general welfare.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Town of Dover, County of Morris, State of New Jersey, that the Planning Board hereby approves and adopts the Fourth Round HE&FSP and Spending Plan Update to the Master Plan of the Town of Dover, entitled "2025 Housing Element and Fair Share Plan, prepared for Town of Dover, Morris County, NJ", dated June 13, 2025, and the related spending plan therein prepared by John McDonough Associates, LLC considered at the public hearing of the Planning Board on June 26, 2025 and referenced herein.

**BE IT FURTHER RESOLVED**, that the Planning Board adopts as its findings and conclusions, the testimony and facts summarized in the Whereas provisions contained hereinabove.

**BE IT FURTHER RESOLVED**, that the Planning Board Secretary is authorized and directed to send a notice to the municipal clerk of each adjoining municipality, the Morris County Planning Board and the Office of Planning Advocacy that the Fourth Round HE&FSP and Spending Plan Update and this Resolution have been prepared and adopted, and to provide a copy of same to such recipients.

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

**I HEREBY CERTIFY** that this is a true copy of a Resolution of the Town of Dover Planning Board duly adopted at the regular public meeting held on June 26, 2025.

Pursuant to N.J.S.A. 40:55D-10(g)(2), this Resolution memorializes the action taken by the Planning Board at the public meeting of the Board Planning held on June 26, 2025.

  
Rafael Rivera, Chairman

**The vote on the Resolution was as follows:**

FOR: 7

AGAINST: 0

ABSTAIN: 0

Board Member(s) Eligible to Vote:

- Commissioners:  
Riley, Incera, Isselin, Orama  
- Councilman Santanen

- vice chair Miller  
- Chairman Rivera

I certify that the above Resolution is a true copy of a Resolution adopted by the Planning Board on June 26, 2025.

  
Paula Mendelsohn, Secretary

**Dated:**

**Prepared by: William Rush, Esq.**