



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## RESOLUTION 26-061

### OPPOSING S-4736

**WHEREAS**, municipalities are required to establish a Municipal Master Plan with a combination of mandatory and optional elements including Goals and Objectives, Land Use, Circulation, Housing, Community Facilities, Downtown Economic Development, Historic Preservation, and Sustainability; and

**WHEREAS**, municipalities are also required to reexamine the Municipal Master Plan every 10 years to ensure that the master plan meets the community needs and is relevant as communities, evolve, grow, and change; and

**WHEREAS**, municipalities complete this effort at great cost and community input to ensure their community has a roadmap for growth; and

**WHEREAS**, a municipality is best suited to plan for and understand their community's needs, the existing infrastructure to address the municipality's public safety, health, traffic, and character and the ability to expand such infrastructure for desired growth; and

**WHEREAS**, there are many mechanisms for exceptions and variances to the local planning process; and

**WHEREAS**, municipalities have been diligently working to comply with the changes outlined in the passage of A-4/S-50 in 2024 that made substantial changes to the 4th Round of Affordable Housing obligations; and

**WHEREAS**, affordable housing construction has generally comprised between 10 – 20 % of a total development, but municipalities will end up constructing far more units during this current round of affordable housing; and

**WHEREAS**, recent legislative proposals that preempt the planning process by permitting the conversion of underutilized properties into mixed used developments, reducing the number of parking spaces required for new developments near transit, making Accessory Dwelling Units permissible, and most recently, legislation that enhances the ability of religious and nonprofit organizations to convert certain property to inclusionary developments with affordable housing undermine the careful planning process outlined in the Municipal Land Use Law; and

**WHEREAS**, this proposal, S-4736 is particularly egregious because the required percentage of affordable housing units is only 20% with the remaining 80% at market rate making it more challenging for municipalities to meet their 4th Round Affordable Housing obligations; and

**WHEREAS**, this legislation bypasses local planning for increased density and height, regardless of a municipality's ability to ensure safety; and

**WHEREAS**, a worthy project could, and should participate in the local planning and zoning process to engage with the public; and

**WHEREAS**, S-4736 permits the bypassing of the local planning process which is an egregious assault on municipal autonomy and local decision making.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Highlands urges the legislature to defeat S-4736 and similar legislation that denies local autonomy in land use planning and ignores the well thought out master plan; and

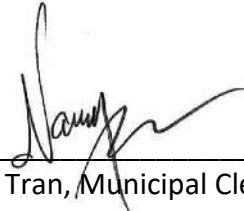
**BE IT FURTHER RESOLVED**, that a copy of this resolution is forwarded to the Senator Declan O'Scanlon, Assemblymember Victoria Flynn, Assemblymember Gerry Scharfenberger, Governor Mikie Sherrill, and the New Jersey State League of Municipalities.

Motion to Approve R 26-061:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
CERVANTES					X	
CHELAK			X			
MELNYK		X	X			
OLSZEWSKI			X			
BROULLON	X		X			

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: February 4, 2026



Nancy Tran, Municipal Clerk  
Borough of Highlands