

TOWNSHIP OF RARITAN

NOTICE OF MOUNT LAUREL COMPLIANCE HEARING ON THE TOWNSHIP OF RARITAN AMENDED HOUSING ELEMENT AND FAIR SHARE PLAN ALONG WITH ANY REQUIRED IMPLEMENTING ORDINANCES FOR THE THIRD ROUND AFFORDABLE HOUSING PERIOD

IN RE: TOWNSHIP OF RARITAN COMPLIANCE WITH THIRD ROUND MOUNT LAUREL AFFORDABLE HOUSING OBLIGATIONS, DOCKET NO. HNT-L-312-15

PLEASE TAKE NOTICE that a Compliance Hearing (the “**hearing**”) will be held on **Friday, November 22, 2019, at 8:45 a.m.** before the Honorable Thomas C. Miller, P.J.Cv. (Civil Assignment Judge of the Superior Court), Somerset County Courthouse, 20 N. Bridge Street, Somerville, New Jersey 08876. The purpose of the hearing is for the court to review the Township of Raritan (the “**Township**”) 2019 Amended Housing Element and Fair Share Plan (“**HEFSP**”) to be shortly adopted by the Planning Board, a revised spending plan, and any required implementing ordinances and related documents (the HEFSP, ordinances, spending plan, and related documents are referred to as the “**Compliance Plan**”) to determine whether the Compliance Plan complies with the Township’s obligation to provide a realistic opportunity for creating housing affordable to low and moderate income households pursuant to (1) the New Jersey Fair Housing Act (“**FHA**”), (2) applicable rules and regulations of the New Jersey Council on Affordable Housing (“**COAH**”), (3) Mount Laurel case law, including but not limited to the New Jersey Supreme Court’s March 10, 2015 decision, In re N.J.A.C. 5:96 & N.J.A.C. 5:97, 221 N.J. 1 (2015), and (4) the Settlement Agreement (the “**settlement agreement**”) entered into between the Township and Fair Share Housing Center (“**FSHC**”) which was approved by an Order filed by the court on July 24, 2019.

The Compliance Plan is intended to address the three components of the Township’s affordable housing obligation, its Present Need obligation, Prior Round obligation (1987 - 1999), and Third Round obligation (1999 - 2025). The Compliance Plan describes how the Township’s affordable housing obligations have been determined and shows how the Township will comply with its obligations. In summary, the Township’s obligations are as follows:

1. The Township’s Present Need Obligation is 16.
2. The Township’s Prior Round Obligation is 360.
3. The Township’s Third Round Obligation is 857 which after 461 credits, bonuses and reductions, the Township’s Third Round calculated need obligation is calculated as 396 units.

On the date of the hearing, the court will determine whether the Township, through its Compliance Plan, has created a realistic opportunity for satisfaction of its Present Need, Prior Round and Third Round components of its Mount Laurel affordable housing obligations pursuant to applicable law. The Township seeks a Judgment of Compliance and Repose formally approving the Compliance Plan, subject to appropriate conditions, if any, that may be imposed by the court, which Judgment of Compliance and Repose would declare the Township in compliance with its Prior Round, Present Need and Third Round affordable housing obligations and which would entitle the Township to protection from any affordable housing litigation (including but limited to builder’s remedy litigation) until July 1, 2025.

All documents comprising the Compliance Plan will be placed on file on or before **November 22, 2019**, and will be available for public inspection at the office of the Township Clerk, located in the Raritan Township Municipal Building, One Municipal Drive, Flemington, New Jersey 08822

Any interested party and/or person may seek to appear at the hearing and present a position on the Compliance Plan. Objections or comments by any interested party and/or person must be filed ahead of the hearing in writing together with copies of supporting affidavits, expert reports or documents which form or will form the bases of the objections or comments with the Honorable Thomas C. Miller, P.J.Cv. on or before **November 12, 2019**. Copies must also be filed with the Somerset County Clerk, Somerset County Courthouse, 20 N. Bridge Street, Somerville, New Jersey 08876 and with each of the persons listed below at the addresses listed below (copies may be emailed to the persons below rather than mailed via the United States Postal Service):

John P. Belardo, Esq.
McElroy, Deutsch, Mulvaney & Carpenter, LLP
1300 Mount Kemble Avenue
P.O.Box 2075
Morristown, New Jersey 07962-2075
jbelardo@mdmc-law.com

Adam Gordon, Esq. (Attorney for FSHC)
Fair Share Housing Center
510 Park Boulevard
Cherry Hill, NJ 08002
adamgordon@fairsharhousing.org

Kendra Lelie, PP, AICP, LLA (Court's Special Master)
Kyle + McManus Associates
P.O. Box 236
Hopewell, New Jersey 08525
klelie@kylemcmanus.com

This notice is intended to inform interested parties, persons and entities of the Compliance Plan and the compliance hearing to be conducted and to inform interested parties, persons and entities that they are able to comment on the Compliance Plan before the court determines whether to approve the Compliance Plan and grant repose. This notice does not indicate any view of the court or whether the court will act in favor of the Township as described above.

By: John P. Belardo, Esq.
Township of Raritan Attorney

Dated: October 17, 2019