

TOWNSHIP OF RARITAN IN HUNTERDON COUNTY

NOTICE OF FAIRNESS HEARING ON THE PROPOSED SETTLEMENT OF THE TOWNSHIP'S MOUNT LAUREL AFFORDABLE HOUSING DECLARATORY JUDGMENT ACTION RELATED TO THE TOWNSHIP'S THIRD ROUND OBLIGATION TO PROVIDE A REALISTIC OPPORTUNITY FOR THE CREATION OF ITS FAIR SHARE OF ITS REGION'S NEED FOR AFFORDABLE HOUSING

PLEASE TAKE NOTICE that a "Fairness" hearing will be held on Wednesday, July 24, 2019, commencing at 1:30 p.m. before the Honorable Thomas C. Miller, J.S.C., (Presiding Judge, Civil Division), Second Floor, Somerset County Courthouse, 20 North Bridge Street, Somerville, New Jersey 08876, to consider whether the terms of a settlement agreement between the Township of Raritan the ("Township") and Fair Share Housing Center ("FSHC") dated June 14, 2019, and signed on behalf of the Township June 18, 2019, the ("settlement agreement"), which would settle the Township's Mount Laurel affordable housing declaratory judgment action titled In re Township of Raritan Compliance with Third Round Mount Laurel Affordable Housing Obligation, Docket No. HNT-L-312-15 (the "declaratory judgment action") related to the Township's Third Round obligation to provide a realistic opportunity for the creation of its fair share of the region's need for affordable housing, is fair and reasonable to the region's low and moderate income households and should be approved by the Court in accordance with the principles established in Morris County Fair Housing Council v. Boonton Tp., 197 N.J. Super. 359 (Law Div. 1984), aff'd o.b., 209 N.J. Super. 108 (App. Div. 1986), and East/West Venture v. Bor. of Fort Lee, 286 N.J. Super. 311 (App. Div. 1996).

The settlement agreement addresses the components of the Township's affordable housing obligations for the period 1999-2025, consisting of: Rehabilitation Obligation of 16 units; Prior Round Obligation of 360 units; and Third Round Prospective Need Obligation (which is deemed to include the Gap Period Present Need Obligation) of 396 units. The settlement agreement establishes compliance mechanisms to address the Prospective Need Obligation of 396 units. The Township has satisfied its Prior Round Obligation.

The settlement agreement contains detailed explanations of the Township's total affordable housing obligations and the compliance mechanisms that will be enacted through the adoption of (1) an amended Housing Plan Element and Fair Share Plan,

including a Spending Plan, and (2) implementing ordinances, to satisfy the Township's obligation to provide the realistic opportunity for the creation of its fair share of its region's need for affordable housing. The settlement agreement is available for public inspection and copying at the requestor's expense during regular business hours at the Raritan Township Clerk's office located at the Raritan Township Municipal Building, One Municipal Drive, Flemington, New Jersey 08822

Anyone may seek to appear at the Fairness Hearing on Wednesday, July 24, 2019, at 1:30 p.m. and present their position on the settlement agreement to the Court. Anyone who wishes to object to the settlement agreement on any grounds and wants to be heard by the court at the Fairness Hearing will have to submit their objections in writing to the Court, Special Master Kendra Lelie, PP, AICP, ASLA, Adam Gordon, Esq. (representing Fair Share Housing Center), Edward Purcell, Esq., and John P. Belardo, Esq. (representing the Township of Raritan) at the addresses listed below, and no later than Monday, July 15, 2019 (which is at least nine (9) days prior to the July 24, 2019, hearing date), and if they wish to call any witnesses to testify at the Fairness Hearing (lay or expert), they will have to submit a written summary of any lay testimony and a written expert's report to the Court, Special Master Kendra Lelie, Mr. Gordon, Mr. Purcell and Mr. Belardo no later than Monday, July 15, 2019, (which is at least 9 days prior to the July 24, 2019, hearing date).

All written objections, written summaries of lay testimony, and written expert's reports must be mailed to the Court (Honorable Thomas C. Miller, J.S.C., P.J.Cv.) at the following address:

Honorable Thomas C. Miller, J.S.C., P.J.Cv.
Second Floor
Somerset County Courthouse
20 North Bridge Street
Somerville, New Jersey 08876

All written objections, written summaries of lay testimony, and written expert's reports must be mailed or emailed to the following attorneys and to the Court's Special Master at the following addresses:

John P. Belardo, Esq. (Attorney for Raritan Township)
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Fair Share Housing Center
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Cherry Hill, NJ 08002
adamgordon@fairsharehousing.org

Kendra Lelie, PP, AICP, ASLA
(Court's Special Master)
Clark Caton Hintz
100 Barrack Street
Trenton, NJ 08608
kliele@cchnj.com

This notice is provided pursuant to the direction of the Court and is intended to inform interested parties, persons and entities of the settlement agreement, the Fairness Hearing to be conducted on the settlement agreement, and inform interested parties, persons and entities that they are able to comment on the settlement agreement before the Court determines whether to approve the settlement agreement. This notice does not indicate any view of the Court as to the fairness, reasonableness or adequacy of the settlement agreement or whether the Court will approve the settlement agreement.

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

June 20, 2019