

NOTICE OF CONTINUATION OF COMPLIANCE HEARING FOR THE TOWNSHIP OF OLD BRIDGE, COUNTY OF MIDDLESEX (“TOWNSHIP”), FOR THE TOWNSHIP’S HOUSING ELEMENT AND FAIR SHARE COMPLIANCE PLAN FOR THE AFFORDABLE HOUSING PERIOD 1987-2025

Docket No. MID-L-3997-15

PLEASE TAKE NOTICE that on Thursday, May 12, 2016 beginning at 10:00 A.M., the Compliance Hearing (the “Hearing”) that was commenced on April 18, 2016 before the Honorable Douglas K. Wolfson, J.S.C. will be continued at the Middlesex County Superior Court Courthouse, Chambers 408, 56 Paterson Street, New Brunswick, NJ 08903. The purpose of the Hearing is for the Court to continue to consider the issues that were presented at the initial hearing. The purpose of the hearing is two-fold. First, the Court will determine whether the proposed manner by which the Township is proposing to meet its obligation to provide its regional fair share of low and moderate income housing is fair and reasonable to the low income and moderate income households. Second, the Court will continue to consider whether the Township’s proposed updated Housing Element and Fair Share Plan (hereinafter the “Affordable Housing Plan”) which the Township Planning Board and Township Council has reviewed and accepted (subject to final Court approval and formal adoption by the Township), will satisfy the Township’s obligation to provide a realistic opportunity to satisfy its rehabilitation, Prior Round and Third Round “fair share” of the regional need for housing affordable to low income and moderate income households pursuant to the Fair Housing Act, *N.J.S.A. 52:27D-301, et seq.*, the substantive, applicable regulations of the New Jersey Council on Affordable Housing (“COAH”), the New Jersey Supreme Court’s March 10, 2015 decision in the matter of In re N.J.A.C. 5:96 & N.J.A.C. 5:97, 221 N.J. 1 (2015) and other applicable laws.

The proposed Affordable Housing Plan is intended to fully address the existing components of the Township’s affordable housing obligations for the period 1987-2025. These include the Prior Round (1987-1999), new construction obligation of 439 units, a rehabilitation obligation of 127 units and a Third Round (1999-2025) and new construction obligation of 1396 units, which is subject to possible future modification. The proposed Affordable Housing Plan provides a detailed list of the Township’s total affordable housing obligation, compliance mechanisms that demonstrate the Township’s compliance with those affordable housing obligations, which includes the proposed rezoning of certain properties. The Summary of the Township’s Proposed Affordable Housing Compliance Plan, documents which were entered into evidence at the April 18, 2016 hearing, a transcript of the hearing and other pertinent documents regarding the proposed developments will be available for public inspection and/or photocopying (at requestor’s expense) during normal business hours at the Township Clerk’s office located at 1 Old Bridge Plaza, Old Bridge, NJ 08857.

On the date of the Hearing, the Court will continue to conduct a joint Fairness and Compliance Hearing to determine whether the Settlement Agreement and Affordable Housing Plan is fair to low and moderate income households and creates a realistic opportunity for satisfaction of the Township’s affordable housing obligations pursuant to the Mount Laurel decisions and their progeny, the Fair Housing Act (N.J.S.A. 52:27D-301, et seq.) and the applicable procedural and substantive regulations of COAH and the Supreme Court’s March 10,

2015 decision in the matter of In re N.J.A.C. 5:96 & N.J.A.C. 5:97, 221 N.J. 1 (2015) to satisfy the Township's affordable housing responsibilities for the period 1987-2025.

The Township seeks a Judgment of Compliance and Repose formally approving the Affordable Housing Plan, subject to appropriate conditions, if any, that may be imposed by the Court, which Judgment of Compliance will entitle the Township to protection from any Mount Laurel builder's remedy lawsuits for a period of time to be determined by the Court.

Any interested third party that seeks to appear and be heard at the May 12, 2016 Hearing on the proposed Settlement Agreement or the Township's proposed Affordable Housing Plan shall have the opportunity to present any position of either the Settlement Agreement or Township Affordable Housing Plan. Objections or comments by any interested person must be filed with the Court at the above address on or before May 5, 2016 with duplicate copies being forwarded by mail and e-mail to the attention of the following:

Steven A. Kunzman, Esq.
DiFrancesco, Bateman
15 Mountain Blvd.
Warren, NJ 07830
skunzman@newjerseylaw.net

Mark Roselli, Esq.
Township of Old Bridge
1 Old Bridge Plaza
Old Bridge, NJ 08857
mroselli@oldbridge.com

Adam Gordon, Esq.
Kevin Walsh, Esq.
Fair Share Housing Center
510 Park Blvd
Cherry Hill, NJ 08002-3318
adamgordon@fairsharehousing.org
kevinwalsh@fairsharehousing.org

Richard J. Hoff Jr., Esq.
Bisgaier Hoff, LLC
25 Chestnut Street, Suite 3
Haddonfield, NJ 08033
rhoff@bisgaierhoff.com

Robert Kasuba, Esq.
Bisgaier Hoff, LLC
25 Chestnut Street, Suite 3
Haddonfield, NJ 08033
rkasuba@bisgaierhoff.com

Michael D. Fitzgerald, Esq.
800 Old Bridge Road
Brielle, NJ 08730-1334
mdfitz@briellelaw.com

Elizabeth McKenzie, PP
9 Main Street
Flemington, NJ 08822
ecmcke@gmail.com

This Notice is provided pursuant to directive of the Court and is intended to inform interested parties of the proposed Settlement Agreement and the Township's proposed Affordable Housing Plan and inform such parties that they are able to comment on said Settlement Agreement and Housing Plan before the Court reviews and evaluates whether to approve the Settlement Agreement and Housing Plan. This Notice does not indicate any view by the Court as to the fairness of the Settlement Agreement or the adequacy of the Township's Affordable Housing Plan.