

**TOWNSHIP OF WALL, COUNTY OF MONMOUTH
PUBLIC NOTICE OF MOUNT LAUREL COMBINED COMPLIANCE
AND FAIRNESS HEARING**

Docket Number: MON-L-5604-08

PLEASE TAKE NOTICE that, on May 11, 2021, beginning at 9:00 a.m. the Honorable Linda Grasso Jones, J.S.C. will conduct a combined Compliance and Fairness Hearing in the In The Matter of the Application of the Township of Wall in Monmouth County, bearing Docket No. MON-L-5604-08 (“the Action”) at the Monmouth County Superior Courthouse located at 71 Monument Street Freehold, New Jersey 07728.

Please note that due to the ongoing COVID-19 emergency, the combined Compliance and Fairness Hearing may not be held in person at the Monmouth County Courthouse if the Courthouse is still closed at that time. Information about courtroom closings are available at njcourts.gov. If the Courthouse is closed on the date of the combined Compliance and Fairness Hearing, it will be conducted virtually. Any person who wishes to remotely participate in the Compliance Hearing should check njcourts.gov and the Township’s website for updated information. In addition, such a person may also contact Surenian, Edwards & Nolan, LLC at 732-612-3100. For the convenience of the public, zoom login information for the combined Compliance and Fairness Hearing can be found in an Order entered by the Court, which has been posted on Wall Township’s website.

The purpose of the combined Compliance and Fairness Hearing is for the Court to determine (1) whether an Amendment to a Settlement Agreement between Fair Share Housing Center (“FSHC”) and the Township of Wall (hereinafter “Amendment to FSHC Settlement Agreement”) is fair and reasonable to the region’s low- and moderate-income households according to the principles set forth 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), and (2) whether the Housing Element and Fair Share Plan (hereinafter “Affordable Housing Plan”) of the Township of Wall, satisfies the Township’s obligation to provide a realistic opportunity to satisfy the Rehabilitation, Prior Round and Round 3 components of its “fair share” of the regional need for housing affordable for very low, low and moderate income households pursuant to (i) the Fair Housing Act (“FHA”), N.J.S.A. 52:27D-301 et seq., (ii) applicable substantive regulations of the New Jersey Council on Affordable Housing (“COAH”), (iii) the Settlement Agreement entered into between FSHC and the Township of Wall on December 18, 2019, approved by the Court at a properly noticed Fairness Hearing held in June 24, 2020, and memorialized by an approval order entered by the Court on July 21, 2020, as amended, and (iv) other applicable laws. If the Court determines that the Township has satisfied its obligation to provide a realistic opportunity to satisfy its Rehabilitation, Prior Round and Round 3 components of its “fair share,” it will enter a Judgment of Compliance and Repose, which will give the Township protection from all Mount Laurel lawsuits until July 2, 2025, other than actions to enforce the FSHC Settlement Agreement as amended or the Court's orders.

To facilitate this procedure, the Township has presented to the Court and placed on file with the Township Clerk, a copy of the Affordable Housing Plan and various other related documents, including the Amendment to the FSHC Settlement Agreement. These documents are available for public inspection at the office of the Township Clerk located at 2700 Allaire Road, Wall, NJ 07719

between the hours of 1 and 4 p.m. Given the COVID-19 crisis and the Township's current operating schedule, you may contact the Township Clerk during normal business hours, to request a copy of the documents be sent to you. Alternatively, you may contact Surenian, Edwards & Nolan, LLC at the contact information listed below to request a copy of the documents be sent to you.

The Affordable Housing Plan, the Amendment to the FSHC Settlement Agreement, and additional documents on file in the Township's Municipal Building describe how the Township will address its "fair share" of the regional need for low and moderate-income housing as established pursuant to a Court-approved Settlement Agreement between the Township and FSHC as amended. The various elements of the Township's Fair Share plan are summarized as follows:

1. The agreed upon Rehabilitation Obligation is 114.
2. The agreed upon Prior Round Obligation is 1,073.
3. The agreed Gap + Prospective Need or Round 3 Obligation is 1,250.
4. The Township has a total of five (5) Rehabilitation Credits and will address its remaining 109-unit Rehabilitation Obligation through the implementation of its local Rehabilitation Program.
5. The Township has fully satisfied its Prior Round Obligation of 1,073 through a combination of prior cycle credits, inclusionary housing developments, 100% affordable housing developments, market to affordable projects, assisted living facilities, alternative living arrangements, Regional Contribution Agreements ("RCAs") and rental bonus credits.
6. The Township is addressing its Round 3 Obligation of 1,250 as follows, with surplus credits going towards Round 4:
 - a. 5 surplus Prior Round credits.
 - b. 8 affordable age restricted credits from the existing Sunnyside Assisted Living Facility (Block 805, Lot 39.01).
 - c. 8 affordable bedroom credits from two existing AWS Group Homes (Block 729, Lots 4.03 and 4.04).
 - d. 1 family for-sale affordable housing credit from an existing Habitat For Humanity house located at Block 25, Lot 59.
 - e. 27 affordable age-restricted rental units from the existing Colfax Project (Block 240, Lot 54).
 - f. 85 affordable age-restricted rental units from the approved, funded and constructed Allenwood Terrace Senior Housing Project (Block 801, Lot 1).
 - g. 24 affordable family rental units from the Glen Oaks Inclusionary Project (Block 774, Lot 8).
 - h. 18 affordable family units from a Market to Affordable Program.
 - i. 190 supportive needs affordable housing credits from the Woodlands Development (Block 917.01, Lot 19).
 - j. 150 affordable age-restricted rental units from the Holly Boulevard Project (Block 874, Lot 4).
 - k. 60 affordable family rental units from the Schwartz Site Inclusionary Project (Block 913, Lots 2, 3 and 15).
 - l. 130 affordable family units from the Route 33/34 – Asbury Road Redevelopment Zone.

- m. 50 affordable family rental units from the Long Meadow Commons Inclusionary Project (Block 151, Lot 10.01).
- n. 59 affordable family units from the Motel Affordable Housing Zone.
- o. 10 affordable senior rental units from the Sea Glass Inclusionary Project (Block 819, Lots 12 and 13).
- p. 34 affordable family rental units from the American Properties Project (Block 912, Lots 2 and 4.02).
- q. 20 affordable family for-sale units from the K. Hovnanian Project (Block 942, Lots 79 and 132).
- r. 19 affordable family for-sale units from scattered sites.
- s. 68 affordable family for-sale units from the Mack-Cali Project (Block 930, Lots 6 and 18).
- t. 313 rental bonus credits.

Any interested party, including any low- or moderate-income persons residing in the housing region, any organization representing the interests of low- and moderate-income persons, any owner of property in the Township of Wall, or any organization representing the interests of owners of property in the Township of Wall, may file comments on, or objections to, the Affordable Housing Plan or the Amendment to the FSHC Settlement Agreement. Objections must provide: (a) a clear and complete statement as to each aspect of the Township's Affordable Housing Plan or the Amendment to the FSHC Settlement Agreement contested by the objector; (b) an explanation of the basis for each objection; and (c) copies of all such expert reports, studies, or other data relied upon by the objector, along with a list of witnesses the Objector intends to call during the combined Compliance and Fairness Hearing. For an objector witness to testify during the combined Compliance and Fairness Hearing, an accompanying written expert report must be filed with all interested parties by the deadline below.

Such comments or objections, together with copies of any supporting affidavits, expert reports, or other documents, **must be filed in writing**, on or before April 30, 2021 at 4:00 p.m. with the Honorable Linda Grasso Jones, J.S.C. at the Monmouth County Superior Courthouse located at 71 Monument Street, Freehold, New Jersey 07728, with copies of all papers being forwarded by mail or e-mail to:

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This Notice is intended (a) to inform all interested parties of the existence of an Affordable Housing Plan adopted by the Wall Planning Board and endorsed by the Township, the Amendment to the FSHC Settlement Agreement, and of documents on file that explain the specific manner in which the Township proposes to address its “fair share” of affordable housing; and (b) to explain the consequences of court approval of the Township’s Affordable Housing Plan; namely, immunity from all Mount Laurel lawsuits through July 2, 2025, other than actions to enforce the FSHC Settlement Agreement as amended or the Court's orders. This Notice does not indicate any view by the Court, the Special Master, the Township, or FSHC as to whether the Court will approve the manner in which the Township proposes to satisfy its fair share.