

**TOWNSHIP OF FRANKLIN
COUNTY OF HUNTERDON**

**NOTICE OF FAIRNESS HEARING FOR THE TOWNSHIP OF FRANKLIN, COUNTY
OF HUNTERDON (THE “TOWNSHIP”) REGARDING A SETTLEMENT
AGREEMENT RELATED TO THE TOWNSHIP’S OBLIGATION TO PROVIDE
AFFORDABLE HOUSING TO LOW- AND MODERATE-INCOME HOUSEHOLDS**

DOCKET NO: HNT-L-314-15

PLEASE TAKE NOTICE that on December 7, 2017, beginning at 2 pm, there will be a Fairness Hearing (the “Hearing”) before the Honorable Thomas C. Miller, J.S.C., at the Somerset County Courthouse, Superior Court of New Jersey, 20 North Bridge Street, P.O. Box 3000, Somerville, New Jersey 08876-2162, Courtroom HCH1.

The purpose of the Hearing is for the Court to consider whether the terms of the settlement agreement (the “Settlement Agreement”) between the Township and the Fair Share Housing Center (the “FSHC”) will meet the Township’s obligation to provide a realistic opportunity to satisfy the Township’s rehabilitation, Prior Round and Third Round “Fair Share” of the regional need for affordable to low-income and moderate-income households, pursuant to the Mt. Laurel decisions and their progeny, 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 (the “COAH”), the New Jersey Supreme Court’s March 10, 2015 decision in the matter of In Re: N.J.A.C. 5:96 and N.J.A.C. 5:97, 221 N.J. 1 (2015), and other applicable laws.

The Settlement Agreement fully addresses the existing components of the Township’s Affordable Housing obligation for the period of 1987 through 2025, including the Township’s present-need obligation (or rehabilitation obligation) of zero (0) housing units, its prior round obligation of thirty-six (36) housing units, and its third-round prospective need obligation of seventy-five (75) units. The proposed Settlement Agreement provides a detailed list of the Township’s total affordable housing obligation, and compliance mechanisms demonstrating the Township’s compliance with those Affordable Housing obligations. The full texts of the Settlement Agreement is available for public inspection and/or photocopying (at the requestor’s expense) during the hours of 9:00 a.m. to 4:00 p.m. at the Township Clerk’s office, located at 202 Sidney Road, Pittstown, New Jersey 08867, and is posted on the Township’s website at www.franklin-twp.org

On the date of Hearing, the Court will expect the Fairness Hearing to determine whether the Settlement Agreement is fair to low- and moderate-income households, and creates a realistic opportunity for the satisfaction of the Township’s Affordable Housing obligations. The Township will seek an Order formally approving the Settlement Agreement, subject to appropriate conditions, if any, that may be imposed by the Court, which Order will entitle the Township to protection from any Mt. Laurel Builders’ Remedy lawsuit for a period to be determined by the Court.

Any interested person may seek to appear and be heard at the December 7, 2017 Hearing on the Settlement Agreement and shall have the opportunity to present any position on the Settlement Agreement. Objections or comments by any interested person must be filed with the Court at the above address on or before November 22, 2017, with duplicate copies forwarded by mail and email to the attention of the following:

Katrina L. Campbell, Esq.
Lavery, Selvaggi, Abromitis & Cohen, P.C.
1001 Route 517
Hackettstown, NJ 07840
KCampbell@lsaclaw.com

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

Elizabeth K. McManus, PP, AICP
Clark Caton Hintz
100 Barrack Street
Trenton, NJ 08608
Bmcmanus@cchnj.com

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

Ursula V. Stryker RMC, Township Clerk
Township of Franklin