

**NOTICE OF COMPLIANCE HEARING FOR THE TOWNSHIP OF WARREN,  
COUNTY OF SOMERSET (“TOWNSHIP”), FOR THE TOWNSHIP’S HOUSING  
ELEMENT AND FAIR SHARE PLAN FOR THE PERIOD 1987-2025**

**Docket No. SOM-L-904-15**

**PLEASE TAKE NOTICE** that on July 12, 2019, beginning at 9 a.m., there will be a Compliance Hearing (the “Hearing”) before the Honorable Thomas C, Miller, P.J.Cv. in that certain Declaratory Judgment Action entitled “In the Matter of the Township of Warren for a Judgment of Compliance of its Third Round Housing Element and Fair Share Plan” bearing Docket No. SOM-L-904-15, at the Somerset County Courthouse (Old Courthouse Building), 20 North Bridge Street 17, 2<sup>nd</sup> Floor, Somerville, New Jersey 08876.

The purpose of the Hearing is for the Court to review and approve the Township’s updated Housing Element and Fair Share Plan and all compliance documents adopted in furtherance of that certain Settlement Agreement (the “Settlement Agreement”) signed by all parties and authorized by the Township Committee by Resolution No. 2018-230 adopted on October 10, 2018, including all implementing ordinances and resolutions (hereinafter the “Affordable Housing Plan”), as to whether or not these documents, taken together, fulfill 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 Court will consider whether the Affordable Housing Plan, including the necessary implementing ordinances and resolutions, fully addresses the components of the Township’s affordable housing obligation for the period 1987-2025. These components include the Prior Round (1987-1999) obligation of 54 units, which includes 24 substantial compliance bonus credits, a rehabilitation obligation of 38 units, and a Third Round (1999-2025) and Gap Period and Prospective Need obligation of 890 units comprised of those components more particularly described in the Settlement Agreement. The Affordable Housing Plan provides the details of the Township’s total affordable housing obligation and the mechanisms by which it proposes to fulfill that obligation. The adopted Affordable Housing Plan and Settlement Agreement is available for public inspection on the Township of Warren website.

On the date of the Hearing, the Court will conduct a Final Compliance Hearing to determine whether the Affordable Housing Plan creates the realistic opportunity for the satisfaction of the Township’s affordable housing obligation for the period from 1987-2025 pursuant to the *Mount Laurel* decisions and their progeny, the Fair Housing Act (*N.J.S.A. 52:27D-301*, *et seq.*) and all amendments thereto, the applicable procedural and substantive

regulations of COAH, 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), the Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1, et seq.), and the terms of the Settlement Agreement previously approved by the Court on December 18, 2018.

The Township seeks a Judgment of Compliance and Repose formally approving the Affordable Housing Plan, subject to any conditions that may be imposed by the Court on the Affordable Housing Plan, which Judgment of Compliance and Repose will entitle the Township to protection from any Mount Laurel builder's remedy lawsuits through July 1, 2025.

Any interested third party that seeks to appear and be heard at the July 12, 2019 Hearing on the Township's Affordable Housing Plan shall have the opportunity to present its position on these matters. Objections or comments by any interested party must be filed with the Court at the above address on or before July 2, 2019 with duplicate copies being forwarded by mail and e-mail to the attention of the following:

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This Notice is provided pursuant to a directive of the Court and is intended to inform interested parties of the Hearing before the Court reviews and evaluates whether to sign an order granting the Township a Judgment of Compliance and Repose through July 1, 2025. This Notice does not indicate any view by the Court as to compliance with the terms of the Settlement Agreement.



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Cathy Reese, Township Clerk  
Township of Warren