

TOWNSHIP OF LOPATCONG

**NOTICE OF FAIRNESS HEARING FOR THE TOWNSHIP OF LOPATCONG,
COUNTY OF WARREN (THE "TOWNSHIP") REGARDING A SETTLEMENT
AGREEMENT RELATED TO THE TOWNSHIP'S OBLIGATION TO PROVIDE
AFFORDABLE HOUSING TO LOW- AND MODERATE-INCOME HOUSEHOLDS**

DOCKET NO: WRN-L-241-15

PLEASE TAKE NOTICE that on October 23, 2017, beginning at 10 am, 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 Fairness Hearing will also consider the Consent Agreement executed between the Township of Lopatcong and its Intervenor (Larken Associates).

The Settlement Agreement and Consent Order 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 three (3) housing units, its prior round obligation of fifty-six (56) housing units, and its third-round prospective need obligation of ninety-three (93) 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 and the Consent Order are 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 232 South Third Street, Phillipsburg, New Jersey 08865, and is posted on the Township's website at <http://www.lopatcongtp.com>.

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 and Consent Order, 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 October 23, 2017 Hearing on the Settlement Agreement and shall have the opportunity to present any position on the Settlement Agreement and/or Consent Order. Objections or comments by any interested person must be filed with the Court at the above address on or before October 9, 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
Bmcmamus@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 and Consent Order. This Notice does not indicate any view by the Court as to the fairness, reasonableness, or adequacy of the Settlement Agreement and/or Consent Order or whether the Court will approve the Settlement Agreement and/or Consent Order.


Margaret Dilts, RMC, Township Clerk
Township of Lopatcong