

TOWNSHIP OF BLAIRSTOWN

**NOTICE OF FAIRNESS HEARING FOR THE TOWNSHIP OF
BLAIRSTOWN, COUNTY OF WARREN("TOWNSHIP") REGARDING
THE TOWNSHIP'S HOUSING ELEMENT AND FAIR SHARE PLAN
AND COMPLIANCE WITH ITS OBLIGATION TO PROVIDE
AFFORDABLE HOUSING TO LOW AND MODERATE INCOME
HOUSEHOLDS**

DOCKET NO. WRN-L-000226-15

PLEASE TAKE NOTICE that on Wednesday, November 15, 2017, beginning at 9:30 a.m., there will be a Fairness Hearing (the "Hearing") before the Honorable Thomas C. Miller, J.S.C. at the Somerset County Courthouse, 20 North Bridge Street, P.O. Box 3000, Somerville, New Jersey 08876-1262, Court Room HCH1.

The purpose of the Hearing is for the Court to consider the entry of a Final Judgment of Compliance in favor of the Township, based upon the Housing Element and Fair Share Plan and implementing ordinances which have been submitted to the Court.

Entry of a Final Judgment of Compliance would declare the Township in compliance with its obligation to provide realistic opportunities for the creation of housing affordable to low and moderate income households as required by the New Jersey Constitution and the New Jersey Fair Housing Act of 1985, as amended. Entry of a Judgment of Compliance would bar for up to ten years any claim that the Township is failing to provide a sufficient realistic housing opportunity for the creation of housing for low and moderate income households.

The Court has previously approved a Settlement Agreement between the Township and Fair Share Housing Center ("FSHC"). In accordance with the terms of the Settlement Agreement, the Township has proposed a revised Housing Element and Fair Share Plan and will adopt various ordinances amending its zoning ordinance. The Court will consider whether the Township has complied with its obligations under the Settlement Agreement and whether the Township's Housing Element and Fair Share Plan will satisfy 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 housing affordable to low income and moderate income households pursuant to the Mount 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 ("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 Housing Element and Fair Share Plan fully addresses the existing components of the Township's affordable housing obligations for the period 1987-2025, including the Township's Prospective Need Obligation of 87 housing units. The Housing Element and Fair Share Plan 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 text of the Housing Element and Fair Share Plan is available for public inspection and/or photocopying (at requestor's expense) during the hours of 8:30 A.M. to 4:30 P.M. at the Township Clerk's office located at 106 Route 94, Blairstown, New Jersey, 07825.

On the date of the Hearing, the Court will conduct a Fairness Hearing to determine whether the Housing Element and Fair Share Plan is fair to low and moderate income households and creates a realistic opportunity for satisfaction of the Township's affordable housing obligations. The Township will seek a Judgment of Compliance and Repose, 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 to be determined by the Court.

Any interested person may seek to appear and be heard at the November 15, 2017 Fairness Hearing and shall have the opportunity to present any position on the Housing Element and Fair Share Plan. Objections or comments by any interested person must be filed with the Court at the above address on or before November 5, 2017, with duplicate copies forwarded by mail and e-mail to the attention of the following:

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This Notice is provided pursuant to directive of the Court and is intended to inform interested parties of the proposed entry of a Final Judgment of Compliance and the possible consequences of the entry of such a judgment. This Notice does not indicate any view by the Court as to whether the Township is in compliance with its obligations under the New Jersey Constitution and the New Jersey Fair Housing Act of 1985 or whether the Court will enter a Final Judgment of Compliance.

Linda Leidner, Clerk,
Township of Blairstown