

TOWNSHIP OF HAINESPORT

NOTICE OF MOUNT LAUREL FINAL COMPLIANCE HEARING ON THIRD ROUND HOUSING ELEMENT AND FAIR SHARE PLAN OF THE TOWNSHIP OF HAINESPORT, COUNTY OF BURLINGTON

Docket Number: BUR-L-000392-23

PLEASE TAKE NOTICE that on **Tuesday, February 6, 2024**, beginning at 2:00 PM The Honorable Jeanne T. Covert, A.J.S.C. of the Burlington County Superior Court will conduct a “Final Compliance Hearing” via Zoom in the matter In the Application of the Township of Hainesport, a Municipal Corporation of the State of New Jersey, bearing Docket No. BUR-L-000392-23 (“the Action”).

Any interested person who wishes to participate in the virtual Compliance Hearing should contact Judge Covert’s assistant at: elizabeth.piston@njcourts.gov for information about how to access the hearing at least 48 hours in advance of the hearing.

The purpose of the Final Compliance Hearing is for the Court to determine whether the Housing Element and Fair Share Plan (hereinafter “Affordable Housing Plan”), and implementing ordinances and resolutions, of the Township of Hainesport satisfies the Township’s obligation to provide a realistic opportunity for satisfaction of its “fair share” of the regional need for housing affordable to low- and moderate-income households, which includes the Township’s Rehabilitation, Prior Round, and Third Round obligations. The fair share has been established based upon the Fair Housing Act (“FHA”), N.J.S.A. 52:27D- 301 et seq., and other applicable laws, and is memorialized in the July 13, 2023 Settlement Agreement entered into between FSHC and the Township of Hainesport. If the Court determines that the Township has satisfied its obligation to provide a realistic opportunity to satisfy its “fair share,” it will enter a Final Round 3 Judgment of Compliance and Repose, without conditions which among other things, will provide Hainesport Township legal protection (repose) from all Mount Laurel exclusionary zoning lawsuits through July 1, 2025.

The Township has presented to the Court, and placed on file with the Township Clerk, a copy of the Affordable Housing Plan together with appendices, a Spending Plan and various other related documents in support of the Township’s efforts to secure a Final Round Three Judgment of Compliance and Repose. These documents are available for public inspection at the office of the Township Clerk located at Hainesport Township, One Hainesport Centre, Hainesport, NJ 08036 during normal business hours. You may contact the Township Clerk at 609-267-2730 extension 104 during normal business hours to request a copy of the documents be sent to you. In addition, you may contact John C. Gillespie, Esquire at 856-985-4083 to request a copy of these documents be sent to you.

The Township’s Amended Affordable Housing Plan can be summarized as follows:

A. The Township’s fair share is broken down as follows:

1. The Township’s Rehabilitation Obligation is: – 0.
2. The Township’s Prior Round Obligation (1987-1999) is: 150.
3. The Township’s Round 3 Obligation (1999-2025) is: 197.

B. The Township proposes to satisfy each component of its fair share obligations as follows:

1. As to its Prior Round Obligation of 150, the Township has satisfied all but four (4) of these obligations; and as of those four (4) proposes to satisfy this component of its fair share through three (3) market to affordable for-sale unit; and one (1) through either an extension of existing controls or through another acceptable mechanism.
2. As to its Round 3 Obligation of 197, the Township proposes to satisfy this component through a combination of existing affordable units, rental bonuses for affordable rental units, group homes, through the extension of deed restrictions that would otherwise expire as well as through new inclusionary affordable units.

The Affordable Housing Plan, its appendix, its Spending Plan and the supporting documents on file with the Township Clerk provides considerably more detail as to the manner in which the Township is satisfying its affordable housing obligations.

Any interested party may file written comments on, or objections to the Affordable Housing Plan. Objections must provide: 1) A clear and complete statement as to each aspect of the Affordable Housing Plan contested by the objector; 2) An explanation of the basis for each objection; and 3) copies of all such expert reports, studies, or other data relied upon by the objector. In order for an objector to offer expert testimony during the Final Compliance 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 Friday, January 26, 2024, at 4:30 PM with The Honorable Jeanne T. Covert, A.J.S.C. at the Burlington County Superior Courthouse located at 49 Rancocas Road, PO Box 6555, Mount Holly, NJ 08060, with copies of all papers being forwarded by mail or e-mail to:

John C. Gillespie, Esquire Parker McCay P.A. 9000 Midlantic Drive, Suite 300 P.O. Box 5054 Mount Laurel, NJ 08054 Email: jgillespie@parkermccay.com	Paula L. Kosko, MPA, RMC Twp. Administrator/Clerk Hainesport Township One Hainesport Centre P.O. Box 477 Hainesport, NJ 08036 Email: pkosko@hainesporttownship.com
Ashley J. Lee, Esquire Fair Share Housing Center, Inc. 510 Park Boulevard Cherry Hill, NJ 08002 Email : ashleylee@fairsharehousing.org	Megan York, AICP, PP CGP&H 1249 South River Road, Suite 301 Cranbury, NJ 08512-3633 Email: megan@cgph.net

This Notice is intended (a) to inform all interested parties of the existence of an Affordable Housing Plan adopted by the Hainesport Township Joint Land Use Board and endorsed by the Township Committee, 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 Affordable Housing Plan; namely, immunity from any Mount Laurel lawsuits through July 1, 2025. This Notice does not indicate any view by the Court, the Township, or FSHC as to whether the Court will approve the manner in which the Township proposes to satisfy its fair share.