

**NOTICE OF FAIRNESS AND COMPLIANCE HEARING FOR CONSIDERATION
OF A SETTLEMENT AGREEMENT AND THE AMENDED
THIRD-ROUND HOUSING ELEMENT AND FAIR SHARE COMPLIANCE PLAN
OF THE TOWNSHIP OF DELANCO, COUNTY OF BURLINGTON**

Docket No. BUR-L-2595-15

PLEASE TAKE NOTICE that on Thursday, September 8, 2016, beginning at 2:00 P.M., a “Fairness and Compliance Hearing” (the “Hearing”) will be conducted before the Honorable Ronald E. Bookbinder, A.J.S.C. at the Burlington County Superior Court Complex, 7th Floor, 49 Rancocas Road, Mount Holly, NJ 08060. Upon conclusion of the Hearing, the Court will determine whether the terms of a Settlement Agreement (the “Settlement Agreement”) between the Township and Intervenor, Fair Share Housing Center (“FSHC”) to resolve the within Declaratory Judgment action, is fair and reasonable to low income and moderate income households and whether the Township’s proposed Housing Element and Fair Share Plan (hereinafter the “Affordable Housing Plan”), satisfies the Township’s obligation to provide a realistic opportunity for the creation of affordable housing pursuant to its constitutional responsibilities under the Mount Laurel Doctrine. Particularly, the Court will consider whether the Affordable Housing Plan satisfies the Township’s obligation to provide a realistic opportunity for the creation of affordable housing. It is anticipated that the Plan will be acted upon by the Township Planning Board and by the Township Committee prior to the Hearing.

The Affordable Housing Plan addresses the Township’s Present Need Obligation, its Prior Round Obligation, and Third Round Prospective Need Obligation, all as determined pursuant to the Settlement Agreement, 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 Township seeks a Judgment of Compliance and a Judgment of Repose, which will afford the Township, among other things, a period of ten years of protection from any builder’s remedy lawsuits brought pursuant to the Mount Laurel Doctrine. The Affordable Housing Plan sets forth those compliance mechanisms the Township will employ to address its affordable housing obligation. The full text of the Settlement Agreement and the Township’s Affordable Housing Plan is available for public inspection and/or photocopying (at requestor’s expense) during normal business hours at the Township Clerk’s office located at 770 Coopertown Road, Delanco, New Jersey.

Any interested person may seek to appear and be heard at the Hearing to address the Township’s Affordable Housing Plan and the Settlement Agreement, and offer any comments or objections, provided any such person first files with the Court at the above address, its comments or objections, in writing, no later than August 26, 2016 and serves such comments or objections upon the following:

Honorable Ronald E. Bookbinder, A.J.S.C.
Burlington County Courts Facility
49 Rancocas Road

P. O. Box 6555
Mount Holly, New Jersey 08060

Francis Banisch, P.P. – Court Master
Banisch Associates
111 Main Street
Flemington, New Jersey 08822

Mary Beth Lonergan, P.P. – Township Planner
Clark Caton Hintz
100 Barrack Street
Trenton, New Jersey 08608

Douglas L. Heinold, Esquire
Raymond, Coleman & Heinold, LLP
325 New Albany Road
Moorestown, NJ 08057

Kevin Walsh, Esquire
Fair Share Housing Center
510 Park Blvd Cherry Hill, NJ 08002-3318

The Court Master will issue his report and comments on the Settlement Agreement, Plan and any comments received during the comment period by September 1, 2016 and file same with the Court and the office of the Township Clerk.

This Notice is provided pursuant to Order of the Court and is intended to inform interested persons of the Settlement Agreement and the Township's Affordable Housing Plan and inform such persons that they may comment upon the Settlement Agreement and Affordable Housing Plan before the Court reviews and evaluates whether to approve the Settlement Agreement and Affordable Housing Plan. This Notice does not indicate any view by the Court as to the fairness of the Settlement Agreement or the adequacy of the Township's Affordable Housing Plan.

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