

## **TOWNSHIP OF CINNAMINSON**

### **NOTICE OF A MOUNT LAUREL COMBINED AMENDED FAIRENSS AND COMPLIANCE HEARING ON THE AMENDED SETTLEMENT AGREEMENT AND AMENDED HOUSING ELEMENT AND FAIR SHARE PLAN OF THE TOWNSHIP OF CINNAMINSON, COUNTY OF BURLINGTON**

**PLEASE TAKE NOTICE** that on January 11th, 2021, beginning at 9:00 a.m., the Honorable Jeanne T. Covert, A.J.S.C., will conduct a Combined "Amended Fairness" and "Compliance Hearing" In the Matter of the Application of the Township of Cinnaminson, A Municipal Corporation of the State of New Jersey, bearing Docket No. BUR-L-450-14 ("the Action"), at the Burlington County Courthouse located at 49 Rancocas Road, 7<sup>th</sup> Floor, Court Room 7C, Mount Holly, New Jersey 08060. Please note that if the courthouse is still closed at that time, the hearing will take place via video conference. Information about courtroom closings are available at [njcourts.gov](http://njcourts.gov), and if the Court is still closed at that point any interested party should contact the office of Linda A. Galella, Esq. at 856-985-4052 at least 48 hours in advance of the hearing to determine how they can participate. Details about how to participate shall also be posted on the Township of Cinnaminson's website at <https://www.cinnaminsonnj.org>.

The Township has entered into an Amended Settlement Agreement with Fair Share Housing Center which amends in part a prior Settlement Agreement with Fair Share Housing Center which was approved by the Superior Court. This Amended Settlement Agreement will add a Market to Affordable Program and Habitat for Humanity units to meet a 18 unit shortfall in units. An Amended Housing Element and Fair Share Plan explains the Township's stipulated third round fair share number and how the Township will achieve compliance with that number.

The purpose of the Combined Amended Fairness and Compliance Hearing is for the Court to determine whether the terms of the Amended Settlement Agreement are fair and reasonable to low- and moderate-income households in the region and whether the Township of Cinnaminson's Amended Housing Element and Fair Share Plan (hereinafter "Affordable Housing Plan"), adopted on November 24, 2020 by the Township's Planning Board, and scheduled to be endorsed in December of 2020 by the Township Committee, satisfies the Township's obligation to provide a realistic opportunity to satisfy the Rehabilitation, Prior Round (1987-1999) and Gap + Prospective Need (1999-2025) components of its "fair share" of the regional need for housing affordable to low and moderate income households pursuant to (i) the Fair Housing Act ("FHA"), N.J.S.A. 52:27D-301 et seq., (ii) applicable substantive regulations of the New Jersey Council on Affordable Housing ("COAH"), (iii) the Settlement Agreement and Amended Settlement Agreement entered into between Fair Share Housing Center ("FSHC") and the Township of Cinnaminson, (iv) other applicable laws. If the Court determines that the Township has satisfied its obligation to provide a realistic opportunity to satisfy its Rehabilitation, Prior Round and Gap + Prospective Need components of its "fair share", it will enter a Judgment of Compliance and Repose without conditions, which will give Cinnaminson protection from all Mount Laurel lawsuits through July 1, 2025.

The Court will also determine whether the Conditions of the Third Round Judgment of Compliance and Repose previously issued by the Court dated October 24, 2019 have been adequately satisfied taking into account the Amended Settlement Agreement and Amended Housing Element and Fair Share Plan.

To facilitate this procedure, the Township has presented to the Court, and placed on file with the Township Clerk, a copy of the Amended Settlement Agreement and Amended Affordable Housing Plan and various other related documents. These documents are available for public inspection at the office of the Township Clerk located at the Township Municipal Building, 1621 Riverton Road Drive, Cinnaminson, New Jersey, during normal business hours. Given the COVID-19 crisis and the Township's current operating schedule, you may contact the Township Clerk during normal business hours, to request a copy of the documents be sent to you. In addition, you may contact Linda A. Galella, Esq. to request a copy of these documents be sent to you; both contact information is listed below.

The Amended Settlement Agreement and the Amended Affordable Housing Plan and additional documents on file in the Township's Municipal Building describe how the Township will address its "fair share" of the regional need for low and moderate-income housing as established pursuant to the Amended Settlement Agreement between the Township of Cinnaminson and FSHC.

The various elements of the Township's Affordable Housing Plan can be summarized as follows:

The Township has the following Fair Share obligations:

- a. A Rehabilitation Obligation of 30.
- b. A Prior Round Obligation (pursuant to N.J.A.C. 5:93) of 331.
- c. A Gap + Prospective Need Obligation (1999-2025) of 315.

All interested parties are hereby given an opportunity to appear and be heard at this Combined Amended Fairness and Compliance Hearing. Objections or comments by any interested party must be submitted in writing on or before December 28, 2020 by 4:00 p.m. with the Honorable Jeanne T. Covert, A.J.S.C. at 49 Rancocas Road, 7<sup>th</sup> Floor, Mount Holly, New Jersey 08060, with copies of all papers being forwarded by mail or e-mail to:

**Linda A. Galella, Esquire**  
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Mount Laurel, New Jersey 08054  
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**Special Master Arthur Bernard, PP,**  
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**Bassam F. Gergi, Esquire**  
Fair Share Housing Center  
510 Park Boulevard  
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**Lisa A. Passione, R.M.C.**  
Cinnaminson Township Municipal  
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Cinnaminson, New Jersey 08077  
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This Notice is intended (1) to inform all interested parties of the existence of an Amended Settlement Agreement and Amended Affordable Housing Plan, and of documents on file that explain the specific manner in which the Township proposes to address its "fair share" of affordable housing; and (2) to let interested parties know that they will have an opportunity to offer comments and/or objections to the Court before it decides whether or not to approve the Amended Settlement Agreement and the Amended Housing Element and Fair Share Plan and (3) to explain the consequences of court approval of the Township's 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 Special Master, the Township, or FSHC as to whether the Court will approve the manner in which the Township proposes to satisfy its fair share.

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