

BOROUGH OF FAR HILLS

NOTICE OF MOUNT LAUREL COMPLIANCE HEARING ON THE HOUSING ELEMENT AND FAIR SHARE PLAN OF THE BOROUGH OF FAR HILLS, COUNTY OF SOMERSET

Docket Number: SOM-L-903-15

PLEASE TAKE NOTICE that, on November 17, 2020, beginning at 9:00 a.m. the Honorable Thomas C. Miller, A.J.S.C. will conduct a “Compliance Hearing” in the In The Matter of the Application of the Borough of Far Hills in Somerset County, bearing Docket No. SOM-L-903-15 (“the Action”) at the Somerset County Superior Courthouse located at 20 N. Bridge Street, HCH 1, Somerville, New Jersey 08876. Please note that if the courthouse is still closed at that time, the hearing may take place via video conference. Information about courtroom closings are available at njcourts.gov, and if the Court is still closed at that point any interested party should contact the office of Nancy L. Holm, Esq. at 732-612-3100 at least 48 hours in advance of the hearing to determine how they can participate.

The purpose of the Compliance Hearing is for the Court to determine whether the Housing Element and Fair Share Plan (hereinafter “Affordable Housing Plan”) of the Borough of Far Hills satisfies the Borough’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 Borough’s Rehabilitation, Prior Round, and Round 3 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 Settlement Agreement entered into between Fair Share Housing Center (“FSHC”) and the Borough of Far Hills, approved by the Court at a properly-noticed Fairness Hearing held on December 20, 2018, and memorialized by an approval order entered by the Court on February 26, 2019, and as amended by the Court on December 3, 2019. If the Court determines that the Borough 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, which among other things, will provide Far Hills legal protection (repose) from all Mount Laurel exclusionary zoning lawsuits through July 2, 2025.

The Borough has presented to the Court, and placed on file with the Borough Clerk, a copy of the Affordable Housing Plan, along with various other related documents, which includes crediting information. These documents are available for public inspection at the office of the Borough Clerk located at 6 Prospect Street, Far Hills, NJ 07961 during normal business hours. Given the COVID-19 crisis and the Borough’s current operating schedule, you may contact the Borough Administrator during normal business hours, to request a copy of the documents be sent to you. In addition, you may contact Nancy L. Holm, Esq. to request a copy of these documents be sent to you; her contact information is listed below.

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

1. The Borough’s Rehabilitation Obligation is four (4).
2. The Borough’s Prior Round Obligation (1987-1999) is 38.
3. The Borough’s Round 3 Obligation (1999-2025) is 75.

4. The Borough will address its Rehabilitation Obligation of four (4) with the Somerset County CDBG Rehabilitation Program to rehabilitate four substandard residential units.
5. The Borough will address its Prior Round Obligation of 38 as follows:

Project	Units	Family	Rental	A-R	Rental Bonus	Units & Bonuses
Polo Club (Sunnybranch Rd.) gen. public for-sale	8	8	-	-	-	8
Dumont Road Apts. (25 Dumont) AR/Rental	6	0	6	6	-	6
Hotz Apts. (8-10 Peapack Rd) gen. public rental	5	5	5	-	5	10
Melillo (220 Route 202) gen. public rental	5	5	5	-	5	10
Melillo (220 Route 202) AR/Rental	4	0	4	4	-	4
TOTALS:	28	18	20	10	10	38

6. The Borough will address its Round 3 Obligation of 322 as follows:

Project	Units	Family	Rental	A-R	Rental Bonus	Units & Bonuses
Polo Club (Sunnybranch Rd.) gen. public for-sale	17	17	0	0	0	17
Matheny Group Home (46 Peapack Rd) Supportive & Special Needs	8	0	8	8	8	16
Hotz Apts. (8-10 Peapack Rd) gen. public rental	2	2	2	1	2	4
Melillo (220 Route 202) gen. public rental	20	20	20	3	9	29
Accessory Apartment Program	10	0	10	2	0	10
TOTALS:	57	39	30	12	19	76

Any interested party may file written comments on, or objections to, the Borough's Affordable Housing Plan. Objections must provide: (a) a clear and complete statement as to each aspect of the Borough Affordable Housing Plan contested by the objector; (b) an explanation of the basis for each objection; and (c) copies of all such expert reports, studies, or other data relied upon by the objector, along with a list of witnesses the Objector intends to call during the Compliance Hearing. In order for an objector witness to testify during the 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 November 6, 2020 at 4:00 p.m. with the Honorable Thomas C. Miller, A.J.S.C. at the Somerset County Superior Courthouse located at 20 N. Bridge Street, HCH 1, Somerville, New Jersey 08876, with copies of all papers being forwarded by mail or e-mail to:

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This Notice is intended (a) to inform all interested parties of the existence of an Affordable Housing Plan adopted by the Far Hills Planning Board and endorsed by the Borough, and of documents on file that explain the specific manner in which the Borough proposes to address its “fair share” of affordable housing; and (b) to explain the consequences of court approval of the Borough’s Affordable Housing Plan; namely, immunity from any Mount Laurel lawsuits through July 2, 2025. This Notice does not indicate any view by the Court, the Special Master, the Borough, or FSHC as to whether the Court will approve the manner in which the Borough proposes to satisfy its fair share.