

**TOWNSHIP OF WALL, COUNTY OF MONMOUTH  
PUBLIC NOTICE OF MOUNT LAUREL COMBINED FAIRNESS AND COMPLIANCE  
HEARING**

**Docket Number: MON-L-5604-05**

**PLEASE TAKE NOTICE** that, on June 6, 2023, beginning at 9:00 a.m., to continue on June 7, 2023 at 9:00 a.m. and June 8, 2023 at 9:00 a.m. the Honorable Linda Grasso Jones, J.S.C. will conduct a Combined Fairness and Compliance Hearing in the In The Matter of the Application of the Township of Wall in Monmouth County, bearing Docket No. MON-L-5604-05 (“the Action”) at the Monmouth County Superior Courthouse located at 71 Monument Street Freehold, New Jersey 07728.

The purpose of the Combined Fairness and Compliance Hearing is for the Court to determine (1) whether a First Amendment to a Settlement Agreement between Fair Share Housing Center (“FSHC”) and the Township of Wall (hereinafter “First Amendment to the December 2019 FSHC Settlement Agreement”) is fair and reasonable to the region’s low- and moderate-income households according to the principles set forth in Morris County Fair Housing Council v. Boonton Tp., 197 N.J.Super. 359 (Law Div.1984), aff’d o.b., 209 N.J.Super. 108 (App. Div. 1986) and East/West Venture v. Bor. of Fort Lee, 286 N.J.Super. 311 (App. Div. 1996), and (2) whether the Township’s Amended Housing Element and Fair Share Plan (hereinafter “Amended Affordable Housing Plan”), satisfies the Township’s obligation to provide a realistic opportunity to satisfy the Rehabilitation, Prior Round and Round 3 components of its “fair share” of the regional need for affordable housing for very low, 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 entered into between FSHC and the Township of Wall on December 18, 2019, approved by the Court at a properly noticed Fairness Hearing held in June 24, 2020, and memorialized by an approval order entered by the Court on July 21, 2020, as amended, and (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 Round 3 components of its “fair share,” it will enter a Judgment of Compliance and Repose, which will give the Township protection from Mount Laurel lawsuits, including builder’s remedy lawsuits, until July 2, 2025.

To facilitate this procedure, the Township has filed with the Court and placed on file with the Township Clerk, a copy of the Amended Affordable Housing Plan and various other related documents, including the Appendix to the Amended Affordable Housing Plan and the First Amendment to the December 2019 FSHC Settlement Agreement. These documents are available for public inspection at the office of the Township Clerk located at 2700 Allaire Road, Wall, NJ 07719 during normal business hours. In addition, you may contact the Township Clerk during normal business hours, to request a copy of the documents be sent to you. Alternatively, you may contact Surenian, Edwards, Buzak & Nolan LLC at the contact information listed below to request a copy of the documents be sent to you.

The Amended Affordable Housing Plan, the First Amendment to the December 2019 FSHC Settlement Agreement, 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 very low, low and moderate-income housing. The Township’s Rehabilitation Obligation, Prior Round Obligation

(1987-1999) and Round 3 Obligation (1999-2025) were approved at a Fairness Hearing held on June 24, 2020, and the approval of said obligations was memorialized by an order entered by the Court on July 21, 2020. The various elements of the Township's Amended Affordable Housing Plan are summarized as follows:

1. The Township's Court approved Rehabilitation Obligation is 114.
2. The Township's Court approved Prior Round Obligation (1987-1999) is 1,073.
3. The Township's Court approved Round 3 Obligation (1999-2025) is 1,250.
4. The Township is in the process of satisfying its Rehabilitation Obligation through continued participation in the Monmouth County Rehabilitation Program and through the continuing implementation of its local Rehabilitation Program.
5. The Township has fully satisfied its Prior Round Obligation of 1,073 through a combination of prior cycle credits, inclusionary housing developments, 100% affordable housing developments, market to affordable projects, assisted living facilities, alternative living arrangements, Regional Contribution Agreements ("RCAs") and rental bonus credits.
6. The Township is addressing its Round 3 Obligation of 1,250 as follows, with surplus credits going towards Round 4:
  - a. 5 surplus Prior Round credits.
  - b. 8 affordable age restricted credits from the existing Sunnyside Assisted Living Facility (Block 805, Lot 39.01).
  - c. 8 affordable bedroom credits from two existing AWS Group Homes (Block 729, Lots 4.03 and 4.04).
  - d. 1 family for-sale affordable housing credit from an existing Habitat For Humanity house located at Block 25, Lot 59.
  - e. 27 affordable age-restricted rental units from the existing Colfax Project (Block 240, Lot 54).
  - f. 85 affordable age-restricted rental units from the approved, funded and constructed Allenwood Terrace Senior Housing Project (Block 801, Lot 1).
  - g. 24 affordable family rental units from the constructed Glen Oaks Inclusionary Project (Block 774, Lot 8).
  - h. 18 affordable family units from a Market to Affordable Program.
  - i. 150 affordable age-restricted rental units from the Holly Boulevard Project (Block 874, Lot 4).
  - j. 60 affordable family rental units from the Schwartz Site Inclusionary Project (Block 913, Lots 2, 3 and 15).
  - k. 152 affordable family units from the Route 33/34 – Asbury Road Redevelopment Zone.
  - l. 50 affordable family rental units from the Long Meadow Commons Inclusionary Project (Block 151, Lot 10.01).
  - m. 12 affordable family units from the Motel Redevelopment Affordable Housing Zone.
  - n. 8 affordable family rental units from the Economy Lodge Site Inclusionary Project (Block 274, Lot 25).
  - o. 10 affordable family rental units from the Budget Inn Site Inclusionary Project (Block 271, Lots 23.06, 23.07, and 29).
  - p. 10 affordable senior rental units from the Sea Glass Inclusionary Project (Block 819, Lots 12 and 13).

- q. 34 affordable family rental units from the American Properties Project (Block 912, Lots 2 and 4.02).
- r. 20 affordable family for-sale units from the K. Hovnanian Project (Block 942, Lots 79 and 132).
- s. 19 affordable family for-sale units from scattered sites.
- t. 68 affordable family for-sale units from the Mack-Cali Project (Block 930, Lots 6 and 18).
- u. 80 affordable family rental units from the Edgewood Route 34/35 Project (Block 816, Lot 5 and Former DOT Parcels XR2J2 and VX16).
- v. 72 affordable family rental units from the Edgewood Route 34 Project (Block 945, Lot 11).
- w. 4 affordable family rental units from the Downtown Metro Project (Block 6, Lots 3 and 4).
- x. 25 affordable senior for-sale units and 7 affordable senior rental units from the Clayton Project (Block 270, Lots 12, 14, 15, 22, 23, 24, 54, 67-70 and Block 88, Lot 3).
- y. 313 rental bonus credits.

Any interested party, including any low- or moderate-income persons residing in the housing region, any organization representing the interests of low- and moderate-income persons, any owner of property in the Township of Wall, or any organization representing the interests of owners of property in the Township of Wall, may file comments on, or objections to, the Amended Affordable Housing Plan or the First Amendment to the December 2019 FSHC Settlement Agreement. Objections must provide: (a) a clear and complete statement as to each aspect of the Township's Amended Affordable Housing Plan or the First Amendment to the December 2019 FSHC Settlement Agreement 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 combined Compliance and Fairness Hearing. For an objector witness to testify during the combined Compliance and Fairness 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 May 5, 2023 at 4:00 p.m. with the Honorable Linda Grasso Jones, J.S.C. at the Monmouth County Superior Courthouse located at 71 Monument Street, Freehold, New Jersey 07728, 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 Amended Affordable Housing Plan adopted by the Wall Planning Board and endorsed by the Township, the First Amendment to the December 2019 FSHC Settlement Agreement, 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 Township’s Amended 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 Township, or FSHC as to whether the Court will approve the manner in which the Township proposes to satisfy its affordable housing obligations.