

**BOROUGH OF HIGH BRIDGE**

**NOTICE OF COMPLIANCE HEARING FOR THE BOROUGH OF HIGH BRIDGE, COUNTY OF HUNTERDON (“BOROUGH”) REGARDING THE BOROUGH’S HOUSING ELEMENT AND FAIR SHARE PLAN AND COMPLIANCE WITH ITS OBLIGATION TO PROVIDE AFFORDABLE HOUSING TO LOW AND MODERATE INCOME HOUSEHOLDS**

**DOCKET NO. HNT-L-310-15**

**PLEASE TAKE NOTICE** that on Thursday, August 9, 2018, beginning at 9:00 a.m., there will be a Compliance Hearing (the “Hearing”) before the Honorable Thomas C. Miller, J.S.C. at the Somerset County Courthouse, 20 North Bridge Street, P.O. Box 3000, Somerville, New Jersey 08876-1262, Court Room HCH1.

The purpose of the Hearing is for the Court to consider the entry of a Final Judgment of Compliance in favor of the Borough, based upon the Housing Element and Fair Share Plan and implementing ordinances which have been submitted to the Court.

Entry of a Final Judgment of Compliance would declare the Borough in compliance with its obligation to provide realistic opportunities for the creation of housing affordable to low and moderate income households as required by the New Jersey Constitution and the New Jersey Fair Housing Act of 1985, as amended. Entry of a Judgment of Compliance would bar any claim through July 1, 2025 that the Borough is failing to provide a sufficient realistic housing opportunity for the creation of housing for low and moderate income households.

The Court has previously approved a Settlement Agreement between the Borough and Fair Share Housing Center (“FSHC”). In accordance with the terms of the Settlement Agreement, the Borough has proposed a revised Housing Element and Fair Share Plan and has adopted various ordinances amending its zoning ordinance. The Court will consider whether the Borough has complied with its obligations under the Settlement Agreement and whether the Borough’s Housing Element and Fair Share Plan will satisfy the Borough’s obligation to provide a realistic opportunity to satisfy the Borough’s rehabilitation, Prior Round and Third Round “fair share” of the regional need for housing affordable to low income and moderate income households pursuant to the Mount Laurel decisions and their progeny, the 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 Housing Element and Fair Share Plan fully addresses the existing components of the Borough’s affordable housing obligations for the period 1987-2025, including the Township’s Rehabilitation Obligation of 4 housing units, its Prior Round obligation of 27 housing units and its Third Round present and prospective need obligation of 90 units, as adjusted pursuant to the Borough’s realistic development potential. The Housing Element and Fair Share Plan provides a detailed list of the Borough’s total affordable housing obligation and compliance mechanisms demonstrating the Borough’s compliance with those affordable housing obligations. The full text of the Housing Element and Fair Share Plan and the implementing ordinances are available for public inspection and/or photocopying (at requestor’s expense) during the hours of 8:30 A.M.

to 4:00 P.M. at the Borough Clerk's office located at 97 West Main Street, High Bridge, New Jersey 08829 and are posted on the Township's website at [www.highbridge.org](http://www.highbridge.org).

On the date of the Hearing, the Court will conduct a Compliance Hearing to determine whether the Housing Element and Fair Share Plan is fair to low and moderate income households and creates a realistic opportunity for satisfaction of the Borough's affordable housing obligations. The Borough will seek a Judgment of Compliance and Repose, subject to appropriate conditions, if any, that may be imposed by the Court, which Judgment of Compliance will entitle the Borough to protection from any Mount Laurel builder's remedy lawsuits for a period to be determined by the Court.

Any interested person may seek to appear and be heard at the August 9, 2018 Compliance Hearing and shall have the opportunity to present any position on the Housing Element and Fair Share Plan. Objections or comments by any interested person must be filed with the Court at the above address on or before July 30, 2018, with duplicate copies forwarded by mail and e-mail to the attention of the following:

Steven Firkser, Esq.  
Greenbaum Rowe Smith & Davis LLP  
75 Livingston Avenue  
Roseland, NJ 07068  
[sfirkser@greenbaumlaw.com](mailto:sfirkser@greenbaumlaw.com)

Kevin Walsh, Esquire  
Adam Gordon, Esquire  
Fair Share Housing Center  
510 Park Blvd  
Cherry Hill, New Jersey 08002-3318  
[adamgordon@fairsharehousing.org](mailto:adamgordon@fairsharehousing.org)  
[kevinwalsh@fairsharehousing.org](mailto:kevinwalsh@fairsharehousing.org)

Christine A. Nazzaro-Cofone, AICP/PP  
125 Half Mile Road - Suite 200  
Red Bank, NJ 07701  
[ccofone@cofoneconsulting.com](mailto:ccofone@cofoneconsulting.com)

This Notice is provided pursuant to directive of the Court and is intended to inform interested parties of the proposed entry of a Final Judgment of Compliance and the possible consequences of the entry of such a judgment. This Notice does not indicate any view by the Court as to whether the Borough is in compliance with its obligations under the New Jersey Constitution and the New Jersey Fair Housing Act of 1985 or whether the Court will enter a Final Judgment of Compliance.

Adam Young, Acting Borough Clerk, Borough of High Bridge