

BOROUGH OF CLOSTER

**NOTICE OF FAIRNESS HEARING FOR THE BOROUGH OF CLOSTER,
COUNTY OF BERGEN (“BOROUGH”) REGARDING A SETTLEMENT
AGREEMENT RELATED TO THE BOROUGH’S OBLIGATION TO PROVIDE
AFFORDABLE HOUSING TO LAW AND MODERATE INCOME HOUSEHOLDS**

DOCKET NO. BER-L-6372-15

PLEASE TAKE NOTICE that on July 24, 2018, beginning at 10:00 a.m. or as soon thereafter as counsel may be heard, there will be a Fairness Hearing (the “Hearing”) before The Honorable Menelaos Toskos, J.S.C. at the Bergen County Courthouse, 10 Main Street, Hackensack, New Jersey, Court Room 424.

The purpose of the hearing is for the Court to consider whether the terms of a Settlement Agreement (the “Settlement Agreement”) between the Borough of Closter, and the Fair Share Housing Center (the “FSHC”) will meet 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 Fairness Hearing will also consider the property owned by the Intervenor “The Corner Farm” located at 515 Piermont Road, Closter, NJ.

The Settlement Agreement fully addresses the existing components of the Borough’s affordable housing obligations for the period of 1987-2025, including the Borough’s present Need Obligation (or rehabilitation obligation) of 0 housing units, its Prior Round Obligation of 110 housing units and its Third Round new construction obligations of 347 units. The proposed Settlement Agreement provides a detail 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 Settlement Agreement is available for public inspection and/or photocopying (at the requestor’s expense) during the hours of 8:30 a.m. to 4:30 p.m. at the Borough Clerk’s Office located at 295 Closter Dock Road, Closter, New Jersey and is posted on the Borough’s website at www.closterboro.com

On the date of the Fairness Hearing, the Court will determine whether the Settlement Agreement is fair to low and moderate income households, and creates a realistic opportunity for the satisfaction of the Borough’s affordable housing obligations. The Borough will seek an Order formally approving the Settlement Agreement and Consent Order, subject to appropriate conditions, if any, that may be imposed by the Court, which Order 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 July 24, 2018 Hearing on the Settlement Agreement and shall have the opportunity to present any position on the Settlement Agreement . Objections or comments by any interested person must be filed with the Court at the above address on or before July 9, 2018, with duplicate copies forwarded by mail and e-mail to the attention of the following:

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This Notice is provided pursuant to directive of the Court and is intended to inform interested parties of the proposed Settlement Agreement and inform such parties that they are able to comment on said Settlement Agreement before the Court review and evaluates whether to approve the Settlement Agreement. This Notice does not indicate any view by the Court as to the fairness, reasonableness or adequacy of the Settlement Agreement or whether the Court will approve the Settlement Agreement.

Loretta Castano, Borough Clerk
Borough of Closter