

BOROUGH OF ATLANTIC HIGHLANDS
PUBLIC NOTICE OF MOUNT LAUREL COMPLIANCE HEARING ON THE
HOUSING ELEMENT AND FAIR SHARE PLAN OF THE BOROUGH OF ATLANTIC
HIGHLANDS, COUNTY OF MONMOUTH
Docket Number- MON-L-2520-15

PLEASE TAKE NOTICE that on April 3, 2019, beginning at 10:00 a.m. the Honorable Jamie S. Perri, J.S.C. will conduct a “Compliance Hearing” in the Matter of the Application of the Borough of Atlantic Highlands in Monmouth County, bearing Docket No. MON-L-2520-15 (“the Action”) at 71 Monument Park, 2nd Floor, Freehold, New Jersey.

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 Atlantic Highlands, satisfies the Borough’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 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 entered into between Fair Share Housing Center (“FSHC”) and the Borough of Atlantic Highlands, approved by the Court at a properly noticed Fairness Hearing on May 8, 2018, and memorialized by an approval order entered by the Court on May 24, 2018, and (iv) other applicable laws. If the Court determines that the Borough 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 Atlantic Highlands protection from Mount Laurel lawsuits until July 2, 2025.

To facilitate this procedure, the Borough has presented to the Court and placed on file with the Borough Clerk a copy of the Affordable Housing Plan and various other related documents. These documents will be available for public inspection on January 12, 2019 at the office of the Borough Clerk located at 100 First Avenue, Atlantic Highlands, NJ 07716, during normal business hours.

The Affordable Housing Plan and additional documents on file in the Borough’s Municipal Building describe how the Borough will address its “fair share” of the regional need for low and moderate-income housing as established pursuant to a Court-approved Settlement Agreement between the Borough of Atlantic Highlands and FSHC dated January 26, 2018. The various elements of the Borough’s Fair Share plan are summarized as follows:

1. The Borough’s Rehabilitation Obligation is 51.
2. The Borough’s Prior Round Obligation is 86.
3. The Borough’s Round 3 Obligation (1999-2025) is 207.
4. The Borough has an 42-unit Round 3 Realistic Development Potential (“RDP”), which will be satisfied as follows:
 - a. Springpoint Living Project – 10 affordable units.
 - b. 95 First Avenue Project – 1 affordable unit.
 - c. Memorial Parkway Habitat for Humanity Project – 2 affordable units.
 - d. 35 First Avenue/2 Hennessey Blvd Project - 5 affordable units.
 - e. 21 Leonard Avenue Habitat for Humanity Project – 4 affordable units.

- f. 60-64 First Avenue Project – 2 affordable units.
 - g. 44-48 First Avenue Project – 3 affordable units.
 - h. 158 First Avenue Project – 4 affordable units.
 - i. 11 rental bonus credits
5. The Borough will address its 251-unit “unmet need” obligation as follows:
- a. Springpoint Living Project – 47 affordable units
 - b. Continuation of Existing Multi-Family Zoning in the CDB, HBD, LI and R-TH zones, all of which have been modified to include affordable housing set-asides.
 - c. The Borough’s OR Zone, which has been modified to include multi-family developments and affordable housing set-asides.
 - d. The Borough’s adopted Mandatory Set-Aside Ordinance (“MSO”).

Any interested party, including any low or moderate income person residing in the housing region, any organization representing the interests of low and moderate income persons, any owner of property in the Borough of Atlantic Highlands, or any organization representing the interests of owners of property in the Borough of Atlantic Highlands may file written comments on, or objections to, the Borough’s Affordable Housing Plan. If an objector intends to utilize any expert or fact witness at the Compliance Hearing, said witnesses must be identified as part of any filed written comments or objections. Such comments or objections, together with copies of any supporting affidavits or other documents, **must be filed in writing**, on or before February 13, 2019 at 4:00 p.m. with the Honorable Jamie S. Perri, J.S.C., at Monmouth County Courthouse located at 71 Monument Park, 2nd Floor, Freehold, New Jersey, with copies of all papers being forwarded by mail or e-mail to:

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This Notice is intended (1) to inform all interested parties of the existence of an Affordable Housing Plan adopted 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 (2) 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.