

TOWNSHIP OF CRANFORD, COUNTY OF UNION

PUBLIC NOTICE OF MOUNT LAUREL JOINT FAIRNESS AND COMPLIANCE HEARING ON THE HOUSING ELEMENT AND FAIR SHARE PLAN

PLEASE TAKE NOTICE that on April 12, 2021, beginning at 10:00 am, a “Joint Fairness and Compliance Hearing” (“Joint Hearing”) will take place via video conference before the Honorable Thomas J. Walsh, J.S.C.) in In the Matter of the Application of the Township of Cranford, in the County of Union, bearing Docket No. UNN-L-3976-18 (“the Action”). Information about courtroom closings is available at www.njcourts.gov. Any interested party should contact the office of Michael J. Edwards, Esq. at 732-612-3100 at least 48 hours in advance of the hearing to determine how he/she can participate.

The purpose of the Joint Hearing is for the Court to: (1) evaluate the Settlement Agreement between Fair Share Housing Center (FSHC”) and the Township of Cranford (“Township” or “Cranford”) dated November 8, 2019 and the subsequent Amendment to the FSHC Settlement Agreement which was executed by the Township on February 24, 2021 to determine whether it 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) determine whether the Housing Element and Fair Share Plan, (hereinafter “HEFSP”) of the Township of Cranford, which implements the FSHC Settlement Agreement Amendment, satisfies the Township’s obligation to create 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 Township’s Rehabilitation, Prior Round and Round 3 obligations pursuant to (1) the Fair Housing Act (“FHA”), N.J.S.A. 52:27D-301 et seq., (2) applicable substantive regulations of the New Jersey Council on Affordable Housing (“COAH”), (3) the Settlement Agreement entered into between FSHC and the Township of Cranford, and (4) other applicable laws. If the Court approves the Agreement and determines that the Township’s HEFSP satisfies 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 of Cranford protection from Mount Laurel lawsuits until July 2, 2025.

To facilitate this procedure, the Township has presented to the Court and placed on file with the Township Clerk a copy of the adopted and endorsed HEFSP and various other related documents. Given the COVID-19 crisis and the Township’s current operating schedule, you may contact the Township Clerk at 908 709-7210 or by email: p-donahue@cranfordnj.org, during normal business hours, to request a copy of the documents be sent to you. In addition, you may contact the office of Michael J. Edwards, Esq. to request a copy of these documents be sent to you; his contact information is listed below.

The HEFSP and additional documents on file at the Township’s Municipal Building describe how the Township will address its “fair share.” The various elements of the Township’s Fair Share Plan are summarized as follows:

The agreed upon terms of the settlement include, which form the foundation of the HEFSP include, but are not limited to, the following:

1. Cranford's "Rehabilitation" obligation is 85
2. Cranford's "Prior Round" obligation is 148
3. Cranford's allocation of the "Round 3" (1999-2025) regional need is 440

Satisfaction of the Rehabilitation Obligation: The Township has an 85-unit rehabilitation obligation. The Township plans to meet this obligation through participation in the Union County Housing Rehabilitation Program and through a supplemental municipally-operated rehabilitation program that shall address the rental rehab requirement, but which may also be utilized for for-sale rehabilitation. Said municipal program shall meet the requirements in N.J.A.C. 5:93-5.2.

Satisfaction of the Prior Round Obligation: The Township has a 148-unit Prior Round obligation, which shall be satisfied as follows:

Table 21: Prior Round Affordable Housing Fulfilment Township of Cranford, Union County, New Jersey		
Project	Affordable Units/Credits	Unit/Credit Type
Prior Round Obligation		
Lincoln Apartments – Age-Restricted (Block 532, Lot 18.01)(maximum based on 25% of 148)	37	Age-Restricted Rentals
Riverfront Developers, LLC (Block 481; Lots 1.02, 2.01 and 3-9)	16	Non Age-Restricted Family Rentals
SERV Center of NJ (Block 514, Lot 3)	3	Special Needs Housing – 3 Bedroom Group Home
Birchwood Site (formerly Cranford Development Associates (CDA) Project) (Block 291, Lot 15.01, Block 292, Lot 2)	34	Non Age-Restricted Family Rentals
Lehigh Acquisition Project (Block 511, Lot 1) aka Woodmont	21	Non Age-Restricted Family Rentals
Subtotal	111	-
Rental Bonus Credits (Based on 25% of 148)	37	Rental Bonus Credits taken on 21 Lehigh Acquisition Project Units, 3 SERV

		Bedrooms and 13 Riverfront Units
Total	148	Units/Credits
Total for Prior Round Plan		
Total Prior Round Obligation	148	

Satisfaction of the Round 3 Obligation: The Township has a 140-unit Round 3 RDP. The Township shall also create a realistic opportunity for an additional 20 units (“surplus units”) in addition to the RDP pursuant to its Settlement with FSHC. The RDP and surplus units shall be satisfied as follows:

<u>Project</u>	<u>Units</u>	<u>Bonus</u>	<u>Status</u>
Riverfront – family rental	3	3	Existing
Woodmont – family rental	3	3	Existing
Needlepoint – family rental	1	1	Existing
Lincoln – Senior Rental	35 (of 63*)		Existing
Homefirst (18b Parkway Village)	4		Existing
Homefirst #2: (117 Benjamin)	3		Existing
Bridgeway (304 Lincoln)	2		Existing
SERV (125 Dietz Street)	4		Existing
Community Access Unlimited (CAU) 48 Johnson Ave	6		Existing
310 Centennial - Family rental	2	2	Under Construction
109 Walnut – Family rental	4	4	Constructed
North Ave Redevelopment – family rental	8	2	Proposed
Myrtle Special Needs	8	8	Proposed
201 Walnut (Wells Fargo) – Special Needs (37 total units)	8	7	Proposed
100 – 126 South Avenue (Block 478, Lots 1.01, 1.02 & 2-6) – Family rental 11 11 (55 total units)	11	11	
750 Walnut (Block 541, Lot 2) – Inclusionary	38	-	Proposed
Market-to-Affordable	5		Cranford agrees to provide a realistic opportunity for 5 units through a market-to-affordable program in accordance with the terms of

			paragraph 9.c of this Agreement.
CAU additional beds or other Group Home bedrooms	7		Cranford agrees to provide a realistic opportunity for 7 units of supportive housing in accordance with the terms of paragraph 9.d of this Agreement.
Total	152	35	
Grand Total	187		

Addressing the Remaining “Unmet Need”: The Township will address the 280-unit remaining portion of its allocation of the Round 3 regional need or “unmet need” through overlay zoning, surpluses and a mandatory set-aside ordinance, each of which are described in the FSHC Settlement Agreement Amendment on pages 8 and 9.

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 Township of Cranford, or any organization representing the interests of owners of property in the Township of Cranford may file comments on, or objections to, the proposed Settlement Agreement. The Township requests that all objections provide: 1) A clear and complete statement as to each aspect of the municipality’s Settlement Agreement, Agreement as Amended or the HEFSP contested by the objector; 2) An explanation of the basis for each objection; 3) Copies of all expert reports, studies, or other data relied upon by the objector. Such comments or objections, together with copies of any supporting affidavits or other documents, **must be filed in writing**, on or before April 1, 2021 at 4:00 p.m. with the Honorable Thomas J. Walsh, J.S.C, at Union County Courthouse located at 2 Broad Street, 11th Floor, Elizabeth, New Jersey 07207, 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 adopted and endorsed HEFSP, and of documents on file that explain the specific manner in which the Township proposes to address its “fair share” of affordable housing; and 2) to explain the consequences of Court approval of the Township’s HEFSP; 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 fair share.