

**NOTICE OF FAIRNESS HEARING FOR THE TOWNSHIP OF
PARSIPPANY TROY-HILLS, COUNTY OF MORRIS, STATE OF NEW JERSEY,
FOR APPROVAL OF A
SETTLEMENT OF MOUNT LAUREL LITIGATION**

DOCKET NO. MRS-L-169-15

PLEASE TAKE NOTICE that on **June 21, 2019** beginning at 3:30 p.m., there will be a Fairness Hearing (the “Hearing”) before the Honorable, Michael Gaus, J.S.C. at the Sussex County Superior Court Courthouse, 43-47 High Street, Newton, New Jersey, 07860.

The purpose of the Hearing is for the Court to consider two issues: (1) whether the proposed Settlement Agreement between the Township of Parsippany Troy-Hills (the “Township”) and the Fair Share Housing Center in the Mount Laurel Declaratory Judgment Action entitled In the Matter of the Application of the Township of Parsippany Troy-Hills for a Determination of Mount Laurel Compliance Docket No. MRS-L-169-15 (the “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), thereby entitling the parties to this settlement to judicial approval of said Settlement Agreement; and (2) whether the establishment of the Township’s fair share obligations and the Township’s preliminary compliance efforts (reflected in the terms of the Settlement Agreement and reflected in the Housing Element and Fair Share Plan as endorsed and adopted by the Township, pursuant to the provisions of the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.) will satisfy the Township’s obligation to provide a realistic opportunity to satisfy its rehabilitation, Prior Round and Third Round “fair share” of the regional need for affordable housing to low- and moderate-income households pursuant to 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 captioned In re N.J.A.C. 5:96 & N.J.A.C. 5:97, 221, N.J. 1 (2015) and other applicable laws.

The Township’s preliminary compliance efforts, as reflected in the terms of the Township’s Settlement Agreement with FSHC, fully address the existing components of the Township’s affordable housing obligations for the period 1987-2025. These include a Prior Round (1987-1999) obligation of 664 units, a present need obligation of 190 units and a Third Round (1999-2025) obligation of 1,314 units. The proposed terms of the Settlement Agreement provide a detailed list of the Township’s total affordable housing obligation and compliance mechanisms that demonstrate the Township’s compliance with those affordable housing obligations. The executed Settlement Agreement is available for public inspection and/or photocopying (at requestor’s expense) between the hours of 8:30 a.m. and 4:30 p.m. at the office of the Township Clerk, Township of Parsippany Troy-Hills located at 1001 Parsippany Boulevard, Parsippany Troy-Hills, New Jersey 07054 and on the Township website at <http://www.nj.org>.

On the date of the Hearing, the Court will conduct a Fairness Hearing to determine whether the Settlement Agreement is fair to low- and moderate-income households pursuant to the Morris County and East/West Venture cases referenced above and creates a realistic opportunity for satisfaction of the Township’s affordable housing obligations for the period 1987 through 2025 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 COAH, and the New Jersey Supreme Court's March 10, 2015 decision in the matter captioned In re N.J.A.C. 5:96 & N.J.A.C. 5:97, 221, N.J. 1 (2015).

Any interested person may seek to appear and be heard at the Hearing to address the Township's Settlement Agreement. Any objections must fully comply with N.J.A.C. 5:91-4.1 and 4.2, which provide minimum standards for such objections. Such objections or comments by any interested party must be filed, together with copies of any supporting affidavits or other documents, with the Honorable, Michael Gaus, J.S.C. at the Sussex County Superior Court Courthouse, 43-47 High Street, Newton, New Jersey, 07860, on or before **May 21, 2019**, with duplicate copies being forwarded by mail and email, also on or before **May 21, 2019**, to the attention of the following:

Leslie G. London, Esq.
McManimon, Scotland & Baumann, LLC
75 Livingston Avenue, 2nd Floor
Roseland, New Jersey 07068
llondon@msbnj.com

Brian Slaugh, P.P. AICP
Clarke Caton Hintz
100 Barrack Street
Trenton, New Jersey 08608
bslaugh@cchnj.com

Kevin D. Walsh, Esq.
Fair Share Housing Center
510 Park Boulevard
Cherry Hill, New Jersey 08002
kevinwalsh@fairsharehousing.org

This Notice is provided by direction of the Court and is intended to inform interested parties of (1) the existence of the Settlement Agreement, and possible consequences of Court approval of the Settlement Agreement, which may ultimately lead to a Judgment of Compliance and Repose; and (2) the Township's preliminary compliance measures as reflected in the terms of the Settlement Agreement; and to inform such parties that they are able to comment on said Settlement Agreement before the Court reviews and evaluates whether to approve the Settlement Agreement. This Notice does not indicate any view by the Court as to the fairness or the adequacy of the Settlement Agreement with FSHC under the Mount Laurel Doctrine and governing law.