

**CITY OF SOMERS POINT
COUNTY OF ATLANTIC
STATE OF NEW JERSEY**

**NOTICE OF FAIRNESS HEARING FOR THE CITY OF SOMERS POINT,
COUNTY OF ATLANTIC, STATE OF NEW JERSEY (THE "CITY")
REGARDING A SETTLEMENT AGREEMENT RELATED TO THE CITY'S
OBLIGATION TO PROVIDE AFFORDABLE HOUSING TO LOW- AND
MODERATE- INCOME HOUSEHOLDS
DOCKET NO. ATL - L-1538-15**

PLEASE TAKE NOTICE that on June 1, 2018, beginning at 2:00 p.m. there will be a Fairness Hearing (the "Hearing") before the Honorable Nelson C. Johnson, J.S.C. at the Atlantic County Civil Courts Building, Superior Court of New Jersey, 1201 Bacharach Boulevard, Atlantic City, New Jersey 08401, Courtroom 3H.

The purpose of the Hearing is for the Court to consider whether the terms of a settlement agreement (the "Settlement Agreement") between the City and the Fair Share Housing Center (the "FSHC") will meet the City's obligation to provide a realistic opportunity to satisfy the City'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-30l, et seq., the substantive, applicable regulations of the New Jersey Council on Affordable Housing (the "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 Settlement Agreement fully addresses the existing components of the City's affordable housing obligations for the period 1987-2025, including the City's Present Need Obligation (or rehabilitation obligation) of twenty five (25) housing units, its Prior Round obligation of one hundred three (103) housing units and its Third Round Prospective Need obligation of two hundred forty-six (246) housing units, which by agreement of the parties is subject to a vacant land adjustment due to a lack of vacant land in Somers Point, resulting in a Third Round Realistic Development Potential of thirteen (13) units. The proposed Settlement Agreement provides a detailed list of the City's total affordable housing obligation and compliance mechanisms demonstrating the City's compliance with those affordable housing obligations. The full text of a draft of the Settlement Agreement is available for public inspection and/or photocopying (at requestor's expense) during the hours of 9:00 A.M. to 5:00P.M. at the City Clerk's office, located in the Somers Point City Hall at 1 West New Jersey Avenue, Somers Point, New Jersey, 08244 and is posted on the City's web site <http://www.somerspointgov.org>.

On the date and time specified the Court will conduct a Fairness Hearing to determine whether the Settlement Agreement is fair to low- and moderate-income households and

creates a realistic opportunity for satisfaction of the City's affordable housing obligations. The City will seek an Order formally approving the Settlement Agreement, subject to appropriate conditions, if any, that may be imposed by the Court, which Order will entitle the City 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 June 1, 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 May 21, 2018, with duplicate copies forwarded by mail and e-mail to the attention of the following:

James E. Franklin II, Esq.
Youngblood, Franklin, Sampoli & Coombs, P.A.
Cornerstone Commerce Center
1201 New Road, Suite 230
Linwood, NJ 08221-1159
Email: jfranklin@youngbloodlegal.com

Adam Gordon, Esquire Fair Share Housing Center
510 Park Boulevard
Cherry Hill, New Jersey 08002-3318
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Pamela J. Pellegrini P.E., P.P., C.M.E.
Maser Consulting P.A.
500 Scarborough Dr. Suite 108
Egg Harbor Township, NJ 08234
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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 reviews 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.

Lucy R. Samuelsen, RMC
Somers Point City Clerk