

**PUBLIC NOTICE OF COMPLIANCE HEARING FOR THE BOROUGH OF
WOODCLIFF LAKE, COUNTY OF BERGEN, TO APPROVE THE BOROUGH'S
HOUSING ELEMENT AND FAIR SHARE PLAN AND RELATED COMPLIANCE
DOCUMENTS**

Docket No. BER-L-6221-15

PLEASE TAKE NOTICE that on August 23, 2023 beginning at 1:30 p.m., a “Compliance Hearing” (“Hearing”) will be conducted before the Honorable Christine Farrington, J.S.C., ret’d t/a, at the Superior Court of New Jersey, Bergen County Courthouse, 10 Main Street, Courtroom 415, Hackensack, New Jersey 07601.

Any person who wishes to participate in the Hearing should check njcourts.gov for updated information and contact the Court directly at (201) 221-0700, ext. 25547. In addition, such person may also contact the Borough Clerk at (201) 391-4977, ext. 218 or Jeffrey A. Zenn, Esq., attorney for the Borough of Woodcliff Lake at (201) 442-2740 or jzenn@cullenllp.com at least 48 hours in advance of the Hearing to confirm the time and place of the Hearing.

On February 2, 2023, after a properly noticed Fairness Hearing, the Court entered an Order determining that the terms of the December 14, 2022 Amended Settlement Agreement between the Borough of Woodcliff Lake (“Borough”) and the Fair Share Housing Center, Inc. (“FSHC”) are fair and reasonable to low-and-moderate income households. The Honorable Christine Farrington, J.S.C., ret’d t/a scheduled a separate Compliance Hearing for August 23, 2023 at 1:30 p.m. by an Order dated June 23, 2023.

The purpose of the Hearing is for the Court to review and approve the Borough’s updated Housing Element and Fair Share Plan, including implementing ordinances (“Affordable Housing Plan”) and a revised concept plan for the North Broadway development, as meeting the Borough’s obligation to provide a realistic opportunity to satisfy its 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 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 fair share has been established based upon the Fair Housing Act (“FHA”), N.J.S.A. 52:27D-301 et seq., and other applicable laws, and is memorialized in the Amended Settlement Agreement entered into between FSHC and the Borough, approved by the Court at a properly-noticed Fairness Hearing held on January 24, 2023 and memorialized by an approval order filed by the Court on February 2, 2023.

On the date of the Hearing, the Court will consider whether the Affordable Housing Plan, including the necessary implementing ordinances and the revised concept plan for the North Broadway development, fully addresses the existing components of the Borough’s affordable housing obligations for the period 1987-2025. These include the Prior Round (1987-1999) of 170 units, a rehabilitation obligation of 19 units, and a Third Round (1999-2025) obligation of 386 units adjusted to a Realistic Development Potential of 43 units, which shall be satisfied as set forth in the Amended Settlement Agreement. The proposed Affordable Housing Plan provides a

detailed list of the Borough's total affordable housing obligation and compliance mechanisms that demonstrate the Borough's compliance with those affordable housing obligations.

On the date of the Hearing, the Court will also consider the Borough's Spending Plan for Affordable Housing Trust Funds.

The Borough seeks a Judgment of Compliance and Repose formally approving the Affordable Housing Plan, Spending Plan, implementing ordinances and revised concept plan for the North Broadway development, subject to appropriate conditions, if any, that may be imposed by the Court, which Judgment of Compliance and Repose will entitle the Borough's to protection from any Mount Laurel builder's remedy lawsuits for a period through July 2, 2025 or as determined by the Court.

The Affordable Housing Plan, Spending Plan, Amended Settlement Agreement, implementing ordinances and concept plan are electronically accessible for inspection on the Borough website (<https://wclnj.com/>), copies of the Affordable Housing Plan, the Spending Plan, the Amended Settlement Agreement, implementing ordinances and concept plan shall be available for public inspection and/or photocopying (at the requestor's expense) during normal business hours at the Office of the Borough Clerk, Borough of Woodcliff Lake, 188 Pascack Road, Woodcliff Lake, New Jersey 07677. Copies of the Affordable Housing Plan, the Spending Plan, the Amended Settlement Agreement, implementing ordinances and concept plan may also be obtained by contacting Jeffrey A. Zenn, Esq., attorney for the Borough of Woodcliff Lake:

Jeffrey A. Zenn, Esq.
Cullen and Dykman LLP
433 Hackensack Avenue
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Any interested party that seeks to appear to be heard at the Hearing shall have the opportunity to present any position on the Affordable Housing Plan or other documents. Objections or comments by any interested party, must be filed in writing including any supporting documentation, proposed exhibits, and/or expert reports intended to be introduced at the Compliance Hearing, must be filed with the Court no later than August 9, 2023 at the following address: Honorable Christine Farrington, J.S.C., ret'd t/a, , Superior Court of New Jersey, Bergen County Courthouse, 10 Main Street, Courtroom 415, Hackensack, New Jersey 07601 with duplicate copies of any written objections or comments and any supporting documentation, proposed exhibits, and/or expert reports to be forwarded by regular mail and electronic mail to the following persons:

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Failure to provide such written notice by the aforesaid date will preclude the presentation of any evidence and presentation or argument concerning the Affordable Housing Plan, Spending Plan, implementing ordinances and concept plan at the Hearing.

This Notice is provided pursuant to the June 23, 2023 Order of the Court and is intended to inform interested parties of the Borough's Affordable Housing Plan before the Court reviews and evaluates whether to approve the Borough's Affordable Housing Plan, Spending Plan, implementing ordinances and revised concept plan for the North Broadway development. This Notice does not indicate any view by the Court as to the Borough's Affordable Housing Plan and Spending Plan and other documents, including the adequacy of the Borough's Plans or whether the Court will approve those Plans.

CULLEN AND DYKMAN, LLP



By:

Jeffrey A. Zenn, Esq.

Dated: July 17, 2023