

**IN THE MATTER OF THE APPLICATION OF THE  
TOWNSHIP OF LAWRENCE  
DOCKET NO. MER-L-1538-15 (MOUNT LAUREL)**

**NOTICE OF LIMITED FAIRNESS AND CONDITIONAL COMPLIANCE HEARING  
FOR CONSIDERATION OF SETTLEMENT AND DEVELOPER'S AGREEMENTS,  
AND AMENDMENTS TO THE HOUSING ELEMENT AND FAIR SHARE PLAN AND  
ASSOCIATED ORDINANCES INVOLVING THE TOWNSHIP OF LAWRENCE,  
COUNTY OF MERCER**

**PLEASE TAKE NOTICE** that on May 12, 2021 beginning at 9:30 a.m., a combined, limited fairness and conditional compliance hearing will be conducted virtually by Zoom before the Honorable Mary C. Jacobson, A.J.S.C., which may be accessed as follows:

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Virtual Courtroom guides are available - <https://www.njcourts.gov/attorneys/remote.html>

The unauthorized recording and/or use of this court event may subject the individual involved to criminal charges, including a violation of the New Jersey Anti-Piracy Act, N.J.S.A. 2C:21-21, among other possible charges.

Upon conclusion of the hearing, the court will determine whether the terms of an Amended Settlement Agreement between the Township of Lawrence (“Township”) and Fair Share Housing Center, Inc. (“FSHC”), an Amended Developer’s Agreement between the Township, Brandywine Operating Partnership, LP (“Brandywine”) and JAS Homes, Inc. (“JAS”), and a Developer’s Agreement between the Township and 1052 Spruce, LLC, to resolve the Township’s declaratory judgment action are fair and reasonable to low income and moderate income households, and whether the Second Amendment to the Housing Element and Fair Share Plan (dated November 2, 2020) and implementing ordinances, satisfy the Township’s obligation to provide a realistic opportunity for the creation of affordable housing pursuant to its constitutional responsibilities under the *Mount Laurel* doctrine.

The Second Amendment to the Housing Element and Fair Share Plan will address the Township’s Present Need Obligation of 73 housing units, its Prior Round Obligation of 891 housing units, and its Third Round New Construction Fair Share Obligation of 1,110 housing units, all determined pursuant to the Fair Housing Act, N.J.S.A. 52:27D-301, et seq., the applicable regulations of the New Jersey Council on Affordable Housing (“COAH”), the New Jersey Supreme Court’s March 10, 2015 decision in In re N.J.A.C. 5:96 & 5:97, 221 N.J. 1 (2015), other applicable laws, and a 2017 Settlement Agreement with FSHC.

The Township seeks an Amended and Conditional Compliance and Repose, which will afford the Township, among other things, a period of protection from any builder’s remedy or constitutional compliance lawsuits brought pursuant to the *Mount Laurel* Doctrine through July 1, 2025.

The Amended Settlement Agreement with FSHC, the Amended Developer’s Agreement with Brandywine and JAS, the Developer’s Agreement with 1052 Spruce, LLC, and Second Amendment to the Housing Element and Fair Share Plan set forth those compliance mechanisms the Township will employ to address its affordable housing obligation. The full text of these documents are available for public access during normal business hours (M-F 8:30 a.m. – 4:30 p.m.) by contacting the Township Clerk’s Office by email at [clerk@lawrencetwp.com](mailto:clerk@lawrencetwp.com) or by facsimile at (609)844-0984, and are posted on the Township’s website at [www.lawrencetwp.com](http://www.lawrencetwp.com).

Any interested person may appear and be heard at the hearing to address the Settlement Agreement, the Developer’s Agreements, and/or the Second Amendment to the Housing Element and Fair Share Plan, and offer any comments or objections, provided any such person first files its comments or objections in writing with the Court at the Mercer County Criminal Courthouse, 400 South Warren St, Trenton, NJ 08650 no later than ten days prior to the hearing (by May 2, 2021), and serves by email or otherwise such comments or objections upon the following persons:

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This notice is intended to inform interested persons of the Amended Settlement Agreement, the Amended Developer's Agreements with Brandywine and JAS, the Developer's Agreement with 1052 Spruce, LLC, and the Second Amendment to the Township's Third Round Housing Element and Fair Share Plan, and inform such persons that they are able to comment on these documents before the Court decides whether or not to approve them. This notice does not indicate any view by the Court as to the fairness of the Amended Settlement Agreement and Developer's Agreements, or the adequacy of the Township's Second Amendment to the Housing Element and Fair Share Plan.

Eckert Seamans Cherin & Mellott, LLC  
Attorneys for the Township of Lawrence

By: /s/ David M. Roskos  
David M. Roskos