

NOTICE OF FAIRNESS HEARING IN SUPERIOR COURT OF NEW JERSEY FOR REVIEW  
OF AGREEMENT BETWEEN LIVINGSTON TOWNSHIP AND LIVINGSTON CORPORATE  
PARK ASSOCIATES IN AFFORDABLE HOUSING DECLARATORY JUDGMENT ACTION  
PENDING UNDER DOCKET NUMBER ESX-L-4849-15

PLEASE TAKE NOTICE that the Honorable Robert H. Gardner, J.S.C., has scheduled a fairness hearing for Thursday, October 2, 2020 at 1:30 p.m. in Court Room 404 in the Essex County Historic Courthouse Building at 470 Martin Luther King Jr. Boulevard, Newark, New Jersey 07102 in an affordable housing declaratory judgment action filed by the Township of Livingston pending in the Superior Court, Law Division, Essex County under Docket Number ESX-L-4849-15. Please note that if the courthouse is still closed to the public at that time, hearing may take place via video conference. Information about courtroom closings is available at njcourts.gov, and any interested party should contact the office of attorney Gary T. Hall, Esq., special counsel for Livingston Township, at 973.639.6986 at least 48 hours in advance of the hearing date to determine how to participate in the hearing. The purpose of the hearing is for the Court to evaluate whether an agreement between Livingston Township and Livingston Corporate Park Associates, LLC ("LCPA") is fair and reasonable to the region's very low, low and moderate income households in accordance with legal principles established by court decisions, including East/West Venture v. Bor. of Fort Lee, 286 N.J. Super. 311 (App. Div. 1996). The Agreement provides for LCPA to redevelop its property, consisting of approximately 13.8874 acres located at 220 South Orange Avenue and designated on the Township Tax Map as Block 6101, Lot 45, to eliminate the current office use and construct an inclusionary residential development that will include 25 affordable housing units consistent with applicable criteria and restrictions under the Uniform Housing Affordability Controls ("UHAC") for which Livingston Township will receive credit toward its Third Round affordable housing obligation as set forth in a Housing Element and Fair Share Plan ("HEFSP") that is being finalized and is anticipated to be presented to the Superior Court in separate review proceedings in the declaratory judgment action in connection with a request for entry of an Order approving the HEFSP and a revised Spending Plan and declaring that the Township of Livingston has fully discharged its constitutional Third Round affordable housing obligation and is granted a corresponding period of protection and repose against exclusionary zoning litigation. Any comments or objections regarding the Agreement shall be in writing and shall be filed on or before September 18, 2020 with the Honorable Robert H. Gardner, J.S.C. at the Essex County Historic Courthouse Building at 470 Martin Luther King Jr. Boulevard, Newark, New Jersey 07102, with copies by first class mail to:

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