

**NOTICE OF FAIRNESS HEARING FOR THE BOROUGH OF MATAWAN, COUNTY
OF MONMOUTH TO APPROVE THE SETTLEMENT OF A MOUNT LAUREL
BUILDER'S REMEDY LAWSUIT FILED BY 160 MAIN, LLC**

Docket No. MON-L-513-22 (Consolidated with Docket No. MON-L-410-22)

PLEASE TAKE NOTICE that on Monday, April 7, 2025, beginning at 9:00 A.M., a "Fairness Hearing" (the "Hearing") will be conducted via virtual format before the Honorable Kathleen A. Sheehan, J.S.C. at the Monmouth County Superior Court Courthouse, 71 Monument Park, Freehold, New Jersey 07728. Anyone who desires to receive instructions regarding how to access and/or participate in the Hearing through virtual technology should provide an e-mail address or mailing address to Christopher D. Zingaro, Esq. at the e-mail or mailing addresses listed at the end of this Notice on or before March 28, 2025. Instructions for accessing the virtual hearing will also be provided by the Court on the public court docket prior to April 7, 2025.

The purpose of the Hearing is for the Court to review and approve the Settlement Agreement between 160 Main, LLC and the Borough of Matawan (the "Borough"), which proposes to resolve the Builder's Remedy lawsuit filed by 160 Main, LLC, and which provides for an inclusionary development at property in the Borough designated as Block 27, Lot 2, commonly known as 160 Main Street, which would consist of forty-six (46) residential units, eight (8) of which shall be units set aside as very-low-, low- and moderate-income affordable housing units (the "Settlement Agreement"). Through this judicial proceeding, the Court will evaluate whether or not the Settlement Agreement will assist fulfill the Borough's obligation to provide a realistic opportunity for the creation of affordable housing for the period 1999-2025, pursuant to the Borough's constitutional responsibilities under the *Mount Laurel Doctrine*, the Fair Housing Act, N.J.S.A. 52:27D-301, et seq., any 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 the Adoption of N.J.A.C. 5:96 & N.J.A.C. 5:97, 221 N.J. 1 (2015), and other applicable laws.

The executed Settlement Agreement shall be placed on file 30 days prior to the hearing date for public inspection and copying during regular business hours at the Borough Clerk's office located at 201 Broad Street, Matawan, New Jersey, 07747.

Any interested person may seek to appear and be heard at the Fairness Hearing to address the Settlement Agreement, and offer any comments or objections, *provided* any such person first files its comments or objections, together with any supporting affidavits or documents, in writing with the Court at the above address on or before March 14, 2025, and serves and emails such objections or comments upon the following:

Ronald H. Gordon, Esquire
Rainone Coughlin Minchello, LLC
555 US Highway One South
Suite 440
Iselin, New Jersey 08830
RGordon@njrcmlaw.com

Christopher D. Zingaro, Esquire
Rainone Coughlin Minchello, LLC
555 US Highway One South
Suite 440
Iselin, New Jersey 08830
CZingaro@njrcmlaw.com

Donna M. Jennings, Esquire
Wilentz, Goldman & Spitzer, P.A.
90 Woodbridge Center Drive Suite 900
Woodbridge, New Jersey 07095
DJennings@wilentz.com

Ariela Rutbeck-Goldman, Esquire
Fair Share Housing Center
510 Park Blvd
Cherry Hill, New Jersey 08002
arielarutbeck@fairsharehousing.org

Francis Banisch, P.P., AICP
Special Adjudicator
111 Main Street
Flemington, New Jersey 08822
frankbanisch@banisch.com

This Notice is provided pursuant to an order of the Court and is intended to inform interested persons of the Hearing before the Court reviews and evaluates whether to sign an order approving the Settlement Agreement.

RAINONE COUGHLIN MINCHELLO, LLC
BY: /s/ Christopher D. Zingaro
Christopher D. Zingaro, Esq.
Affordable Housing Counsel for the Borough of Matawan