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March 17, 2026

### **VIA ECOURTS**

**The Honorable William G. Mennen, J.S.C.**  
Superior Court of New Jersey  
Law Division: Hunterdon County  
65 Park Avenue  
Flemington, NJ 08822

**RE: In the Matter of the Application of the Township of Readington,  
County of Hunterdon, HNT-L-76-25**

Dear Judge Mennen:

As Your Honor is aware, this firm represents the Township of Readington in the above-referenced matter (the “Township”). Consistent with the Township’s correspondence dated March 13, 2026, enclosed please find the duly adopted Binding Resolution.

I thank Your Honor for your time and consideration in this matter.

Respectfully Submitted,

*William E. Olson*

William E. Olson

WEO/ln

Enclosure

cc: All counsel of record (via eCourts)

**BINDING RESOLUTION OF THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AUTHORIZING COMMITMENT PURSUANT TO N.J.S.A. 52:27D-304.1(f)(2)(b)**

**WHEREAS**, the Township of Readington (“Township”) has a longstanding and well-documented history of voluntary compliance with the Mount Laurel doctrine and the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq.; and

**WHEREAS**, for decades the Township has consistently taken affirmative steps to satisfy its affordable housing obligations, including securing substantive certification in prior rounds and implementing numerous municipally supported compliance mechanisms to produce affordable housing opportunities; and

**WHEREAS**, the Township’s Third Round Housing Element and Fair Share Plan (“HEFSP”) was notable not only for its breadth of municipal support but also for the extraordinary municipal effort required to address severe infrastructure limitations, particularly the scarcity of available sewer capacity; and

**WHEREAS**, rather than deferring its obligations to the fullest extent permitted by law, the Township undertook substantial and sustained efforts to maximize affordable housing production notwithstanding those constraints, including expending significant municipal time and resources to secure, recapture, and allocate sewer capacity for affordable housing projects; and

**WHEREAS**, those efforts required years of coordination with sewer authorities, regulatory agencies, developers, and other stakeholders, and involved considerable municipal expenditures as well as political and administrative effort; and

**WHEREAS**, as a result of those extraordinary efforts, the Township has aggressively pursued the elimination of prior durational adjustments and has continued working to convert previously deferred obligations into real projects supported by real infrastructure solutions; and

**WHEREAS**, as a result of those extraordinary efforts, the Township has received a Grant of Substantive Certification and/or a Judgment of Compliance and Repose during Rounds 1 (1987-1993), 2 (1993-1999), and 3 (1999-2025) of the affordable housing process; and

**WHEREAS**, because the Township remained actively engaged in those infrastructure efforts during the transition into the Fourth Round planning process, it required additional time relative to many municipalities to formulate a comprehensive, responsible, and implementable HEFSP for the Fourth Round; and

**WHEREAS**, notwithstanding those circumstances, the Township timely adopted and filed a HEFSP addressing its Fourth Round obligations in accordance with the statutory deadlines; and

**WHEREAS**, the Township initially proposed a development concept involving the Unicom property which the Township reasonably believed would provide a substantial and appropriate compliance mechanism within its plan; and

**WHEREAS**, when that property owner unexpectedly withdrew from participation immediately prior to the Planning Board hearing, the Township was required to rapidly reevaluate and restructure significant portions of its compliance strategy; and

**WHEREAS**, in the months that followed, the Township undertook substantial additional diligence and planning analysis, revising its compliance plan multiple times in order to ensure that the sites included therein were realistic, implementable, and consistent with sound planning principles; and

**WHEREAS**, as part of that process, the Township carefully evaluated numerous properties throughout the municipality and determined that certain properties were unsuitable for inclusion in the plan due to environmental constraints, infrastructure limitations, farmland preservation considerations, or other legitimate land-use planning concerns; and

**WHEREAS**, the Township has consistently sought to concentrate development opportunities within appropriate planning areas and infrastructure service areas while preserving environmentally sensitive lands and farmland resources that have long been recognized as important state and regional planning priorities; and

**WHEREAS**, notwithstanding the Township's good-faith efforts to develop a realistic and responsible plan, certain property owners and the Fair Share Housing Center ("FSHC") have filed challenges to the Township's plan; and

**WHEREAS**, those challenges remain unresolved and involve disputed factual and planning issues that are currently the subject of further proceedings before the Mount Laurel court; and

**WHEREAS**, the Affordable Housing Dispute Resolution Program ("Program") reviewed the Township's submissions and determined that additional proceedings are appropriate, while at the same time recognizing that the Township should retain immunity from exclusionary zoning litigation while the compliance process continues; and

**WHEREAS**, specifically, the Program recommended that the Township maintain immunity from builder’s remedy litigation conditioned upon the Township’s continued good-faith participation in the compliance process and continued implementation of its HEFSP; and

**WHEREAS**, the Fair Housing Act expressly contemplates circumstances where a municipality may demonstrate compliance with statutory deadlines through the adoption of a binding municipal commitment pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b); and

**WHEREAS**, this Resolution is intended to memorialize that binding commitment and to confirm that the Township remains fully committed to achieving constitutional compliance through voluntary municipal action rather than through unnecessary litigation; and

**WHEREAS**, in addition to the foregoing, the Township has continued to engage in negotiations and mediation with various property owners and developers in order to refine and strengthen the compliance mechanisms within its plan, including discussions involving, among others:

- Profetta / Pleasant Run;
- Solberg Aviation;
- K. Hovnanian / Bellemead;
- other interested parties and potential development partners; and

**WHEREAS**, those continuing negotiations demonstrate the Township’s ongoing willingness to revise and refine zoning mechanisms and development opportunities where appropriate in order to facilitate realistic affordable housing opportunities; and

**WHEREAS**, the Township remains fully committed to continuing its long tradition of voluntary compliance with the Mount Laurel doctrine and the Fair Housing Act.

**NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, as follows:**

1. Pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b), the Township hereby makes a binding commitment to continue implementing, refining, and, where necessary, amending its Housing Element and Fair Share Plan in order to achieve compliance with the Fair Housing Act and the Mount Laurel doctrine, and timely adopting the requisite documents upon the conclusion of the outstanding challenges.
2. The Township shall continue to participate in the compliance proceedings before the Superior Court and/or the Affordable Housing Dispute Resolution Program, including any evidentiary hearings or mediation necessary to resolve outstanding issues concerning the Township’s plan.

3. The Township shall continue to act in good faith to implement the compliance mechanisms contained within its Housing Element and Fair Share Plan and to pursue realistic affordable housing opportunities consistent with sound land-use planning principles.
4. The Township shall continue to engage in negotiations and discussions with property owners and developers in order to explore reasonable compliance opportunities consistent with the Township's planning framework and infrastructure limitations.
5. Nothing in this Resolution shall be construed as conceding the suitability of any particular site for inclusion in the Township's Housing Element and Fair Share Plan, and the Township expressly reserves its planning discretion to determine which sites are appropriate for inclusion consistent with sound land-use principles.
6. This Resolution is adopted in order to satisfy the statutory mechanism contemplated by N.J.S.A. 52:27D-304.1(f)(2)(b) and to confirm the Township's continued determination to voluntarily comply with its affordable housing obligations.
7. The Township Attorney, Planner, and other municipal professionals are hereby authorized to take all actions necessary to implement the intent of this Resolution and to continue advancing the Township's compliance efforts.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be transmitted to the Superior Court of New Jersey, the Affordable Housing Dispute Resolution Program, and all interested parties as appropriate.

Clerk's certification