

SURENIAN, EDWARDS, BUZAK & NOLAN LLC

Jeffrey R. Surenian, Esq. ▲
Email - JRS@Surenian.com

Michael J. Edwards, Esq. ►
Email - MJE@Surenian.com

Edward J. Buzak, Esq. ▼
Email - EJB@Surenian.com

Erik C. Nolan, Esq.
Email - EN@Surenian.com

A Limited Liability Company
Counselors at Law
311 Broadway, Suite A
Point Pleasant Beach, New Jersey 08742
Phone: (732) 612-3100
Fax: (732) 612-3101
www.Surenian.com

—
North Jersey location:
150 River Road, Suite N-4
Montville, NJ 07045
Phone: (973) 335-0600
Fax: (973) 335-1145

Keli L. Gallo, Esq. ►
Email - KLG@Surenian.com

Susan L. Crawford, Esq. ▲■
Email - SLC@Surenian.com

Nancy L. Holm, Esq. ▲
Email - NLH@Surenian.com

Jacquelin P. Gioioso, Esq.
Email - JPG@Surenian.com

William E. Olson, Esq.
Email - WEO@Surenian.com

Also admitted:

◀ CA ▼ DC ▲ PA ■ MA ► NY

April 9, 2026

VIA eCOURTS

Honorable Robert Malestein, P.J.Ch.

Superior Court of New Jersey
Gloucester County Old Courthouse
1 North Broad Street, Floor 2
Woodbury, New Jersey 08096

RE: In the Matter of the Application of the Township of Pilesgrove
Docket No. SLM-L-25-25

Dear Judge Malestein:

This Firm represents the Township of Pilesgrove as Special Affordable Housing Counsel in the above matter. In accordance with the December 3, 2025 Consent Order requiring the Township and Fair Share Housing Center (“FSHC”) to provide a Consent Order for a final Fourth Round Compliance Certification by April 15, 2026, enclosed please find a Consent Order Final Compliance Certification that has been agreed upon and signed by the attorneys representing the Township and FSHC.

If Your Honor finds the attached proposed Consent Order to be satisfactory, the Township respectfully requests that Your Honor enters the proposed order. I thank Your Honor for your continued time and attention to this matter.

Very truly yours,

Erik C. Nolan

Erik C. Nolan

ECN/sp

Enclosure

cc: All attorneys of record (*via ecourts*)
Ashley J. Lee, Esq. (*via email*)
Laura Smith-Denker, Esq. (*via email*)

Surenian, Edwards, Buzak & Nolan LLC

311 Broadway, Suite A
Point Pleasant Beach, NJ 08742
(732) 612-3100

Attorneys for Declaratory Plaintiff, Township of Pilesgrove
By: Erik C. Nolan (Attorney ID:014032006)

**In the Matter of the
Application of the Township of
Pilesgrove, County of Salem.**

SUPERIOR COURT OF NEW JERSEY
Law Division, Salem County
Docket No. SLM-L-25-25

**CIVIL ACTION
(Mount Laurel)**

**Consent Order Final Compliance
Certification (N.J.S.A.
52:27D-304 (q))**

THIS MATTER having come before the Court via the joint request of the Township via counsel Erik C. Nolan, Esq., as well as Fair Share Housing Center, via counsel Laura S, Smith-Denker, Esq. (on behalf of Fair Share Housing Center), seeking a certification of compliance with the Fair Housing Act ("FHA"); and

WHEREAS, the Township of Pilesgrove (the "Township" or "Pilesgrove") having filed a resolution of participation in the Affordable Housing Dispute Resolution Program (the "Program") and a declaratory judgment action on January 29, 2025; and

WHEREAS, the above-named parties having previously presented a consent order to the Court which was entered on December 3, 2025, and which consent order is incorporated herein

by reference; and

WHEREAS, the Township having filed its Housing Element and Fair Share Plan ("HEFSP") on June 19, 2025 and implementing ordinances and resolutions on March 13, 2026; and

WHEREAS, Fair Share Housing Center ("FSHC") having reviewed the Township's filing in accordance with the parties' consent order and confirmed that the Township has complied with all terms outlined in the consent order; and

WHEREAS, no other interested-party filed a challenge or any other communication; and

WHEREAS, the Court having reviewed the Township's HEFSP, attachments, and implementing ordinances and resolutions, incorporating therein any changes from the Court's prior order(s) and determined that they meet the "objective standard" and are in compliance with the Fair Housing Act and the Mount Laurel doctrine; and

WHEREAS, the Court incorporates the Court's prior orders and for good cause shown:

IT IS on this _____ day of _____, 2026, **ORDERED** as follows:

1. The Township's Fourth Round HEFSP, attachments, and applicable implementing ordinances and resolutions, collectively referenced at SCHEDULE-1 hereto as Exhibit P-1 through Exhibit P-8 (inclusive) and herein as the

"Implementing Ordinances & Resolutions", are hereby admitted into evidence and entered into the record.

2. The Township of Pilesgrove's Fourth Round Fair Share Plan (Exhibit P-1) is hereby approved and deemed to meet the "objective standard" pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) of complying with the Fair Housing Act and the Mount Laurel doctrine and the Township is granted a Compliance Certification as to its Rehabilitation Obligation ("Present Need"), its Prior Round Obligation (1987-1999), its Third Round Obligation (consisting of both its Gap Obligation for 1999-2015 and its Prospective Need Obligation for 2015-2025), and its Fourth Round obligation pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301, et. seq.) ("FHA"), the Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1, et seq.) ("UHAC"), applicable Council on Affordable Housing (hereinafter "COAH") substantive rules, and Mount Laurel case law, including the New Jersey Supreme Court's Mount Laurel IV decision.
3. The Township's Compliance Certification shall remain in effect for ten (10) years beginning on July 1, 2025 and ending on June 30, 2035, and during this ten (10) year period the Township shall have repose from exclusionary zoning litigation, including, but not limited to, Builder's Remedy lawsuits, as provided for in the New Jersey Fair

Housing Act, N.J.S.A. 52:27D-301 et. seq. The Township's Compliance Certification shall remain subject, however, to revocation or other Order of the Court that does or may hereafter issue, on notice of motion by FSHC to the Township and good cause shown, at any time during the pendency of the Fourth Round Housing cycle, in accordance with Fair Housing Act requirements.

4. As per the Township's HEFSP and earlier court orders, the Township's Present Need or Rehabilitation Obligation is 0, the Township's Prior Round Obligation (1987-1999) is 35, the Township's Third Round Obligation (1999-2025) is 62, and the Township's Fourth Round Prospective Need (2025-2035) is 20 units.
5. The Township's Present Need is zero (0) so there are no units that need to be rehabilitated during the Fourth Round.
6. The Township has satisfied its Prior Round obligation of 35 as follows:
 - 24 units from the existing one hundred percent (100%) affordable family rental development Bailey's Corner.
 - 3 credits from the ARC existing and occupied group home.
 - 8 bonus credits.

7. The Township has satisfied its Third Round Prospective Need of 62 units as follows:

- 50 credits from the existing one hundred percent (100%) affordable family rental development Bailey's Corner.
- 5 credits from the Elwyn existing and occupied group home.
- 5 credits from the Allies existing and occupied group home.
- 2 credits from the Devereux existing and occupied group home.

8. The Township will address its Fourth Round Prospective Need of 20 as follows:

- 3 credits from the Devereux existing and occupied group home.
- 5 credits from the Bancroft existing and occupied group home.
- 4 credits from the Scioto Properties existing and occupied group home located on Block 7, Lot 8.
- 6 credits from the Scioto Properties existing and occupied group home located on Block 21.02, Lot 11.
- 6 credits from the Township's Market to Affordable Program.

9. The Township's Compliance Certification shall be subject to required ongoing monitoring as follows:

- The Township by February 15, 2026, and annually, agrees to electronically enter data into the AHMS system of the Department of Community Affairs of a detailed accounting of all development fees and any other payments into its trust fund that have been collected including residential and non-residential development fees, along with the current balance in the municipality's affordable housing trust fund as well as trust funds expended, including purposes and amounts of such expenditures, in the previous year from January 1st to December 31st.
- The Township by February 15, 2026, and annually, agrees to electronically enter data into the AHMS system of the Department of Community Affairs of up-to-date municipal information concerning the number affordable of housing units actually constructed, construction starts, certificates of occupancy granted, the start and expiration dates of deed restrictions. With respect to units actually constructed, the information shall specify the characteristics of the housing, including housing

type, tenure, affordability level, number of bedrooms, date and expiration of affordability controls, and whether occupancy is reserved for families, senior citizens, or other special populations.

- For the midpoint realistic opportunity review as of July 1, 2030, pursuant to N.J.S.A. 52:27D-313, the municipality or other interested party may file an action through the program seeking a realistic opportunity review and shall provide for notice to the public, including a realistic opportunity review of any inclusionary development site in the adopted HEFSP that has not received preliminary site plan approval prior to the midpoint of the 10-year round. Any such filing shall be through eCourts or any similar system set forth by the Program with notice to any party that has appeared in this matter.

10. The Court shall retain jurisdiction for the limited purpose of allowing FSHC and the Township the opportunity to enforce the terms and conditions of this Certification of Compliance and Repose and the Township's adopted Fourth Round HEFSP.

11. A copy of this Order shall be entered on eCourts and shall be effective as of the date of filing.

Hon. Robert Malestein, P.J.CH.

On behalf of the Township of Pilesgrove:

Erik C. Nolan

Erik C. Nolan, Esq.

On behalf of Fair Share Housing Center:

Laura S. Smith-Denker, Esq.

Laura S. Smith-Denker, Esq.

SCHEDULE-1

P-1: Fourth Round Housing Element and Fair Share Plan which was filed with the Program and the Court on June 19, 2025, along with the resolutions adopting and endorsing the plan.

P-2: Bailey's Corner Project Documentation.

P-3: Documentation for the ARC, Elwyn, Allies, Bancroft, Scioto Properties, and Devereux group homes.

P-4: Administrative Agent Resolution. On January 6, 2026, the Township appointed Triad Associates as the Township's affordable housing Administrative Agent.

P-5: Township's adopted Fourth Round Spending Plan.

P-6: Township's combined Affordable Housing Ordinance and Development Fee Ordinance, which was adopted by the Township Committee on March 10, 2026.

P-7: Township's updated Owner Occupied/Rehabilitation Manual, Affordability Assistance Manual, and Market to Affordable Manual, which were all adopted by the Township Committee via resolution on March 10, 2026.

P-8: The Township's Affirmative Marketing Plan, which was drafted to comply with the new UHAC requirements, was adopted by the Township Committee on March 10, 2026.