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March 13, 2026

Via E-Courts

Hon. William G. Mennen, J.S.C.
Somerset County Courthouse
20 North Bridge Street, 3rd Floor
Somerville, New Jersey 08876

**Re: In the Matter of the Application of the Township of Franklin
Docket No.: SOM-L-169-25**

Dear Judge Mennen:

This office represents the Township of Franklin (the "Township") in the above-referenced matter. On February 9, 2026, the Court entered a Decision and Order (the "February 9th Order") approving the Township's Housing Element and Fair Share Plan for the Fourth Round housing cycle, as amended in accordance with the settlements with Challengers Fair Share Housing Center and Dunbar Homes, Inc., respectfully (the "Amended HEFSP"). The February 9th Order requires the adoption of all ordinances and resolutions necessary to ensure implementation of the Amended HEFSP, on or before March 16, 2026.

Pursuant to the February 9th Order, the Court dismissed the Challenges of the non-settling parties¹ and retained jurisdiction for the Township's adoption of the implementing ordinances on or before March 16, 2026, and thereupon, for the Court's issuance of a Certification of Compliance. Enclosed, the Township submits for the record the Township's Housing Plan

¹ The Non-Settling, Dismissed Challengers include: (i) El-Ion Franklin Development Group, LLC; (ii) El at Franklin, LLC; (iii) MCS Franklin II, LLC; (iv) PES Franklin, LLC; (v) LLL 46, LLC; (vi) Home America Rental, LLC; (v) RAR 287 Cedar Grove, LLC; (vi) and Franklin Associates II, LLC

Element and Fair Share Plan Addendum for the Fourth Round (2025-2035), dated February 4, 2026 and adopted February 18, 2026, and the Township's adopted implementing ordinances.

Pursuant to Paragraph 4 of the February 9th Order, the Township respectfully requests that a "HEFSP Confirmation Hearing" be scheduled in order that a Certification of Compliance may issue to the Township for the Fourth Round.

Enclosed for the record, the Township submits the following:

- Exhibit A: Housing Plan Element and Fair Share Plan Addendum for the Fourth Round (2025-2035), dated February 4, 2026, adopted by the Township Planning Board on February 18, 2026;
- Exhibit B: Ordinance No. 4489-26 – "An Ordinance of the Township of Franklin Amending Chapter 112 (Land Development) of the Code of the Township of Franklin, County of Somerset, and State of New Jersey to Establish an Inclusionary Zone District Entitled MFIZ-4, Providing Affordable Housing Units to be Developed Subject to Certain Conditions and Requirements," adopted February 10, 2026;
- Exhibit C: Ordinance No. 4490-26 – "An Ordinance of the Township of Franklin Amending Chapter 112 (Land Development) of the Code of the Township of Franklin, County of Somerset, and State of New Jersey to Establish an Inclusionary Zone District Entitled MFIZ-2, Providing Affordable Housing Units to be Developed Subject to Certain Conditions and Requirements," adopted February 10, 2026;
- Exhibit D: Ordinance No. 4491-26 – "An Ordinance of the Township of Franklin Amending Chapter 112 (Land Development) of the Code of the Township of Franklin, County of Somerset, and State of New Jersey to Establish an Inclusionary Zone District Entitled, Multi Family Inclusionary Zone -1 (MFIZ-1), Providing Affordable Housing Units to be Developed Subject to Certain Conditions and Requirements," adopted February 10, 2026;
- Exhibit E: Ordinance No. 4492-26 – An Ordinance of the Township of Franklin Amending Chapter 112 (Land Development) of the Code of the Township of Franklin, County of Somerset, and State of New Jersey to Establish an Inclusionary Zone District Entitled MFIZ-5, Providing Affordable Housing Units to be Developed Subject to Certain Conditions and Requirements," adopted February 10, 2026;
- Exhibit F: Ordinance No. 4493-26 – "An Ordinance of the Township of Franklin Amending the Code of the Township of Franklin, County of Somerset, State of New Jersey, More Particularly Chapter 112, Land Development – Section 112-350, Franklin Boulevard Redevelopment Plan," adopted February 10, 2026;
- Exhibit G: Ordinance No. 4496-26 – "An Ordinance of the Township of Franklin Replacing Article XXXIII – Affordable Housing Development Fees of the Land Use Ordinance of the Township of Franklin (Somerset County) to Address the Requirements of the Fair Housing Act (FHA) and the Uniform Housing

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March 14, 2026

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Affordability Controls (UHAC) Regarding Compliance with the Franklin's Affordable Housing Obligations," adopted March 10, 2026; and

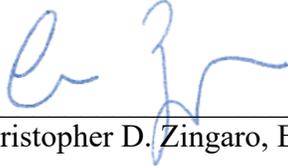
Exhibit H: Ordinance No. 4497-26 – An Ordinance of the Township of Franklin to Repeal and Replace Chapter 81 of the Municipal Code of the Township of Franklin to Address the Requirements of the Fair Housing Act (FHA) and the Uniform Housing Affordability Controls (UHAC) Regarding Compliance with Franklin's Affordable Housing Obligations and to Make Related Amendments to the Municipal Code," adopted March 10, 2026.

Thank you for the Court's attention to this submission.

Respectfully submitted,

RAINONE COUGHLIN MINCHELLO, LLC

Attorneys for the Township of Franklin

By: 

Christopher D. Zingaro, Esq.

Encl. (8)

cc: All Counsel of Record