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PRESS RELEASE

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HIGHLANDS AND FORT MONMOUTH MASTER PLANS CHALLENGED

Advocates' lawsuit contends that the Highlands Council and Fort Monmouth Economic Revitalization Planning Authority have violated the Mount Laurel doctrine by failing to provide their fair share of affordable housing.

Trenton, New Jersey- Today, Fair Share Housing Center (FSHC) filed two appeals contending that the state agencies responsible for adopting master plans for the Highlands Region and Fort Monmouth have adopted invalid, unconstitutional plans that do not provide sufficient opportunities for affordable housing. With regard to the Highlands, FSHC also challenged Governor Corzine's September 5, 2008 executive order that goes farther than the master plan in reducing affordable housing obligations in the Highlands Region.

At issue in the two appeals is whether the Highlands Council and the Fort Monmouth Economic Revitalization Planning Authority (FMERPA) have Mount Laurel obligations, an issue that was already decided in a May 2007 appellate court decision involving the Meadowlands Commission with which the Highlands Council and FMERPA have refused to comply. The two agencies have proposed large scale master plans in their respective jurisdictions without even attempting to provide opportunities for the required affordable housing.

The master plan for Fort Monmouth, an 1125-acre site that spans Oceanport, Tinton Falls, and Eatontown, was adopted on September 3, 2008. The plan does not attempt to calculate the obligation for affordable housing resulting from development on the Fort or say how many affordable housing units will be provided, but does indicate that only 13% of the fort will be used for homes. At the same time, FMERPA has argued that growth that occurs on Fort Monmouth should not result in affordable housing obligations, thus seeking special treatment as a state agency. Local residents have called for up to 1500 units of affordable housing on the soon-to-close military base, but FMERPA has rejected their request.

The master plan for the Highlands was approved by Governor Corzine on September 5, 2008. It covers 88 municipalities in seven counties. Governor Corzine also signed Executive Order 114, which reduced the size of the Highlands' Council's affordable housing obligations without directing that those units be provided in a different location. This means that 12,000 units of affordable housing that were supposed to be provided in the Highlands, and still could be in an environmentally sound manner, will not be provided anywhere, a clear violation of the state constitutional requirement that the state allocate affordable housing obligations in a way that ensures the affordable housing need will be met.

"The master plans approved for the Highlands and Fort Monmouth represent state government's effort to pander to local mayors who do not want schoolchildren," said Kevin Walsh, the Associate Director of FSHC. "In such large areas, there is no reason why affordable housing could not be provided. Sensitive areas in the Highlands can be preserved without excluding lower-income families with parents who work in that region and need a good place to live."

According to Walsh, "Fort Monmouth is a redevelopment area, which is where our state policies are supposed to encourage growth. Failing to use Fort Monmouth in a smart growth way will encourage sprawl and will damage our environment."

Walsh continued: “The message coming from the Corzine administration, which supported and approved the two master plans and adopted an executive order reducing affordable housing obligations, is that towns have to comply with our affordable housing laws unless they get state agencies to give them a pass. It is especially troubling that the Corzine administration would eliminate affordable housing obligations in the Highlands because of the environment, but not recognize that the same policy concerns require Fort Monmouth to provide more opportunities. ”

Fair Share Housing Center, founded in 1975, is New Jersey’s only public interest organization dedicated solely to the preservation and growth of the Mount Laurel doctrine.

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