

# TOWNSHIP OF FREEHOLD



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*TOWNSHIP COMMITTEE*  
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*"Preserving and Enhancing the Quality of Life"*

April 27, 2020

To Our Freehold Township Residents:

I am writing to you today to make you aware of certain upcoming adjustments to our current zoning laws that will change the landscape of our hometown. These changes are not desired by or at the behest of your local government but are the result of strong-armed tactics by our State Courts, land developers and others who want to dictate the look and feel of communities across the State. It is important to understand, these changes are being driven by people who will never live, work or visit here and/or will significantly profit from these changes.

In March of 1975, a landmark New Jersey Supreme Court decision, known as the Mount Laurel decision, mandated that every municipality provide zoning opportunities for the development of affordable housing. As a result, the Council on Affordable Housing (COAH) was established to dictate a municipality's affordable housing obligation. Land developers were quick to realize the significant opportunity to leverage this affordable housing obligation to build "market rate housing" and, with their high-priced lawyers, filed and won "builders remedy" lawsuits. These developers, partnering with Court-backed "advocate lawyers", use the Courts to force unwanted construction on towns. To be clear, developers do not want to build affordable housing for people in need, because they do not make money on those units. They fight for affordable housing solely so they can build more market-rate units and generate more profit for themselves.

Because of the State's inability and unwillingness to adopt Round 3 rules for municipalities, the NJ Supreme Court allowed the Courts to decide our fate, and appointed Fair Share Housing Corp (FSHC) as the advocate lawyer to promote affordable housing. Several towns went to court challenging their mandated obligation, expending significant legal sums, only to lose and have a judge unilaterally impose an astronomical amount of housing upon them. Others, like Freehold Township, remained at the table in order to maintain some level of control of their obligation. Make no mistake, the Freehold Township Committee has engaged in a fierce, costly and protracted legal battle with a State-appointed adversary, developers and property owners, fighting for the rights of the residents of Freehold Township.

We have always taken a proactive approach to our obligation, generally requiring our affordable housing to be seamlessly integrated with the market rate housing being built. We have worked hard to ensure housing for our seniors (Wemrock Senior Living & Kershaw Commons) and for our veterans (The Edge at Freehold.) We have also worked towards acquiring open space (over 9,000 acres) and through farmland preservation (Gibson Farms) to ensure that certain parcels can never be developed. Many will be surprised to learn that the Township has over 1,000 credits that have satisfied our prior obligation and over 500 credits towards our current obligation.


Since Freehold Township has always believed it is best to control our affordable housing destiny, we entered into negotiations towards a settlement agreement with FSHC that would legally establish our current round obligation. We did this after carefully examining every available parcel of land to determine the practicality of development. This was a long and tedious process that, along with other innovative strategies, ultimately reduced our potential obligation from between 1,509 (from a previous Court ruling) and 2,200 (desired by FSHC) affordable units to a final number of 878. While that number is higher than we would have liked, we feel that it is substantially lower than what might have been required if we had lost our case in a full-blown Court Trial as other towns have experienced. In short, a settlement means that significantly fewer homes will be built in Freehold Township.

Freehold Township remains committed to maintaining our "Family Town" as well as our rural and historic character. This has been the basis of every change in zoning or Planning Board approval that has been contemplated. Other than the owner of the property being developed, I do not believe that there is one person who thinks that another new development is either necessary or desirable. I am equally certain that our residents have felt that way since 1958 when our first major housing development (Wynnefield) was built and has continued with every subsequent project.

As we have done in the past, when new housing is constructed, we will identify ways to provide realistic opportunities so that everyone, including our children, our seniors, our first responders, our teachers and young professionals and our veterans will have a chance to call Freehold Township their home. We will also encourage the redevelopment of blighted properties like Old Freehold Mall on Route 9 and the South Freehold Shop-Rite Mall or environmentally questionable properties like on Burke Road as well as the preservation of additional acres of open space for future generations to enjoy.

I am confident that together we will make the best of a less than ideal situation and that Freehold Township will continue to provide the highest quality of life for our families and be a premier destination for generations to come.

For the Freehold Township Committee,



Lester A. Preston, Jr.  
Mayor