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February 18, 2026

VIA eCOURTS

Honorable Aldo J. Russo, J.S.C.

Essex County

Historic Courthouse

470 Dr. Martin Luther King Jr., Blvd.

Chamber/Courtroom 108

Newark, New Jersey 07102

RE: In the Matter of the Application of the Township of Maplewood
Docket No. ESX-L-622-25

Dear Judge Russo:

This office represents the Township of Maplewood as Special Affordable Housing Counsel in the above matter before the Program and the Court. The Township is in receipt of the letter filed in this matter by 161 Maplewood Investors, LLC (hereinafter the "Developer") on February 14, 2026.

In the letter, the Developer states correctly that on February 10, 2026, the Planning Board voted down the inclusion of the 11 Inwood Place parcel, which the Developer claims is needed for the construction of the proposed 65-unit inclusionary project that is part of the Settlement Agreement between the Township and Fair Share Housing Center ("FSHC"). This action in turn forced the Township to put an amended Housing Element and Fair Share Plan ("Amended Plan") on file on February 13, 2026 to meet the upcoming Fair Housing Act ("FHA") March 15, 2026 deadline, which reduced the size of the Developer's project down to 50 units.

In an attempt to avoid unnecessary litigation, Township representatives and representatives of the Developer held a meeting in the Township Municipal building on February 17, 2026 to look for a way to resolve the current situation amicably. The meeting was productive, but the parties both agreed that the March 15, 2026 deadline that the Township is currently under to file its

Amended Housing Element and Fair Share Plan and implementing ordinances will not provide enough time for the parties to attempt to negotiate a revised settlement.

Therefore, both the Township and the Developer ask that the Court give the parties additional time to negotiate a revised settlement by granting a 90-day extension of the March 15, 2026 deadline for the Township to file its plan and implementing ordinances, which is allowed for under the FHA if there is still an ongoing dispute between a challenger and a municipality:

As an alternative to adopting all necessary implementing ordinances and resolutions by the March 15 deadline, a municipality involved in a continuing dispute over the issuance of compliance certification may adopt a binding resolution by this date to commit to adopting the implementing ordinances and resolutions following resolution of the dispute, with necessary adjustments to reflect the resolution of the dispute.

N.J.S.A. 52:27D-304.1(f)(2)(c).

Without such an extension, the Township will be forced to move forward with adopting and endorsing its current Amended HEFSP, which will not contain a settlement between the parties, and will most likely result in additional time consuming unnecessary litigation. In addition, Fair Share Housing Center ("FSHC") has been made aware of the situation, and they do not object to this approach. FSHC requests that the Court schedule a standing 30-day case management conference to discuss ongoing progress should the Court grant the extension.

Finally, if the Court grants the extension, the Township will adopt the FHA required binding resolution prior to March 15, 2026, and will continue to move forward with the other components in its plan so that time is not wasted, and affordable housing continues to be planned for and produced in the municipality.

If the Court wishes to hold a Case Management Conference to discuss any of this further, the Parties will participate.

I thank Your Honor for your time and attention to this matter.

Very truly yours,



Erik C. Nolan

ECN/sp

Enclosure

cc: All attorneys of record (*via ecourts*)
Honorable Julio L. Mendez, J.S.C. (ret.)
John McDonough, PP, Special Adjudicator (*via email*)
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