

THE CITY OF SUMMIT

N E W J E R S E Y

CITY HALL 512 SPRINGFIELD AVENUE SUMMIT, NJ 07901

News Release

For immediate release

Summit Mayor: Elizabeth Fagan, MD (908) 273-6400

City Administrator: Michael F. Rogers (908) 522-3600

Media Contact: Amy Cairns (908) 277-9418

SUMMIT, N.J., June 21, 2024 – The following statement was drafted by Nancy Holm, Esq. of Surenian, Edwards & Nolan, LLC at the request of the City of Summit to refute the June 20, 2024, Gothamist article written by Mike Hayes on affordable housing in Summit, NJ.

The City of Summit is disappointed with the one-sided and inaccurate article published by the Gothamist regarding recent decisions on affordable housing. The article is nothing more than an attempt by a developer who stands to benefit financially by constructing affordable housing to leverage the City into accepting their overly dense project that violates sound planning principles. Since the City is protected from all Mount Laurel lawsuits, they chose a “builders remedy” in the court of public opinion.

The Gothamist article, and the self-serving statements made by representatives of a developer who stands to benefit financially, want the public to think that there were only two choices for the former firehouse site: either the 42-unit, 100% affordable project on .8 acres, or the now-adopted, inclusionary overlay zone on 1.6 acres. That is simply not true. The article creates a zero-sum scenario, when in fact the City has many opportunities to provide affordable housing and is not required to ignore sound planning principles just because a large number of affordable units are being proposed on a particular site. The article’s author, and those quoted in his piece, want to make it only a numbers game that exists in a vacuum, where more is involved, and the City’s decisions are supported by four decades of Mount Laurel jurisprudence, law making, and regulations.

Of the many inaccuracies set forth in the Gothamist article, the most shocking is the headline, insinuating that the City, which is already home to people of a diverse socioeconomic background, traded affordable housing for luxury units, which is quite the contrary. The City adopted an inclusionary overlay zone, encompassing 1.6 acres for mixed-use development that includes appropriate densities based on the surrounding area, green space, and parking. There will be a set-aside for affordable housing required in the project of a minimum of eight affordable units. In stark contrast to what was proposed on the firehouse site, the buildings will provide scale and architectural detail that is consistent with the City’s downtown area so that new occupants of all income levels will seamlessly become part of the unique fabric of Summit.

The article is devoid of any discussion of the City’s settlement agreement with Fair Share Housing Center, which clearly states the goal of creating units scattered throughout the City, and that the City cannot be forced to build a large-scale, 100% affordable project to satisfy its Round 3 responsibilities.

Any speculation that the City will not satisfy its obligations for Round 3, which does not conclude until July 1, 2025, is just that: speculation. The City regularly posts its Round 3 status on its website and publishes its mandatory annual reporting of its housing efforts there as well. The City has been transparent in its pursuit of affordable housing and will remain so as it finishes its Round 3 obligations and begins planning for Round 4.

THE CITY OF SUMMIT

N E W J E R S E Y

CITY HALL 512 SPRINGFIELD AVENUE SUMMIT, NJ 07901

All this information is readily available on the City's website yet did not seem to be included in the Gothamist article. Clearly, there was a motive and agenda for what was included and what was omitted, and unfortunately, the truth no longer makes for good headlines.

City officials are facilitating the construction of new affordable units within the City in accordance with sound planning principles, which include appropriate densities for the surrounding area, adequate parking and access to public transportation, jobs, and supportive services, as well as the best and most appropriate use of the land available for current, as well as future, residents.

Inclusionary zoning is the hallmark of the Mount Laurel doctrine, and four decades of subsequent case law, court-approved settlement agreements, and regulations have ensured that low- and moderate-income households were not set apart and segregated from the community but were folded into the municipality naturally. These principles are regularly championed by Fair Share Housing Center. Countless developer's agreements throughout the State of New Jersey since the advent of the Mount Laurel doctrine require wherever possible that affordable units are interspersed throughout developments, so that it is not clear from the outside that a particular unit is occupied by a low- or moderate-income household. All occupants are required to have the same access to amenities in a particular project and use of the same common areas. Integration, not isolation, is the hallmark of the Mount Laurel doctrine, and the City of Summit seeks to ensure that all households, regardless of income, can call Summit their home.

###