

DATE RECEIVED		REPRESENTING
5/11/2015	Mauro Savo	France Associates, LLC
5/26/2015	CRL Investment Group LLC	Silver Saddle
5/11/2015	Bisgaier Hoff	Ken Pizzo Sr.
4/20/2015	Bisgaier Hoff	K. Hovanian North Jersey Acquisitions LLC
4/27/2015	ADTI Housing Corporation	JBV Realty
5/22/2015	Day Pitney, LLP	Merck Sharp Corporation
5/28/2015		Toll Brothers
6/10/2015	Inglesino, Webster, Wyciskala & Taylor	S/K Stoney Brook Associates
6/10/2015	American Properties	American Properties Realty
6/19/2015	Daniel D. Cronheim, Attorney at Law	Cronheim Property
6/22/2015		AvalonBay Communities Inc
6/22/2015	Fox Rothschild LLP	Advance at Branchburg II
7/10/2015		Our House, Inc.
2/1/2016	TJC Homes, LLC	18 Lamington Road

George A. Mauro, Jr. (1933-2006)
William B. Savo
Michael V. Camerino
Alan Bart Grant
Charles Z. Schalk 5
Ellen M. Gillespie

Michael P. O'Grodnick
Rita M. Aquilio
Alexander G. Fisher 1
Christopher M. Corsini 1

THE LAW OFFICES OF
MAURO SAVO
CAMERINO, GRANT & SCHALK

77 North Bridge Street
Somerville, New Jersey 08876

(908) 526-0707
Fax (908) 725-8483

www.maurosavolaw.com

OF COUNSEL

Edward M. Hogan (1925-2006)
A. Arthur Davis, 3rd (1919-2014)
Mark F. Strauss
Arthur D. Fialk
Michael G. Friedman 2,3
Edward A. Halpern 1,4
Henry E. Rzemieniewski
John F. Bracaglia, Jr.
Harold L. Gechtman

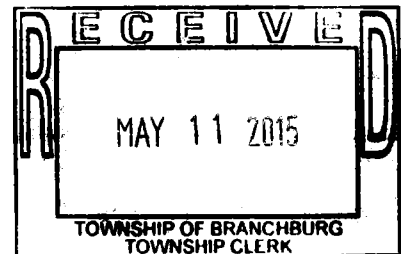
1. Also NY Bar
2. Also ME Bar
3. Also NH Bar
4. Also DC Bar
5. Cert. Civil Trial Atty.

May 7, 2015

VIA CERTIFIED AND REGULAR MAIL

Branchburg Township Committee
Branchburg Municipal Complex
1077 US Highway 202 North
Branchburg, New Jersey 08876

**Re: France Associates, LLC
Block 5.11, Lots 6 & 8 in the Township of Branchburg**



Dear Branchburg Township Committee:

This firm represents France Associates, LLC ("France Associates"), the owner of Block 5.11, Lots 6 & 8 in the Township of Branchburg (the "subject property"). The Business Center at Branchburg Condominium is located at the property along with an existing 2,573 square foot restaurant. We write in regards to recent developments significantly affecting Branchburg's affordable housing obligations.

As you are aware, the Supreme Court recently issued a significant opinion on a Motion to Enforce Litigant's Rights in the case entitled "In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing," which has resulted in builder's remedy lawsuits becoming available again to enforce compliance with municipal affordable housing obligations. We believe that Branchburg will have a substantial unmet affordable housing need under any new calculation approved by the Court.

France Associates is uniquely positioned to help Branchburg meet its rapidly increasing affordable housing obligations, as it possesses the necessary land, access to sewer, and construction experience to provide affordable housing for the Township. At this time, France Associates believes that it can provide **up to 20 affordable housing units** to the Township of Branchburg on the subject property as part of an affordable housing development with a significant set-aside.

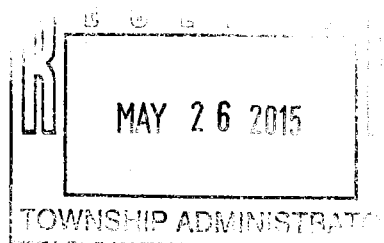
We would appreciate if a meeting with officials and staff of Branchburg Township could be scheduled to discuss this opportunity for Branchburg to meet part of its affordable housing obligation in a low-impact manner. We look forward to hearing from you regarding this opportunity.

Very truly yours,

Alexander G. Fisher

cc: France Associates, LLC

CRL Investment Group, LLC
62 Grove Street
Somerville, NJ 08876
(908) 725-3220



May 21, 2015

Mr. Gregory Bonin, Twp. Planner
1077 US Hwy. 202 North
Branchburg, NJ 08876
(908) 526-1300 x 100

Re: Affordable Housing
Lot 12.01 Block 17.13

Dear Mr. Bonin,

On behalf of CRL Investment Group, LLC, the owner of the above mentioned property, we would like our property to be considered in the township's plan for affordable housing. As the managing member, please contact me with regards to information pertaining to this matter.

Sincerely,

Kelly A. Limone
Managing Member
CRL Investment Group, LLC

Cc: Alan Ehrlich, ESQ

CERTIFIED MAIL

BISGAIER HOFF

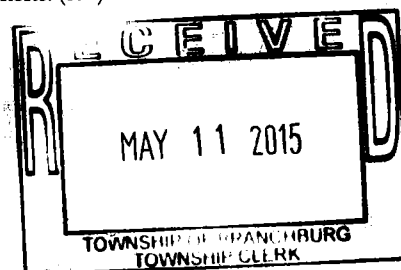
Attorneys At Law A Limited Liability Company

Richard J. Hoff, Jr.
Member of the NJ & PA Bar
E-mail: rhoff@bisgaierhoff.com
Phone: (856) 375-2803

May 7, 2015

VIA CERTIFIED MAIL - RRR

Sharon L. Brienza, Township Clerk
Township of Branchburg
1077 US Highway 202 North
Branchburg, NJ 08876



***Re: Request for Inclusionary Development Pursuant to N.J.S.A. 52:27D-310(f)
and Addition to Township Service List***

Dear Ms. Brienza:

Our office represents Ken Pizzo, Sr. ("Pizzo"), the owner of property within in the Township of Branchburg (the "Township"), which property is officially designated on the Township tax maps as Block 7, Lot 1.03 ("Property"). The Property consists of approximately 10.2 acres and is served by public water and sewer. For the reasons set forth herein, please accept this letter as Pizzo's request that the Township consider the Property for inclusionary zoning and/or development in connection with the Township's likely forthcoming revision to its July 15, 2010 Revised Third Round Housing Element and Fair Share Plan ("Fair Share Plan"). Further, we request that our office be added to the notice/service list so as to be immediately notified of: (i) any public meeting of the Township Council ("Council") or Township Planning Board ("Planning Board") during which the Council or Planning Board intends to consider or take action on any revision to its Fair Share Plan; or (ii) the filing of any declaratory judgment action that may be filed by the Township pursuant to the New Jersey Supreme Court's March 10, 2015 Opinion and Order, true and correct copies of which are attached collectively hereto as Exhibit "A."

The Township has a constitutional obligation to provide a realistic opportunity for the production of its fair share of the region's need for affordable housing. That constitutional obligation is commonly referred to as the Mount Laurel Doctrine.¹ Pursuant to the FHA, that affordable housing obligation was to be quantified by COAH utilizing an accepted methodology,

¹ The Mount Laurel Doctrine is collectively embodied by the judicial precedent established in Southern Burlington Cty. N.A.A.C.P. v. Tp. of Mt. Laurel, 67 N.J. 151 (1975) ("Mount Laurel I"), Southern Burlington Cty. N.A.A.C.P. v. Tp. of Mt. Laurel, 92 N.J. 189 (1983) ("Mount Laurel II") and their judicial progeny, the Legislature's enactment of the Fair Housing Act, N.J.S.A. 52:27D-301, et seq ("FHA") and the First (1987-1993) and Second (1993-1999) Round regulations adopted by the New Jersey Council on Affordable Housing ("COAH"), N.J.A.C. 5:91-1, et seq., N.J.A.C. 5:92-1, et seq. and N.J.A.C. 5:93-1, et seq., (the "Rules").

which methodology would provide each New Jersey municipality, including the Township, a definitive affordable housing obligation for a given period, known as the Mount Laurel Obligation. Those time periods, known as “Rounds” were delineated as the First Round (1987-1993) and the Second Round (1993-1999). The Township’s cumulative Mount Laurel Obligation for the Second Round (1987-1999), as acknowledged in the Township’s Fair Share Plan, was established at a total of three hundred and two (302) new units.

Following the conclusion of the Second Round, COAH determined to alter its methodology for calculating the Mount Laurel Obligation for the Third Round, despite the fact that the methodology for the First and Second Rounds had been previously accepted by the New Jersey judiciary and most, if not all, New Jersey municipalities. COAH’s revised approach to calculating the Mount Laurel Obligation for the period 1999 and beyond, i.e., the Third Round, was commonly referred to as the “growth share” methodology. Despite the Township’s participation in the COAH process for the Third Round, the growth share methodology was rebuked by the Superior Court – Appellate Division in two (2) separate opinions, the second of which was later affirmed by the Supreme Court of New Jersey. In re Adoption of N.J.A.C. 5:94 and 5:95, 390 N.J. Super. 1 (App. Div. 2007); In re Adoption of N.J.A.C. 5:96 and 5:97, 416 N.J. Super. 462 (App. Div. 2010); aff’d, 215 N.J. 578 (2013). As a result of that Supreme Court decision, COAH was directed to adopt Third Round methodology consistent with that methodology that had been successfully utilized by COAH for the First and Second Rounds.

Despite the Supreme Court’s directive, COAH failed to adopt the necessary regulations for the Third Round. In light of that failure, the Supreme Court issued its March 10, 2015 Opinion and Order (see Exhibit “A”) which established procedures for municipal compliance with the Third Round Mount Laurel Obligation; procedures that included the potential for the Township to seek voluntary compliance with its Third Round Mount Laurel Obligation through the initiation of a declaratory judgment action in the Superior Court. The timeframe for such voluntary compliance is set forth in the attached Opinion and Order, and given the incredible delays in implementing valid Third Round Mount Laurel regulations, is expedited in nature.

As a result of the Supreme Court’s March 10th decision, the Township, as a municipality that had previously participated at COAH, has the option to voluntarily proceed with an action at the Superior Court seeking approval of a revised Fair Share Plan that addresses the Township’s outstanding Mount Laurel Obligation for the period 1999-2025. In utilizing the First Round and Second Round methodology for calculating the Township’s Mount Laurel Obligation for the period 1999-2025, we believe that the Township has a significant, unmet Mount Laurel Obligation. Specifically, based upon calculations provided by the Fair Share Housing Center, which, consistent with Supreme Court’s directive utilized the First and Second Round methodology for calculating the Township’s Third Round Mount Laurel Obligation, the Township’s Mount Laurel Obligation stands at not less than one thousand (1,000) units for the period 1999-2025.

Given the Township’s clear need for realistic affordable housing opportunities to meet its substantial outstanding Mount Laurel Obligation, we request that pursuant to N.J.S.A. 52:27D-310(f), the Township consider the Property for a substantial, inclusionary development which shall include a substantial set aside of units reserved for occupancy by low income and moderate


Sharon L. Brienza, Township Clerk
May 5, 2015
Page 3

income households. The Property is clearly available, suitable, approvable and developable as an inclusionary development as proposed. If the Township would be willing to further discuss the inclusionary development of the Property, please advise us as soon as possible and we will forward concept plans for review by Township Council and its professionals.

We look forward to your prompt response.

Very truly yours,

BISGAIER HOFF, LLC



Richard J. Hoff, Jr.

Enclosure

cc: Mark Anderson, Esquire, Township Solicitor (via e-mail and regular mail)
Sarah McGrath, Planning Board Secretary (via Certified Mail – RRR)
Jeffrey B. Lehrer, Esquire, Planning Board Solicitor (via e-mail and regular mail)

BISGAIER HOFF

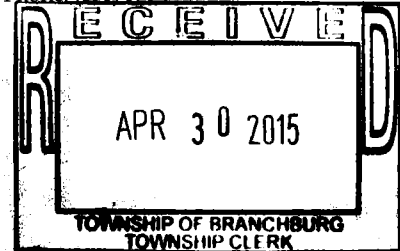
Attorneys At Law A Limited Liability Company

Richard J. Hoff, Jr.
Member of the NJ & PA Bar
E-mail: rhoff@bisgaierhoff.com
Phone: (856) 375-2803

April 28, 2015

VIA CERTIFIED MAIL - RRR

Sharon L. Brienza, Township Clerk
Township of Branchburg
1077 US Highway 202 North
Branchburg, NJ 08876



***Re: Request for Inclusionary Development Pursuant to N.J.S.A. 52:27D-310(f)
and Addition to Township Service List***

Dear Ms. Brienza:

Our office represents K. Hovnanian North Jersey Acquisitions, LLC ("K. Hovnanian"), the contract purchaser of properties within in the Township of Branchburg (the "Township"), which properties are officially designated on the Township tax maps as Block 70, Lots 18, 24 and 24.01 (collectively hereinafter referred to as the "Property"). The Property consists of approximately 71 acres. For the reasons set forth herein, please accept this letter as K. Hovnanian's request that the Township consider the Property for inclusionary zoning and/or development in connection with the Township's likely forthcoming revision to its July 15, 2010 Revised Third Round Housing Element and Fair Share Plan ("Fair Share Plan"). Further, we request that our office be added to the notice/service list so as to be immediately notified of: (i) any public meeting of the Township Council ("Council") or Township Planning Board ("Planning Board") during which the Council or Planning Board intends to consider or take action on any revision to its Fair Share Plan; or (ii) the filing of any declaratory judgment action that may be filed by the Township pursuant to the New Jersey Supreme Court's March 10, 2015 Opinion and Order, true and correct copies of which are attached collectively hereto as Exhibit "A."

The Township has a constitutional obligation to provide a realistic opportunity for the production of its fair share of the region's need for affordable housing. That constitutional obligation is commonly referred to as the Mount Laurel Doctrine.¹ Pursuant to the FHA, that

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affordable housing obligation was to be quantified by COAH utilizing an accepted methodology, which methodology would provide each New Jersey municipality, including the Township, a definitive affordable housing obligation for a given period, known as the Mount Laurel Obligation. Those time periods, known as “Rounds” were delineated as the First Round (1987-1993) and the Second Round (1993-1999). The Township’s cumulative Mount Laurel Obligation for the Second Round (1987-1999), as acknowledged in the Township’s Fair Share Plan, was established at a total of three hundred and two (302) new units.

Following the conclusion of the Second Round, COAH determined to alter its methodology for calculating the Mount Laurel Obligation for the Third Round, despite the fact that the methodology for the First and Second Rounds had been previously accepted by the New Jersey judiciary and most, if not all, New Jersey municipalities. COAH’s revised approach to calculating the Mount Laurel Obligation for the period 1999 and beyond, i.e., the Third Round, was commonly referred to as the “growth share” methodology. Despite the Township’s participation in the COAH process for the Third Round, the growth share methodology was rebuked by the Superior Court – Appellate Division in two (2) separate opinions, the second of which was later affirmed by the Supreme Court of New Jersey. In re Adoption of N.J.A.C. 5:94 and 5:95, 390 N.J. Super. 1 (App.Div.2007); In re Adoption of N.J.A.C. 5:96 and 5:97, 416 N.J. Super. 462 (App. Div. 2010); aff’d, 215 N.J. 578 (2013). As a result of that Supreme Court decision, COAH was directed to adopt Third Round methodology consistent with that methodology that had been successfully utilized by COAH for the First and Second Rounds.

Despite the Supreme Court’s directive, COAH failed to adopt the necessary regulations for the Third Round. In light of that failure, the Supreme Court issued its March 10, 2015 Opinion and Order (see Exhibit “A”) which established procedures for municipal compliance with the Third Round Mount Laurel Obligation; procedures that included the potential for the Township to seek voluntary compliance with its Third Round Mount Laurel Obligation through the initiation of a declaratory judgment action in the Superior Court. The timeframe for such voluntary compliance is set forth in the attached Opinion and Order, and given the incredible delays in implementing valid Third Round Mount Laurel regulations, is expedited in nature.

As a result of the Supreme Court’s March 10th decision, the Township, as a municipality that had previously participated at COAH, has the option to voluntarily proceed with an action at the Superior Court seeking approval of a revised Fair Share Plan that addresses the Township’s outstanding Mount Laurel Obligation for the period 1999-2025. In utilizing the First Round and Second Round methodology for calculating the Township’s Mount Laurel Obligation for the period 1999-2025, we believe that the Township has a significant, unmet Mount Laurel Obligation. Specifically, based upon calculations provided by the Fair Share Housing Center, which, consistent with Supreme Court’s directive utilized the First and Second Round methodology for calculating the Township’s Third Round Mount Laurel Obligation, the Township’s Mount Laurel Obligation stands at not less than one thousand (1,000) units for the period 1999-2025.

Given the Township’s clear need for realistic affordable housing opportunities to meet its substantial outstanding Mount Laurel Obligation, we request that pursuant to N.J.S.A. 52:27D-310(f), the Township consider the Property for a substantial, inclusionary development of three

Sharon L. Brienza, Township Clerk
April 28, 2015
Page 3

hundred eighty eight (388) multi-family units, of which sixteen percent (16%) shall be reserved for occupancy by low income and moderate income households. The Property is clearly available, suitable, approvable and developable as an inclusionary development as proposed. If the Township would be willing to further discuss the inclusionary development of the Property, please advise us as soon as possible and we will forward concept plans for review by Township Council and its professionals.

We look forward to your prompt response.

Very truly yours,

BISGAIER HOFF, LLC

A handwritten signature in black ink, appearing to read 'Richard J. Hoff, Jr.', written over a horizontal line.

Richard J. Hoff, Jr.

Enclosure

cc: Mark Anderson, Esquire, Township Solicitor (via e-mail and regular mail)
Sarah McGrath, Planning Board Secretary (via Certified Mail – RRR)
Jeffrey B. Lehrer, Esquire, Planning Board Solicitor (via e-mail and regular mail)
David Fisher, PP, AICP, K. Hovnanian
John Caniglia, Esquire, K. Hovnanian
James Luke, G.H. Property Company Branchburg, LLC



April 16, 2015

Gregory J. Bonin
Township Administrator
Branchburg Township
1077 US Highway 202 North
Branchburg, NJ 08876

LETTER OF INTENT
NORTH BRANCH AFFORDABLE HOUSING PROJECT

Dear Mr. Bonin,

Please consider this letter evidence of the intent of Alternatives, Inc. / ADTI Housing Corp.'s (the "Agency"), a nonprofit social service agency and its housing development subsidiary, to develop the parcel of land located at Block: 7 Lot: 3.03 in the Township of Branchburg for the purpose of affordable housing. The site is currently owned by JBV Realty which has obtained site plan approval for nine, two bedroom units for moderate income individuals and families. The Agency intends to purchase the site from JBV Realty upon securing seventy-five percent of the total development budget.

The Agency received a commitment from Somerset County's HOME program in the amount of \$250,000 and has another application under review for additional funding. The project is eligible for financing through State housing production programs administered through NJ Housing and Mortgage Finance Agency and NJ Department of Community Affairs. The agency is currently in discussion with those agencies regarding this project and anticipates commitment of sufficient funds to begin development by the end of 2015.

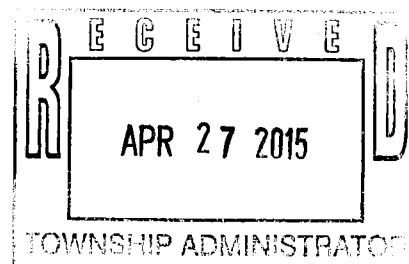
Furthermore, upon review of the project, the agency intends to modify the bedroom distribution as well as the population served. As discussed with representatives of the Township, in order to comply with COAH requirements without a waiver, the bedroom distribution must meet UHAC standards. Also, in keeping with the mission of the Agency, the proposed project will include two units set aside for individuals with special needs as well as a low income component in addition to the current moderate income eligibility structure.

Thank you for your interest in this project. If you have any questions regarding this matter, please do not hesitate to contact my office.

Sincerely,

A handwritten signature in black ink, appearing to read "Nancy Good", is written over the typed name.

Nancy Good
President



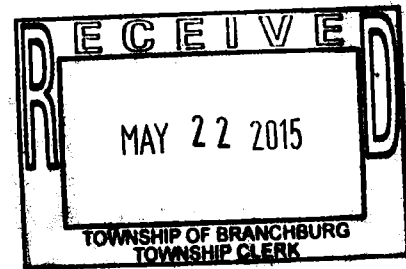
CRAIG M. GIANETTI
Attorney at Law

One Jefferson Road
Parsippany, NJ 07054-2891
T: (973) 966-8053 F: (973) 206-6273
cgianetti@daypitney.com

May 21, 2015

VIA UPS

Mayor & Township Committee
of Township of Branchburg
1077 US Highway 202 North
Branchburg, NJ 08876



**Re: Merck Sharp & Dohme Corp. / Block 21, Lots 1, 2, 3 & 3Q
Township of Branchburg
Affordable Housing Plan**

Dear Mayor Sanford & Township Committee Members:

This office represents Merck Sharp & Dohme Corp. (“Merck”) in connection with its property located in Branchburg Township (the “Township”), identified as Lots 1, 2, 3 and 3Q in Block 21 on the official tax map of the Township (“Property”). Please accept this letter as a request by Merck to be included in the Township’s Housing Element and Fair Share Plan (“Fair Share Plan”) to address the Township’s constitutional affordable housing obligation.

The subject Property consists of approximately 220 acres and is currently in the Township’s RRC (Raritan River Corridor) Zone. However, the Property is ideally and particularly suited for high density residential development that can provide affordable housing. Key features to the Property include:

- The Property is located in State Planning Area 2 (PA-2), which are areas designated for growth in the State Development and Redevelopment Plan.
- The Property is located within the Sewer Service Area.
- The Property is mostly vacant and has very little environmental constraints.
- The Property is near or adjacent to other residential development and residential zones.

May 21, 2015

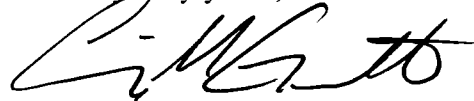
Page 2

Based upon this, Merck's Property should be an integral part of satisfying the Township's affordable housing obligation, which consists of a prior round obligation of 302 units and a prospective need obligation that has been estimated to be around 980 units. We welcome the opportunity to meet with Township representatives and planning professionals to discuss this Property's inclusion in the Township's Fair Share Plan.

Lastly, consistent with the New Jersey Supreme Court's decision in In Re Adoption of N.J.A.C. 5:96 & 97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015), please consider Merck as an "interested party" and provide the undersigned with notice of any declaratory judgment action filed by the Township, or its related bodies, in New Jersey Superior Court seeking a review of the Township's affordable housing compliance.

Thank you for your time and attention to this matter and we look forward to hearing from you.

Very truly yours,



Craig M. Gianetti

CMG/cmg

cc: *via UPS*

Mark Anderson, Esq., Township Attorney

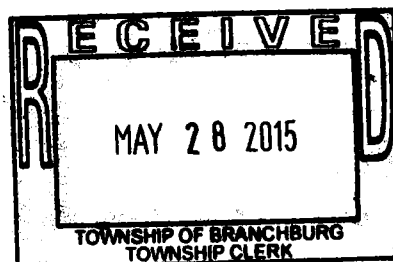
Elizabeth McKenzie, P.P., Township COAH Planner

Toll Brothers

America's Luxury Home Builder®

May 22, 2015

**Mayor James Schworn
Township of Branchburg
1077 US Highway 202 N
Branchburg, NJ 08876**



RE: Affordable Housing Sites

Dear Mayor Schworn,

As you are aware, in an effort to expedite the development of affordable housing within New Jersey municipalities, the Supreme Court of New Jersey recently decided that affordable housing compliance will now be administered by the New Jersey courts, rather than the New Jersey Council on Affordable Housing. According to their ruling on March 10, 2015, municipalities must initiate this new process by July 8, 2015.

Toll Brothers can assist you in this effort, and we would like to schedule a time to discuss potential sites in your township that may be suitable for inclusionary housing projects. It's our goal to work with you to satisfy your need while maintaining the character of your township.

Toll Brothers is recognized as America's Luxury Home Builder with a nationwide footprint, and we are currently building in over 20 communities in New Jersey. Toll Brothers has a broad range of luxury single-family estate, carriage-style townhome, and multi-family apartment home design products to meet your township's need. We have enclosed Toll Brothers' latest Annual Report with some background information about the Company.


If you are interested in discussing potential opportunities, please feel free to contact our New Jersey Land Acquisition team at 732-446-8448, or email:

John Jakominich: jjakominich@TollBrothers.com

Shawn Braitling: sbraitling@TollBrothers.com

We thank you for your time and consideration, and we look forward to speaking with you in the near future.

Sincerely,


Shawn Braitling
Land Acquisition Manager
Toll Brothers


John Jakominich
Vice President, Land Acquisition
Toll Brothers

New York Stock Exchange • Symbol TOL
New Jersey Division

670 Spotswood-Englishtown Road • Monroe Twp., NJ 08831 • (732) 446-8448 • Fax (732) 446-8449
tollbrothers.com

Toll Brothers

America's Luxury Home Builder®

September 14, 2015

Township of Branchberg
Mayor James Schworn
1077 US Highway 202 N
Branchberg, NJ 08876

RE: Affordable Housing Sites

Dear Mayor,

We are following up with you on our letter dated May 22, 2015 regarding your Township's affordable housing needs. Toll Brothers can assist you in your effort to expedite the development of affordable housing. Toll Brothers has built inclusionary communities in several townships throughout New Jersey. We would like to schedule a time to discuss potential sites that may be suitable for inclusionary projects. It's our goal to work with you to satisfy your need while maintaining the character of your township.

Toll Brothers is recognized as America's Luxury Home Builder with a nationwide footprint, and we are currently building in over 20 communities in New Jersey. Toll Brothers has a broad range of luxury single-family estate, carriage-style townhome, resort-style age restricted communities and multi-family apartment home design products to meet your township's needs. We have enclosed Toll Brothers' latest marketing brochure with some background information about the Company.

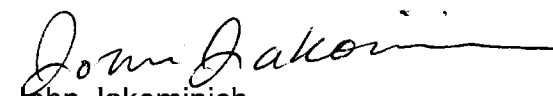
If you are interested in discussing potential opportunities, please feel free to contact our New Jersey Land Acquisition team at 732-446-8448, or email:

John Jakominich: jjakominich@TollBrothers.com
Shawn Braitling: sbraitling@TollBrothers.com

We thank you for your time and consideration, and we look forward to speaking with you in the near future.

Sincerely,


Shawn Braitling
Land Acquisition Manager
Toll Brothers


John Jakominich
Vice President, Land Acquisition
Toll Brothers

Enclosure

INGLESINO, WEBSTER, WYCISKALA & TAYLOR, LLC

ATTORNEYS AT LAW

600 PARSIPPANY ROAD
PARSIPPANY, NEW JERSEY 07054
(T) (973) 947-7111
(FAX) (973) 887-2700
www.iwt-law.com

JOHN P. INGLESINO
Direct: (973) 947-7131
jinglesino@iwt-law.com

June 8, 2015

Via Certified & Regular Mail

Sharon L. Brienza, Clerk
Township of Branchburg
Municipal Building
1077 U.S. Highway 202 North
Branchburg, New Jersey 08876

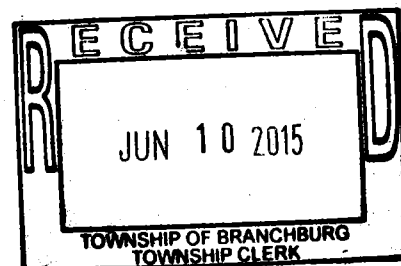
**Re: Notice of Interested Party Status for Anticipated
Declaratory Judgment Action**

Dear Ms. Brienza:

On March 10, 2015, the New Jersey Supreme Court issued a ruling in In re Matter of the Adoption of N.J.A.C. 5:96 and 5:97 ex rel. New Jersey Council on Affordable Housing, 221 N.J. 1 (2015), which determined that there is no longer any obligation to exhaust administrative remedies at the New Jersey Council on Affordable Housing, and that the courts are to determine each municipality's compliance with its Mount Laurel obligations.

PLEASE TAKE NOTICE that S/K Stoney Brook Associates ("Stoney Brook") is the owner of property designated as Block 58.01, Lot 4, and Block 58, Lot 36 on the Tax Map of the Township of Branchburg (the "Township"), and as such, is an interested party in the Township's compliance with its affordable housing obligations. Stoney Brook hereby requests that the Township, including the Township Committee, Planning Board, Zoning Board of Adjustment, and attorneys, staff members, boards, and or consultants of each of the foregoing, include Stoney Brook on the service list for any communication with the court regarding any litigation concerning affordable housing issues, including, without limitation, the filing of a declaratory judgment action. Any and all such communication to and from the court should be sent to:

David Kahan, General Counsel
Kushner Real Estate Group
520 U.S. Highway 22
P.O. Box 6872
Bridgewater, New Jersey 08807



Shann L. Brienza, Clerk

June 8, 2015

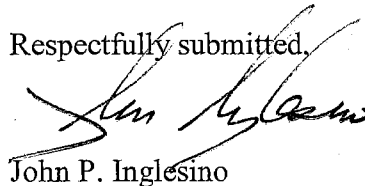
2 | Page

With a copy to:

John P. Inglesino, Esq.
Inglesino, Webster, Wyciskala & Taylor, LLC
600 Parsippany Road, Suite 204
Parsippany, New Jersey 07054

Thank you for your attention to this matter.

Respectfully submitted,



John P. Inglesino

JPI:dwo

cc: All via *certified & regular mail*
Township Committee
Mayor John Sanford
Township Attorney Mark S. Anderson, Esq.
Planning Board Attorney Jeffrey B. Lehrer, Esq.
Planning Board Secretary Sarah McGrath
Zoning Board Attorney Peter Henry, Esq.
Zoning Board Secretary Paul Crandall



AMERICAN PROPERTIES

VIA US MAIL

June 5, 2015

Sharon L. Brienza, Clerk
Township of Branchburg
1077 US Highway 202 North
Branchburg, NJ 08876

**Re: Notice of Interested Party Status for Anticipated
Declaratory Judgment Action**

Dear Ms. Brienza:

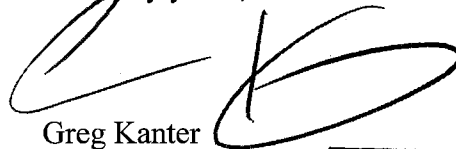
On March 10, 2015, the New Jersey Supreme Court issued a ruling in In re Matter of the Adoption of N.J.A.C. 5:96 and 5:97 ex rel. New Jersey Council on Affordable Housing, 221 N.J. 1 (2015), which determined that there is no longer any obligation to exhaust administrative remedies at the New Jersey Council on Affordable Housing, and that the courts are to determine each municipality's compliance with its Mount Laurel obligations.

American Properties hereby requests that the Township, including the Township Council, Planning Board, Zoning Board of Adjustment, and attorneys, staff members, boards, and or consultants of each of the foregoing, include American Properties on the service list for any communication with the court regarding any litigation concerning affordable housing issues, including, without limitation, the filing of a declaratory judgment action. Any and all such communication to and from the court should be sent to:

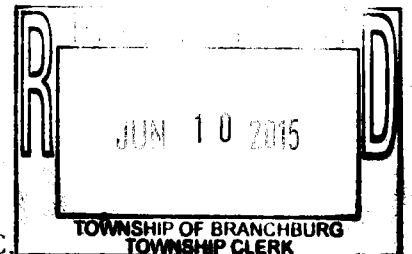
Greg Kanter, Vice President of Acquisitions and Development
American Properties Realty, Inc.
517 Route One South
Suite 2100
Iselin, New Jersey 08830

Thank you for your attention to this matter.

Sincerely yours,



Greg Kanter
For the firm



AMERICAN PROPERTIES REALTY, INC.
Developers, Property Managers, and Consultants
Licensed Real Estate Brokers

517 Route One South • Suite 2100 • Iselin, New Jersey 08830-3011 • 732-283-9700 • Fax 732-283-1009
www.americanproperties.net

June 5, 2015

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cc: Honorable John Sanford
Patricia Rees-Deputy Mayor, Thomas Young-Committee Member, James Schworn-
Committee Member, Bob Petrelli-Committee Member
Mark S. Anderson, Township Attorney
Jeffrey B. Lehrer, Planning Board Attorney
Joanne Petruzzello, Planning & Zoning Board Secretary
Peter Henry, Zoning Board Attorney

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DANIEL D. CRONHEIM

ATTORNEY AT LAW

CRONHEIM BUILDING

205 MAIN STREET

CHATHAM, NEW JERSEY 07928

(973) 635-2180

MARY ANNE CRONHEIM
CERTIFIED CRIMINAL TRIAL ATTORNEY
OF COUNSEL

REPLY TO
P.O. BOX 268

June 16, 2015

Township of Branchburg
1077 US Hwy 202 N.
Branchburg, NJ 08876
Attn: Sharon L. Brienza

Re: **In the Matter of the Adoption of
Adoption of N.J.A.C. 5:96 & 5:97
by the New Jersey Council on
Affordable Housing
Required Notice Provisions**

Dear Ms. Brienza:

Pursuant to the expansive notice requirements of the above-captioned New Jersey Supreme Court decision, please accept this letter as a formal request pursuant to Section IV B 2 of said decision for the receipt of all notices on affordable housing plans submitted to the courts of New Jersey, the Fair Share Housing Council and/or all other entities set forth as parties in the Supreme Court decision.

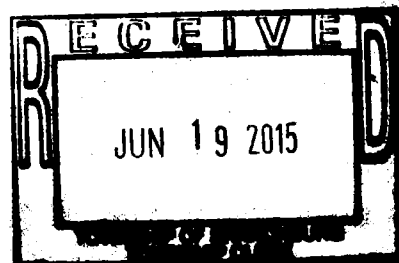
Please be further advised that this firm represents property owners within your municipality who may have a direct interest in your town's compliance with the above-captioned case. This is not a bulk mailing. On behalf of my clients, I would be happy to discuss compliance with the "COAH" decision and to cooperate with the municipality.

I will follow up with appropriate local officials to facilitate discussions. Please do not hesitate to contact me if you have any questions.

Very truly yours,



Daniel D. Cronheim



June 4, 2015

Via UPS

Municipal Clerk, Mayor and Council
Secretary, Planning Board
Branchburg Township
1077 US Highway 202 N
Branchburg, NJ 08876

**Re: AvalonBay Communities, Inc.
Affordable Housing Service List**

Dear Municipal Clerk and Planning Board Secretary:

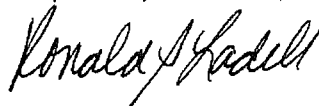
I am Senior Vice President of Development at AvalonBay Communities, Inc. ("AVB") and I am responsible for AVB's development activity in New Jersey. AVB is a well-established and experienced developer of inclusionary developments in New Jersey and other states.

AVB is interested in constructing an inclusionary development within your community. As you may be aware, the New Jersey Supreme Court issued a decision on March 10, 2015 in In re Adoption of N.J.A.C. 5:96 & 5:97 by the Council on Affordable Housing, (M-392-14) and determined that there is no longer any obligation to exhaust administrative remedies at the New Jersey Council on Affordable Housing. Rather, the courts are to adjudicate affordable housing issues and municipal compliance with their affordable housing obligations pursuant to the procedures set forth in that decision.

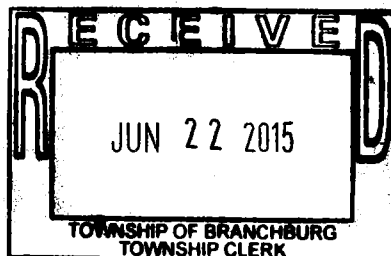
Please accept this letter as a formal notice that AVB is an interested party in the municipality's compliance with its affordable housing obligations and requests that Branchburg Township, and its planning board and zoning board including any attorneys, staff members and consultants of each of the foregoing, include AVB on the service list for any communication with the court regarding any litigation concerning affordable housing issues. Any communication to and from the court should be sent to my attention at the address on this letterhead.

Please contact me at your earliest convenience if you would like to meet and discuss any opportunities for AVB to construct an inclusionary development within your community.

Respectfully submitted,



Ronald S. Ladell
Senior Vice President





Fox Rothschild LLP
ATTORNEYS AT LAW

Mail: P.O. Box 5231, Princeton, NJ 08543-5231
Princeton Pike Corporate Center
997 Lenox Drive, Building 3
Lawrenceville, NJ 08648-2311
Tel 609.896.3600 Fax 609.896.1469
www.foxrothschild.com

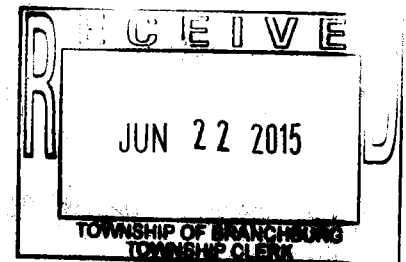
Henry L. Kent-Smith
Direct Dial: (609) 896-4584
Email Address: hkent-smith@foxrothschild.com

June 17, 2015

VIA CERTIFIED MAIL

Mark Anderson, Esq.
Woolson, Sutphen and Anderson
11 East Cliff
Somerville, NJ 08876

**Re: Advance at Branchburg, II
Block 7, Lot 4
Interested Party Notice Request**



Dear Mr. Anderson:

This firm represents Advance at Branchburg, II LLC, the owner of Block 7, Lot 4, which consists of approximately 31.8 acres of land located on Station Road between Route 22 and Route 28 in the I-2 Industrial Zone (the "Station Road Property"). My client had previously proposed an inclusionary development on this property, which was denied by the Township Zoning Board of Adjustment in 2011.

In accordance with the recent Supreme Court decision in *In the Matter of the Adoption of N.J.A.C 5:96 and 5:97 by the New Jersey Council on Affordable Housing*, 221 N.J. 1 (2015) (the "Opinion"), the Supreme Court provided guidance as to how municipalities are to proceed to adjudicate the constitutionality of municipal housing elements and fair share plans. This decision focused in particular on those municipalities, like Branchburg Township, that have participated in the COAH process but did not secure substantive certification. Under the Opinion, Branchburg Township would be classified as a "participating" municipality in the COAH process.

There no longer exists an exhaustion of administrative remedy requirement before COAH. The Supreme Court instead provided a process whereby a municipality may submit to judicial oversight by way of a declaratory judgment action. 221 N.J. at 17-21. Specifically, the decision provides that a participating COAH municipality may submit to judicial oversight as to the determination of the municipality's affordable housing compliance by filing a declaratory

A Pennsylvania Limited Liability Partnership

ACTIVE 30284171v2 06/17/2015

California
Florida

Colorado
Nevada

Connecticut
New Jersey

Delaware
New York

District of Columbia
Pennsylvania



Fox Rothschild LLP
ATTORNEYS AT LAW

Mark Anderson, Esq.
June 17, 2015
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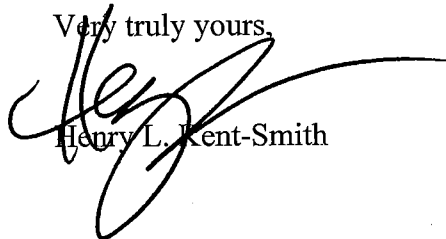
judgment action within a thirty (30) day period following the effective date of the Court's Order (June 8, 2015) 221 N.J. at 34,35.

The Opinion and accompanying Order required that there be notice to interested parties to any municipal filing for declaratory judgment relief. Id. Given the Supreme Court's directive, please accept this letter as a formal request that Advance at Branchburg II, LLC be considered an "interested party" and receive notice as to any submission the Township files with the Superior Court for declaratory judgment relief or for any other relief pursuant to the Supreme Court's direction.

My client continues to be interested in working cooperatively with the Township, and we believe it would be in the Township's interest to include our client's property in its fair share plan as inclusionary sites. We are available to meet with you and Township officials to discuss the affordable housing development proposal for the Station Road Property.

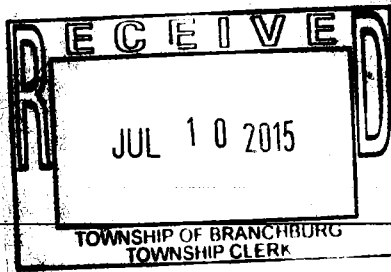
Please contact me to discuss this matter.

Very truly yours,



Henry L. Kent-Smith

HLKS:jfp
cc: Mayor John Sanford
Elizabeth McKenzie, P.P.



Our House, Inc.

76 Floral Avenue
Murray Hill, NJ 07974-1511
Phone: (908) 464-8008
Fax: (908) 464-8263
www.ourhousenj.org

June 16, 2015

Mayor Sanford
Branchburg Township
1077 US Highway 202 North
Branchburg, NJ 08876

Re: Request for a meeting regarding fair share housing development opportunities

Dear Mayor Sanford,

I am writing to request a meeting with you to discuss how Our House, Inc. can work with Branchburg Township to help satisfy its fair share housing obligations by developing group homes for the developmentally disabled.

Founded in 1980, Our House, Inc. is a private, non-profit 501(c) 3 organization that provides residential, employment and recreational services to individuals with developmental disabilities. Our first home opened in 1980 in Summit and we have steadily grown to 29 residences throughout Union, Essex, Somerset and Morris Counties.

The goal of Our House, Inc. is to promote a high quality of life for individuals with developmental disabilities. Services are designed to be flexible, in order to meet each individual's unique needs. A strong emphasis is placed on enhancing community involvement and participation, as well as helping individuals develop meaningful connections to community life.

New Jersey has one of the most expensive housing markets in the nation. Lower-income families and people with special needs struggle to find homes where they can live. I understand that the New Jersey Supreme Court recently decided a case that requires municipalities throughout the state to create and file in court by the end of the year, and in some cases sooner, a fair share plan that details how municipalities will meet their obligations for the periods 1987-1999 and 1999-2025. I would like to help Branchburg Township comply with this decision and show how it will assist our region and state with this pressing issue by providing opportunities for the development of affordable homes.

I would like to meet with you soon to explore becoming part of your municipality's fair share housing plan by developing one or more group homes for individuals with developmental disabilities. The Supreme Court's decision goes into effect very soon. Please contact me to advise what dates and times would work for you.

Additionally, please include me on future public notices regarding the Fair Share plan at the address that is listed below.

Thank you.

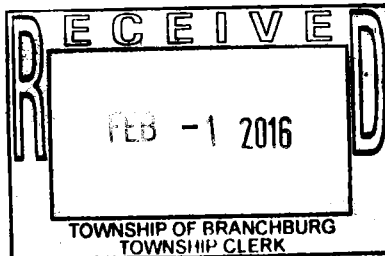
Sincerely,

A handwritten signature in cursive script, reading "Diane Driscoll".

Diane Driscoll
Director of Housing Development
Our House, Inc.
76 Floral Avenue
Murray Hill, NJ 07974-1511
ddriscoll@ourhousenj.org
Phone: 908-464-8008 Ext 123
Cell: 908-858-4609

c: Planning Board of Branchburg Township
Municipal Planner Branchburg Township
Clerk Branchburg Township

TJC Homes, LLC



603 First Avenue
Raritan, NJ 08869

908-707-0042
908-707-1335 (fax)
scott@tjchomes.com (email)
www.tjchomes.com

January 29, 2016

VIA Certified Mail

Sharon L. Brienza, Township Clerk
Township of Branchburg
1077 US Highway 202 North
Branchburg, NJ 08876

RE: Request for Inclusionary Development Pursuant to N.J.S.A. 52:27D-310(f)
and addition to Township Service List
Block 3 lot 19 in the Township of Branchburg

Dear Ms. Brienza;

TJC Homes, LLC is the owner of a property known as 18 Lamington Road, identified as being Block 3 Lot 19 which consists of approximately 4.693+/- acres of land in the Township of Branchburg, County of Somerset, State of New Jersey. Please accept this letter as the landowner's request that the Township accept this property for inclusionary zoning and/or development in connection with the Township's likely forthcoming revision to its Third Round Housing Element and Fair Share Plan. In addition, I request that I be added to the notice/service list so I get immediate notification of any public Council or Planning Board meeting during which the Council or Planning Board intends to consider or take action on any revision to its Fair Share Plan. I also request to receive any notice regarding the filing of any declaratory judgement action that may be filed by the Township pursuant to the NJ Supreme Court's March 10, 2015 Opinion and Order.

Our property can be an integral part of satisfying the Township's affordable housing obligation because of the following:

- Currently zoned for residential use, any existing improvements will be removed
- We have only 2 nearby neighbors, ensuring little to no public opposition
- Easy access to Route 28, ensuring any traffic generated remains on state roads
- Valid NJDEP Wetlands LOI issued 1/24/14
- Within a sewer service area
- Serviced by municipal sewer and water systems

Please be advised that TJC Homes, LLC is ready, willing, and able to develop this property as an inclusionary residential development which would include a substantial set aside of affordable housing units.

In accordance with the recent Supreme Court decision In re Adoption of N.J.A.C. 5:96 & 5.97 by NJ Council of Affordable Housing, (M 392-14) (067126) (March 10, 2015), the Supreme Court provided guidance as to how municipalities are to proceed to adjudicate the constitutionality of municipal housing elements and fair share plans. In the Supreme Court's Opinion, the Court provided a process whereby a municipality may submit to a judicial oversight by way of a declaratory judgement action. In accordance with the Opinion, there no longer exists an exhaustion of administrative remedies requirement before COAH. The decision provides that a COAH municipality may submit to judicial oversight as to the determination of the municipality's affordable housing compliance by filing a declaratory judgement action within a thirty (30) day period following the effective date of the Court's Order. The Opinion and accompanying Order required that there be notice to interested parties as to any municipal filing for declaratory judgement relief.

Accordingly, given the Supreme Court's directive, please take notice that TJC Homes, LLC should be considered an "interested party" and I request that TJC Homes, LLC receives notice through this office as to any submission the Township files with the Superior Court for declaratory judgement relief, or for any other relief pursuant to the Supreme Court's direction. In the event the Township files a revised affordable housing compliance plan in its Declaratory Judgement Action on its third round affordable housing obligation pursuant to the March 10, 2015 Motion Decision of the NJ Supreme Court, then TJC Homes, LLC requests notice of same under its Interested Party status. Any and all such communication should be mailed to:

Scott Slagle
TJC Homes, LLC
603 First Avenue
Raritan, NJ 08869

TJC Homes, LLC is available to meet with the Court, Township Officials, or the Township Planning Board to discuss our affordable housing proposal for our property. If you have any questions, please feel free to call me anytime at 908-707-0042 or via email at scott@tjchomes.com.

Thanking you in advance, I am,
Sincerely yours,



Scott Slagle
On behalf of TJC Homes, LLC

cc: Mark Anderson, Esq., Township Solicitor
Jeffrey B. Lehrer, Esq., Planning Board Solicitor
Sarah McGrath, Planning Board Secretary
Elizabeth McKenzie, PP, Township COAH Planner