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IN ALL DECLARATORY JUDGMENT
ACTIONS FILED BY VARIOUS
MUNICIPALITIES, COUNTY OF
ESSEX, PURSUANT TO THE SUPREME
COURT'S DECISION IN RE ADOPTION
OF N.J.A.C. 5:96, 221 N.J. 1 (2015)

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: ESSEX COUNTY
DOCKET NO.: L-4173-15

Civil Action
(Consolidated)

**CERTIFICATION OF
ART BERNARD, P.P.**

I, Art Bernard, of full age, hereby certify as follows:

1. I am a professional planner licensed by the State of New Jersey and the Managing Member of Art Bernard and Associates, L.L.C., a professional planning firm with an office at 77 North Union Street, Lambertville, New Jersey. I have been retained by Defendants/Intervenors Bobcar Corporation, Neil Joy Associates and Forsons Partners, LLC (collectively "Bobcar") as an expert witness in this exclusionary zoning litigation regarding the Township of Verona.

2. I am very familiar with the municipal obligation to provide low and moderate-income housing. I have served the New Jersey Council on Affordable Housing ("COAH"). I was COAH's Deputy Director from March 1986 until January 1993, when I became COAH's Acting Executive Director. In mid-1993, COAH appointed me its Executive Director. I served COAH in this capacity until September 1994.

Borough, West Caldwell Township, Piscataway Township, Cherry Hill Township, Mount Laurel Township, Riverside Township and Medford Township. I have been retained as a consulting planner regarding low and moderate-income housing issues in Allendale Borough, Mount Holly Township, Delanco Township, Bernardsville Borough and Princeton Township.

8. I have served, or currently serve, the Superior Court as a Special Master with regard to exclusionary zoning litigation in cases involving: Cinnaminson Township, Edgewater Park Township, Burlington City, Franklin Lakes Township, Little Falls Township and Old Bridge Township.

9. I wrote the expert reports for the New Jersey Builders Association (NJBA) in its successful appeals of COAH's adoption of N.J.A.C. 5:94-1 et seq. in 2004 and N.J.A.C. 5:97-1 et seq. in 2008. I am very familiar with the Appellate Division's decisions overturning both sets of regulations. I am also familiar with the Supreme Court decisions that have affirmed those Appellate Division decisions and recognized that COAH is no longer a functioning agency.

10. I am very familiar with fair share related issues and I have testified as an expert witness in the Middlesex County and Mercer County fair share trials.

11. I have attached my resume as Exhibit 1.

DOCUMENTS REVIEWED

12. In preparing this certification, I have reviewed the Township's 2009 Master Plan and its Zoning Ordinance. I have also reviewed: the Township's Notice of Filing of Declaratory Judgment Action and Motion Seeking Temporary Immunity, its Verified Complaint for Declaratory Judgment and supporting papers dated July 2, 2015; a transcript of an April 6, 2018

case management conference; a May 17, 2018 letter from Special Master Elizabeth McKenzie to Brian T. Giblin Esquire; the New Jersey Guide to Affordable Housing; N.J.A.C. 5:93-1 et seq.; an October 24, 2016 COAH monitoring report related to Verona; a July 3, 1995 COAH Compliance Report for Verona Township, as well as engineering and architectural plans for the two (2) Bobcar properties (the 11.61 acre Commerce Court site, Block 1201, Lot 3.01, and the 14.29 acre Mt. Prospect Avenue site, Block 501, Lot 83).

BACKGROUND

13. In its March 10, 2015 decision, In re Adoption of N.J.A.C. 5:96, 221 N.J. 1, (2015)(the “Decision”), the Supreme Court determined that COAH was no longer a functioning agency and created a process for municipalities to seek *temporary* immunity as they developed plans to address the affordable housing obligation.

14. The Court built off the COAH process established by New Jersey’s Fair Housing Act, N.J.S.A 52:27D-301 to 329 (the Act).

15. In accordance with the Act, the Supreme Court’s Decision established protections from “builder’s remedy” litigation for municipalities that had received COAH’s third round substantive certification and somewhat lesser protections for municipalities that had merely participated in COAH’s third round process.

16. I have reviewed the status report on COAH’s website. I find that Verona petitioned for third-round substantive certification on December 29, 2008 but never received substantive certification. Thus, Verona is a participating municipality pursuant to the Supreme Court classification system.

17. The Decision established a process in which municipalities that seek to demonstrate constitutional compliance could seek a declaratory judgment from the court and submit a plan by the end of 2015.

18. The Supreme Court held that participating municipalities pose a difficult challenge for the court in determining a “temporary period” of immunity. The Court found that such towns should have no more than five months to submit their housing elements and fair share plans. The Court was clear that such municipalities should have immunity during that initial five (5) month period (that expired at the end of 2015). In re Adoption of N.J.A.C. 5:96, 221 N.J. at 27. However, after the five (5) month period to file a plan, the Court outlined the criteria for continued immunity:

In determining whether to grant such a town a period of immunity while responding to a constitutional compliance action, the court’s *individualized* (emphasis provided) assessment should evaluate the extent of the obligation and the steps, if any, taken toward compliance with that obligation. In connection with that, the factors that may be relevant, in addition to assessing current conditions within the community, include whether a housing element has been adopted, any activity that has occurred affecting need, and progress in satisfying past obligations. Id. at 28.

19. As to the length of immunity, the Supreme Court allowed the trial courts to offer temporary periods of immunity. “Immunity, once granted, should not continue for an undefined period of time; rather, the trial court’s orders in furtherance of establishing municipal affordable housing obligations and compliance should include a brief, finite period of continued immunity, allowing a reasonable time as determined by the court for the municipality to achieve compliance.” Id.

20. Comparing the Supreme Court’s direction to the Township’s actions, Verona filed a Verified Complaint for Declaratory Judgment on July 2, 2015, seeking, among other relief, five

months in which to prepare a constitutionally compliant Housing Element and Fair Share Plan but has taken no substantive measures since that time. Verona did not submit a housing element and fair share plan by the end of 2015. Unlike most municipalities, it did not even submit a summary or matrix plan for the court and intervenors to review. It has taken the position that it does not have sufficient vacant and underutilized land to address its housing obligation (going back to the 2009 Housing Element and Fair Share Plan that was submitted to COAH). But it has not provided any of the information required of municipalities to establish land as a scarce resource (N.J.A.C. 5:93-4.2)

21. In the over three (3) years since the Supreme Court's March 2015 decision, I am unaware of the Township affirmatively offering any sites or plan to produce affordable housing.

22. The New Jersey Guide to Affordable Housing reveals that the only affordable housing built in Verona has included a three (3) bedroom group home for people with special needs and a 159-unit age restricted community, known as Verona Senior Apartments that, according to COAH's 1995 Compliance Report, was built in 1981.¹ Thus, in the 35 years since Mount Laurel II (1983), the Township has not created any affordable housing for low and moderate income families with children.

23. I have reviewed the Township's Zoning Ordinance. I find no requirement for any developer to build affordable housing.

24. In 2016, after the filing of its Declaratory Judgment action, the purpose of which is to demonstrate its constitutional compliance with its affordable housing obligation, Verona granted approval to a 112-unit multi-family community, known as the Annin Flag redevelopment site, *and did not require it to include any affordable housing.*

¹ The Housing Element and Fair Share Plan within the 2009 Master Plan indicates that the Verona Senior Apartments include 159 affordable housing units.

25. I have reviewed the 2009 Master Plan on the Township's website. It includes a recreational and open space needs assessment. The assessment compares the recreational and open space facilities to the need in each of the Township's three (3) Census tracts. (Section 5, pages 3-5 of 2009 Master Plan) The assessment concludes that each census tract has sufficient recreational facilities based on a land based standard, similar to the standard employed by COAH's rules. I have found no Master Plan language recommending the purchase of additional open space and certainly no language related to the Bobcar properties on Commerce Court (Block 1201, Lot 3.01) or Mt Prospect Avenue (Block 501, Lot 83).

26. Thus, there is no language, let alone a recommendation, in the Master Plan designating either of the Bobcar sites for active recreation or open space. This fact is relevant to COAH's regulations because N.J.A.C. 5:93-4.2(d)4 allows a municipality to reserve a "limited" amount of land for recreational purposes *only if it is so designated in the municipal master plan*.

27. As to the Township's 11th hour effort to acquire Bobcar's two (2) sites through condemnation, COAH, in interpreting its rules, was clear that the concern for recreational land and opens space should not begin with a response (or avoiding a response) to the affordable housing obligation:

COMMENT: The Council should be realistic about what can be achieved in one year regarding the purchase of recreational land. The Green Acres process is a long one.

RESPONSE: *The planning for the recreational needs of a community should not begin with the response to the housing obligation.* (emphasis provided) Recreational planning is an on-going concern. Although the Council understands the need to be flexible for unique circumstances, it believes its rule is appropriate. (Comment 103, 25 N.J.R 5771)

THE AFFORDABLE HOUSING OBLIGATION

28. In its March 10, 2015 Decision, the Supreme Court established that each municipality is responsible for its prior round housing obligation (1987 – 1999) as calculated by COAH. The Court also gave direction to the Superior Court in determining the post 1999, or third round housing obligation. The Court determined that the Superior Court should follow the prior round methodologies, that had been upheld by the courts, in determining the third-round housing obligation.

29. Subsequent to the March 10, 2015 Decision, there was litigation raising the question of whether municipalities were responsible for a housing need that accrued between 1999 and 2015. The Supreme Court settled that question in the affirmative in In Re Declaratory Judgment Actions Filed by Various Municipalities, 227 N.J. 508 (2017). In that decision, the Court provided the Superior Court with more flexibility in calculating what is now often referred to as the “gap obligation” (referring to the gap between the last set of COAH’s regulations that had been affirmed by the court (expiring in 1999) and 2015). The Court did not require the Superior Court to follow the prior round methodologies in calculating the gap obligation.

30. As a result, Dr. David Kinsey and Fair Share Housing Center (FSHC) developed a methodology for computing a 1999 – 2015 gap obligation and a 2015 - 2025 prospective need. Dr. Peter Angelides and the Municipal Consortium developed a competing methodology for the gap obligation and prospective need. Many of the Superior Court judges engaged Mr. Richard Reading to help the court understand the two (2) methodologies and their differences.

31. The Honorable Mary Jacobson was one of the judges to engage Mr. Reading. Judge Jacobson conducted over 40 days of trial, listening to witnesses articulate and critique various methods for computing fair share. I was fortunate enough to testify on behalf of the New

Jersey Builder's Association (NJBA) and two (2) private sector developers during these proceedings. Mr. Reading provided his testimony as the last witness in the trial.

32. On March 8, 2018, Judge Jacobson issued her decision in In Re Application of the Municipality of Princeton and In Re West Windsor Township, Docket Nos.: MER-L-1550-15 and MER-L-1561-15 (consolidated)(Judge Jacobson's Decision), that describes the methodology she used to determine the gap period and prospective need housing obligations for Princeton and West Windsor. Judge Jacobson directed Mr. Reading to compute the fair share for these two (2) municipalities.

33. I have reviewed Mr. Reading's spreadsheets that were used to determine the Princeton and West Windsor housing obligations. I have also reviewed Judge Jacobson's Decision. I find that the Decision, Mr. Reading's spread sheet, Dr. Kinsey's spreadsheets and Dr. Angelides spreadsheets allow me to calculate any municipal fair share based on Judge Jacobson's Decision.

THE PRIOR ROUND OBLIGATION

34. In its March 10, 2015 Decision, the Supreme Court determined that each municipality was responsible for addressing its 1987 – 1999 housing obligation as calculated by COAH. The Township's prior round obligation is 24.

THE 2015 – 2025 PROSPECTIVE NEED

35. New Jersey's low and moderate income housing obligation is a regional housing obligation that is allocated to municipalities. Consistent with all of COAH's rules, Verona is in a housing region that includes Essex, Union, Morris and Warren Counties.

36. Prospective need is a projection of housing need based on population projections developed by New Jersey's Department of Labor and Workforce Development (DOLWD). DOLWD issues different methodologies for the State, including one (1) preferred methodology that is available by County and age group. Judge Jacobson's Decision directs: the use of specific DOLWD projections; the manner in which they are to be used; a methodology to convert the population projections into household projections; and a methodology to convert the household projections to yield the increase in low and moderate income households from 2015 – 2025. Based on her direction, Mr. Reading determined that the 2015 - 2025 prospective need for the Verona housing region is 13,317 low and moderate income housing units.

37. COAH, in its prior round rules, allocated the regional need to municipalities based on the municipal share of three (3) factors: increase in non-residential valuations; undeveloped land weighted by the presence of infrastructure; and income. COAH averaged the three (3) factors to yield an average allocation factor for each municipality. Dr. Angelides offered a different way to allocate the regional need to municipalities. However, Judge Jacobson decided to allocate the need based on the three (3) factors that had been used by COAH and reproduced by David Kinsey. The Verona prospective need average allocation factor, as calculated by Dr. Kinsey, is .00754.

38. When one multiplies the regional prospective need of 13,317 by Verona's share of the regional need (.00754), one finds that the Verona share of the regional prospective need is 100.

39. COAH determined that private market forces add to and help address the prospective need obligation. It determined that demolitions, at the local level, remove housing opportunities and add to the housing need. It determined that existing structures are subdivided

into additional housing units and that these additional housing units help address (or lower) the housing obligation. COAH called the additional housing created within the existing housing stock, “conversions.” Finally, COAH determined that some housing becomes more affordable over time and helps create affordable housing through filtering.

40. The Appellate Division struck down COAH’s filtering calculation as unreliable and found that the calculation was not supported by Census data that measures affordability of housing in New Jersey over time. In Re Adoption of N.J.A.C. 5:94 & 5:95 by N.J. Council on Affordable Housing, 390 N.J. Super. 1, 42-46 (App. Div. 2007). Judge Jacobson found that neither Dr. Kinsey nor Dr. Angelides had produced a reliable methodology for calculating filtering and chose not to include filtering in her methodology.

41. However, Judge Jacobson did provide very clear direction about demolitions and conversions. Based on the court’s direction, Mr. Reading determined that demolitions add 15 units to the Verona prospective need. Judge Jacobson’s Decision endorsed Dr. Angelides calculation of conversions for Verona. Conversions, based on Judge Jacobson’s Decision, lower the Township’s housing obligation by 12 units.

42. Based on Judge Jacobson’s Decision, the Township’s 2015 – 2025 prospective need housing obligation equals 100 (share of regional need) + 15 demolitions – 12 conversions = 103 low and moderate income units.

THE GAP OBLIGATION

43. The 1999 – 2015 gap obligation is based on growth that actually occurred from 1999 – 2015. Before the end of the trial, the Census had actually measured the actual growth in households during the gap period. Judge Jacobson used the Census count of households and determined that 41.45 percent of the 1999 – 2015 increase in households qualify as low and

moderate income households. Judge Jacobson's Decision provides direction in calculating the regional need for the gap period. Mr. Reading followed the court's direction and calculated a regional gap obligation of 13,412.

44. In providing direction to calculating the regional need, Judge Jacobson studied the Municipal Consortium's argument that the regional need should be lowered because a certain percentage of low and moderate income households found affordable housing during the gap period. As a result of her study, the court determined that the Municipal Consortium's calculation was flawed and found that, on balance, more low and moderate income households lost than found affordable housing.

45. As with prospective need, Judge Jacobson used the COAH allocation factors to distribute the regional gap obligation to each municipality. Dr. Kinsey had calculated each allocation factor and averaged them to compute an average allocation factor of .00832 for Verona.

46. When one multiplies the regional gap obligation of 13,412 by the average allocation factor of .00831, one calculates a 1999 – 2015 Verona gap obligation of 111 affordable units.²

47. Judge Jacobson agreed with the Municipal Consortium argument that demolitions and conversions should not apply to the gap obligation because the gap calculation does not require one to forecast the impact of demolitions or conversions. The households that formed during the gap period have, for the most part, found housing.

² The gap obligation, in this case, is almost identical to the prospective need calculation because the projected growth of households is very similar to the actual growth that occurred during the gap period.

SUMMARY OBLIGATION

48. If one follows the Supreme Court's direction and applies Judge Jacobson's Decision to Verona, one finds that Verona has a prior round obligation (1987 – 1999) of 24. It has a gap obligation (1999 – 2015) of 111 and a 2015 – 2025 prospective need obligation of 103. The Township's total 1987 – 2025 housing obligation is 238 (24 + 111 + 103).³

49. I recognize that Judge Jacobson's Decision is not binding on this court. But in my expert opinion, as a planner, intimately involved with fair share issues for over 30 years, the fair share resulting from Judge Jacobson's methodology falls within a reasonable range of a fair share that this Court might calculate if it conducted its own trial.

COMPLIANCE

50. In researching the Township's compliance, I have reviewed an October 24, 2016 COAH monitoring report for Verona and a 1995 COAH Compliance Report. I have reviewed a publication that lists affordable housing by municipality, "New Jersey's Guide to Affordable Housing." I have reviewed the Township's Zoning Ordinance and its 2009 Master Plan, including its 2009 Housing Element.

51. I find that the Zoning Ordinance does not include any zones that impose an affordable housing obligation on any development.

52. The New Jersey Guide to Affordable Housing, the Township's 2009 Housing Element and COAH's monitoring report indicate that 159 affordable age-restricted units exist

³ Special Master McKenzie's May 17, 2018 letter to Brian Giblin (page 2) indicates that the Township's third-round housing obligation is 215. In addition, she says that the Township is responsible for a second-round housing obligation of 24. Her second and third round obligation (24 + 215) totals 239. My calculation of the second and third round housing obligation is 238. I attribute the difference to rounding error.

within Verona. The COAH 1995 Compliance Report indicates that the housing was financed by HMFA and was constructed in 1981.

53. The New Jersey Guide to Affordable Housing also indicates that a three (3) bedroom group home is located in Verona.

54. FSHC has modified COAH's rules to establish some core principles regarding settlements. One of the core principles is that no more than 25 percent of the fair share can be addressed with age-restricted units.⁴ Based on this principle and a 1987-2025 housing obligation of 238 units, Verona may be able to receive up to 59 units of credit for the Verona Senior Apartments. (In order to receive 59 credits, the Township would have to establish that the housing is governed by controls on affordability that extend through 2025).

55. The Township may also receive credit for the three (3) bedroom group home that has located in Verona *if it meets COAH's criteria for credit*.

56. However, it is clear that Verona, even if the controls on affordability on its age-restricted units have been extended through 2025, is far short of addressing its 1987 – 2025 housing obligation that may be reasonably estimated to be 238 affordable housing units.

CONCLUSION

57. Verona was a participating municipality in COAH's process when COAH ceased to function. The Supreme Court, in its March 10, 2015 Decision, said that the courts should consider the extent of the housing obligation and the steps, if any, taken toward compliance with that obligation in determining whether to grant immunity.

⁴ This principle is very similar to COAH's 25 percent cap on age-restricted credits, at N.J.A.C. 5:93-5.14.

58. In March of this year, Judge Jacobson released a long-awaited decision in computing the third-round housing obligation. Judge Jacobson's methodology, applied to Verona, yields a 1987 – 2025 housing obligation of 238 housing units.

59. My research into the Township's compliance reveals that the Township may be eligible to receive credit for three (3) bedrooms in one group home and for some portion of the 159 age restricted housing units that were produced within the Verona Senior Apartments prior to the Mount Laurel II Decision if the above cited criteria are satisfied.

60. In the three (3) plus years since the Supreme Court established a process for municipalities to establish constitutional compliance, the Township has not submitted a housing element or summary plan of any sort. It has not provided any information, required by N.J.A.C. 5:93-4.2, to document: that land is a scarce resource; or the capacity of its vacant land to accommodate affordable housing.

61. The Township has met with Bobcar on three (3) occasions to discuss its plans for the two (2) sites offered by Bobcar. The specifics of those discussions are under the umbrella of confidentiality. But I think it is fair to say that the municipal representatives encouraged Bobcar to prepare costly surveys, concept plans, building elevations and building perspectives; and that Bobcar has diligently, and in good faith, attempted to work with the Township to help Verona address its housing obligation. On April 6, 2018, counsel for the Township advised the Court that settlement discussions between the Township and Bobcar were progressing well and that he was confident that a settlement was near.⁵ Since then, the Township has canceled two (2) scheduled sessions designed to finalize an agreement on the development of the Bobcar properties and now has decided to explore condemnation of the Bobcar sites.

⁵ April 6, 2018 transcript of case management conference.

62. So, to apply the Supreme Court's criteria for immunity to Verona, I conclude that the Township was participating in COAH's third round process but did not receive substantive certification.

63. I have applied the methodology in Judge Jacobson's Decision to Verona and have determined that the Township has a 1987 – 2025 housing obligation of 238 affordable housing units.

64. There were 159 affordable age restricted housing units built in Verona in 1981. Of this total, the Township may (if controls on affordability have been extended) receive credit for a total of 59 affordable units.

65. The Township may also receive credit for a three (3) bedroom group home if it meets the criteria for such credit.

66. In terms of progress towards addressing the affordable housing obligation since the Supreme Court's March 10, 2015 Decision, the Township has offered no plan of any sort that offers additional affordable housing. The Township also has not provided the necessary information to demonstrate whether it can receive credit for the existing units described above. Its 2009 Housing Element claims that land is a scarce resource that precludes the Township from addressing its entire fair share. However, I find no record that the Township has done anything to follow COAH's rules that are applicable for a municipality that claims land is a scarce resource.

67. Those rules require a municipality to use land efficiently to provide affordable housing. Rather than use land efficiently for affordable housing, Verona has squandered affordable housing opportunities by granting approval to a 112-unit non-inclusionary

development on the Annin Flag redevelopment site and has initiated a process to investigate the condemnation of the Bobcar sites as open space.

68. The Township has decided to explore condemnation even though the 2009 Master Plan shows no additional need for open space and does not designate the Bobcar parcels for open space or recreation.

69. Verona has made no progress toward addressing its housing obligation. Rather, the Township has taken giant steps backward. In my opinion, the Court should revoke the Township's immunity from "builder's remedy" litigation and I urge the Court to do so.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: June 1, 2018



Art Bernard, PP

EXHIBIT 1
CURRICULUM VITAE

Art Bernard and Associates, L.L.C.

Housing and Land Use Planning

ART BERNARD, P.P. CURRICULUM VITAE

EDUCATION

Master of City and Regional Planning, Rutgers University, 1974
BA, History, Lafayette College, 1971

LICENSES AND AFFILIATIONS

New Jersey Professional Planners License #02507
American Planning Association
New Jersey Federation of Planning Officials
New Jersey Builder's Association Land Use Committee
New Jersey State Planning Commission Housing Advisory Committee
Highlands Technical Advisory Committee

PROFESSIONAL EXPERIENCE

Private Consultant

1994 to present

Managing Member of Art Bernard and Associates, L.L.C. Provide consulting services related to general land use and affordable housing. Activities include preparation of municipal plans, development ordinances and development reviews. Represent developers before municipal boards and in litigation. Specialize in representing municipalities and developers in exclusionary zoning matters before the Superior Court and the Council on Affordable Housing. Serve the Superior Court as Special Master.

New Jersey Council on Affordable Housing (COAH) Executive Director

1993 to 1994

Developed recommendations to the Governor and Legislature. Negotiated contracts for consulting services as necessary for the proper operation of the Council. Represented the Council before relevant interest groups, governmental bodies and the general public. Acted as a hearing officer in accordance with the provisions of the Fair Housing Act and the rules established by the Council

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E-mail: yukygolfer@aol.com

Deputy Director

1986 to 1993

Responsible for developing all regulatory and policy recommendations for COAH. Managed the review of housing elements and the negotiations between municipalities and parties objecting to municipal housing elements. Developed and supervised a work program pertaining to mediation training, municipal and legislative outreach, housing element review and the production of publications. Negotiated housing settlements involving over 5,000 low and moderate income housing units.

**New Jersey Department of Community Affairs (DCA)
Program Development Specialist**

1982 to 1986

Responsible for developing the rules for the Neighborhood Preservation Balanced Housing Program, a low and moderate income housing grant program designed to supplement the goals of New Jersey's Fair Housing Act. Co-authored the program guidelines, application criteria and review criteria for New Jersey's Small Cities Community Development Block Grant Program.

Project Manager of the New Jersey Model Subdivision and Site Plan Ordinance, designed to provide quality municipal improvements without adding unnecessary costs to the development process.

Project Manager of the New Jersey Class C Boarding House Study. Analyzed the costs associated with operating a boarding house. Assisted in developing New Jersey's Life Safety Improvement Program for boarding homes.

Responsible for representing DCA on the Delaware Valley Regional Planning commission and the New Jersey Clean Water Council. Responsible for providing technical assistance to the Division of Coastal Resources, the Pinelands Commission and the Meadowlands Commission on housing issues.

Principal Planner

1979 to 1982

Provided technical assistance to municipalities on land use and housing issues. Co-authored the *Affordable Housing Handbook* which discussed various means of reducing the cost of housing.

**Hunterdon County Planning Board
Senior Planner**

1974 to 1977

Responsible for subdivision and site plan review and for providing technical assistance at municipal planning board meetings. Prepared the *Hunterdon County Economic Base Study* and the *Hunterdon County Transportation Plan*.

**New Jersey Department of Health
Health Consultant**

1977 to 1979

Surveyed health providers throughout New Jersey and incorporated findings into the *New Jersey Health Master Plan*.

PUBLICATIONS

"Limits to the Builder's Remedy", New Jersey Municipalities
 "COAH and Its Rules: Time to Pay Attention", New Jersey Planning Officials
 "Low & Moderate Income Housing in NJ Faces Double Barreled Opposition", Dimensions
 "Planning for Affordable Housing", New Jersey Planning Officials
 "Planning Update", THP Newsletter
 "Strategies for Addressing Low Income Housing Needs", New Jersey Municipalities
Mount Laurel II: Methods of Calculating Fair Share
 "The New Jersey Experience: Affordable Housing Seen as a Constitutional
 Obligation", Trends in Housing
 "Mount Laurel II: Revisited Five Years Later", Federation Planner.
 "Mount Laurel II: Working Toward Compliance", New Jersey Municipalities
 "Looking Beyond COAH's Numbers, New Jersey Municipalities
Requirements of a Housing Element and Fair Share Plan
 "COAH Counts Successes Along Road to Affordable Housing", CUPREPORT

LECTURES/AWARDS

Associate of the Year, New Jersey Builder's Association, 1997 and 2006
 New Jersey Federation of Planning Officials Citation of Merit
 Edward J. Bloustein School of Planning and Public Policy, Rutgers University
 Camden Law School, Rutgers University
 American University Law School
 Housing Conferences in New York, New Jersey, Rhode Island and Pennsylvania
 Colloquium of The Seton Hall University Center for Social Justice

Municipal Clients – Served the following municipalities as municipal planner and/or affordable housing planner.

Allendale Borough, Avon Borough, Bernardsville Borough, Carteret Borough, Cherry Hill Township, Closter Borough, Delanco Township, Hampton Borough, Harrison Township, High Bridge Borough, Marlboro Township, Medford Township, Milltown Borough, Mount Laurel Township, North Plainfield Borough, Piscataway Township, Princeton Township, Ramsey Borough, South River Borough, Tinton Falls Borough, Ramsey Borough, Wall Township, Wanaque Borough, West Caldwell Township.

Court Master Assignments

Burlington City, Cinnaminson Township, Edgewater Park Township, Franklin Lakes Borough, Little Falls Township, Old Bridge Township.

Private Sector Assignments Before Local Boards, COAH and Court.

Atlantic County – Absecon City, Brigantine City, Galloway Township, Egg Harbor Township, Hammonton Town, Northfield City, Somers Point City.

Bergen County – East Rutherford Borough, Fair Lawn Borough, Glen Ridge Borough, Hohokus Borough, Little Ferry Borough, Mahwah Township, Milltown Borough, North Arlington Borough, Oakland Borough, Oradell Borough, Paramus Borough, Park Ridge Borough, Ramsey Borough, Ridgewood Borough, River Vale Township, Rutherford Borough, Tenafly Borough, Upper Saddle River Borough, Verona Borough, Wallington Borough, Woodcliff Lake Borough.

Burlington County – Bordentown Township, Delran Township, Evesham Township, Mansfield Township, Moorestown Borough, Mount Laurel Township, Pemberton Township, Springfield Township, Westampton Township.

Camden County – Berlin Township, Haddonfield Borough, Pine Hill Township, Stratford Borough.

Cape May County – West Cape May Borough.

Cumberland County – Vineland City.

Essex County – Cedar Grove Township, Fairfield Township, Livingston Township, Nutley Borough, Roseland Borough, South Orange Village Township, West Orange Township.

Gloucester County – Clayton Borough, Deptford Township, East Greenwich Township, Logan Township, Newfield Borough, South Harrison Township, Swedesboro Borough, West Deptford Township, Woolwich Township.

Hudson County – Bayonne City, Hoboken City, Secaucus Town.

Hunterdon County – Alexandria Township, Clinton Town, Clinton Township, Delaware Township, East Amwell Township, Lebanon Borough, Milford Borough, Raritan Township, Readington Township, Union Township.

Mercer County –East Windsor Township, Hamilton Township, Hopewell Township, Princeton Borough, Robbinsville Township, Trenton City, West Windsor Township.

Middlesex County – Cranbury Township, East Brunswick Township, Edison Township, Highland Park Borough, Monroe Township, North Brunswick Township, Sayreville Borough, South Brunswick Township, South Plainfield Borough.

Monmouth County – Aberdeen Township, Atlantic Highlands Borough, Avon Borough, Belmar Borough, Eatontown Borough, Farmingdale Borough, Freehold Township, Hazlet Borough, Highlands Borough, Holmdel Township, Howell Township, Keyport Borough, Little Silver Borough, Manalapan Township, Marlboro Township, Middletown Township, Neptune City Borough, Ocean Township, Red Bank Borough, Rumson Borough, Sea Bright Borough, Shrewsbury Borough, Tinton Falls Borough, Wall Township.

Morris County - Chester Borough, Denville Township, Dover Town, East Hanover Township, Florham Park Borough, Hanover Township, Lincoln Park Borough, Long Hill Township, Mine Hill Township, Montville Township, Morris Township, Morris Plains Borough, Morristown Town, Mountain Lakes Borough, Mount Arlington Borough, North Hanover Township, Parsippany Troy-Hills Township, Randolph Township.

Ocean County – Barnegat Township, Berkeley Township, Brick Township, Jackson Township, Little Egg Harbor Township, Manchester Township, Toms River.

Passaic County – Bloomingdale Borough, Clifton City, Elmwood Park Borough, Passaic City, Pompton Lakes Borough, Ringwood Borough, Wanaque Borough, Wayne Township, Woodland Park Borough.

Salem County – Oldmans Township, Pittgrove Township.

Somerset County – Bedminster Borough, Bernards Township, Branchburg Township, Bridgewater Township, Far Hills Borough, Franklin Township, Green Brook Township, Hillsborough Township, Manville Borough, Millstone Borough, Montgomery Township, Raritan Borough, Warren Township.

Sussex County – Frankford Township, Fredon Township, Green Township, Hampton Township, Hardyston Township, Lafayette Township, Newton Town.

Union County – Berkeley Heights Township, Clark Township, Cranford Township, Fanwood Borough, Hillside Township, Mountainside Borough, New Providence Township, Roselle Park Borough, Scotch Plains Township, Springfield Township, Westfield Township.

Warren County – Alpha Borough, Greenwich Township, Hacketstown Town, Harmony Township, Hopatcong Township, Oxford Township.

Pennsylvania – Buckingham Township, Forks Township, Plumstead Township, Tinicum Township, Upper Mount Bethel Township, Williams Township.

New Jersey Builders Association

Wrote comments to each iteration of COAH's proposed third round rules.