CA

Cranbury

5-1-84

Trial brief on behalf of

P, (Canfield & Co.) re: priority of builder's remedy plaintiffs

-w/affidavit of service

pgs. 20

CA 002233 B

| | |
|---|---|
| URBAN LEAGUE OF GREATER NEW BRUNSWICK, et al.<br><br>Plaintiffs,<br><br>vs.<br><br>THE MAYOR and COUNCIL OF THE BOROUGH OF CARTERET, et al.,<br><br>Defendants. | SUPERIOR COURT OF NEW JERSEY<br>CHANCERY DIVISION<br>MIDDLESEX COUNTY<br><br>CIVIL ACTION<br><br>DOCKET NO.: C-4122-73 |
| GARFIELD & COMPANY,<br><br>Plaintiff,<br><br>vs.<br><br>MAYOR and THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CRANBURY, A Municipal Corporation, and the members thereof; PLANNING BOARD OF THE TOWNSHIP OF CRANBURY, and the members thereof,<br><br>Defendants. | LAW DIVISION<br>MIDDLESEX COUNTY<br><br>DOCKET NO.: L-055956-83 P.W. |

# TRIAL BRIEF ON BEHALF OF PLAINTIFF, GARFIELD & COMPANY

WARREN, GOLDBERG, BERMAN & LUBITZ
A Professional Corporation
Attorneys for Plaintiff
Garfield & Company
112 Nassau Street, P.O. Box 645
Princeton, New Jersey 08542

On the Brief:

William L. Warren, Esquire

---

LAWRENCE ZIRINSKY,

Plaintiff,

vs.

THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CRANBURY, A Municipal Corporation, and THE PLANNING BOARD OF THE TOWNSHIP OF CRANBURY,

Defendants.

DOCKET NO.: L-079309-83 P.W.

---

JOSEPH MORRIS and ROBERT MORRIS,

Plaintiffs,

vs.

TOWNSHIP OF CRANBURY IN THE COUNTY OF MIDDLESEX, A Municipal Corporation of the State of New Jersey,

Defendant.

DOCKET NO.: L-054117-83

---

CRANBURY DEVELOPMENT CORPORATION, A Corporation of the State of New Jersey,

Plaintiff,

vs.

CRANBURY TOWNSHIP PLANNING BOARD and the TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CRANBURY,

Defendants.

DOCKET NO.: L-59643-83

---

BROWNING-FERRIS INDUSTRIES OF SOUTH JERSEY, INC., A Corporation of the State of New Jersey, RICHCRETE CONCRETE COMPANY, a Corporation of the State of New Jersey, and MID-STATE FILIGREE SYSTEMS, INC., a Corporation of the State of New Jersey,

Plaintiffs,

vs.

CRANBURY TOWNSHIP PLANNING BOARD and THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CRANBURY,

Defendants.

DOCKET NO.: L-058046-83 P.W.

---

CRANBURY LAND COMPANY, a New Jersey Limited Partnership,

Plaintiff,

vs.

DOCKET NO.: L-070841-83

CRANBURY TOWNSHIP, A Municipal Corporation of the State of New Jersey located in Middlesex County, New Jersey,

Defendant.

## PRELIMINARY STATEMENT

It has been suggested during the course of the pretrial proceedings in this case that with four builder's remedy plaintiffs it is possible that Cranbury's "fair share obligation" pursuant to South Burlington County N.A.A.C.P. v. Mount Laurel Township, 92 N.J. 158 (1983) (hereinafter "Mount Laurel II") may be less than the capacity of the land owned or controlled by these plaintiffs. Should this be the case, the Court will either have to increase Cranbury's "fair share obligation" or determine a priority for the allocation of this obligation. This memorandum is submitted in support of plaintiff Garfield & Company's claim that should Cranbury's "fair share obligation" have to be allocated among the builder's remedy plaintiffs, first priority should go to Garfield & Company.

## ARGUMENT

### GARFIELD & COMPANY SHOULD BE GIVEN PRIORITY IN THE ALLOCATION AMONG BUILDER'S REMEDY PLAINTIFFS OF CRANBURY'S MOUNT LAUREL OBLIGATION

In a Mount Laurel II litigation involving numerous builder's remedy plaintiffs with a capacity to absorb more than the defendant municipality's fair share of Mount Laurel housing, which of these plaintiffs should have priority in the allocation of this housing and the accompanying density bonuses is not an issue which has been specifically addressed by the Supreme Court. However, a close review of Mount Laurel II suggests five factors which should be considered in determining priority among such builder's remedy plaintiffs.

1. The location of the plaintiff's land.
2. The preference of the municipality.
3. The density to which each plaintiff's land was entitled pursuant to the challenged zoning ordinance.
4. The date on which each plaintiff commenced its litigation.
5. The ownership interest of each plaintiff in the land at issue.

In most cases, some of these factors will favor one plaintiff while other factors may favor a different plaintiff. The court, therefore, will ordinarily have to weigh each factor in considering which plaintiff will have priority. However, no such balancing is necessary in the instant case. Each of the factors listed above favors Garfield & Company. Therefore, Garfield & Company should have priority over all other builder's remedy plaintiffs in the allocation of Mount Laurel housing in Cranbury should this Court determine that less housing is to be built than the total acreage controlled by all of the builder's remedy plaintiffs could accomodate.

Location: The entire thrust of Mount Laurel II is that municipalities must provide a realistic opportunity for the construction of their fair share of low and moderate income housing within the context of a statewide master plan. The master plan chosen by the Supreme Court was the State Development Guide Plan ("SDGP"). "The SDGP represents the conscious determination of the State, through the executive and legislative branches, on how best to plan its future." 92 N.J. at 215. Therefore, the Court decided that "[t]he obligation to encourage lower income housing ... will ... depend on rational long-range land use planning (incorporated into the SDGP) rather than upon the sheer economic forces that have dictated whether a municipality is 'developing'." 92 N.J. at 215.

A municipality which is located outside of the areas designated on the SDGP concept maps for growth has no obligation to provide for any low or moderate income housing which may be reallocated from other municipalities in its region. 92 N.J. at 215. There is even language in the opinion which can be read as holding that no portion of the fair share obligation of a municipality which is only partially located in a SDGP growth zone may be ordered built in that part of the municipality which is outside of the growth zone.

> "This obligation [to provide a realistic opportunity for a fair share of the region's present and prospective low and moderate income housing need], imposed as a remedial measure, does not extend to those areas where the SDGP discourages growth - namely, open spaces, rural areas, prime farmland, conservation areas, limited growth areas, parts of the Pinelands and certain Coastal Zone areas." [92 N.J. at 215]

The Court has stated in the clearest possible terms its strong preference that Mount Laurel housing be constructed only in SDGP growth areas.

> "It is our intention by this decision generally to channel the entire prospective lower income housing need in New Jersey into 'growth areas'." [92 N.J. at 244].

In fact, in remanding Round Valley v. Township of Clinton, the Court gave the trial judge quite specific guidance at to where Mount Laurel housing should be developed.

> "On remand the trial court should determine whether the fair share can be accommodated completely in the growth area consistent with sensible planning. If it can, then the fair share determination below shall stand; if not, it shall be revised appropriately.... [T]he revised ordinance should obviously be tailored to encourage lower income housing only in the 'growth' area." [92 N.J. at 329].

Quite apparently, the Supreme Court in Mount Laurel II has indicated that Mount Laurel housing should be constructed within the SDGP growth area.

> "The remedial use by this Court of the SDGP as the primary standard to determine the locus of the Mount Laurel obligation, and consequently to determine where development (in this case housing) should be encouraged and, as importantly, its use to assure that the Mount Laurel doctrine does not encourage development in conflict with the State's comprehensive plan, is thus the kind of use of the SDGP contemplated by the Legislature in various statutes, and by the Plan itself." [92 N.J. at 233].

Indeed, the Court specifically warned the judiciary against contributing to development discordant with the SDGP.

> "Our use of the State Development Guide Plan for the purpose of determining where Mount Laurel applies does not, of course, guarantee that lower income housing will be constructed in the future solely pursuant to this comprehensive rational plan for the development of New Jersey. It simply tends to assure that the judiciary will not contribute to irrational development, discordant with the state's own vision of its future, by encouraging it in areas that the state has concluded should not be developed, areas more suitable for other purposes, or by inadvertently leading municipalities to encourage lower income housing in such areas." [92 N.J. at 247].

The SDGP may not be conclusive, but it is a rare case indeed in which it will not be given effect.

> "While we believe important policy considerations are involved in our decision not to make the SDGP conclusive, we think it even more important to point out that it will be the unusual case that concludes the locus of the Mount

Laurel obligation is different from that found in the SDGP." [92 N.J. at 239-40].

Garfield & Company is the only builder's remedy plaintiff in the instant case which has all of its land located within that portion of Cranbury designated by the 1980 SDGP as Growth Area. Compare ¶2a3b of the March 16, 1984 Pretrial Order in this case with ¶¶2a4b, 2a6b and 2a7b. In fact, all of Garfield & Company's land in Cranbury is actually located within the Growth Area designated in the Department of Community Affairs' January 1981 concept map; a map which significantly reduced the portion of Cranbury designated as Growth Area. See Exhibit J8.

The fact that a plaintiff's land is not in a growth area may not, as a matter of law, preclude a builder's remedy for that plaintiff before a determination is made of fair share and compliance. It may be that the court will conclude the municipality's fair share obligation is in excess of the capacity of all of the land controlled by the builder's remedy plaintiffs and will award Mount Laurel housing to the non-growth area plaintiff to insure that all mandated housing is promptly constructed. However, in light of the strong preference exhibited by the Supreme Court for development of land within the SDGP designated growth area, in allocating Mount Laurel units among various plaintiffs after a determination has been made that a municipality's fair share is less than the capacity of the land controlled by the builder's remedy plaintiffs, preference must be given to land in the SDGP Growth Area over land which falls outside of the Growth Area.

Municipal Preference: The Supreme Court in Mount Laurel II emphasized time and again that its sole concern was to ensure that every municipality created a realistic opportunity for the construction its fair share of a region's present and prospective need for low and moderate income housing. Once this has been accomplished, the Mount Laurel doctrine demands no more.

> "Finally, once a community has satisfied its fair share obligation, the Mount Laurel doctrine will not restrict other measures, including large-lot and open area zoning, that would maintain its beauty and communal character." [92 N.J. at 219-20].

The municipality may then zone as it sees fit, limited only by the requirements of due process.

> "Once a municipality has revised its land use regulations and taken other steps affirmatively to provide a realistic opportunity for the construction of its fair share of lower income housing, the Mount Laurel doctrine requires it to do no more. For instance, a municipality having thus complied, the fact that its land use regulations contain restrictive provisions incompatible with lower income housing, such as bedroom restrictions, large lot zoning, prohibition against mobile homes, and the like, does not render those provisions invalid under Mount Laurel. ... Municipalities may continue to reserve areas for upper income housing, may continue to require certain community amenities in certain areas, may continue to zone with some regard to their fiscal obligations: they may do all of this, provided that they have otherwise complied with their Mount Laurel obligations." [92 N.J. at 259-60].

The Court intended that interference with the normal zoning process of any municipality be limited to the absolute minimum necessary to secure compliance with the Mount Laurel doctrine. Having undertaken a legislative burden with great reluctance, the Court recognized that the location of a Mount Laurel development is "... best left to the municipality and planners...." [92 N.J. at 329].

Given the often expressed desire of the Court to minimize any interference with municipal choice or sovereignty, it would seem most appropriate to provide a priority to any builder's remedy plaintiff whose land has been designated by the municipality as the appropriate location for high density residential development. This, of course, would not be the case where the supply of Mount Laurel housing exceeds to amount of land owned by builder's remedy plaintiffs. 92 N.J. at 280. However, where the capacity of the land controlled by the builder's remedy plaintiffs is significantly in excess of the Mount Laurel units

to be allocated, municipal choice should play a major role in the allocation of Mount Laurel units.

In this case it is unquestioned that Cranbury desires Mount Laurel development to take place on the land owned by Garfield & Company rather than on the land controlled by any of the other builder's remedy plaintiffs.

> "The area of the Village, between Route 130 and the New Jersey Turnpike, presents the best opportunity for the expansion of the built-up residential component of the Township. It is connected to the heart of the Village by means of Half Acre and Station Roads, and it contains lands which, except for the temporary absence of services, are suitable for higher density development. To make sure development possible, the Township's facilities plan already proproses that the 24-inch sewer line which presently dead ends at Scott Avenue be extended eastward.
>
> ***
>
> To encourage at least some of the housing that will be provided in this area to be affordable by moderate income families, it is proposed that the maximum density achievable as of right be 3 du/acre, with the fourth unit being available only if provided in the form of 'least cost' housing, as this term may be defined in the zoning ordinance." [Cranbury Township Land Use Plan at III-14].

Cranbury Mayor Alan Danser testified at his deposition that at the time the Cranbury Zoning Ordinance was recommended and adopted and at the present time both the Planning Board and the Township Committee believed and presently believe that the land use zone in which Garfield & Company's land is located is the most appropriate zone for the construction of low and moderate income housing in Cranbury.

> Q. Mayor Danser, at the time the Planning Board recommended the Zoning Ordinance to the Township Committee, did the Planning Board have a view as to what zone would be the most appropriate zone for the construction of low and modern income housing in Cranbury?
>
> A. I would presume from the fact that the Planning Board made provisions for a density bonus in the PD-HD zone that they presumed that that would be the most appropriate zone.

Q. At the time the Township Committee adopted the Zoning Ordinance did the Township Committee have an opinion as to what the most appropriate zone would be for low and modern income housing for Cranbury?

A. I believe that the Township Committee felt the same way.

Q. The PD-HD zone?

A. Yes.

Q. Can you tell me whether since the Zoning Ordinance was recommended by the Planning Board and since the Zoning Ordinance was adopted by the Township Committee, whether either the Township Committee or the Planning Board has changed its opinion as to what the most appropriate zone would be in Cranbury for low and modern income housing?

A. Not to my knowledge. I don't believe that they have.

Q. As far as you're concerned the Planning Board still believes that the PD-HD zone is the appropriate zone for the low and modern income housing in Cranbury; is that correct?

A. I believe so.

Q. And the same thing can be said with respect to the Township Committee; is that correct?

A. I believe so. [Deposition of Alan Danser dated March 12, 1984 at 49-50].

Mr. Don Swanagan, chairman of the Planning Board, confirmed that at the time the Planning Board adopted the Land Use Plan, and even today, it was and is the unaminious view of the Board that the land use zone in which Garfield & Company's land is located in the appropriate location for low and moderate income housing in Cranbury.

Q. When the Planning Board adopted the Master Plan that currently exists, was there a unanimous view as to where low and moderate income housing in the Township ought to be located?

A. Yes, it would logically be where we would allow the higher density multi-type housing.

Q. Is there a particular zone in which the Planning Board expressed its opinion that low and moderate income housing ought to be constructed?

A. Yes, I would say in the planning unit development areas.

Q. PD-HD zone?

A. And, I presume the HD, high density.

Q. And is that still the belief of the Planning Board?

A. Yes. [Deposition of Don Swanagan dated March 12, 1984 at 69].

Thomas March, planning consultant to the Township of Cranbury, testified to exactly the same effect.

Q. By the way, what zone did the Planning Board designate as the appropriate area for low and moderate income housing?

A. That's the PD-HD zone.

Q. Are you presently retained by the Planning Board?

A. My firm is under contract with the Planning Board.

Q. Do you know presently what area in Cranbury the Planning Board deems to be the appropriate area for low and moderate?

A. It's the PD-HD zone, which is set forth in the land use plan.

Q. Can you tell me basically some of the reasons that went into the Planning Board's decision to designate that as the appropriate zone for low and moderate income housing?

A. Sure. This really relates back to the master plan, and then it evolves down to the details of why does one place a particular house in a particular zone in a particular lot.

Essentially the township took in its Master Plan and tried to divide up where the many uses would be appropriate; the one use being the very high density residential and the other end of the spectrum obviously being residential. What we did is took a regional view of what was occurring within the township and around its borders, we took a look at the plans of the Middlesex County Planning Board, the State Development Guide, which is intimately involved in the Mount

Laurel suit, and we then fashioned a very broad model as to where all uses ought to follow.

Essentially, if one takes a look at the regional models and has determined that all growth ought to fall from Cranbury Village towards the east, meaning towards the Turnpike, and that all growth would or should be planned for this area.[Deposition of Thomas March dated March 26, 1984 at 38-40].

Cranbury's other planning consultant, George Raymond, was in complete agreement.

Q. In your view, is the most appropriate location in Cranbury for low- and moderate-income housing development east of the town?

A. The area that's readily sewerable, which is the basis on which the area east of the town was selected for higher density zoning.

Q. Does the fact that the area east of the town is also quite close to Route 130 play any part with respect to availability of transportation for low and moderate income families?

A. The area was selected on the basis of many planning factors, including the County Planning Commission recommendations regarding where higher density residential growth in Cranbury should be located.

Clearly the area between 130 and the Turnpike was selected to begin with and the area closest to the village is where the residential area should be with the employment areas being the ones that are further form the heart of the village. [Deposition of George M. Raymond dated March 27, 1984 at 66-67].

Both of these planners agreed that the agricultural zone, where most of the land controlled by the other builder's remedy plaintiffs is located, is not appropriate for Mount Laurel housing.

Q. In your experience, is it likely that high density zoning in an agricultural area could, over long term, co-exist with agricultural uses for the land?

A. As specifically targeted for what area?

Q. Say the A-100 zone.

A. No, it could not.

Q. Why is that?

A. What invariably happens when you get residential next to agricultural, through time, the people who are in the agricultural business find it more difficult to carry on that business.

Even though they are in farming, they have some things that are part of farming which are just nuisance value to residential areas. They go, include everything from spraying of crops to 24-hour operations, to fertilization, and other kinds of things.

These are not just my personal findings, these are really the thought of planning as evidenced by various studies that do come out. It's very difficult to have any residential, particularly high [density] residential living next to any agricultural area. [Deposition of Thomas A. March dated March 26, 1894 at 42].

***

Q. Mr. Raymond, in your view, would any land in the A-100 zone in Cranbury be the appropriate site for low and moderate income housing development?

A. No. [Deposition of George M. Raymond dated March 27, 1984 at 66].

Cranbury as well as its planners wish Mount Laurel housing to be constructed on Garfield & Company's property and affirmatively object to the construction of such housing on the property of any of the other builder's remedy plaintiffs. Certainly the preference of the town and its planners, bottomed on legitimate planning considerations, should be given considerable weight in the allocation of Mount Laurel housing among various builder's remedy plaintiffs.

Prior Zoning: "[T]he primary reason for granting a builder's remedy, ..." is to encourage "... Mount Laurel suits by developers...." 92 N.J. at 309, n. 58. A developer is encouraged to commence a Mount Laurel II suit to vindicate a public right by the prospect of substantial economic gain. Economic gain is measured by the difference between what a plaintiff's land is worth under the challenged zoning ordinance and what it is worth with a builder's remedy. A developer whose land is zoned four units to the acre under the challenged zoning ordinance requires a more attractive builder's remedy to realize the same

economic gain that may be realized by a developer whose land is zoned one unit to the acre.

In Cranbury, the challenged zoning ordinance permitted Garfield & Company to construct, as of right, one dwelling unit per two acres of land and, with the purchase of transfer development credits, to construct up to four dwelling units per acre. None of these units had to be low or moderate income. However, if Garfield & Company decided to construct Mount Laurel housing on its land, it was entitled to a density bonus of one unit per acre in exchange for a 15% set aside.

The uses to which Garfield & Company's land could be put pursuant to the challenged zoning ordinance may be compared with the uses to which the other builder's remedy plaintiff's land could be put. The vast majority of this land is in the A-100 zone. Density for residential use of this land is one unit per six acres, with no density increase permitted. Thus, while Garfield & Company could have constructed on its land residences at a density of five units per acre with a Mount Laurel set aside of only 15%, without investing the enormous amounts of time and money it is taking to vindicate the public right in this case, the other builder's remedy plaintiffs would only have been permitted to construct residences at a density of one unit per six acres. Thus, to make this litigation economic, as the Supreme Court intended it should be, Garfield & Company needs a builder's remedy more generous than required by the other builder's remedy plaintiffs.

Date of Suit: The primary purpose of the builder's remedy is to encourage challenges to exclusionary zoning ordinances. 92 N.J. at 309, n. 58. Once an ordinance has been challenged in court, the builder's remedy has done the bulk of its work. It has caused the lawsuit to be brought. The issue is before the court and, at least to the extent that the land controlled by the first

builder's remedy plaintiff can support the entire "fair share obligation" of the municipality, participation by subsequent builder's remedy plaintiffs is not vital. In the instant case, Garfield & Company was the first builder's remedy plaintiff to challenge the Cranbury zoning ordinance. The purpose of the builder's remedy had been achieved. It was unnecessary for any of the other builder's remedy plaintiff to challenge the ordinance. Garfield & Company should therefore have priority in the award of Mount Laurel units.

Ownership: There is one final consideration which ought to be taken into account in determining priority among builder's remedy plaintiffs; whether or not the plaintiff is a speculator. Early in its opinion, the Supreme Court reassured the public that its decision was not designed to "leave our open spaces and natural resources prey to speculators." 92 N.J. at 219 (emphasis supplied). To the extent that builder's a remedy plaintiff in this case does not own the land it seeks to develop, owning instead options to purchase the land, it must be considered a speculator. Garfield & Company, on the other hand, not only owns the land which is the subject of this litigation, but has owned this land for more than a decade. As a long time "resident" of Cranbury, Garfield & Company should have priority in the award of Mount Laurel units over plaintiffs who are, by any definition of the term, speculators.

## CONCLUSION

For all of these reasons, Garfield & Company should be given priority in the allocation of Mount Laurel housing in this case.

Respectfully submitted,

William L. Warren

Dated: May 1, 1984
Princeton, New Jersey

**WARREN, GOLDBERG, BERMAN & LUBITZ**
A PROFESSIONAL CORPORATION
112 NASSAU STREET
P. O. BOX 645
PRINCETON, NEW JERSEY 08542
(609) 924-8900
ATTORNEYS FOR Plaintiff

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
MIDDLESEX COUNTY

DOCKET NO.: L-055956-83

GARFIELD & COMPANY,

Plaintiff,

vs.

MAYOR AND THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CRANBURY, A Municipal Corporation and the members thereof; PLANNING BOARD OF THE TOWNSHIP OF CRANBURY, and the members thereof,

Defendants.

*CIVIL ACTION*

AFFIDAVIT OF SERVICE

STATE OF NEW JERSEY)
: s.s.
COUNTY OF MERCER )

Susan L. Taylor, being duly sworn according to law, upon her oath deposes and says;

1. I am employed as a secretary in the law firm of Warren, Goldberg, Berman and Lubitz, attorneys for defendant in the above entitled action.

2. On May 1, 1984, I mailed in the United States Post Office in Princeton, New Jersey, sealed envelopes with postage prepaid thereon, by regular mail

containing a Brief on behalf of plaintiff Garfield & Company by William L. Warren dated May 1, 1984 to all counsel listed on Exhibit A of this Affidavit.

Susan L. Taylor
SUSAN L. TAYLOR

Subscribed and sworn to before me
this 1st day of May, 1984.

Claudia M. Rogers
Notary Public

CLAUDIA M. ROGERS
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires December 2, 1985

SERVICE LISTING - GARFIELD & COMPANY

Michael J. Herbert, Esquire
STERNS, HERBERT AND WEINROTH, P.A.
186 West State Street
P.O. Box 1298
Trenton, New Jersey 08607
Attorneys for Plaintiff, Lawrence Zirinsky

William C. Moran, Esquire
HUFF, MORAN AND BALINT
Cranbury-South River Road
Cranbury, New Jersey 08512
Attorneys for Defendant, Mayor and The Township Committee of the Township of Cranbury, a municipal corporation, and the members thereof

Joseph L. Stonaker, Esquire
STONAKER AND STONAKER, ESQUIRES
41 Leigh Avenue
P.O. Box 570
Princeton, New Jersey 08540
Attorneys for defendant, The Planning Board of the Township of Cranbury, and the members thereof

Richard Schatzman, Esquire
McCARTHY AND SCHATZMAN, P.A.
6 Charlton Street
P.O. Box 2329
Princeton, New Jersey 08540
Attorneys for Plaintiffs, Joseph Morris and Robert Morris

Thomas R. Farino, Jr., Esquire
Corner of Applegarth and Half Acre Roads
Cranbury, New Jersey 08512
Attorney for Plaintiff, Cranbury Development Corporation, a Corporation of the State of New Jersey

Carl S. Bisgaier, Esquire
BISGAIER AND LOEFFLER
510 Park Boulevard
Cherry Hill, New Jersey 08034
Attorney for Plaintiff, Cranbury Land Company, a New Jersey Limited Partnership

Bruce S. Gelber, Esquire
Janet LaBella, Esquire
National Committee Against Discrimination in Housing
1425 H. Street NW
Suite 410
Washington, D.C. 20005
Attorney for Plaintiff, Urban League of Greater New Brunswick

Bertram Busch, Esquire
BUSCH AND BUSCH, ESQUIRES
99 Bayard Street
P.O. Box 33
New Brunswick, New Jersey 08903
Attorney for Defendant, Borough of South Plainfield

Patrick J. Diegnan, Jr., Esquire
1308 Durham Avenue
South Plainfield, New Jersey 07080
Attorney for Defendant, Township of South Brunswick

Joseph Benedict, Esquire
247 Livingston Avenue
New Brunswick, New Jersey 08902
Attorney for Defendant, Township of South Brunswick

Phillip Paley, Esquire
BERNSTEIN, HOFFMAN AND CLARK, ESQUIRES
336 Park Avenue
Scotch Plains, New Jersey 07076
Attorneys for Defendant, Township of Piscataway

Lawrence B. Litwin, Esquire
SCERBO, LOBIN, LITWIN AND WOLFF, ESQUIRES
10 Park Place
Morristown, New Jersey 07960
Attorneys for Plaintiffs, Bronwing-Ferris Industries of South Jersey, Inc., a corporation of the State of New Jersey, Richcrete Concrete Company, a corporation of the State of New Jersey, and Mid-State Filigree Systems, Inc., a corporation of the State of New Jersey

Eric Neisser, Esquire
John Payne, Esquire
CONSTITUTIONAL LITIGATION CLINIC, Room 338
Rutgers Law School
15 Washington Street
Newark, New Jersey 07102

Leslie Lefkowitz, Esquire
1500 Finnegans Lane, P.O. Box 3049
North Brunswick, New Jersey 08902
Attorney for Defendant, Township of North Brunswick

Guliet D. Hirsch, Esquire
BRENER, WALLACK & HILL
2-4 Chambers Street
Princeton, New Jersey 08540
Attorney for Toll Brothers, Inc.

Michael Noto, Esquire
151 Route 516
P.O. Box 607
Old Bridge, New Jersey 08857
Attorney for Township of Old Bridge

Arnold K. Mytelka, Esquire
CLAPP & EISENBERG
80 Park Plaza
Newark, New Jersey 07102
Attorneys for Plaintiffs, Lori Associates & Hadb Associates