

MLL

Franklin

May 1984

Housing ALLOCATION study  
+

conformance report

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FRANKLIN TOWNSHIP  
HOUSING ALLOCATION STUDY AND CONFORMANCE REPORT

Prepared for the

FRANKLIN TOWNSHIP MAYOR AND COUNCIL

by

JOHN T. CHADWICK, P.P.  
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PROFESSIONAL PLANNING,

ENVIRONMENTAL CONSULTANTS

and

LANDSCAPE ARCHITECTS

MAY 1984

## INTRODUCTION

This report presents a general description of Franklin Township, Somerset County and traces in a brief manner the land use policies and regulations of the community. Further, the report sets forth the methodology and calculation of the Township's fair share housing obligation of present and prospective low and moderate income households. Finally, the report sets forth an analysis of the existing zoning policy of the community in context with the Mt. Laurel II fair share housing allocation.

The calculation of the Township's fair share housing obligation relies to some extent upon research and computation prepared by others. Specifically, this report has utilized statistical data prepared for the Court of the Honorable Judge Serpentelli in the matter of Urban League of Greater New Brunswick vs. Carteret et als. Said report was prepared by Carla L. Lerman. Additional sources of data include the New Jersey Department of Labor and Industry, U.S. Census of Population and Housing, U.S. Department of Housing and Urban Development (Newark Area Office), New Jersey Department of Community Affairs and Franklin Township Planning Board records and reports.

## FRANKLIN TOWNSHIP-PROFILE

Franklin Township is located in Somerset County. The New Jersey State Development Guide Plan shows that the northerly portion of the Township, as well as a narrow area coinciding with the Route 27 right-of-way are located within a designated growth area. All other land areas of the Township are designated as limited growth area in the state SDGP.

The Township has continuously monitored and studied development patterns within the Township as well as within its region. The original master plan of the Township was adopted in 1959. The most recent master plan was adopted in 1982.

The current zoning ordinance is under review and major revision. Notwithstanding, all statements of fact and conclusions set forth in this report are based upon the ordinance currently in effect. If and when ordinance revision occurs, findings and conclusions of this report shall be reviewed and adjusted as warranted.

The Township of Franklin has a land mass of approximately 47 square miles. This community extends from the Raritan River south to the Borough of Princeton.

Route 287 crosses the most northerly area of the community in the vicinity of South Bound Brook. This area of the Township has featured considerable economic development over the past several decades.

No other major highways exist within the municipality. The only other state highway in the Township is Route 27 which generally describes the easterly boundary of the municipality and generally coincides with the boundary line of Middlesex and Somerset counties. This highway is a four-lane roadway along the Franklin-City of New Brunswick boundary. The roadway south of New Brunswick is a two-lane highway which passes through the villages of Franklin Park, Kendall Park and Kingston.

The Township's land mass is bounded on the north and westerly sides by rivers. The Raritan River generally defines the northerly boundary of the Township. The Delaware and Raritan Canal-Millstone River, a designated national historic site, define the westerly and southerly boundaries of Franklin Township.

The Six-Mile Run reservoir (land acquired by the state of New Jersey, but not yet constructed) is located at the approximate center of the Township when measured on a north-south access. This reservoir facility extends from Route 27 west to the Delaware and Raritan Canal.

The Township's 1980 population is estimated by the US Census at 33,172 persons. The latest population projection prepared by the Somerset County Planning Board (preliminary) for the year 1990 is 45,724 persons. "The 1990 population projection (Somerset County) equates to total new housing production of 3800 to 4400 new dwelling units depending on family size."

Currently, two major developments known as the Bonner PUD and the Franklin Fields planned unit development have approvals (preliminary and various sections final). The total approved housing development within just these two developments exceeds the projected housing development within the Township over the 10 year projection period as estimated by Somerset County.

The Township's land use and zoning policies have been subject to intense review and debate, as well as review and decision by courts over the past 12 to 15 years. During this course of time, the Township has continuously examined changing conditions and adjusted land development policy accordingly.

The Township of Franklin in the early 1970's adopted a zoning ordinance providing for planned development in various zone districts of the community. This development option specified a requirement to provide housing for low and moderate income families. This original provision established in 1973 remains in the current zoning ordinance of the Township (Section 1212).

The Township has further amended its zoning code to specifically address the requirements of the Mt. Laurel II Supreme Court decision relevant to procedures for maintenance of housing affordable to low and moderate income households over time as well as other issues and considerations flowing from the aforesaid decision. This ordinance is known as Ordinance No. 1158 (zoning ordinance amendment).

In brief, the Township of Franklin land use and zoning policy has long encouraged and provided for development of large,

comprehensively planned development areas designed to produce a variety of housing and with the specific requirement that a portion of such housing be affordable to low and moderate income households. Clearly, the Township's policies have been progressive and comprehensive.

## FRANKLIN TOWNSHIP FAIR SHARE HOUSING OBLIGATION

This section of the report sets forth a calculation of the fair share housing obligation of Franklin Township. The terms such as "region, low income household, moderate income household, affordable housing, etc.," are as described at length in the report entitled "Fair Share-Urban League of Greater New Brunswick vs. Carteret et als.," prepared by Carla Lerman (April 1984). This report is on file with the Honorable Judge Serpentelli.

In context with the foregoing, the dual region concept and income levels determinant of housing affordability are accepted without qualification by this consultant.

The specific methodology of fair share housing calculation and ultimate municipal obligation is described hereinafter as well as the extent departure from the aforesaid report exist.

### Indigenous Housing Need

Indigenous housing need includes dwelling units occupied within Franklin Township lacking complete plumbing, having inadequate heating facilities and overcrowded units. Utilizing the Lerman report data filed with the Court, a total of 344 dwelling units are classified as such. The breakdown of units constituting this total is as follows:

1. Overcrowded units: 265.
2. Lacking plumbing: 60
3. Lacking adequate heating: 95.



The above three components of substandard housing yield a total of 420 units. Based upon studies by others (Tri-State Regional Planning Commission, people, dwellings, neighborhoods-1978) 82 percent of housing units exhibiting physical deficiencies were occupied by low and moderate income households. Multiplication of the figure 420 by the factor of 82 percent yields 344 units.

The indigenous housing need in the opinion of this consultant is not a component of the fair share housing obligation to be addressed totally through zoning plan. Specifically, the number of units that are physically deficient (lacking adequate plumbing and adequate heating) should be addressed by the Code Enforcement and Housing Rehabilitation Programs developed through the Urban County Block Grant Program. Franklin Township is a member of Somerset County's Block Grant Program.

The number of overcrowded units (units having an occupancy of more than 1.01 persons per room) has been examined in some detail utilizing detailed census publication (STF files). Based upon this examination, it is concluded that a maximum of 50 percent of the total number of overcrowded units are occupied by low and moderate income households. This conclusion is based upon a preliminary printout of overcrowded housing by tenure and income.

In context with the foregoing, the indigenous housing obligation to be addressed by zoning policies pursuant to Mt. Laurel II Supreme Court Decision is 133 units.

## Reallocated Present Need

The reallocated present need of Franklin Township is generated from an 11-county region as described within the Lerman report cited herein. The Lerman report computed that the total reallocated existing housing need for the 11-county region was 35,014 units. That total number of units is based upon the U.S. Census of Housing Publication. The total is not verifiable for table II of the Lerman report (4/84).

This consultant has investigated numerous sources to determine whether or not this figure is appropriate. It is the conclusion of this consultant that the dynamics of the 11-county region has resulted in significant improvement of the physical condition of housing within the 11-county region over the past four year period. This opinion is based upon the following:

1. 93 percent of the region's reallocate need is generated by 12 municipalities. From 1980 through December 1982, 13,379 units were demolished within these same 12 communities.

2. Hudson County contributes 31 percent of the total housing pool. There exists a clear and undeniable revitalization process underway within the county. For instance, based upon investigation of the housing rehabilitation progress within Jersey City, in excess of 4600 units have been rehabilitated for low and moderate income households from May of 1980 through May of 1983. In addition, all communities of Hudson County are recipients of Community Development Block Grant entitlement or Urban

County Block Grant funds. Without exception, a considerable portion of the annual grant to each municipality is utilized for rehabilitation of dwellings occupied by low and moderate income persons. A precise accounting of the success of programs within Hudson County has not been made as of this date owing to the scope of such research and the available information.

In context with the foregoing, it is the position of this consultant that the rate of rehabilitation of housing substantially exceeds the rate of deterioration. In this context, preliminarily, an adjusted total reallocation for the 11-county region of 29,000 units is utilized for purposes of the following calculation.

Existing 11 County Regional Need Reallocation

The data base for following calculations is included in the appendix tables. The formula for allocation is as follows:

$$\frac{\text{twp. empl.} + (\text{Land area} + \text{economic factor})}{2} = \text{allocation factor}$$

$$\frac{(\text{allocation factor})(\text{regional need})(\text{percent vacancy})}{3} = \text{allocation (redistribution)}$$

The formula set forth above departs from the Lerman study referenced herein in terms of proportionality of the individual components. This consultant proposes that the employment factor be given a 50 percent weight in the allocation factor for redistribution of present need. It is my opinion that employment must be given a major position within the formula pursuant to Mt. Laurel II Supreme Court decision.

The calculations set forth hereinafter conform to that opinion as shown.

Data and Sources

	<u>Franklin Township</u>	<u>11 County Region</u>
1. Employment	11,653	<del>11,244,632</del>
2. Land area	12,800	699,163
3. Median income	25,912	24,177

regional need adjusted - 29,000 units (preliminary estimate)

- Date source:
1. NJ Department of Labor and Industry & Lerman Report 4/84; table 4.
  2. EEOA and Lerman Report 4/83; table 5.
  3. US Census of Population and Lerman Report 4/83; table 6.

Factor calculation

A. Employment  $\frac{11,653}{1,244,632} = .0093$

B. g.a.  $\frac{12,800}{699,163} = .0183$

C. EC.  $\frac{25,912}{24,177} = 1.0776 \left( \frac{.0093 + .0183}{2} \right) = 1.0776(.0138) = .0149$

$\frac{.0093 + \left( \frac{.0183 + .0149}{2} \right)}{2}$  allocation factor = .01295

Fair Share Allocation Calculation

$\frac{(\text{factor})(\text{vac} + \text{re-distribution \%})\text{regional need}}{3} =$

$\frac{(.01295)(123\%)(29,000)}{3} = 154 \text{ units}$

Prospective Housing Need

The prospective housing need for Franklin Township is based upon a 7-county commutershed. The methodology of delineation of this region is set forth in the Lerman report referenced herein. Delineation of the regional boundaries was made by measurement of County base maps in accordance with the methodology referenced above.

The data base relevant to employment, growth area within the commutershed and income has been developed from data source tables set forth in the Lerman report on file with the court.

The philosophy of the commutershed region is endorsed by this consultant. However, the methodology of prospective housing allocation computation proposed by this consultant departs from

the Lerman report. Employment and employment growth of the Township as a percent of the region is given a two-thirds weighting factor in the allocation formula. The growth factor has been computed as an annual average and not in accordance with a regression formula as described in the Lerman report. Further, a computation of absolute job growth contrasted to net job growth it utilized.

In addition to the above adjustments, the prospective housing need is calculated on a average six-year projected housing production (1984 to 1990). The base data again is contained within the Lerman report, although it is the opinion of this consultant that the projection of housing resulting from the averaging of two projection models made by the New Jersey Department of Labor and Industry substantially exceeds the trends of housing production in the state. This consultant intends to further examine housing production trends by County and for the state. In this context, the calculated projected fair share housing allocation set forth hereinafter is offered as a preliminary estimate.

Calculation of prospective need

formula

The formula utilized to estimate the Franklin Township "fair share" prospective need is as follows:

step 1

$$\frac{(\text{job growth.twp.} \quad \text{jobs twp. (82)} \quad (\text{gr. ar. twp.} \quad ))}{(\text{job growth region} + \text{jobs reg (82)} + \frac{(\text{gr. ar. reg.} + \text{econ. fac.})}{2})} = \text{alloc fact.}$$

3

step 2

$$(\text{A.F.})(.6)(123\%) \times \text{projected low and moderate} = \text{fair share}$$

income households      allocation

data sources:

job growth: N.J. Department of Labor and Industry annual reports

total jobs: ibid

growth area twp: E. Eugene Cross Associates

growth area region: Lerman report 4/7/84 table 5

data:

job growth Franklin Township - 8,052 jobs

job growth 7 County region - 270,363

growth area Franklin - 12,800 acres

growth area 7 County region - 696,564 jobs

median income for Franklin Township - \$25,912



# POLITICAL SUBDIVISIONS OF NEW JERSEY

## LEGEND

COUNTIES  
TOTAL NUMBER - 21

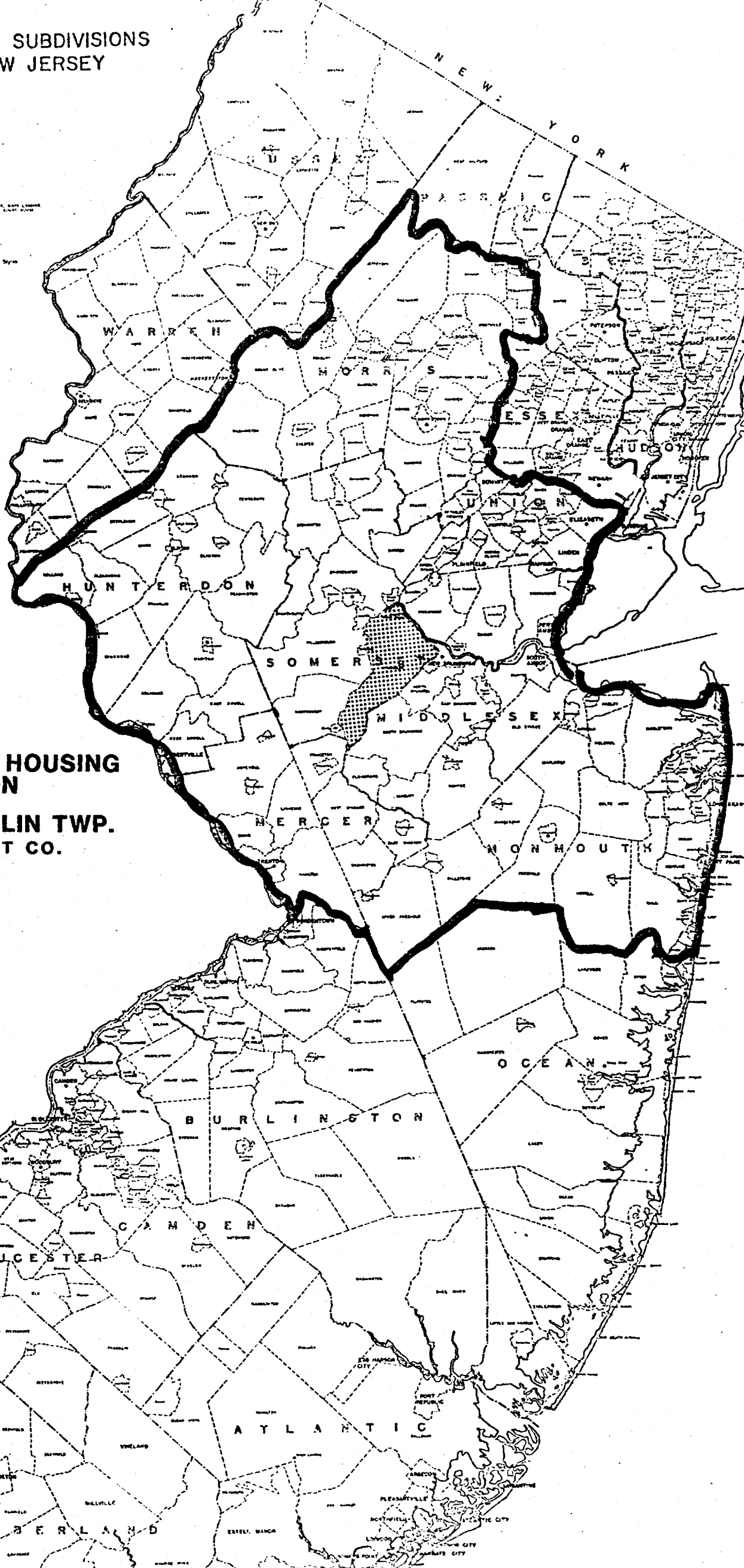
COUNTY SEATS \*

UNINCORPORATED COUNTY SEATS

MUNICIPALITIES...  
TOTAL NUMBER - 567

Type and Number Indicated By Learning Style

CITIES 34  
TOWNS 219  
BOROS 14  
VILLAGES 21  
UNINCORPORATED 21



## PROSPECTIVE HOUSING REGION

### FOR FRANKLIN TWP. SOMERSET CO.

PENNSYLVANIA  
DELAWARE

# FRANKLIN NEW JERSEY

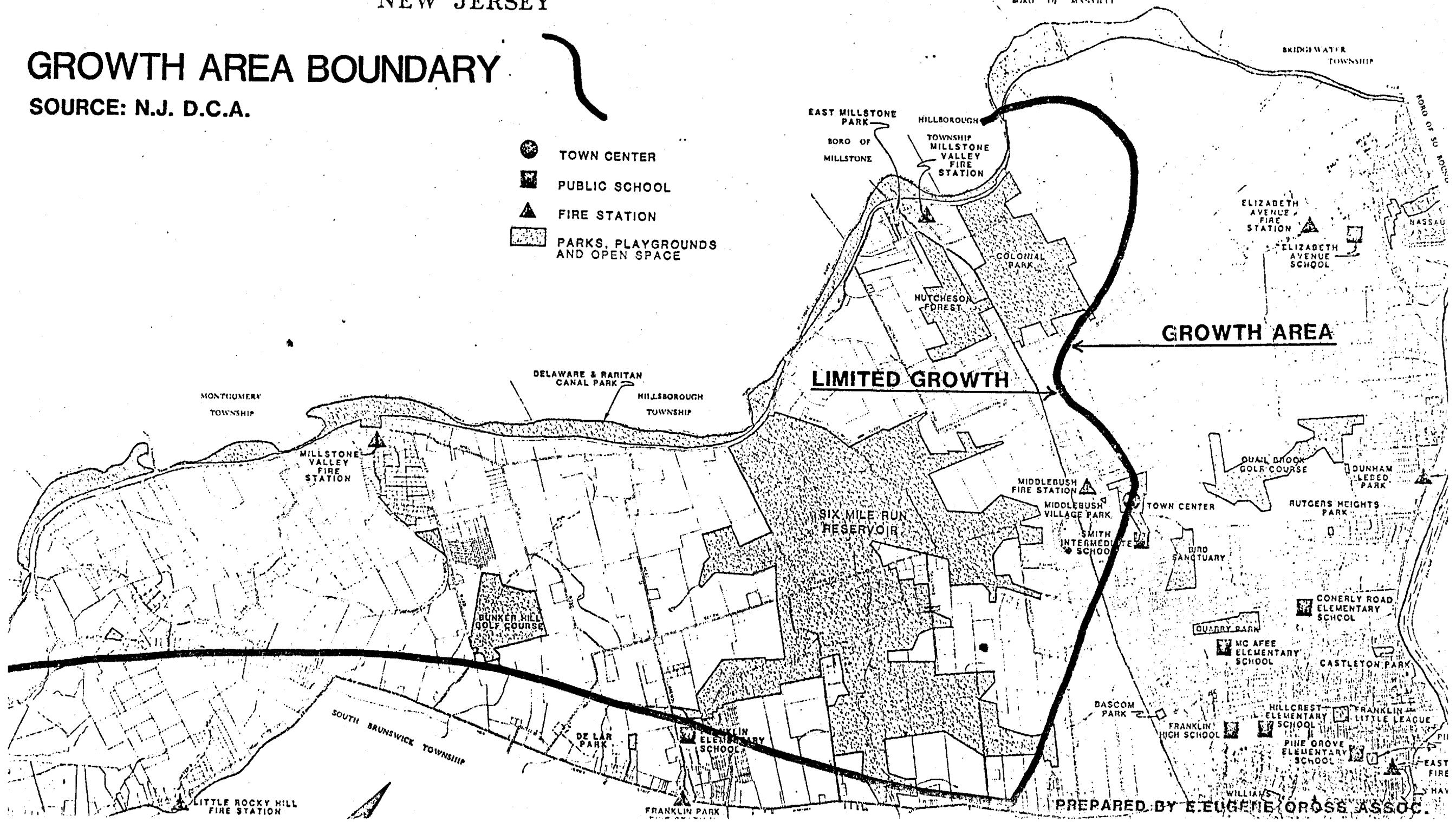
# COMMUNITY FACILITIES PLAN

BORO OF MILLSTONE

## GROWTH AREA BOUNDARY

SOURCE: N.J. D.C.A.

-  TOWN CENTER
-  PUBLIC SCHOOL
-  FIRE STATION
-  PARKS, PLAYGROUNDS AND OPEN SPACE



PREPARED BY E. EUGENE GROSS ASSOC.

TABLE A

MNCPLTY	STF-1 Tbl 18	STF-1 Tbl 13	STF-1 Tbl 15	STF-3 XII-35	STF-3 X-17	STF-3 X-17	% Units w/o ctrl htn, with inad hng	Units Lacking Adequate Heating	Total Present Need	Adjusted Present Need	Occupied Dwelling Units	Fair Share Cap	Surplus Present Need
	Overcrowded Units	Ttl Units Lack Com Plumbing	Net Units Lack Com Plumbing not o/c	Units Lack Heat not o/c	Room Heaters w/flue	Other Units lack ctr heating							
SOMERSET													
Bedminster	6	9	9	34	5	37	.88095238	30	45	37	884	57	-20
Bornards	16	5	5	75	45	30	.4	30	51	42	3711	238	-196
Brnrdsville	11	13	13	65	23	42	.64615385	42	66	54	2278	146	-92
BoundBrook	134	73	67	107	81	56	.40875912	44	245	201	3564	228	-27
Branchburg	17	7	7	46	29	17	.36956522	17	41	34	2396	153	-120
Eridgewatr	97	28	28	135	71	76	.51700680	70	195	160	8804	563	-404
Far Hills	1	1	1	7	0	7	1	7	9	7	241	15	-3
Franklin	265	61	60	207	125	105	.45652174	95	420	344	10050	644	-300
GreenBrook	15	3	3	28	7	21	.75	21	39	32	1368	88	-56
Hillsbor	49	28	26	120	84	61	.42068966	50	125	103	6439	412	-309
Manville	111	77	71	80	47	51	.52040816	42	224	183	3878	248	-65
Millstone	2	1	1	2	2	0	0	0	3	2	171	11	-8
Montgomery	17	19	19	37	26	36	.58064516	21	57	47	1975	126	-79
NPlainfld	143	78	76	90	63	39	.38235294	34	253	208	7525	482	-274
Peapk-Glad	5	16	15	21	13	14	.51851852	11	31	25	698	45	-19
Raritan	55	68	64	73	66	45	.40540541	30	149	122	2212	142	-20
Rocky Hill	0	3	3	6	2	4	.66666667	4	7	6	267	17	-11
Somerville	119	58	53	69	58	18	.23684211	16	188	154	4686	300	-145
SBndBrook	52	26	26	40	28	19	.40425532	16	94	77	1582	101	-24
Warren	20	5	5	51	13	38	.74509804	38	63	52	2999	192	-140
Watchung	11	2	2	47	45	9	.16666667	8	21	17	1630	104	-87
TOTALS	1146	581	554	1340	833	725		626	2326	1907	67268	4312	-2404

Source: Lerman Report 4/84

TABLE B

Municipality	Over-crowded Units	Total Units Lacking Complete Plumbing	Net Units Lacking Complete Plumbing Not Over-crowded	Units Lacking Central Heating Not Over-crowded	Room Heaters With Flue	Other Units Lacking Central Heating	% Units Without Central Heating With Inadequate Heating	Units Lacking Adequate Heating	Total Present Need	Adjusted Present Need	Occupied Dwelling Units	Fair Share; 6.4%	Surplus	Preliminary <sup>(1)</sup> Adjustment Surplus
<u>BERGEN</u>														
Garfield	363	345	321	821	479	422	.46836048	385	1,069	876	10,754	688	188	188
Lodi	361	185	172	319	268	114	.29842932	95	628	515	9,323	597	-82	---
<u>ESSEX</u>														
Belleville	354	233	220	504	365	193	.34587814	174	748	613	13,108	839	-226	---
Bloomfield	298	242	235	500	305	237	.43726937	219	752	617	18,547	1,187	-570	---
East Orange	2,021	889	785	1,833	1,146	951	.45350501	831	3,637	2,983	28,398	1,817	1,165	1,000
Irvington	1,280	626	572	1,843	1,551	739	.32270742	595	2,447	2,006	24,714	1,582	424	350
Newark	13,665	5,117	4,184	10,376	7,807	6,509	.45466611	4,718	22,567	18,505	110,912	7,098	11,487	10,500
Orange	828	474	430	793	678	453	.4053050	318	1,576	1,292	12,138	777	515	515
<u>HUDSON</u>														
Bayonne	763	636	604	2,170	1,325	1,232	.48181463	1,046	2,413	1,978	25,405	1,625	353	353
Hoboken	1,604	789	672	3,002	2,011	2,111	.51213003	1,537	3,813	3,127	15,407	986	2,141	1,800
Jersey City	7,346	3,227	2,759	7,987	6,529	2,477	.27503886	2,197	12,302	10,087	80,720	5,166	4,921	2,444
North Bergen	771	735	685	656	514	256	.33246753	218	1,674	1,373	18,833	1,205	168	163
Union City	2,127	1,092	936	1,780	1,375	831	.37669991	671	3,734	3,061	20,781	1,330	1,731	1,731
Weehawken	320	189	168	241	181	98	.35125448	85	573	470	5,050	323	147	147
W. New York	1,245	749	669	1,218	925	555	.375	457	2,371	1,944	15,419	987	957	957
<u>MIDDLESEX</u>														
New Brunswick	1,042	741	663	699	626	223	.26266196	184	1,889	1,549	13,244	848	701	500
Perth Amboy	1,096	644	567	1,216	1,000	400	.27027027	329	1,992	1,633	13,617	871	762	650
<u>PASSAIC</u>														
Passaic	1,835	758	634	3,008	1,904	1,801	.48609987	1,462	3,931	3,224	19,161	1,216	1,998	1,998
Paterson	4,723	1,942	1,653	6,158	4,968	2,740	.35547483	2,189	8,565	7,023	46,113	2,951	4,072	3,500
<u>UNION</u>														
Elizabeth	3,143	1,371	1,160	3,295	2,726	1,441	.34581234	1,139	5,442	4,463	38,878	2,488	1,975	1,975
Hillside	202	87	83	446	197	279	.58613445	261	546	448	7,184	456	-8	---
Plainfield	985	294	247	1,058	1,005	284	.22032583	233	1,465	1,201	15,269	977	224	224

Source: Lerman Report 5/84, Table 2

(1) EEOA; adjustments based upon preliminary demolition and housing rehabilitation investigation

Total 29,000

TABLE C

Present Need Reallocation Formula

Total Covered Employment, 1982, by County

<u>County</u>	<u>1982 Covered Employment</u>	<u>Deduct Employment in Non-Growth Areas</u>	<u>Deduct Employment in Urban Aid Cities (selected)</u>	<u>Total for Present Need Allocation Formula</u>
Bergen	349,155	0	12,572	336,583
Essex	301,151	0	195,983	105,168
Hudson	171,715	0	122,401	49,314
Hunterdon	20,465	6,987	0	13,478
Middlesex	240,794	0	32,322	208,472
Morris	162,984	3,034	0	159,950
Passaic	156,575	1,152	54,641	100,782
Somerset	82,891	161	0	82,730
Sussex	18,042	13,515	0	4,527
Union	225,505	0	61,124	164,381
Warren	24,632	5,385	0	19,247
<b>11-County Total:</b>	<b>1,753,536</b>	<b>30,234</b>	<b>479,043</b>	<b>1,244,632</b>
Burlington	85,114	6,625	0	78,489
Mercer	109,951	1,225	23,624	85,102
Monmouth	131,074	5,097	14,246	111,731
Ocean	64,246	19,196	10,540	34,510

Source: Lerman Report 4/84 Table 4

TABLE C-1

Housing Unit Demolitions for Eleven County Urban Aid Communities

<u>Municipality</u>	<u>1980</u>	<u>1981</u>	<u>1982</u>
Newark	1,421	1,005	1,535
East Orange	150	113	30
Irvington	83	14	1
Jersey City	546	707	499
Union City	2	55	16
Hoboken	47	25	35
New Brunswick	34	44	46
Perth Amboy	12	1	9
Passaic	43	55	0
Paterson	408	305	280
Elizabeth	88	56	28
Plainfield	60	5	16
Total	<u>2,894</u>	<u>2,390</u>	<u>2,495 = 7,779</u>

Source: N.J. Dept. of Labor & Industry

TABLE D

Present Need Reallocation Formula

State Development Guide Plan: Growth Area,  
by County, in Acres

<u>County</u>	<u>Growth Area</u>	<u>Deduct Growth Area in Urban Aid Cities</u>	<u>Net Total Growth Area for Reallocation Formula</u>
Bergen	135,699	2,752	132,947
Essex	77,469	30,746	46,723
Hudson	27,661	23,949	3,712
Hunterdon	26,759	0	26,759
Middlesex	154,110	6,432	147,678
Morris	116,769	0	116,769
Passaic	48,280	7,450	41,830
Somerset	100,455	0	100,455
Sussex	6,418	0	6,418
Union	65,875	13,050	52,825
Warren	23,047	0	23,047
Total 11-County Region:	782,542	84,379	699,163
Counties in Commutersheds Outside 11-County	<u>Growth Area</u>	<u>Deduct Growth in Urban Aid Municipalities</u>	<u>Net Growth Area</u>
Burlington	103,041	0	103,041
Mercer	105,086	4,800	100,286
Monmouth	156,624	4,832	151,792
Ocean	116,187	15,616	100,571

Source: Lerman Report 4/84 Table 5

TABLE E

Franklin Township Commutershed Adjusted (1) Employment Growth  
1972/1982

<u>County</u>	<u>1972 to 1982 Job Growth</u>
Hunterdon	8,826
Middlesex	75,510
Monmouth	36,801
Morris	63,913
Mercer	28,899
Somerset	35,404
Union	21,010
Total	<u>270,363</u>

Source: N.J. Dept. of Labor & Industry

(1) The word adjustment means calculation of positive employment growth by municipality in growth areas by county.



TABLE F

Projected Mt. Laurel Households, 1990, by County

<u>County</u>	<u>1990 Households</u>	<u>Less</u>	<u>1980 Households</u>	<u>X</u>	<u>.394</u>	<u>=</u>	<u>Mt. Laurel Households</u>
Bergen	340,666	-	300,410	X	.394	=	15,860
Burlington	154,987	-	114,890	X	.394	=	15,798
Essex	287,009	-	299,934	X	.394	=	-5,092
Hudson	194,964	-	207,857	X	.394	=	-5,080
Hunterdon	37,857	-	28,515	X	.394	=	3,680
Middlesex	245,989	-	196,708	X	.394	=	19,417
Monmouth	214,573	-	170,130	X	.394	=	17,510
Morris	171,692	-	131,820	X	.394	=	15,702
Mercer	118,997	-	105,819	X	.394	=	5,192
Ocean	170,941	-	128,304	X	.394	=	16,798
Passaic	163,202	-	153,463	X	.394	=	3,837
Somerset	89,681	-	67,368	X	.394	=	8,791
Sussex	53,829	-	37,221	X	.394	=	6,543
Union	194,487	-	177,973	X	.394	=	6,506
Warren	35,306	-	29,406	X	.394	=	2,325

Source: Lerman Report 4/84 Table 8

MC GIMPSEY & CAFFERTY  
ATTORNEYS AT LAW

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NORTH BRUNSWICK, N.J. 08902  
(201) 297-8300

May 18, 1984

Honorable Eugene D. Serpentelli  
Ocean County Court House  
CN 2191  
Toms River, New Jersey 08753

RE: Field v. Township of Franklin

Dear Judge Serpentelli:

I am in receipt of your memorandum of May 15, 1984. Apparently I was operating under a misimpression with respect to the date of expert reports as a result of our last status conference. It was my understanding that all expert reports, including that of Mr. Chadwick, would be due no later than May 30, 1984. However, I note from the Court's memorandum that the Chadwick report as to fair share was due May 16, 1984.

Accordingly, upon receipt of your letter I have requested that Mr. Chadwick finalize that report and accordingly, I forward same to Your Honor and to all Counsel by copy of this letter.

Very truly yours,

  
Thomas J. Cafferty

TJC/lc  
Encl.  
cc: All Counsel of Record

RECEIVED

MAY 21 1984

JUDGE SERPENTELLI'S CHAMBERS