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February 4, 2020

**Via eCourts**

Hon. Jeanne T. Covert, A.J.S.C.  
 Superior Court of New Jersey  
 Burlington County Courthouse  
 49 Rancocas Road, 7th Floor  
 Mount Holly, NJ 08060

**Re: Tower Gate Assocs. v. Mansfield Township, et al.,**  
 Docket No. BUR-L-1739-18

Dear Judge Covert:

Fair Share Housing Center (FSHC) previously wrote Your Honor in the above-captioned matter on December 9, 2019 advising that at that juncture FSHC was considering filing an objection in this matter. This letter is to confirm that with the revisions agreed to by the parties, FSHC does not object to the settlement agreement. FSHC would respectfully request that any order entered by Your Honor approving the agreement, if Your Honor so decides, contain language about parameters for fair share plans and monitoring and reporting standard in court cases resolving Mount Laurel litigation.

FSHC also wishes to clarify a point raised by one of the objectors, the Friends of Crystal Lake Park, in their January 19, 2020 letter. Those objectors reference a 2017 methodology by Econsult Solutions which produced a significantly lower number than the proposed settlement. However, that methodology was found to be deficient in many ways by the Hon. Mary C. Jacobson, A.J.S.C., in her 2018 methodology opinion. The number used in the amended Fair Share Plan accurately reflects the number reported by Econsult Solutions in a different report, enclosed, in which Econsult asserted that it had extrapolated the methodology determined by Judge Jacobson to all counties in the state. On page 13 of that report, enclosed, Mansfield Township has an obligation for gap and prospective need of 265, which is consistent with the amended settlement. While FSHC in many instances taken the position that this extrapolation by Econsult produces fair share numbers that are too low, in the case of Mansfield Township, 265 is also within a reasonable range of settlement discount off of the numbers calculated by FSHC's expert, Dr. David N. Kinsey, FAICP, PP, PhD, and so FSHC does not in this matter object to the use of this number.

Thank you for your attention to this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "AM Gordon", is written over a horizontal line.

Adam M. Gordon  
 Counsel for Fair Share Housing Center

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Enclosure: Econsult Solutions, "Statewide and Municipal Obligations Under Jacobson Opinion,"  
March 28, 2018 (excerpt for Mansfield Township)

c: David J. Banisch, Special Master  
Richard J. Hoff, Jr., Esq.  
Christopher J. Norman, Esq.  
John C. Gillespie, Esq.

**BACKGROUND**

- Statewide and municipal numbers presented below are based on the workbooks provided by Special Master Richard Reading pursuant to Judge Mary C. Jacobson's March 8, 2018 opinion on fair share obligations in Mercer County.
- The decision and supporting workbooks provided municipal level results for only the two municipalities directly involved in the litigation (Princeton and West Windsor). However, the supporting workbooks provided a standardized methodology that ESI has extrapolated to every municipality in the state.
- The numbers shown below reflect the methodology as presented in the workbooks, without any adjustments (other than extrapolation). They have not been confirmed by the Special Master, the Court or any other party.
- ESI has identified some technical areas for review in the implementation of the decision. Further, any of the parties may wish to appeal the decision. Any such corrections or future changes are not reflected in these extrapolated figures.
- In keeping with the structure of the opinion, all numbers below are inclusive of the 20% cap (applied jointly to the sum of Prospective Need and Gap Present Need) but are not inclusive of the 1,000 unit cap (which the Opinion does not address and which the Court indicated would be addressed at the compliance stage).

**COMPARISON OF STATEWIDE RESULTS**

- Statewide obligations as calculated by the experts (ESI and FSHC/Kinsey), recommended by Special Master Reading at the conclusion of the trial, and included in the Opinion are reflected in the table below.

**COMPARISON OF STATEWIDE OBLIGATIONS BY METHODOLOGY**

| Category                               | ESI           | FSHC/<br>Kinsey | Reading<br>Recommendation | Jacobson<br>Opinion |
|----------------------------------------|---------------|-----------------|---------------------------|---------------------|
| Prior Round Obligations (1987-1999)    | 85,853        | 85,964          | 85,377                    | 85,964              |
| Present Need (2015)                    | 43,270        | 80,037          | 64,825                    | 66,721              |
| Gap Present Need (2015)                | 33,402        | 149,772         | 44,392                    | 73,725              |
| Prospective Need (2015-2025)           | 57,853        | 172,350         | 76,023                    | 79,183              |
| Total                                  | 220,378       | 488,123         | 270,616                   | 305,504             |
| <b>Total Prospective + Gap Present</b> | <b>91,255</b> | <b>322,122</b>  | <b>120,415</b>            | <b>152,908</b>      |

- Results shown for ESI and FSHC/Kinsey reflect the most recent submissions (November 2017 in Bergen County). This differs slightly from the methodologies before the Court in Mercer County.
- Results shown for Special Master Reading reflect a similar extrapolation of statewide results from methodology recommendations specific to Mercer County as described above. They have not been verified by the Special Master.
- Statewide results from the Jacobson methodology as reflected in the extrapolation of the workbook submitted by the Special Master differ slightly from the statewide figures reported within the opinion itself.

| Municipality            | County     | Reg | Prior Round Obligations (1987-1999) | Present Need (2015) | Gap Present Need (2015) | Prospective Need (2015-2025) | Total | Prospective + Gap Present |
|-------------------------|------------|-----|-------------------------------------|---------------------|-------------------------|------------------------------|-------|---------------------------|
| Delran township         | Burlington | 5   | 208                                 | 24                  | 134                     | 134                          | 500   | 268                       |
| Eastampton township     | Burlington | 5   | 49                                  | 0                   | 43                      | 51                           | 143   | 94                        |
| Edgewater Park township | Burlington | 5   | 30                                  | 43                  | 45                      | 41                           | 159   | 86                        |
| Evesham township        | Burlington | 5   | 534                                 | 94                  | 302                     | 295                          | 1,225 | 597                       |
| Fieldsboro borough      | Burlington | 5   | 19                                  | 0                   | 19                      | 22                           | 60    | 41                        |
| Florence township       | Burlington | 5   | 114                                 | 85                  | 128                     | 138                          | 465   | 266                       |
| Hainesport township     | Burlington | 5   | 150                                 | 0                   | 91                      | 94                           | 335   | 185                       |
| Lumberton township      | Burlington | 5   | 152                                 | 0                   | 100                     | 100                          | 352   | 200                       |
| Mansfield township      | Burlington | 5   | 114                                 | 0                   | 134                     | 131                          | 379   | 265                       |
| Maple Shade township    | Burlington | 5   | 0                                   | 23                  | 97                      | 116                          | 236   | 213                       |
| Medford township        | Burlington | 5   | 418                                 | 18                  | 221                     | 205                          | 862   | 426                       |
| Medford Lakes borough   | Burlington | 5   | 60                                  | 0                   | 41                      | 48                           | 149   | 89                        |
| Moorestown township     | Burlington | 5   | 621                                 | 32                  | 390                     | 382                          | 1,425 | 772                       |
| Mount Holly township    | Burlington | 5   | 0                                   | 18                  | 41                      | 148                          | 207   | 189                       |
| Mount Laurel township   | Burlington | 5   | 815                                 | 59                  | 611                     | 584                          | 2,069 | 1,195                     |
| New Hanover township    | Burlington | 5   | 4                                   | 0                   | 25                      | 24                           | 53    | 49                        |
| North Hanover township  | Burlington | 5   | 1                                   | 0                   | 22                      | 42                           | 65    | 64                        |
| Palmyra borough         | Burlington | 5   | 39                                  | 7                   | 35                      | 37                           | 118   | 72                        |
| Pemberton borough       | Burlington | 5   | 9                                   | 0                   | 17                      | 20                           | 46    | 37                        |
| Pemberton township      | Burlington | 5   | 0                                   | 8                   | 94                      | 123                          | 225   | 217                       |
| Riverside township      | Burlington | 5   | 6                                   | 26                  | 11                      | 14                           | 57    | 25                        |
| Riverton borough        | Burlington | 5   | 15                                  | 0                   | 34                      | 30                           | 79    | 64                        |
| Shamong township        | Burlington | 5   | 84                                  | 29                  | 57                      | 58                           | 228   | 115                       |
| Southampton township    | Burlington | 5   | 85                                  | 31                  | 49                      | 77                           | 242   | 126                       |
| Springfield township    | Burlington | 5   | 54                                  | 4                   | 48                      | 46                           | 152   | 94                        |
| Tabernacle township     | Burlington | 5   | 106                                 | 0                   | 80                      | 82                           | 268   | 162                       |
| Washington township     | Burlington | 5   | 11                                  | 1                   | 15                      | 29                           | 56    | 44                        |
| Westampton township     | Burlington | 5   | 221                                 | 25                  | 272                     | 257                          | 775   | 529                       |
| Willingboro township    | Burlington | 5   | 268                                 | 103                 | 72                      | 0                            | 443   | 72                        |
| Woodland township       | Burlington | 5   | 19                                  | 2                   | 26                      | 28                           | 75    | 54                        |
| Wrightstown borough     | Burlington | 5   | 10                                  | 3                   | 4                       | 5                            | 22    | 9                         |
| Audubon borough         | Camden     | 5   | 0                                   | 53                  | 48                      | 44                           | 145   | 92                        |
| Audubon Park borough    | Camden     | 5   | 4                                   | 0                   | 2                       | 2                            | 8     | 4                         |
| Barrington borough      | Camden     | 5   | 8                                   | 17                  | 27                      | 60                           | 112   | 87                        |
| Bellmawr borough        | Camden     | 5   | 107                                 | 25                  | 30                      | 36                           | 198   | 66                        |
| Berlin borough          | Camden     | 5   | 154                                 | 37                  | 71                      | 67                           | 329   | 138                       |
| Berlin township         | Camden     | 5   | 109                                 | 39                  | 93                      | 119                          | 360   | 212                       |

