Chambers of
Stephan C. Hansbury, Judge
Chancery Division, General Equity Part
Morris-Sussex Vicinage

Courthouse
P.O. Box 910
Morristown, N.J. 07963-0910
(973) 656-4039

February 19, 2016

RECEIVED

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THE BUZAK LAW GROUP

Steven A. Kunzman, Esq.
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Re: **IN THE MATTER OF THE TOWNSHIP OF HARDING
Docket No. MRS-L-1672-15
IN THE MATTER OF THE TOWNSHIP OF CHATHAM
Docket No. MRS-L-1659-15
IN THE MATTER OF THE TOWNSHIP OF DENVILLE
Docket No. MRS-L-1641-15
IN THE MATTER OF THE BOROUGH OF LINCOLN PARK
Docket No. MRS-L-1638-15
IN THE MATTER OF THE TOWNSHIP OF WASHINGTON
Docket No. MRS-L-1639-15
IN THE MATTER OF THE BOROUGH OF KINNELON
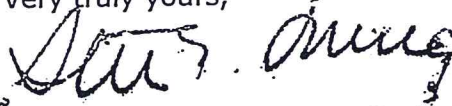Docket No. MRS-L-1559-15**

Dear Counsel:

You both have raised the issue of whether the Housing Element and Fair Share Plan to be submitted to the Court must be adopted by the Planning Board as part of the Master Plan prior to submission. In order to obtain a compliance hearing, the Court must be satisfied the municipality is committed to the submission. I understand there are procedural requirements in the amendment to the Master Plan process and you don't wish to go through that process more than once.

It would be acceptable to the Court if a Planning Board Resolution accepting the HEFSP with an indication that, if approved by the Court, the Planning Board would proceed to promptly adopt it as part of the Master Plan. Approval of the governing body would, of course, also be required.

I hope that answers your question. I ask Mr. Buzak if he would please distribute this to counsel for the other municipalities in Morris and Sussex Counties in his role as representative of the League of Municipalities.

Very truly yours,

STEPHAN C. HANSBURY, P.J., Ch.

SCH/fg

cc: Philip B. Caton, P.P. FAICP
        Elizabeth K. McManus, LEED, AP, PP AICP
        Michael P. Bolan, AICP/PP