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December 20, 2020

Hon. Gregg A. Padovano, J.S.C.
Bergen County Courthouse, Chambers 331
10 Main Street
Hackensack, NJ 07601

Re: In re Borough of Saddle River Third Round Mount Laurel
Affordable Housing Obligation, Docket No. BER-L-6120-15
Filing of Compliance Documents ahead of January 21, 2021
Combined Fairness and Compliance Hearing

Dear Judge Padovano:

As you are aware, I represent the Borough of Saddle River (the "Borough") in the above declaratory judgment action which has a combined fairness and compliance hearing scheduled for January 21, 2021.

As you are also aware, I previously submitted via eCourts various documents, some of which have been entered into evidence as exhibits during the on-going fairness hearing, including but not limited to proofs of service and publication of notices of the hearing as well as the following settlement and compliance documents:

Exhibit P-3: Initial Settlement Agreement submitted via eCourts on February 11, 2020 and entered into evidence during the July 30, 2020 hearing session (see page 10 of the transcript);

Exhibit P-4: 2-Party Amendment to the Settlement Agreement submitted via eCourts on June 26, 2020 and entered into evidence during the July 30, 2020 hearing session (see pages 10 to 11 of the transcript);

Exhibit P-7: 2020 Land Use Plan Element amending the 2010 Saddle River Master Plan submitted via eCourts on November 2, 2020 and

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entered into evidence during the November 4, 2020 hearing session (see page 27 of the transcript); and

Exhibit P-9: 2020 Housing Plan Element and Fair Share Plan Element of the Saddle River Master Plan submitted via eCourts on November 2, 2020 and entered into evidence during the November 4, 2020 hearing session (see page 27 of the transcript).

In preparation for the continued combined fairness and compliance hearing, I am now submitting the following compliance documents via eCourts and leave it up to the court to decide whether they should also be entered as exhibits during the January 21, 2021 hearing (I may also submit some additional compliance documents tomorrow, December 21, 2020):

1. Ordinance No. 19-963 (ordinance allowing accessory apartments);
2. Ordinance No. 19-964 (Borough-wide set-aside ordinance);
3. Ordinance No. 19-965 (ordinance adopting affordable housing regulations and uniform housing affordability controls);
4. Ordinance No. 19-966 (development fee ordinance);
5. Ordinance No. 19-981 (amending Ordinance No. 19-966 making the development fee ordinance effective immediately);
6. Ordinance No. 19-982 (amending Ordinance No. 19-964 making the Borough-wide set-aside ordinance effective immediately);
7. Ordinance No. 20-992 (re-zoning SRI's "O'Donnell" site to Townhouse Inclusionary Housing District-1 "TIHD-1");
8. Ordinance No. 20-993 (re-zoning SRI's "Algonquin" site to Townhouse Inclusionary Housing District-2 "TIHD-2");
9. Ordinance No. 2020-1000 (re-zoning the Borough Choctau site and the Borough E. Allendale Road site to 100% Affordable Housing-3 district "AH-3");
10. Draft Ordinance No. 2021-__ (to be introduced and adopted in 2021) re-zoning the Borough 78 Woodcliff Lake Road site to 100% Affordable Housing-4 district "AH-4");
11. The Michaels Organization NJMHFA point scoring sheet with permanent lender statement, breakdown of costs, and preliminary feasibility analysis for the combined Choctau and 20 E. Allendale Road 111-unit 100% affordable housing development;
12. NJMHFA press release dated December 9, 2020 announcing the 9% Low Income Housing Tax Credit ("LIHTC") awards for 2020, which includes The Michaels Organization's family rental

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- 111-unit 100% affordable housing development proposed for the combined Choctau and 20 E. Allendale Road sites;
13. Letter from the NJHMFA to Michael Development Company dated December 9, 2020 awarding 9% LIHTC financing for the above referenced development;
 14. Third Round Affordable Housing Rehabilitation Obligation Structural Conditions Survey Report dated December 18, 2020 prepared by Burgis Associates; and
 15. Timetable (Schedule / Milestones) from The Michaels Organization with its preliminary feasibility analysis for the 16-unit 100% affordable housing development it will be constructing on the 78 Woodcliff Lake Road site.

By copy of this letter, I will be providing the court's special master and all counsel who will be participating in the combined fairness and compliance hearing with a filed copy of this letter and filed copies of all of the above compliance documents.

Respectfully submitted,

STICKEL, KOENIG, SULLIVAN & DRILL, LLC



By: JONATHAN E. DRILL

Copy w/ enclosures via eCourts and via email:

Frank Banisch, III, PP, AICP (special master)

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Copy w/enclosures to all other counsel of record via eCourts only