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June 21, 2017

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Re: In re: Town of Westfield Third Round Mount Laurel Compliance,
Docket No. UNN-L-2391-15
ACCEPTANCE OF SETTLEMENT OFFER REGARDING THE McMASTER SITE
(ALSO KNOWN AS THE PAN AM SITE): BLOCK 3002, LOTS 5,6,12 & 13

Dear Phil:

I am writing to memorialize what I told you over the phone on June 20, 2017 after leaving the Westfield Town Council closed session meeting.

Specifically, subject to written confirmation of the approval of Fair Share Housing Center (FSHC) and the court special master Phil Caton, and subject to ultimate approval of the Court as part of the Fairness Hearing, the Town accepts the base proposal contained in your June 2, 2017 settlement offer letter, as clarified by your email sent at 4:37 pm on June 20, 2017, namely, McMaster will be able to construct a mixed-use project at the proposed overlay zone's 25 unit per acre density which, assuming that the site is 1.18 acres in size (which is what your client has represented the size to be), will allow a 30 unit project, of which 5 units must be affordable units that must meet all the requirements of the affordable housing regulations. In addition to the total 30 residential units, your client will be able to have 7,055 square feet of retail / commercial space on the ground floor fronting on South Avenue, meaning that ingress / egress will be on South Avenue, consistent with the June 1, 2017 architectural plans and rendering drawings that were emailed to us June 2, 2017 with your June 2, 2017 letter.

The Town's agreement is conditioned on your client withdrawing by the end of the day on June 21, 2017 the objection that you submitted to Judge Cassidy and on the project proposed by your client being substantially similar in design and aesthetics to the June 1, 2017 architectural plans and rendering drawings that were emailed to us June 2, 2017 with your June 2 letter, but with a reduction in the number of residential units from a total of 35 to a total of 30 (25 market rate units and 5 affordable

Philip J. Morin, III, Esq.
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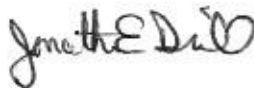
units). Consistent with the architectural plans and rendering drawings, the building(s) shall be limited to three (3) stories. Final elevations shall be subject to the approval of the Planning Board. Finally, if the site is less than 1.18-acres, the number of residential units will be reduced accordingly.

As I previously advised in my June 8, 2017 letter, I spoke with Kevin Walsh of FSHC and Phil Caton on June 7, 2017 and both of them advised me they will agree to a revision of the settlement agreement to allow the 7,055 square feet of retail / commercial space on the ground floor of the building on the conditions set forth above in this letter.

Please submit to Judge Cassidy a letter withdrawing your client's objection and copy me as well as Kevin Walsh and Phil Caton.

As I advised yesterday, I will be submitting my Fairness Hearing brief and response to the objections today and will indicate that the Town and your client have settled their differences but that I reserve the right to subsequently submit a response in the event that your client has not withdrawn its objection by the end of the day today. If your client does not withdraw its objection by the end of the day today, the Town's acceptance of your client's settlement offer will be withdrawn.

Respectfully submitted,



JONATHAN E. DRILL

copy: Russel Finestein, Esq. (Town attorney) – via email
Kevin Walsh, Esq. (attorney for FSCH) – via email
Philip B. Caton (Special Master) – via email
Client representatives – via email