



Michael A. Jedziniak

COUNSEL

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Real Estate Financing | Public Law
Redevelopment

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BIOGRAPHY

Michael A. Jedziniak is a member of the firm's Commercial Real Estate group with over twenty years of experience in his practice. Mr. Jedziniak is one of New Jersey's preeminent Mount Laurel (affordable housing litigation) attorneys, and has represented over 60 municipalities and a number of developers in all corners of the state.

Throughout his career, Mr. Jedziniak has guided governing bodies, planning and zoning boards, administrators, general counsel, planners, and other municipal representatives on affordable housing matters before the former New Jersey Council on Affordable Housing and all levels of the state Judiciary. His experience also encompasses a broad range related legal issues, such as redevelopment, condemnation, general land use, master planning, the Open Public Meetings Act (OPRA), statutory and regulatory interpretation, and more. Over the past several years, Mr. Jedziniak expanded his practice into a wider variety of land use matters, with a special focus on residential and mixed-use redevelopment projects involving a mix of market rate and affordable housing units.

From 2001 to 2002, Mr. Jedziniak clerked for the Honorable James M. Havey, P.J.A.D. (ret.), who was broadly regarded as one of the most experienced appellate judges in appeals involving land use issues. Due to the highly litigious nature of the Mount Laurel arena, Mr. Jedziniak gained extensive experience in matters before the New Jersey Appellate Division and Supreme Court and, over the past several years, took the lead in appeals involving municipal deannexation, municipal arcade games of chance permitting, and will/estate challenges.

After his clerkship, Mr. Jedziniak joined the Lomell Law Firm in Toms River, founded by Leonard G. "Bud" Lomell, one of the bona fide heroes during the allied forces' invasion at Normandy France. Mr. Lomell's heroic deeds were even documented in a full chapter in Tom Brokaw's famous novel, "The Greatest Generation." Between 2005 and 2020, Mr. Jedziniak helped found and practiced Mount Laurel law as Counsel at Jeffrey R. Surenian & Associates, LLC. Prior to joining Scarinci Hollenbeck, Mr. Jedziniak was most recently affiliated

with Carluccio, Leone, Dimon, Doyle & Sacks, LLC, a highly reputable Ocean County NJ law firm.

Mr. Jedziniak earned his Juris Doctor from Seton Hall University School of Law in Newark, NJ. He earned his undergraduate degree in Industrial Relations/Management from the University of North Carolina at Chapel Hill.

EDUCATION

- Seton Hall University School of Law (J.D., 2001)
- University of North Carolina (B.A., 1987)

BAR ADMISSIONS

- New Jersey
- Florida

AFFILIATIONS

- The New Jersey Bar Association
- The New Jersey Conference of Mayors (Affordable Housing subcommittee)
- Member, Past President, and Vice President – Toms River Reg. Sch. Board of Ed. – 2001 to 2013
- Chairman, TRBOE Labor Union Negotiations Committee – 2009 to 2013
- Member, Pine Beach Borough Planning Board – 2002 to 2003
- Founder, Toms River South Alumni Association – 2014
- Chairman, Committee to Honor The Gaiter Family – 2015 to 2016

REPRESENTATIVE MATTERS

- Hovnanian Shore Acquisitions L.L.C. v. Tp. of Berkeley, 2003 WL 23206281 (App. Div. 2003)(affirming the dismissal of a builder's remedy lawsuit based upon an ex parte immunity and securing a Supreme Court dismissal of the developer's direct appeal).
- Oceanport Holding, L.L.C. v. Bor. of Oceanport, 396 J.Super.622 (App. Div. 2007)(successfully confirming that Mount Laurel developers must make a good faith attempt to avoid litigation with a municipality before filing an exclusionary zoning lawsuit).
- Hovnanian at Cedar Grove IV, LLC v. Tp. of Cedar Grove, 2014 WL 2560600 (App. Div.) (certif. denied, 219 N.J.629 (2014))

(affirming the dismissal of a builder's remedy lawsuit against Cedar Grove Township, which had immunized itself from such suits by securing COAH jurisdiction.

- Matters involving challenges to various aspects of New Jersey's affordable housing regulations and policies:
 1. In re Adoption of N.J.A.C. 5:94 and 5:95, 390 J.Super.1 (App. Div.), certif. denied, 192 N.J. 72 (2007);
 2. In re Adoption of N.J.A.C. 5:96 and 5:97, 416 J.Super.462 (App. Div. 2010);
 3. In re Adoption of N.J.A.C. 5:96 & 5:97, 215 J.578 (2013);
 4. In re Adoption of N.J.A.C. 5:96 & 5:97, 221 J.1 (2015)("Mount Laurel IV");
 5. In re Declaratory Judgment Actions Filed by Various Municipalities, 446 J. Super.259 (App. Div. 2016);
 6. In re Declaratory Judgment Actions Filed By Various Municipalities, 227 J.508 (2017);
 7. In re Declaratory Judgment Actions Filed By Various Municipalities, 227 J.508 (2017)("Mount Laurel V");
 8. In re Council on Affordable Hous. to Adopt Tr. Fund Commitment Regulations, 440 J.Super. 220 (App. Div. 2015); and
 9. In re Plan for Abolition of Council on Affordable Hous., 214 J.444 (2013).

- Cranford Dev. Associates, LLC v. Tp. of Cranford, 445 J.Super.220 (App. Div. 2016)(challenging the grant of a builder's remedy on a developed site that suffered frequent severe flooding events).