

NEW JERSEY COUNCIL ON
AFFORDABLE HOUSING
DOCKET NO.

IN THE MATTER OF)
MIDDLETOWN TOWNSHIP)
PLANNING BOARD)
REQUEST FOR EXTENSION)
OF TIME)

Civil Action

OPINION

This matter comes before the Council on Affordable Housing on an application by the Middletown Township Planning Board for an extension of time to file its amended housing element and fair share plan to the Council.

The procedural background of the case is not disputed. Middletown, as a court transferred municipality, filed its housing element and fair share plan with the Council on January 5, 1987. Subsequently, the Council, by resolution dated March 2, 1987, returned Middletown's submission due to substantial deficiencies. The Resolution mandated that Middletown correct the deficiencies and refile with the Council by May 7, 1987, and that the Township also republish notice of its petition for substantive certification.

The Middletown Township Planning Board now seeks an extension of the 60 day period. In support of this request, the movant cites the "extensive" work that needs to

be done to correct the deficiencies, and the time required to ensure adequate public input. The Planning Board feels that the 60 day time period is "unrealistic" to accomplish what must be done.

Without minimizing the work that Middletown must do to correct the deficiencies in its housing element and fair share plan, it is the Council's determination that the motion must be denied. As a court transferred municipality, Middletown was given a statutory deadline of January 5, 1987 to submit its final plan. The 60 day correction period has thus already provided Middletown with additional time. Further, the Council selected 60 days as an appropriate time period for the work that needed to be done. While Middletown has substantial work to be done on the plan, it is not writing a housing element and fair share plan from the start, but is working to make corrections on an already existing plan. The Council feels that the 60 day period strikes a proper balance by providing sufficient time for the work of amending the plans, while not unduly lengthening the Council review process.

Thus, for all of the above reasons, the Council will order that the motion to extend the 60 day correction period will be denied.

COUNCIL ON AFFORDABLE HOUSING

By:  4/20/87

Arthur R. Kondrup
Chairman