

COUNCIL ON AFFORDABLE HOUSING
DOCKET NO. COAH 87-18

HELEN MOTZENBECKER,)
)
 Plaintiff,)
) Civil Action
 v.)
) ORDER
 THE BOROUGH OF BERNARDSVILLE,)
)
 Defendant.)

This matter having come before the Council on Affordable Housing upon the application of Helen Motzenbecker for an Order granting accelerated denial of the Borough of Bernardsville's Petition for Substantive Certification of its housing element and fair share plan or, in the alternative, for an Order awarding her a builder's remedy; with Douglas Wolfson, Esquire of Greenbaum, Rowe, Smith, Ravin, Davis & Bergstein appearing on behalf of Helen Motzenbecker and J. Albert Mastro, Esquire appearing on behalf of the Borough of Bernardsville and the Council having heard oral argument on September , 1987 and having considered all papers and documents filed and for the reasons stated in the Council's opinion of even date and for further good cause shown;

IT IS on this 16th day of November, 1987

ORDERED that the motion for accelerated denial is hereby denied; and it is further

ORDERED that the Borough of Bernardsville shall rezone the site known as Block 125, lot 27 on the official tax map of the Borough of Bernardsville to allow for the construction of multifamily housing at a density of nine (9) units per acre for a total of seventy-six units; and it is further

ORDERED that twenty percent of the units to be constructed (15 units) shall be affordable to low and moderate income households; and it is further

ORDERED that of the fifteen (15) units that shall be affordable to low and moderate income households, eight (8) units shall be affordable to moderate income households and seven (7) units shall be affordable to low income households; and it is further

ORDERED that the above shall be incorporated into Bernardsville's housing element and fair share plan.



Arthur R. Kondrup, Chairman