

RESOLUTION

WHEREAS, Edison Township is presently before the Council on Affordable Housing (COAH) as the result of the Township's filing of a final housing element and fair share plan; the subsequent institution of exclusionary zoning litigation against the Township; and the transfer of the matter to COAH by the Superior Court on June 15, 1989, which transfer acted as a petition for substantive certification; and

WHEREAS, following the filing of a timely objection to Edison's petition, COAH initiated its mediation and review process on November 14, 1988; and

WHEREAS, mediation concluded on July 17, 1989, at which time there remained certain unresolved issues; and

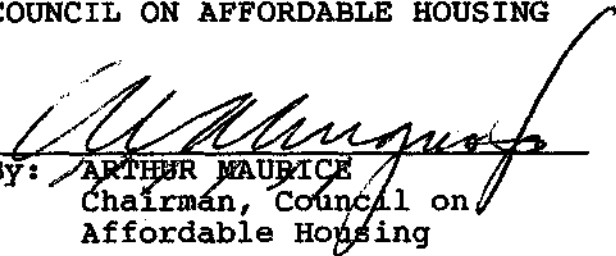
WHEREAS, at its public meeting of August 28, 1989 COAH considered the question of whether the unresolved issues constituted a contested case under the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. (APA); and

WHEREAS, at said public meeting COAH noted that the Civic League of Greater New Brunswick had raised objections to two sites utilized in Edison's housing plan, designated as the Edison Tyler Estates site and the Rivertown Projects site, on the ground that the sites are not suitable, developable and approvable under COAH's regulations, and further, that the units intended to be located on the sites cannot feasibly be provided within the six year period; and

WHEREAS, COAH determined at that public meeting that these issues constitute a contested case, as per the APA, and voted that they should be transferred to the Office of Administrative Law (OAL) for issuance of an Initial Decision;

NOW, THEREFORE, BE IT RESOLVED that the above stated issues are hereby transferred to the OAL for issuance of an Initial Decision.

COUNCIL ON AFFORDABLE HOUSING


By: ARTHUR MAURICE
Chairman, Council on
Affordable Housing

Dated: October 10, 1989