

RESOLUTION

WHEREAS, by letter dated August 11, 1989, Acquaviva Ltd. requested an exemption from COAH's scarce resource restraint Order of December 1, 1986, which Order restrained allocations of water capacity within certain defined areas of Holmdel Township; and

WHEREAS, Acquaviva Ltd. requested an exemption for the purpose of drilling wells in order to provide water capacity for two projects: (i) Falcon Ridge II, property designated as lot 22, block 25 on the tax maps of Holmdel Township and (ii) Two Brooks at Holmdel, property designated as lot 86, block 50 on said tax maps; and

WHEREAS, at its public meeting of December 11, 1989, COAH granted conditional approval of the application, on the ground that the engineering report prepared by EFP Assoc. Inc. and submitted by Acquaviva Ltd. indicated that the proposed wells would have no adverse impact on the water supply source of Shorelands Water Co., which was the subject of COAH's original December 1, 1986 scarce resource Order; and

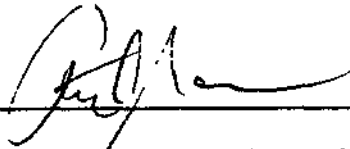
WHEREAS, the condition imposed by COAH was that the N.J. State Water Supply Authority provide COAH with documentation indicated that it concurred on the conclusion reached by EFP Assoc. Inc., and

WHEREAS, by letter dated December 22, 1989, the Authority indicated that it has no jurisdiction over the approval of such wells;

WHEREAS, in that Opinion COAH also determined to transfer to the OAL the additional issue of the status of the ownership of the Terrill Road site; and thus its availability under COAH's regulations;

NOW THEREFORE BE IT RESOLVED that COAH shall retransmit to the OAL the issues previously transferred and set forth above, and shall also transfer to the OAL at the same time the additional issue of the status of the ownership of the Terrill Road site, and its availability under COAH's regulations.

COUNCIL ON AFFORDABLE HOUSING



By: Arthur J. Maurice, Chairman