

RESOLUTION MEMORIALIZING ACTION
ON DECEMBER 5, 1990
FLORENCE TOWNSHIP WAIVER REQUEST

WHEREAS, the Council on Affordable Housing (COAH) orally granted Florence Township's request for a waiver from COAH rule N.J.A.C. 5:92-14.1(a) at a public meeting on December 5, 1990; and

WHEREAS, it has come to COAH's attention that COAH did not formally memorialize this decision by written resolution; and

WHEREAS, this resolution is intended to memorialize the decision rendered on December 5, 1990; and

WHEREAS, on September 25, 1990 Florence Township requested a waiver from COAH rule N.J.A.C. 5:92-14.1(a) calling for a minimum percentage of two and three bedroom units on each inclusionary development, because the two municipal projects proposed in the Township's plan, one an adaptive reuse of a building in the Roebling Village historic district known as the Old Tavern and the other a proposed new construction project on a municipal site, did not lend themselves physically to units larger than one bedroom; and

WHEREAS, A.Q.N. Associates, the lone objector, received a copy of Florence Township's waiver request; and

WHEREAS, William J. Wolf, Esq., on behalf of A.Q.N. Associates, responded to Florence Township's request by letter dated October 2, 1990; and

WHEREAS, COAH considered A.Q.N. Associates' response; and

WHEREAS, COAH granted Florence Township's request at a public meeting on December 5, 1990 for the following reasons:

Florence Township's proposed plan includes two municipal construction projects. The first project is a new construction project on a municipal site which is designed to house senior citizens and handicapped individuals, all of whom can be housed in efficiency and one bedroom units.

The second project is the adaptive reuse of the Old Tavern for six one bedroom apartments for senior citizens. Since the building is located in the Roebling Village Historic District, state historic preservation regulations apply and would restrict any expansion of this building due to the potential effect on architecturally significant features. Therefore, the interior configuration of the building limits the development potential of the site.

Florence Township is not exceeding its limit on age-restricted housing, and COAH recognizes the need for accessible housing for handicapped individuals. In addition, COAH has previously granted waivers from N.J.A.C. 5:92-14.1(a) for age-restricted units in other municipalities due to the smaller size of most elderly households; and


WHEREAS, COAH granted the waiver on December 5, 1990 even though COAH had transferred unresolved objections concerning project affordability and rehabilitation program feasibility to the Office of Administrative Law (OAL) because the waiver request could effect the OAL hearing, and if

COAH did not act on the request, the possibility of a remand existed. Therefore, COAH determined it was appropriate to rule on the request to avoid delay in the future.

NOW THEREFORE BE IT RESOLVED that Florence Township is hereby granted a waiver from the COAH bedroom distribution requirements contained in N.J.A.C. 5:92-14.1(a) as per N.J.A.C. 5:92-13; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be forwarded to OAL.

Dated: *June 5, 1991.*



Charles Griffiths
Chairman
Council on Affordable Housing

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