

RESOLUTION MEMORIALIZING THE OCTOBER 11, 1995 DECISION OF THE NEW JERSEY COUNCIL ON AFFORDABLE HOUSING REGARDING A MOTION FILED BY WASHINGTON TOWNSHIP, MORRIS COUNTY #95-705

WHEREAS, N.J.A.C. 5:93-5.12(c) provides that a municipality may propose to eliminate a site previously included in a certified fair share plan addressing the 1987 to 1993 municipal affordable housing obligation if (a) the municipality has filed a petition for substantive certification of its 1987 to 1999 fair share obligation established by N.J.A.C. 5:93-1 et seq. and (b) there is an agreement on the new proposed zoning for the site signed by the municipality and the owner or developer of the site; and

WHEREAS, Washington Township, Morris County, filed a motion before the Council on Affordable Housing (COAH) returnable on October 11, 1995 to allow the municipality to remove from its fair share plan a site owned by West Point, L.L.C. and zoned for an inclusionary development providing 67 units of affordable housing out of 445 total units to meet a portion of the municipality's 1987 to 1993 fair share obligation; and

WHEREAS, West Point, L.L.C., the owner and developer of the site supported the Washington Township motion; and

WHEREAS, COAH staff determined that the West Point site was not needed to address Washington Township's cumulative 12 year fair share obligation; and

WHEREAS, Washington Township and West Point entered into a settlement agreement dated July 17, 1995 providing for the

development of 95 market-rate single-family units with no affordable units on West Point's site; and

WHEREAS, COAH reviewed Washington Township's motion, West Point's assent to that motion, and the settlement agreement dated July 17, 1995 between West Point and Washington Township, and determined that the criteria established in N.J.A.C. 5:93-5.12(c) for site removal have been met; and

WHEREAS, on October 11, 1995 at its regularly scheduled meeting COAH voted to permit Washington Township to eliminate the West Point site from its fair share plan designed to meet its cumulative 12 year affordable housing obligation.

NOW THEREFORE BE IT RESOLVED that the Council hereby memorializes its granting pursuant to N.J.A.C. 5:93-5.12(c) of Washington Township's request to eliminate the West Point site from its fair share plan designed to meet Washington Township's 1987 to 1999 affordable housing obligation.

I hereby certify that the resolution was duly adopted by the Council on Affordable Housing at its public meeting on December 6, 1995



Rene Reiss, Secretary
Council on Affordable Housing