

Resolution Directing Southampton Township to Repetition within 90 days

WHEREAS, Southampton Township, Burlington County, petitioned the Council on Affordable Housing (COAH) on May 22, 1995, for substantive certification of its housing element and fair share plan; and

WHEREAS, Southampton Township published notice of its petition in the Burlington County Times on May 26, 1995; and

WHEREAS, publication of notice initiated a 45-day objector period which resulted in objections filed against Southampton Township's adopted housing element and fair share plan; and

WHEREAS, Southampton Township's 12-year (1987 - 1999) cumulative obligation is 153 units of which 67 are rehabilitation and 86 are new construction; and

WHEREAS, Southampton's housing element and fair share plan proposed that the entire 153-unit obligation be addressed by zoning one area known as site #1 (block 602, lots 9, 9.04, 9.05, 9.06, part of 10, 10.01, 10.02, 10.03, part of 11, and 14) for inclusionary development; and

WHEREAS, based on the proposed Rural Residential (RR-1) zoning for the site, the site would yield only 104 affordable units, thereby creating a 49-unit shortfall in Southampton's plan; and

WHEREAS, a COAH Report dated August 2, 1995, identified the 49-unit shortfall, identified the unmet rental obligation, identified unaddressed center designation issues under the State Development and Redevelopment Plan (SDRP) and other missing items before substantive certification could be granted; and

WHEREAS, while Southampton was addressing the missing information within 60 days, mediation was opened (October 1995) with the township and four property owners; and

WHEREAS, three of the parties requested that the inclusionary zoning be removed from their properties and the fourth party had no objection to the zoning; and

WHEREAS, the township complied with the objector's requests, the objections were removed and COAH issued a mediation report dated April 8, 1996 (see attached Exhibit A); and

WHEREAS, as directed in the April 8, 1996 mediation report, Southampton Township was required to adopt the amended plan, repetition and republish notice; and

WHEREAS, the Southampton Township Planning Board passed a resolution on October 3, 1996, endorsing and adopting the amended housing element and fair share plan; and

WHEREAS, on February 18, 1997 the Southampton Township governing body passed a resolution repetitioning COAH for substantive certification; and

WHEREAS, on April 2, 1997, Southampton published notice of the repetition in the Burlington County Times and no objections were received during the ensuing objector period; and

WHEREAS, Southampton's amended housing element and fair share plan reflected the removal of three sites from the RR-1 zone as per the mediation report; and

WHEREAS, Southampton's housing element and fair share plan proposed a second site (site #2) in the Highway Commercial -1 zone with an inclusionary zone option; and

WHEREAS, as established in the COAH Compliance Report dated June 13, 1997, (see attached Exhibit 1) the following concerns regarding Southampton Township's housing element and fair share plan have been identified:

1. The inclusionary zone option on site #2 does not provide a realistic opportunity for the creation of affordable housing because it permits the site to be developed with highway/commercial uses without any affordable housing. Therefore, the plan is not addressing its entire obligation, and
2. Neither site #1 nor site #2 has sewer or water and both are located in Planning Area 4, and
3. Neither site #1 nor site #2 is located in a designated center and Southampton has not addressed the center designation issues as required, and
4. Southampton is seeking a durational adjustment due to lack of sewer and water although sewer and water are being installed elsewhere in the township, and
5. Southampton Township has failed to address the 22-unit rental component, and

WHEREAS, Southampton has submitted an incomplete housing element and fair share plan; and

WHEREAS, Southampton Township has failed to submit other documentation required as per COAH regulations; and

WHEREAS, the COAH Compliance Report outlined the outstanding items to be submitted by Southampton Township before substantive certification can be granted; and

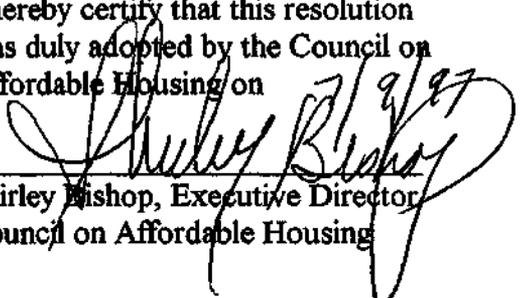
WHEREAS, the COAH Compliance Report recommended that Southampton Township, Burlington County be granted 90 days to submit a complete plan that addresses the deficiencies outlined in the COAH Compliance Report, including 153 units of affordable housing, a 22-unit rental component, as well as all other outstanding documentation.

NOW THEREFORE BE IT RESOLVED that COAH has reviewed Southampton Township's petition for substantive certification of its housing element and fair share plan and determined that Southampton Township's 12-year cumulative obligation (1987-1999) of 153 units has not been addressed; and

BE IT FURTHER RESOLVED that COAH has determined that the township has provided insufficient information and documentation for implementing the affordable housing plan; and

BE IT FURTHER RESOLVED that Southampton Township is HEREBY DIRECTED to amend and adopt a new plan, repetition COAH and republish notice with a plan to address the deficiencies outlined in the COAH Compliance Report dated June 13, 1997, addressing a 153-unit obligation (including 22 rental units) within 90 days or COAH may dismiss Southampton Township's petition for substantive certification.

I hereby certify that this resolution
was duly adopted by the Council on
Affordable Housing on

 7/9/97

Shirley Bishop, Executive Director
Council on Affordable Housing