

**RESOLUTION MEMORIALIZING COAH DECISION OF MAY 1, 2002 DENYING  
SPRINGCO'S MOTION FOR RECONSIDERATION OF COAH'S MARCH 6, 2002  
DECISION WHICH DENIED SPRINGCO'S MOTION TO DISMISS PETITION FOR  
SUBSTANTIVE CERTIFICATION OF SPRINGFIELD TOWNSHIP COAH 02-1404(a)**

**WHEREAS**, Springfield Township, Burlington County, ("Springfield") received first round substantive certification from the Council on Affordable Housing ("COAH" or the "Council") on October 8, 1992, and,

**WHEREAS**, Springfield petitioned COAH on October 6, 1998 to address its second round obligation of 68 units (15 rehabilitation units and 53 new construction units) and thereafter repitioned COAH on December 23, 1999; and,

**WHEREAS**, Sod Farm Associates, L.L.C. ("Sod Farm") filed an objection to Springfield's repetition with COAH, which initiated mediation pursuant to N.J.S.A. 52:27D-3.15; and,

**WHEREAS**, mediation began on April 14, 2000, and was extended to December 4, 2000, and later renewed on October 1, 2001, and a mediation report issued on October 11, 2001; and,

**WHEREAS**, the Council received comments from Springco, L.L.C. ("Springco"), as an interested party, during the 14-day comment period to the October 11, 2001 Mediation Report; and,

**WHEREAS**, the COAH mediator responded to Springco's comments in a November 5, 2001 Response to Comments Report and concluded that Springfield must amend its housing element and fair share plan by January 7, 2002; and,

**WHEREAS**, on November 13, 2001, Springco filed a motion to dismiss Springfield's petition for substantive certification and remove Springfield from COAH's jurisdiction; and,

**WHEREAS**, Springfield filed its opposition to Springco's motion on December 3, 2001; and,

**WHEREAS**, the Council heard oral argument on Springco's motion at its January 9, 2002 meeting; and,

**WHEREAS**, the Council denied Springco's motion, and set forth its reasons by opinion dated March 6, 2002; and,

**WHEREAS**, Springco filed a motion to for reconsideration of COAH's March 6, 2002 decision on or about March 26, 2002, and Springfield filed a response opposing Springco's motion on or about April 8, 2002, and Springco filed a reply to Springfield's opposition on or about April 15, 2002; and

**WHEREAS**, COAH heard oral argument on the motion for reconsideration at its May 1, 2002 meeting, and voted to deny the motion for reconsideration because Springco did not establish that the Council's March 6, 2002 decision was arbitrary and/or capricious because it did not consider dispositive factual matters and/or controlling decisions of law.

**NOW THEREFORE BE IT RESOLVED**, that the New Jersey Council on Affordable Housing hereby memorializes its decision of May 1, 2002, denying Springco's motion for reconsideration of the Council's March 6, 2002 decision because Springco failed to establish that the decision of the Council was arbitrary or

capricious or that the Council did not consider facts or law previously submitted to it in association with that motion decision.

*Steve Paris*  
Council Secretary

June 5, 2002