

**RESOLUTION MEMORIALIZING COAH'S DECISION OF JANUARY 19, 2006, APPROVING DR. LESLIE TUTTLE'S REQUEST FOR A WAIVER FROM THE EXISTING COUNCIL ON AFFORDABLE HOUSING (COAH) ORDER THAT PROHIBITS THE BOROUGH OF HADDONFIELD FROM ISSUING ANY DEVELOPMENT APPROVALS
COAH DOCKET #05-1717**

WHEREAS, the Borough of Haddonfield (Haddonfield), Camden County, petitioned COAH for second round substantive certification on March 11, 1997, with a housing element and fair share plan addressing its 12-year cumulative obligation of 255 units, consisting of 63 rehabilitation units and 192 new construction units; and

WHEREAS, Haddonfield received a vacant land adjustment that reduced its new construction obligation to zero; and

WHEREAS, Haddonfield received substantive certification on July 7, 1999, validating their zero-unit RDP; and

WHEREAS, COAH required the Borough to conduct follow-up studies to determine the viability of mechanisms to address unmet need pursuant to N.J.A.C. 5:93-4.1(b); and

WHEREAS, Haddonfield failed to propose such mechanisms; and

WHEREAS, on May 31, 2004 and October 25, 2004, respectively, the Fair Share Housing Center (FSHC) filed motions asking COAH to impose scarce resource restraints and temporary restraints on Haddonfield from granting any development approvals; and

WHEREAS, FSHC further asked COAH to direct Haddonfield to amend its substantive certification and/or to void the current substantive certification; and

WHEREAS, on November 22, 2004, a scarce resource restraint was issued by COAH, restraining Haddonfield from issuing any further development approvals; and

WHEREAS, the restraint exempts improvements made to single and two-family homes; and

WHEREAS, COAH required Haddonfield to submit an amended plan within 60 days identifying how the Borough intended to address new development and how to address the Borough's unmet need of 192 units; and

WHEREAS, on January 21, 2005, Haddonfield re-petitioned COAH with an amended Housing Element and Fair Share Plan; and

WHEREAS, one objection was received during the 45-day objection period from FSHC and mediation was conducted on April 22, 2005; and

WHEREAS, in response to issues raised during mediation, Haddonfield submitted an amended plan on July 6, 2005; and

WHEREAS, on September 6, 2005, a Report Requesting Additional Information was issued; and

WHEREAS, on December 16, 2005, Haddonfield filed its 1987-2014 Housing Element and Fair Share Plan to address its cumulative affordable housing obligation; and

WHEREAS, the scarce resource restraint order remains in effect until Haddonfield receives third round substantive certification; and

WHEREAS, on December 12, 2005, COAH received a motion from Dr. Leslie Tuttle, seeking relief from COAH's existing order that prohibits Haddonfield from issuing any development approvals so that she may proceed before the Board of Adjustment with an application to convert an existing two unit apartment house to a single apartment mixed use building for her own use; and

WHEREAS, Haddonfield Borough requested that Dr. Tuttle seek an opinion of COAH to make certain that her application and proposed use would not be considered development under the current restraint; and

WHEREAS, Dr. Tuttle is the contract purchaser of the property, which was built in the 1820s and is a currently registered historic home that was once a single family residence, and is located in a single family residential zone with an "office overlay" that allows the building to be used for mixed use; and

WHEREAS, the upstairs floors are two separate apartments, which Dr. Tuttle will convert into one residence to be used as her own home starting in June, 2007 and in the interim the two upstairs units will be permitted to be offered for rent.

NOW THEREFORE BE IT RESOLVED that Haddonfield's ability to provide for its fair share of the region's present and prospective need for low and moderate income housing will not be affected by Dr. Tuttle's proposed improvements; and

BE IT FURTHER RESOLVED that Dr. Tuttle's property does not provide a meaningful opportunity for the creation of affordable housing opportunities to address Haddonfield's second round unmet need; and

BE IT FURTHER RESOLVED that COAH hereby memorializes the January 19, 2006 motion decision granting Dr. Leslie Tuttle's request seeking a waiver from COAH's existing scarce resource restraint order in the Borough of Haddonfield, Camden County.

I hereby certify that this Resolution was duly adopted by the Council on Affordable Housing at its meeting on

March 8, 2006.


Renee Reiss
Council Secretary

