

**RESOLUTION MEMORIALIZING COAH'S DECISION OF NOVEMBER 1,
2006 APPROVING SPRINT SPECTRUM LLC'S REQUEST FOR A WAIVER
FROM THE EXISTING SCARCE RESOURCE RESTRAINT IMPOSED UPON
THE BOROUGH OF HADDONFIELD
COAH DOCKET 06-1812**

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, COAH staff issued a Report Requesting Additional Information on October 4, 2006 and unless otherwise noted, all required information and documentation requested in COAH's report must be submitted to COAH no later than January 2, 2007 pursuant to N.J.A.C. 5:95-5.2(b); and

WHEREAS, on September 26, 2006 Sprint Spectrum LLC (Sprint) submitted a motion to COAH requesting a waiver of the scarce resource restraint; and

WHEREAS, Sprint proposes to install a wireless telecommunications facility on an existing apartment building located at 2-10 Linden Avenue, Lot 5, Block 117, and seeks the waiver so that it may move forward with its development of the proposed site; and

WHEREAS, no additional residential units will be created as a result of the project, and therefore, Sprint maintains that the project will not diminish any affordable housing opportunities in Haddonfield; and

WHEREAS, no objections were received in response to Sprint's motion; and

WHEREAS, Sprint's current application is similar to an application for a waiver of the scarce resource restraints made in October of 2005, which COAH granted by way of resolution dated January 19, 2006; and

WHEREAS, the Council on Affordable Housing unanimously approved Sprint's request for a waiver from the scarce resource restraint at its November 1, 2006 meeting.

NOW, THEREFORE, BE IT RESOLVED COAH hereby memorializes its decision of November 1, 2006, and grants Sprint's request for a waiver of the scarce resource restraint currently in effect in Haddonfield.

I hereby certify that this Resolution was duly adopted by the Council on Affordable Housing at its meeting on 12/13/06


Renee Reiss
Council Secretary