

**RESOLUTION GRANTING HADDONFIELD BOROUGH'S REQUEST FOR A  
WAIVER FROM THE EXISTING SCARCE RESOURCE RESTRAINT  
IMPOSED UPON THE BOROUGH OF HADDONFIELD  
COAHDOCKET 07-1900**

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 its 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, CO AH staff issued a Report Requesting Additional Information on October 4, 2006; and

WHEREAS, on February 2, 2007 the Borough of Haddonfield Submitted a motion to CO AH requesting a waiver of the scarce resource restraint; and

WHEREAS, the Borough proposes to subdivide three properties owned by Richard and Deborah Chew (Block 33, Lot 18), Michael Berger (Block 33, Lot 18), and Dr. Walden Holl and Janice Holl (Block 33, Lot 60), which together total approximately 20,000 square feet; and

WHEREAS, three properties front on Kings Highway East, and the rear portions proposed to be subdivided are land locked but for access through the Borough-owned Snowden Avenue Parking Lot; and

WHEREAS, the Borough owns another lot, adjacent to the Holl property that is 10,000 square feet, and is additionally contemplating the purchase of another 1,500 square feet from Berger property dependant on the results of a survey being completed by the Borough Engineer; and

WHEREAS, the Borough proposes in its motion to provide parking on 30,000 sq. ft. of land that is now developed but adjacent to the current parking lot, and develop the remaining property with 100% affordable family rental housing; and

WHEREAS, in late 2006 the Borough Solicitor reached an agreement with each of the three property owners and agreements of sale that each include a provision that the purchase is subject to the following governmental approvals:

- a) Waiver of the Scarce Resource Restraint by COAH;
- b) Waiver of the application requirement by the NJ Historic Sites Commissioner, due to the fact that the properties are within the State and Federal Register of Historic Places; and
- c) Approval by the Haddonfield Historic Preservation Commission, due to the fact that the properties are within Haddonfield's Historic Zoning District; and

WHEREAS, the Borough Commissioners have adopted a resolution that authorized the signing of the agreements on behalf of the Borough, and also adopted a Capital Bond Ordinance to provide funding for the purchase, and

WHEREAS, Fair Share Housing Center (FSHC) submitted a partial objection in response to Haddonfield's motion on February 26, 2007, arguing that Haddonfield is seeking permanent relief from CO AH that would remove COAH's ability to consider the future use of the intended parcels, but does not definitively state that the parcels will be used for affordable housing; and

WHEREAS, FSHC suggests that CO AH grant the motion in so far as it requests leave to acquire the new parcels and subdivide them, but that prior to granting further approvals regarding how to proceed, that COAH require Haddonfield to return and set forth its plans; and

WHEREAS, Haddonfield replied to FSHC's objection on March 2, 2007, stating that it has no objections to revealing its plans to COAH before granting further approvals.

NOW, THEREFORE, BE IT RESOLVED that COAH hereby grants the waiver request submitted by the Borough of Haddonfield, with limitations, as follows: after subdivision approval Haddonfield shall bring the development application to COAH for approval to ensure that such plans include the construction of family rental housing at appropriate densities, and thereafter the property designated for affordable housing must be zoned for such.

I hereby certify that this  
Resolution was duly adopted  
by the Council on Affordable  
Housing at its meeting on 2/21/07

Renee Reiss  
Council Secretary