

**RESOLUTION GRANTING HANK Z. CUTLER, D.M.D., P.A.'S REQUEST FOR  
A WAIVER FROM THE EXISTING SCARCE RESOURCE RESTRAINT  
IMPOSED UPON THE BOROUGH OF HADDONFIELD  
COAH DOCKET 06-1816**

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 NJ.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 December 14, 2006 Hank Z. Cutler, D.M.D., P.A., owner of a dental practice located at 221 East Kings Highway (the "Business property") in Haddonfield submitted a motion to COAH requesting a waiver of the scarce resource restraint; and

WHEREAS, Mr. Cutler proposes to construct a two story addition onto the rear of the business property and on top of the unused small parking lot behind the current building, but connected to the present facility; and

WHEREAS, the proposed addition would occupy the space of the unused parking spaces, and would measure 20 feet by 15 feet in size; and

WHEREAS, no additional residential units will be created as a result of the project; and

WHEREAS, Mr. Cutler noticed the Haddonfield service list of his motion and no objections were received in response.

NOW, THEREFORE, BE IT RESOLVED that the expansion of the dental practice at 221 East Kings Highway will not diminish any affordable housing opportunities in Haddonfield; and

BE IT FURTHER RESOLVED THAT COAH hereby grants Mr. Cutler'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 3 1 1 4 *fCK*)

A handwritten signature in black ink, appearing to read "Rene C Keiss", written over a horizontal line.

ReneCKeiss  
Council Secretary