

**RESOLUTION GRANTING PROPOSED DENTAL OFFICE SITE PLAN, BLOCK  
2203 LOT 10.05 A WAIVER OF THE SCARCE RESOURCE RESTRAINT  
IMPOSED ON WINSLOW TOWNSHIP, CAMDEN COUNTY**

**COAH Docket Number 09-2164**

**WHEREAS**, on October 29, 2008, the Council on Affordable Housing (Council or COAH) imposed a scarce resource restraint upon Winslow Township, Camden County, In Re Petition for Substantive Certification Filed by Winslow Township, Camden County, Motion for Scarce Resource Restraints, COAH Docket No. 08-2011; and

**WHEREAS**, following a motion for clarification submitted by Winslow Township, the Council clarified the application of the Scarce Resource Restraints on April 8, 2009, In Re Winslow Township Amendment and Clarification of Scarce Resource Restraint, COAH Docket No. 08-2029 (Restraint); and

**WHEREAS**, the April 8, 2009 Restraint states,

The Scarce Resource Restraint is applicable to all development applications in both the Cedarbrook and Sicklerville Sewer Service Areas, regardless of whether the project is proposing the use of individual septic systems. Applicants on the Township's waiting list for sewer capacity are not exempt from the Restraint, and individual projects seeking a waiver of the Restraint may apply to COAH pursuant to N.J.A.C. 5:96- 13 and N.J.A.C. 5:96-15; and

**WHEREAS**, the Restraint goes on to say,

Pursuant to N.J.S.A. 52:27D-329.9, for all developments consisting of newly-constructed residential units located, or to be located, within the jurisdiction of the Pinelands Commission, it is required that 20 percent of the units constructed are to be reserved for occupancy by low or moderate income households. Therefore, notwithstanding any exemption to the Restraint, a project that did not receive approvals prior to July 17, 2008 and is to be located within the jurisdiction of the Pinelands Commission is required to provide a 20 percent set-aside to the extent this

is economically feasible. If an applicant requires an economic feasibility determination such request shall be made to COAH pursuant to N.J.A.C. 5:96-13; and

**WHEREAS**, Winslow petitioned COAH for third round certification under N.J.A.C. 5:97 and N.J.A.C. 5:96 on December 31, 2008; and

**WHEREAS**, the petition was deemed complete on June 24, 2009, and notice was published on July 1, 2009; and

**WHEREAS**, during the comment period, which ended on August 15, 2009, objections were received from Land Approvals Group and Taylor Woods, LLC; and

**WHEREAS**, mediation has been scheduled for December 17, 2009; and

**WHEREAS**, Peterman Maxcy Associates, LLC, submitted a waiver request for relief from the Restraint pursuant to N.J.A.C. 5:96-13.1 on behalf of a proposed dental office site plan (dental office); and

**WHEREAS**, the 5,000 square foot building, which will be located at Block 2203, Lot 10.05, will be used as a dental facility; and

**WHEREAS**, the property is located within the Sicklerville Sewer Service Area; and

**WHEREAS**, there are no immediate connection points to existing sanitary sewer mains; and

**WHEREAS**, the dental office is proposing an individual sewage disposal system (i.e. septic system) for the proposed building; and

**WHEREAS**, the dental office will be obligated to pay a COAH development fee unless approvals are granted prior to June 30, 2010 pursuant to PL 2009, Ch. 90; and

**WHEREAS**, Preliminary Site Plan Approval was received by the dental office on June 11, 2008; and

**WHEREAS**, the dental office states that the waiver is required so that it can submit the final site plan application to the Winslow Township Zoning Board.

**WHEREAS**, a standing objection to all requests for relief from the scarce resource restraint has been submitted by Taylor Woods; and

**WHEREAS**, no additional opposition was received; and

**WHEREAS**, a task force convened on October 26, 2009 and recommends that the waiver request be granted.

**NOW THEREFORE BE IT RESOLVED** that the dental office is hereby granted a waiver of the Restraint based upon the finding that the dental office will not connect to any existing sanitary sewer mains, but is proposing a septic system for the proposed building; and

**BE IT FURTHER RESOLVED** that this approval authorizes the Township to proceed with the final site plan approval but does not authorize any allocation of sewer until such time as the COAH Scarce Resource Restraint is lifted.

I hereby certify that this Resolution was  
Duly adopted by the Council on Affordable  
Housing at its meeting on November 12, 2009

A handwritten signature in cursive script that reads "Renee Reiss". The signature is written in black ink and is positioned above the printed name and title.

Renee Reiss  
Council Secretary