

**RESOLUTION GRANTING WAIVER FROM THE HIGHLANDS SCARCE  
RESOURCE RESTRAINT FOR A RESIDENTIAL SUBDIVISION LOCATED AT  
BLOCK 6 LOT 9, ALEXANDRIA TOWNSHIP, HUNTERDON COUNTY  
COAH DOCKET #10-2202**

WHEREAS, on November 12, 2008, the Council on Affordable Housing (COAH) passed a “Resolution Granting Extension of Time to File Third Round Petition for Substantive Certification and Imposing Scarce Resources Restraint” (SRR or Restraint); and

WHEREAS, the Restraint extended the deadline to submit a third round petition until December 31, 2009; and

WHEREAS, accordingly, Alexandria submitted to COAH a Notice of Intent to Petition in accordance with the Highlands Council’s Plan Conformance Guidelines and a duly adopted resolution notifying COAH of its intent to petition COAH for substantive certification of a housing element and fair share plan no later than December 8, 2009; and

WHEREAS, the December 8, 2009 deadline was extended until June 8, 2010 by the Council on August 12, 2009<sup>1</sup>; and

WHEREAS, as a condition of the extension of time to submit its third round petition to COAH, Alexandria became subject to a scarce resource restraint that applies to any and all municipal actions associated with development approvals, water allocation and wastewater allocation so that scarce land, water, and sewer resources are reserved for the production of affordable housing; and

WHEREAS, COAH issued correspondence on December 17, 2008 setting forth a list of 36 exemptions from the Restraint, which were memorialized by way of resolution dated October 14, 2009; and

WHEREAS, pursuant to N.J.A.C. 5:97, Alexandria Township has a third round rehabilitation share of 10 units, a prior round obligation of 22 units, and total projected growth share obligation of 68 units, calculated from a total residential growth projection of 294 units and an employment projection of 148 jobs.; and

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<sup>1</sup> The August 12, 2009 resolution also waived N.J.A.C. 5:97-2.3(a), 5:97-2.4 and Appendix F for Highlands municipalities that conform to the Highlands Regional Master Plan.

WHEREAS, the Highlands Council issued a build-out report for Alexandria Township pursuant to the MOU in August 2009; and

WHEREAS, pursuant to the build-out report, the non-residential build-out capacity of the Township is projected to be 484 jobs and the residential growth is projected to be 484 units, resulting in a growth share obligation of 96.8 affordable units; and

WHEREAS, the Highlands build-out results demonstrate that under the Highlands Regional Master Plan the Township will have an increased projected growth share obligation, from 68 to 97 affordable units; and

WHEREAS, Gerard Ferrari (Ferrari) submitted a request for a waiver of the Restraint on January 19, 2010 so that he may proceed with the minor subdivision of property located at 418 County Route 579, identified on Alexandria's municipal tax maps as Block 6, Lot 9 (the property); and

WHEREAS, the property is 20.808 acres in size and is located in the Agricultural Residential (AR) Zone, where the minimum lot size is six (6) acres; and

WHEREAS, Ferrari proposes the creation of a new 6.282 acre lot to be identified at Lot 9.03 and leaving the original Lot 9 with 14.526 acres; and

WHEREAS, proposed Lot 9.03, will be improved with one single family home and will be served by well and septic; and

WHEREAS, the Alexandria Township Planning Board approved the subdivision application on December 9, 2009, conditioned upon Ferrari receiving a waiver from the Scarce Resource Restraint; and

WHEREAS, the Resolution granting approval imposes a development fee of one and one half percent (1.5%); and

WHEREAS, no opposition was filed to Ferrari's waiver request; and

WHEREAS, a task force reviewed this waiver request on March 10, 2010, recommending that the waiver be granted to permit the minor subdivision of Lot 9 as the subdivision will be creating only one new lot which meets the minimum size requirements of the AR zone, and is not large enough to meet the threshold number of five units to require the construction of an affordable unit.

NOW THEREFORE BE IT RESOLVED that the Council grants Ferrari a waiver from the Highlands Scarce Resource Restraint for the subdivision of Block 6, Lot 9, Alexandria Township, Hunterdon County, for the creation of Block 6 Lot 9.03 and the development of a single family residential dwelling consistent with the Alexandria Township Planning Board's approval for this subdivision dated January 19, 2010; and

BE IT FURTHER RESOLVED the construction of a single family home on Lot 9.03 will not impede the ability of Alexandria Township to meet its affordable housing obligation; and

BE IT FURTHER RESOLVED this resolution does not authorize any allocation of sewer or water usage as to any location other than and single family home on Block 6 Lot 9.03.

I hereby certify that this Resolution was  
Duly adopted by the Council on Affordable  
Housing at its meeting on March 10, 2010.

A handwritten signature in cursive script that reads "Renee Reiss". The signature is written in black ink and is positioned above a horizontal line.

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Renee Reiss  
Council Secretary