

Hillsborough Lit.

3-10-95

Sites w/ infrastructure in  
planning areas 4 & 5  
("Exhibit B")

Pgs. 3.

HI 000009D

EXHIBIT B



State of New Jersey  
COUNCIL ON AFFORDABLE HOUSING  
CN-813  
TRENTON NJ 08625-0813  
609-292-3000  
FAX: 609-633-6056  
TDD#: (609) 278-0195

CHRISTINE TODD WHITMAN  
Governor

SHIRLEY M. BISHOP, F.P.  
Executive Director

SITES WITH INFRASTRUCTURE IN PLANNING AREAS 4 AND 5

COAH confirms its support of the intent of the Memorandum of Understanding between the New Jersey State Planning Commission and COAH and its encouragement of center designation as indicated in Basic Principal No. 5. However, when COAH originally drafted N.J.A.C. 5:93-13.4, it was assumed that Planning Areas 4 and 5 contained no sewer and/or water. Since then COAH has learned that there are sites in Planning Areas 4 and 5 that do have infrastructure but COAH has no information on the number of sites that may fall into this category.

In light of this situation, questions were asked as to how this rule affects previously certified sites. At the December 7, 1994 meeting, COAH members agreed that previously certified sites that are now in Planning Areas 4 and 5 should be the focus of a waiver request so that center designation for these sites would not be a prerequisite.

To give towns direction for new proposed sites, COAH is offering the following:

1. For new sites that are meeting a .12 year obligation, COAH will entertain a waiver to N.J.A.C. 13.4 and permit a joint request by a municipality and developer to include a site as meeting a fair share obligation if a site in Planning Areas 4 and 5 has water and sewer capacity and accessibility and is determined to be available, approvable, suitable and developable, but does not have center designation.



2. In addition, any developer that offers a new site in Planning Areas 4 and 5 with access to infrastructure and meeting COAH's criteria will have status as an objector as per N.J.A.C. 5:91-4.1. At this time, COAH is unclear as to the criteria for evaluating the site and whether any waiver will be permitted to N.J.A.C. 5:93-13.4.

The extent of the availability of sewer and water in Planning Areas 4 and 5 is unclear as well as the number of new sites that could fall into this category. The waiver and/or objector process would be one way to see the extent of the situation and after careful review, will assist in determining if a rule change is necessary.

In addition to the above guidance, COAH and the Office of State Planning (OSP) recognize the need to see what sites fall into this category and to be flexible regarding such sites in Planning Areas 4 and 5. It is understood that OSP will review and make comments on sites in Planning Areas 4 and 5 that fall into this category. It is further understood that this direction only pertains to sites that have infrastructure and meet COAH's criteria for an inclusionary site.

Revised

3/10/95

D1663W