



Lashway, Lisa

From: NJLM - Municipal Clerks [njlm-clerks@cityconnections.com]
Sent: Friday, September 26, 2008 1:43 PM
To: Lashway, Lisa
Subject: Municipal Clerks from NJLM



LEAGUE ALERT

Municipal Clerk: Please forward to Mayor and Governing Body.

September 25, 2008

Re: COAH Update

Dear Mayor:

On Monday, September 22, the Council on Affordable Housing (COAH) adopted amendments to its third round regulations. These amendments will be published in the October 20 *New Jersey Register*, and effective that same day. A summary of these amendments, which were passed with some minor technical changes, is available in our May 7 Dear Mayor letter.

The agency also proposed an additional amendment that will be published in the November 3 *New Jersey Register* that exempts demolitions which result from fire, flood, or natural disaster from a municipality's growth share. This amendment is a result of a situation in Franklin Borough (Sussex County) in which a reconstruction of a home lost due to fire counted towards the municipality's growth share and would have required payment from either the homeowner or the borough's taxpayers.

More information on COAH's actions yesterday is available from their website at: <http://www.nj.gov/dca/coah/june08rules.shtml>

As you know, the League has filed a challenge to COAH's regulations, and the agency's actions do not address the fundamentally flawed methodology, the erroneous vacant land analysis, the economic imbalances and exaggerated growth projections that serve as the basis of the third round regulations. For more on the League's challenge, please see our Dear Mayor letter of September 17.

Also, we would like to call to the attention of the Highlands communities that based on Governor Corzine's Executive Order 114, you have the opportunity to file for an extension of the COAH petition deadline of December 31, 2008, if you submit a resolution of intent to conform to the Highlands Master Plan. COAH is now setting up a task force to develop a MOU with the Highlands Council. Previously, at its September 18 meeting, the Highlands Council approved a process and timeline that had been worked on in coordination with COAH staff for the Highlands communities to satisfy the extension provision of the EO. Given these

developments we recommend that you seek immediate guidance from your professionals as to documentation that should be submitted to COAH and the Highlands Council if you wish seek an extension. It is our understanding that the Highlands Council has sent an advisory letter to all 88 Highlands communities, providing a detailed update on these developments.

For more on this issue, please contact Mike Cerra at mcerra@njslom.com or at (609) 695-3481 x120.

Very truly yours,

William G. Dressel, Jr.

Executive Director



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