



## **New Jersey Pinelands Commission PRESS RELEASE**

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### **Pinelands Commission's Executive Director asks Governor Corzine for Executive Order to extend deadline for Pinelands towns to submit third-round affordable housing plans**

NEW LISBON, N.J. – John C. Stokes, the Executive Director of the New Jersey Pinelands Commission, has formally asked Governor Jon S. Corzine to issue an Executive Order that would provide Pinelands municipalities with a six-month extension to submit affordable housing plans.

“At first glance, one might think that Pinelands municipalities should be able to implement the affordable housing rules as other non-Pinelands towns are expected to do,” said Larry Liggett, the Commission’s Director of Land Use and Technology Programs. “Unfortunately, critical regulatory issues that arise from conflicts between these new rules and federal and state Pinelands legislation must be resolved by the Commission and the state Council on Affordable Housing (COAH) before Pinelands municipalities will be in a position to prepare meaningful, realistic and achievable plans for affordable housing.”

The Pinelands Commission, after repeatedly urging COAH to extend the deadline, requested the Executive Order via a memorandum sent on December 3, several hours prior to a meeting of the Pinelands Municipal Council in Hamilton Township, Atlantic County. The Pinelands Municipal Council, which consists of the mayors or designees of the 53 Pinelands municipalities, discussed the issue during its meeting before adopting a resolution that seeks a deadline extension.

COAH’s Third Round rules require municipalities who wish to petition for third-round, substantive certification to submit an amended plan for accommodating affordable housing on or before noon on December 31, 2008.

In September, Corzine issued a one-year extension of the deadline for Highlands municipalities to submit their affordable housing plans. The extension being sought by the Pinelands Commission would give Pinelands municipalities until July 1, 2009 to submit their affordable housing plans.

The Third Round affordable housing rules are silent as to how they are to be implemented in the Pinelands, and the Pinelands Commission has sought to resolve the conflicts for the past six months. The solution that COAH advocated was a joint agreement, but unfortunately the press of other COAH obligations has seemingly sidetracked the agreement until the Commission’s attempts to resolve the conflicts through the submission of a Memorandum of Understanding in November.

Liggett noted that the new rules call for increased, bonus housing densities in areas served by

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septic systems. Those bonus densities, however, would not meet water quality standards in those areas of the Pinelands. Additionally, the rules allow municipalities to deduct environmentally-sensitive, vacant lands from its calculations of future growth in determining its affordable housing requirements. However, the rules are unclear as to how municipalities make those adjustments in areas of the Pinelands where the zoning authorizes extremely low-density residential development (such as, for example, one dwelling unit per 10 to 70 acres of land).

Equally important is the need to coordinate the implementation of the Third Round rules with the Pinelands Commission's new obligation under the recently adopted Assembly Bill 500. The bill amended the state's Fair Housing Act and obligated the Commission to identify and coordinate opportunities for affordable housing on a regional basis in the Pinelands with consideration of regional concerns, such as transit needs or opportunities, environmental concerns or other factors. Prior to the passage of the bill, the Commission did not have the authority to address affordable housing issues in the Pinelands.

During its regular meeting on December 12, the Pinelands Commission is scheduled to consider a proposed Memorandum of Understanding with the Council on Affordable Housing. The Commission drafted the agreement in an effort to spell out how it believes the affordable housing rules can be implemented in the Pinelands, including a six-month extension.

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