



JON S. CORZINE
Governor

State of New Jersey
Highlands Water Protection and Planning Council
100 North Road (Route 513)
Chester, New Jersey 07930-2322
(908) 879-6737
(908) 879-4205 (fax)
www.highlands.state.nj.us



JOHN R. WEINGART
Chairman

EILEEN SWAN
Executive Director

Contact: Craig Garretson, Manager of Communications
(908) 879-6737 ext. 105 or craig.garretson@highlands.state.nj.us

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Highlands, COAH In Accord

Agencies work together to provide housing, protect resources

CHESTER, N.J. – The Highlands Water Protection and Planning Council today voted to approve a Memorandum of Understanding with the New Jersey Council on Affordable Housing. The Memorandum, which was approved by the Council on Affordable Housing at its meeting yesterday, establishes a cooperative planning process to meet the constitutional and legislative mandates of the Highlands Water Protection and Planning Act, the Fair Housing Act, and Executive Order 114.

The Memorandum of Understanding can be viewed on the Highlands Council Web site at <http://www.highlands.state.nj.us/njhighlands/about/calend/>.

The goal of the Memorandum of Understanding is to ensure all New Jersey residents have access to clean water as well as affordable housing. Governor Jon S. Corzine, in issuing Executive Order 114, directed the Highlands Council and the Council on Affordable Housing to work together to fulfill each of these responsibilities, and to enter into a Memorandum of Understanding by November 4.

“Providing clean, safe water is one of the fundamental responsibilities of government, as is assuring an adequate supply of affordable housing,” Highlands Council Chairman John Weingart said. “Our agreement with the Council on Affordable Housing ensures that we can continue progress toward both goals.”

Executive Order 114 also allowed for a “reasonable extension of deadlines” to adjust municipal master plans to conform to the Highlands Act and the Fair Housing Act. The draft Memorandum of Understanding set this deadline as December 8, 2009, provided the municipality files a Notice of Intent by December 31, 2008, to conform to the Highlands Regional Master Plan, and a resolution notifying COAH of its intent to petition COAH no later than December 8, 2009.

Under the Memorandum of Understanding, conforming Highlands Region municipalities will have their Third Round affordable housing obligations adjusted to ensure the Region’s water and other

resources are protected. Each conforming municipality's obligation will be determined by a local build-out analysis to be performed in accordance with the Highlands Regional Master Plan.

The Highlands Council also passed a resolution at today's meeting addressing the obligation of Highlands Region municipalities to provide affordable housing under Executive Order 114 and Chapter 46, the July 17, 2008, amendment to the Fair Housing Act. The resolution does not amend or alter the Regional Master Plan, which already includes goals, policies, and objectives relating to the obligation to provide affordable housing.

In accordance with Chapter 46, up to 50 percent of a municipality's affordable housing obligation can be shared with other willing municipalities in the Highlands Region in order to conserve environmentally sensitive lands or to take advantage of transportation hubs or existing infrastructure.

"This gives us the flexibility to provide affordable housing in the areas that have the ability to support growth while simultaneously protecting the natural resources and rural character of the Highlands Region," Highlands Council Director Eileen Swan said.

This resolution can be viewed on the Highlands Council Web site at http://www.highlands.state.nj.us/njhighlands/about/calend/2008_meetings/4_103008.pdf.