



SOMERSET COUNTY PLANNING BOARD

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February 27, 2008

Ms. Lucy Voorhoeve, Executive Director
NJ Council on Affordable Housing
P.O. Box 813
Trenton, NJ 08625-0813

**Subject: Somerset County Planning Board Review Comments
Proposed Repeal and New Rules: N.J.A.C. 5:94 (PRN 2008-22)**

Dear Ms. Voorhoeve,

The Somerset County Planning Board, as demonstrated through its Adopted County Master Plan and Smart Growth Strategic Plan – Guiding Principles and Objectives, supports planning and implementation strategies that increase the supply of affordable housing within Somerset County. The County Planning Board has a history of encouraging its municipalities to participate in the COAH substantive certification process, and applauds their success in creating over 4,000 low- and moderate-income units in accordance with the 1985 Fair Housing Act.

The County Planning Board encourages and supports COAH's efforts to develop new rules that address the January 25, 2007 Court mandates. However, we are concerned that the proposed new rules are not consistent with the State Development and Redevelopment Plan, the proposed new Water Quality Management Planning Rules (scheduled for adoption in May 2008) or the Final Draft Highlands Regional Master Plan. We also believe that the Council's municipal housing and employment projections through 2018 and related Vacant Land Analysis are not accurate enough to be used for local housing and land use planning purposes. We also do not feel sufficient evidence has been made available that demonstrates the financial feasibility for municipalities and residential and non-residential developers to meet affordable housing obligations without imposing a significant additional tax burden on the county's residents or negatively impacting development opportunities in the County.

Attached please find the Somerset County Planning Board's detailed review comments regarding COAH's proposed new Third Round Substantive and Procedural Rules. Thank you for taking these comments and recommendations into consideration as you work toward developing a refined set of rules with more realistic obligations and mechanisms through which the state's affordable housing needs can be successfully addressed.

Sincerely,

Bernard Navatto, Jr., Chairman

C: Somerset County Legislative Delegation
NJDEA Commissioner Doria
NJDEP Commissioner Jackson
NJ County Boards of Chosen Freeholders and Planning Boards
Mayors and Planning Board Chairs, Somerset County Municipalities