



William G. Dressel, Jr.
EXECUTIVE DIRECTOR

Michael J. Darcy, CAE
ASSISTANT EXECUTIVE DIRECTOR

Michael F. Cerra
SENIOR LEGISLATIVE ANALYST

Jon R. Moran
SENIOR LEGISLATIVE ANALYST

Helen Yeldell
SENIOR LEGISLATIVE ANALYST

November 24, 2008

The Honorable Jon S Corzine
Governor of New Jersey
Statehouse
PO Box 001
Trenton, NJ 08625-0001

Re: Affordable Housing—COAH Regulations

Dear Governor Corzine:

I would like to follow up our earlier letter requesting an Executive Order to extend the COAH established deadline of December 31 to file COAH petitions. As you know, this was a topic of great interest at the League Conference last week.

To date over 250 municipalities have pledged support towards the League's challenge of the regulations. This list of local governments includes "Democratic" towns, "Republican" towns, rural areas, suburban areas and urban areas.

The announcement last week by Senators Lesniak and Bateman also demonstrates that the opposition is from both sides of the aisle. Their desire to file a joint "amicus curiae" brief in Court demonstrates that the concerns over these regulations are not partisan.

Further, since the introduction of these regulations, the League has contended there would be inadequate funding to subsidize the amount of growth projected by COAH, and that a funding shortfall would be borne by property taxpayers. This contention has now been demonstrated by an analysis conducted by the Office of Legislative Services (OLS), which projects a shortfall of up to \$2 billion per year.

Additionally, the environmental community has also requested an extension of the December 31 deadline. We are aware that the Sierra Club and the Stony Brook Millstone Watershed Association have requested such an extension, citing their concerns that the deadline does not allow time for adequate planning and the conflict with the Water Quality Management Plans due by April 7, 2009.

Such concerns are not rooted in an attempt to avoid the construction of affordable housing. No one could reasonably claim that the Sierra Club and other environmental activists are against affordable housing. The League has made it perfectly clear that the League's focus is on the

regulatory process and the fundamentally flawed methodology put forth by the agency. The League is not challenging the Fair Housing Act, the "Mount Laurel doctrine" or PL 2008, c. 46.

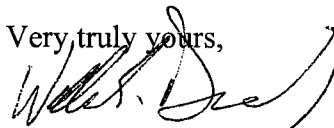
Unfortunately, those defending the regulations are now beginning to resort to name-calling as a strategy. The Executive Director of a housing advocacy group recently asserted that local officials are engaged in a "whisper campaign." The attorney representing another housing advocacy group wrote you last week and, according to the Sunday Star-Ledger, challenged the integrity of Senators Lesniak and Bateman. We refuse to engage in such tactics, as we find it unproductive for the public policy process. Unfortunately, we expect such tactics to continue and worsen over the course of the next few months.

As Governor you have the ability to rise above this. It is clearly within your authority to extend the December 31 deadline by Executive Order. It has been claimed that this deadline date was established by the Court, but this is inaccurate. The agency picked December 31 as the deadline, and the Court merely chose not to interfere with the agency's deadline. This deadline is not set in stone, and certainly can be extended by an Executive Order, a fact that your Chief Counsel can confirm.

We reiterate, therefore, our request that you extend the December 31 deadline by a period of six months. This will allow the legislature time to address the issue, and, we hope, develop a comprehensive housing reform. Further, this would allow you to create a task force of experts to work alongside the Legislature on such reform. The League commits to work with your Administration on such efforts.

Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read "W.G. Dressel, Jr.", written over the typed name below.

William G. Dressel, Jr.
Executive Director

WGD:mc/sc