



RESOLUTION 21-139

Resolution Granting to PCH Development Corporation (PCHDC) a Waiver of the Municipal Building Permit Fees to Help Facilitate Financially the Construction of 25 new affordable units within Princeton Community Housing's existing Princeton Community Village

WHEREAS, on July 7, 2015 pursuant to the New Jersey Supreme Court's decision In the Matter of the Adoption of N.J.A.C. 5:96 and 97 by the NJ Council on Affordable Housing 221 N.J. 1 (2015), Princeton filed a declaratory judgment action in the Superior court of New Jersey seeking a judgment of immunity and repose pursuant to the Fair Housing Act, N.J.S.A. 52:27D-301 and a judicial declaration that Princeton's housing plan is presumptively valid; and

WHEREAS, Princeton and interested party, Fair Share Housing Center, engaged in good faith negotiations and were able to successfully reach a settlement agreement, dated December 18, 2019 (the "Settlement Agreement"), said Settlement Agreement approved by the Court at a Fairness Hearing held on February 7, 2020; and

WHEREAS, in working with PCHDC, a nonprofit developer and operator of homes and as included in the Settlement Agreement, Princeton proposed the creation of 25 new affordable housing units for low and moderate income households to be constructed within PCH's existing Princeton Community Village (the "Project"); and

WHEREAS, the Project will assist Princeton in fulfilling its Mount Laurel obligation under the court- approved Settlement Agreement and Princeton has deemed it appropriate to take certain actions in support of the Project; and

WHEREAS, at its regular meeting on March 18, 2021, the Planning Board granted PCH's application for Preliminary and Final Site Plan approval for the Project; and

WHEREAS, pursuant to N.J.S.A. 52:27D-126d, Princeton may provide for a waiver of enforcing agency fees for any nonprofit agency actively engaged in constructing housing units for occupancy by low or moderate income households; and

WHEREAS, PCHDC has requested that Princeton waive the municipal portion of building permit Fees for the Project ("the Waiver") as set forth in. #2016-13 Exh. A; and


WHEREAS, Princeton has requested that PCHDC request the Waiver by resolution,

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of Princeton as follows:

1. The Mayor and Clerk of Princeton are hereby authorized and directed to issue the Waiver. The Waiver authorized by this resolution is on file with the municipal clerk and may be inspected during regular office hours.
2. A certified true copy of this Resolution shall be furnished upon its adoption to Mr. Edward Truscelli, Executive Director, PCH Development Corporation, 1 Monument Drive, Princeton, NJ 08540

| Councilperson | Absent | Present | 1 st | 2 nd | Yea | Nay | Abstain | Disqualified |
|--------------------|--------|---------|-----------------|-----------------|-----|-----|---------|--------------|
| Mr. Cohen | | X | | | X | | | |
| Ms. Fraga | | X | | X | X | | | |
| Ms. Niedergang | | X | | | X | | | |
| Ms. Pirone Lambros | | X | | | X | | | |
| Ms. Sacks | | X | | | X | | | |
| Mr. Williamson | | X | X | | X | | | |
| Mayor Freda | | X | | | | | | |

I, Delores A. Williams, Municipal Clerk of Princeton, do hereby certify that the above is a true copy of a resolution adopted by the Mayor and Council of Princeton at a meeting held April 12, 2021.


 Delores A. Williams, Municipal Clerk