

**RESOLUTION AUTHORIZING REFUND OF NON-RESIDENTIAL COAH FEES
SCHOOLHOUSE CROSSINGS – DUNKIN DONUTS – BLOCK 521.02/LOTS 5.03 & 5.06**

WHEREAS, pursuant to the New Jersey Economic Stimulus Act of 2009 (“Act”), the State has suspended the 2.5% affordable housing (“COAH”) fee for non-residential developments until July 1, 2010; and

WHEREAS, the non-residential developments that have paid the 2.5% fee are entitled to a refund from the municipality in an amount equivalent to the difference between what was paid and what would have been paid under the 2.0% fee that was in place before July 17, 2008; and

WHEREAS, these refunds are to be paid from the Township’s Housing Trust Fund and will be reimbursed by the State; and

WHEREAS, Schoolhouse Crossings – Dunkin’ Donuts, applicant requested a full refund of the affordable housing fee pursuant to the Economic Stimulus Act of 2009 with respect to the following: *Dunkin’ Donuts*: \$25,950 collected at building permit; and

WHEREAS, the applicant chose to pay the full 2.5% fee based upon the estimated assessed value at the time of the building permit and therefore is entitled to a partial refund; and

WHEREAS, based on the estimated equalized assessed value of \$1,038,000, the total estimated fee is \$20,760 and since the applicant paid \$25,950, the applicant is entitled to a refund of \$5,190;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Franklin, County of Somerset, State of New Jersey that it hereby authorizes the refund of Non-Residential COAH Fees to Schoolhouse Crossings – Dunkin’ Donuts in the amount of \$5,190.

CERTIFICATION

I, Ann Marie McCarthy, Clerk of the Township of Franklin, in the County of Somerset, do hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Township Council at a regular meeting held on the day of December 2009.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of said Township this day of December 2009.

Ann Marie McCarthy
Township Clerk