

N. Brunswick

11/21

(1985)

Letter discussing  
Ordinance

Affordable Housing

4 pgs

CA000468L

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STUART H. WEINER

November 21, 1985

Eric Neisser, Esquire  
Rutgers-School of Law  
S.I. Newhouse Center for Law & Justice  
15 Washington Street  
Newark, New Jersey 07102-3192

Re: TOWNSHIP OF NORTH BRUNSWICK  
AFFORDABLE HOUSING ORDINANCE

Dear Mr. Neisser:-

As you requested, enclosed herewith please find copy of the Township of North Brunswick's Affordable Housing Ordinance dated November 21, 1984, revised June 18, 1985. I have also forwarded a copy to Carla Lerman, Alan Mallach and all parties on the annexed Service List.

If a meeting of all parties cannot be arranged prior to the compliance hearing, then I suggest that all parties put forth their comments in writing; and hopefully, we can re-draft the Affordable Housing Ordinance in this matter.

After speaking with Judge Serpentelli's chambers, it is highly unlikely that the Judge will grant any extension for the compliance hearing.

Very truly yours,

LESLIE S. LEFKOWITZ  
sm/  
cc: Service List w/enc.  
Mr. Thomas P. Vigna  
Mr. Paul Keller

SERVICE LIST

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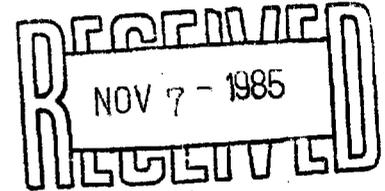


**K. HOVNANIAN COMPANIES OF NEW JERSEY, INC.**

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November 6, 1985

Leslie Lefkowitz, Esq.  
Lefkowitz, Rockoff and Zublatt, Esqs.  
1500 Finnigans Lane  
North Brunswick, NJ 08902



Re: Affordable Housing Ordinance

Dear Mr. Lefkowitz:

We are in receipt of the October 4, 1985 letter from Ronald Shimanowitz, Esq. wherein Mr. Shimanowitz inquires about the status of the Affordable Housing Ordinance. This correspondence constitutes the only follow-up documentation we have received since the July 25, 1985 meeting.

We would greatly appreciate receipt of the proposed, revised Affordable Housing Ordinance as soon as it is prepared. Subsequent to the July 25, 1985 meeting, I had a telephone conversation with Barbara Williams, Esq. immediately prior to her departure from the Rutgers Constitutional Litigation Clinic. In addition, I had brief discussions with Mr. Alan Mallach and Mr. Neisser concerning the absolute necessity for the statement of exemption provision within the terms of the Affordable Housing Ordinance and/or the Affordable Housing Plan.

It is critical that we pursue this very key element if we are to achieve a realistic and workable implementation of the Mount Laurel precepts. Not only does the statement of exemption alleviate a very substantial economic risk to the developer, thereby creating an economic incentive for the developer to include lower income homes within the development, but the exemption provision protects future owners of these lower income homes by enabling them to re-sell their homes in the years to come. Everybody should be reminded that the re-sale restrictions are in effect for a substantial length of time and the terms of the monitoring mechanism must be flexible enough so as to survive reasonably foreseeable contingencies.

We would greatly appreciate further discussion to pursue the inclusion of the statement of exemption provisions within the Affordable Housing Ordinance which is essential to the economic viability of any contemplated project.

Very truly yours,

K. HOVNANIAN COMPANIES OF NEW JERSEY, INC.



Donald R. Daines  
Director of Approvals  
and Legal Counsel

cc: **Carla Lehrman**  
Thomas Vigna  
Eric Neiser, Esq.  
Fred Kessler, Esq.  
Ken Wilson  
Andre Miesnieks, Esq.