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1-May-1984

"Affidavit of ~~Alan~~ Alan Mallach"
a housing and development consultant

pgs = 6

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ATTORNEYS FOR PLAINTIFFS

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION-MIDDLESEX COUNTY

URBAN LEAGUE OF GREATER)
NEW BRUNSWICK, et al.,)

• Plaintiffs,)

vs.)

THE MAYOR AND COUNCIL OF)
THE BOROUGH OF CARTERET,)
et al.,)

Defendants)

Docket No. C-U22-73

Civil Action

AFFIDAVIT OF ALAN MALLACH

OCEAN COUNTY)

) :ss:

NEW JERSEY)

ALAN MALLACH, of full age, being duly sworn according
to law, deposes and says:

1. I am a housing and development consultant retained by
the Urban League plaintiffs to consult on issues related to
the above-mentioned litigation, including determination of

fair share goals and compliance with those goals by the defendants in this litigation.

2. I have prepared a fair share housing allocation study for the plaintiffs in this litigation, which has yielded a fair share allocation for the Township of Piscataway of 3156 low and moderate income units by the year 1990, In addition* I have reviewed the fair share study by Ms. Carla Lerman, the court-appointed expert, of November 1983, which yielded a fair share allocation for Piscataway of 3613 low and moderate income units by 1990, and participated in the "consensus" fair share process, which resulted in a fair share allocation for Piscataway of 374-4. low and moderate income units by 1990. I believe that the methodology used in each of these three procedures was generally reasonable, and that these results represent a reasonable range for the purpose of establishing Piscataway's fair share obligation under Mt. Laurel II.

3. I have reviewed the availability of vacant land in Piscataway both on the basis of maps and statistical information provided by municipal officials, and through personal observation. On the basis of this review, I have concluded that Piscataway's ability to accommodate its full fair share housing allocation, determined on the basis of any of the three analyses cited above, may potentially be constrained by a limitation on the availability of vacant land suitable for multifamily residential development. If there is to be any realistic possibility of Piscataway's achieving its fair share obligation,

every remaining suitable site suitable for residential development should be, at a minimum, held available to be considered for potential rezoning in order for there to be any possibility of Piscataway's complying with its Mt. Laurel II obligation,

4.. More specifically, I have determined on a preliminary basis that the amount of vacant land in the Township in parcels potentially suitable for multifamily residential development is between 1100 and 1250 acres. Since the density at which it is reasonable to develop these sites will vary widely, based on a variety of factors, it is not possible to establish at this time a precise number of units that can be accommodated, but based on reasonable planning criteria I believe that an achievable average density of development will be between 8 and 10 units per gross acre. On that basis, a total of 8,800 to 12,500 units of housing can be provided on sites suitable for multifamily development in Piscataway. If 20 percent of these units are set aside for low and moderate income housing under a mandatory setaside program, the total number of low and moderate income units that can be provided will be between 1760 and 2500 units. While this is a substantial number, it is nonetheless well below the range in which Piscataway's fair share housing allocation figure is located.

5. By virtue of the extraordinary growth in employment and rateables in Piscataway during the past decade, large amounts of land have been developed, and a substantial part of the remaining vacant land rendered unsuitable for residential development by virtue of the proximity and impact of adjacent nonresidential development. The scale of the employment growth in Piscataway

is demonstrated by the fact that between 1972 and 1982 a total of 16,761 new jobs were added in the community, while from 1970 to 1980 only 2,234 housing units were added to the Township's housing stock.

6. At the request of counsel, I have inspected, among many other parcels, the following parcels of land in Piscataway:

- a. Block 4-97, lot 3, located on South Randolphville Road, and referred to as Site 30 in Exhibit A;
- b. Blocks 4.08-4.10, various lots and Block 4-13, lots 1 and 3 on Possuratown Road (Site 8 in Exhibit A); and
- c. Block 560, lot JA, on Hillside Avenue (Site 75 on Exhibit A).

Based on this inspection, I have concluded that all three sites are suitable for multifamily residential development at moderate to high density.

7. Site 30 is contiguous to farmed land; a school, and residential areas to the south, and the industrial/office areas to the north have been developed only to a very limited degree and do not present an obstacle to residential development of this parcel with proper buffering. Furthermore, development of this parcel for industrial use would negatively affect potential residential development of major adjacent vacant parcels now being farmed to the east and south of the site. Thus, development of this site for industrial or related uses will not only eliminate a major residentially-suitable site from consideration toward meeting Piscataway's fair share obligation, but may have a negative impact on other adjacent sites which at this time are still potentially available for multifamily residential

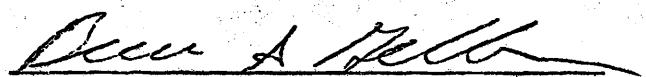
development. This is one of no more than ten tracts 50 acres or larger suitable for residential development in the Township of Piscataway.

8. Site 8 is contiguous to an area zoned for planned residential development (R-10A) to the east, and to an open space area to the west. There is a single existing light research facility adjacent to the site, which is easily buffered. Development of this site for industrial or related uses will eliminate a residentially-suitable site from consideration toward meeting Piscataway's fair share obligation, and may potentially have a negative impact on the future development of the adjacent R-10A site. This is a substantial site containing over 35 acres.

9. Site 75 is located in a residential area in which medium density multifamily housing can be developed with no negative impact on the existing character of the surrounding area. Conventional single family subdivision of this site will eliminate a suitable site from consideration toward meeting Piscataway's fair share obligations. Although this site is smaller than the others (roughly 4 acres), it is representative of a large number of "infill" sites in the western part of the Township. Sites of this general size and character, with road frontage and utilities, are particularly suitable for medium density townhouse clusters, which can be constructed economically and efficiently on such sites.


ALAN MALLACH

Sworn to before me this 1st
day of May, 1984..


ATTORNEY AT LAW/ STATE OF
NEW JERSEY