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• Affidavit from Peter Lee Abeles

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4. I have served as a consultant to urban renewal agencies and renewal developers.

5. I have conducted numerous evaluations for foundations and public agencies of state and local development programs, including the preparation of evaluations of public and rural housing programs, technical assistance programs, housing management and other similar areas of development.

6. In my role as a consultant, my responsibilities have encompassed the following: site evaluation and selection for major residential and commercial projects; preparation of budgets and advise on financing methods; formulation of economic programs for development; and consultations with local governments on land use controls and development and regulatory questions.

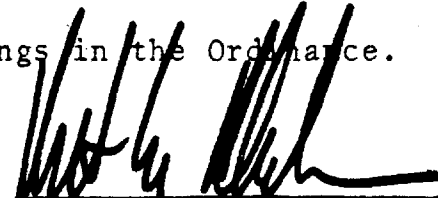
7. I have testified as an expert witness in both the Mount Laurel and Madison cases.

8. My understanding of the definition of the term "least cost" housing as used in the Madison case is the least expensive dwelling unit that can be built considering health safety and welfare, given the conditions existing at the time of construction, such as financing and other financial considerations. In addition, least cost units must meet all construction requirements of Federal and State statutes and construction codes in effect at the time of construction.


9. I have reviewed the minimum net habitable floor areas for garden apartments and townhouses as set forth in the proposed Bedminster Township Land Development Ordinance. I have reached the conclusion, based upon my experience in non-profit and conventionally built residential developments, that adequate least cost units can be constructed at sizes considerably smaller than those minimums. I feel that those minimums are in excess of least cost standards which comport with health, safety, and welfare. The New Jersey Housing Finance Agency minimums are designed for dwellings in excess of least cost. I would recommend that HUD Minimum Property Standards and the BOCA code be used as minimum standards. These latter standards would permit the development of dwelling units at least cost.

10. I have reviewed the Department of Housing and Urban Development's Fair Market Rents for New Construction Units. I have reached the conclusion that these rents are in excess of the least cost for which units could be constructed in Bedminster Township. I base this conclusion upon my experience in developing and consulting on housing projects and my knowledge of costs related to such developments. In addition, my understanding of the derivation of HUD Fair Market Rents is that the rent selected is higher than 75% of the comparable rents analyzed for similar modestly-constructed units in that market area.

11. I feel that a figure approaching 80% of those Fair Market Rents would be a suitable rental for least cost units, and I am certain that acceptable units can be constructed at 90% of those rents. Therefore, to ensure that least cost units will be constructed, I would recommend lowering the presently proposed rent ceilings in the Ordinance.



PETER LEE ABELES



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Dated: June 23, 1980
New York, New York.