

U.L. v. Carteret, Middlesex County

(date?) (before 1980)

● - Order re fair share housing allocations

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● CA 0002220

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SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION - MIDDLESEX COUNTY
DOCKET NO. C-4122-73

URBAN LEAGUE OF GREATER
NEW BRUNSWICK, et al.

Plaintiffs,

v.

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

Defendants.

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Civil Action

ORDER

Based upon the above findings of fact and conclusions of law, this Court hereby Orders:

a. that the region to be considered in the development of fair share housing allocation plans consists of Middlesex County plus areas outside the county from which low and moderate income housing needs radiate into the county;

b. that the county-wide fair share of the present and prospective regional need for low and moderate income housing projected to 1980 is 75,754 units. This figure shall be utilized in preparing fair share housing allocation plans through 1980;

c. that those provisions of the zoning ordinances found to be exclusionary in the above findings of fact and conclusions of law

are stricken;

d. that defendants within 45 days shall present to the Court and plaintiffs plans which determine their fair share allocation of the County's low and moderate income housing need of 75,754 units. The plans must utilize a common formula in arriving at the allocation. Such plans must incorporate the following elements:

1. the sum of the numerical need identified in the various fair share plans must equal the County need of 75,754 units projected to 1980.
2. the plans developed must provide a variety of locational choice for low and moderate income families and thereby reduce the existing concentration of such families within Middlesex County.
3. the plans developed must take into account the amount of vacant, developable land, proximity to employment, and the preservation of existing housing stock.

e. that each defendant within 45 days shall present to the Court and plaintiffs a detailed plan, including timetables, for the implementation of the fair share allocation to insure units in place by 1980. Such plan shall include, but not be limited to:

1. changes in zoning ordinances to facilitate provision of low and moderate income housing;

2. provision for subsidized housing.
- f. that defendants will, during the 45 day period:
1. meet regularly with attorneys and planning consultants for plaintiffs to discuss progress in developing their fair share allocation plans, including methodology and techniques for implementation;
 2. make available to attorneys for the plaintiffs all supporting documents, reports, analyses and data used by the defendants in their efforts to comply with this Order;
 3. on or before the end of the 45 day period, complete and submit to the Court and attorneys for plaintiffs the final form of proposed amendments to the zoning ordinances;
 4. report, by way of written affidavit, to this Court, with copies to the attorneys for the plaintiffs, on the 30th and 45th day from the date of this order. Said reports shall include a thorough and detailed statement of the defendants' efforts toward implementation of the aforementioned Order. Said statement shall include, but not be limited to; (a) name(s) of those officials, employees, and/or agents of the municipality who are working

on said implementation; (b) hours worked by each during each reporting period; (c) statement of work product completed as of the date of each report; and (d) proposed interim recommendations arrived at during each reporting period.

g. within 15 days following submission by defendants of their fair share allocation plans, plaintiffs shall submit their comments concerning such plans to the Court, including specific objections thereto and recommendations for appropriate revisions.

h. pursuant to R-4:42-8, costs are awarded to the plaintiffs, upon proper application.

i. this Court will retain jurisdiction.

David D. Furman, JSC