

● - ~~00000~~ Judges letter to attorney re amended middlesex  
county ~~of~~ concept maps

- encl: Attorney's response to above letter

pgs. 3

no pi.

CA000295 L  
296



# Superior Court of New Jersey

CA000296L

CHAMBERS OF  
JUDGE EUGENE D. SERPENTELLI

OCEAN COUNTY COURT HOUSE  
C. N. 2191  
TOMS RIVER, N. J. 08753

August 4, 1983

William C. Moran, Jr., Esq.  
Hugg and Moran, Esqs.  
Cranbury - South River Road  
Cranbury, N. J. 08512

Re: Urban League of Greater New Brunswick v. Carteret  
Middlesex County - C-4122-73

Dear Mr. Moran:

I have your letter of August 3, 1983 concerning the concept map for Middlesex County. Upon receipt of your letter on August 4 I called Mr. Richard Ginman of the Bureau of Regional Planning in an effort to personally determine and resolve the issue which has been raised concerning the "amendment" of the Guide Plan maps.

Mr. Ginman informs me that it has been the position of the Department of Community Affairs that the development of the concept maps is an evolutionary process. The draft was initially developed in 1977. No official action was taken concerning that draft. The 1980 draft was submitted to an ad hoc committee formed by the Governor's Office. I am informed that the committee was known as the "Cabinet Committee on Development, Policy and Projects" and has been subsequently referred to as the "Cabinet Development Committee".

Mr. Ginman informs me that this Committee held a meeting at which time it authorized the Division of Planning to release the 1980 draft. That authorization is reported in the minutes of the Committee meeting. I have requested that a copy of those minutes be provided to the three Mount Laurel Judges through Mrs. Helen Spiro. Assuming I receive them, I will make them available to counsel.

Mr. Ginman also informs me that any subsequent proposed amendments to the concept maps have not been in any way endorsed by the Cabinet Development Committee nor has there been official authorization to release them.

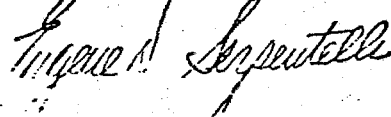
William C. Moran, Jr.

August 4, 1983

I call your attention to the second paragraph of the letter of Mr. John A. Sully of the Middlesex Planning Board. You will note that he recognized that the amended map which he was then forwarding to the Mayor of the Township of Cranbury was not official since it had not been "adopted, endorsed or anything else by the Governor".

I believe that the foregoing represents the present status of the Guide Plan. Should any counsel involved in this matter have any further question, please contact me.

Very truly yours,



Eugene D. Serpentelli, J.S.C.

EDS:RDH

cc: All attorneys

cc: Judge L. Anthony Gibson

cc: Judge Stephen Skillman

cc: Helen H. Spiro, Esq.

cc: Mr. Richard Ginman

HUFF, MORAN & BALINT

COUNSELLORS AT LAW

CRANBURY-SOUTH RIVER ROAD

CRANBURY, NEW JERSEY 08512

J. SCHUYLER HUFF  
WILLIAM C. MORAN, JR.  
MICHAEL P. BALINT

TELEPHONE  
(609) 655-3600

August 8, 1983

Honorable Eugene D. Serpentelli, Judge  
Ocean County Court House  
CN 2191  
Toms River, New Jersey 08753


RE: Urban League of Greater New Brunswick  
v. Carteret, et al., Dkt No. C-4122-73

Dear Judge Serpentelli:

In response to yours of August 4, 1983, it was my interpretation of Mr. Sully's letter that he was referring to the entire State Development Guide Plan when he said that it had not been "adopted, endorsed or anything by the Governor" and not to the specific map involving Cranbury, South Brunswick and Plainsboro. As you may know, the State Development Guide Plan had no official status of any kind prior to the Supreme Court opinion in Mount Laurel II. It is also my understanding that there is, at the present time, no framework within which to amend the State Development Guide Plan and that the only reason that the Cabinet Development Committee has not endorsed the proposed amendment is because of the fact that the Cabinet Development Committee no longer exists. Therefore, while the Supreme Court acknowledged the fact that the State Development Guide Plan may be amended from time to time and while it is apparent that the thinking of the staff of the Department of Community Affairs is in favor of the amendment as outlined in the map which was submitted by me, there is no framework within which to officially adopt such an amendment and that there is no funding available under the state budget to create such a frame. Accordingly, Cranbury will follow the procedure outlined by the Supreme Court in Mount Laurel II to establish that the State Development Guide Plan should not be followed in the case of Cranbury.

In that regard, we will rely on testimony from representatives of the Department of Community Affairs, the Tri-State Regional Plan Association and the Middlesex County Planning Board, together with local planning consultants.

Very truly yours

  
William C. Moran, Jr.

WCM:lmf

cc: ~~Bruce S. Gelber, Esq.~~  
Joseph J. Benedict, Esq.  
Bertram E. Busch, Esq.  
Jeffrey E. Fogel, Esq.  
Joseph L. Stonacker, Esq.  
Phillip Paley, Esq.  
Patrick Diegman, Esq.  
Thomas R. Farino, Jr., Esq.