

UL v. Cartoet, North Brunswick

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3/13 (1986)

Consent Order

4 pgs

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THE STATE UNIVERSITY OF NEW JERSEY  
**RUTGERS**  
Campus at Newark

School of Law-Newark • Constitutional Litigation Clinic  
S.I. Newhouse Center For Law and Justice  
15 Washington Street • Newark • New Jersey 07102-3192 • 201/648-5687

March 13, 1986

The Honorable Eugene D. Serpentelli  
Assignment Judge, Superior Court  
Ocean County Court House  
CN 2191  
Toms River, NJ 08754

Re: Urban League of Greater New Brunswick vs.  
Mayor & Council of Carteret  
No. C 4122-73

Brunswick Manor Associates vs. Township of  
North Brunswick  
No. L 039056-84

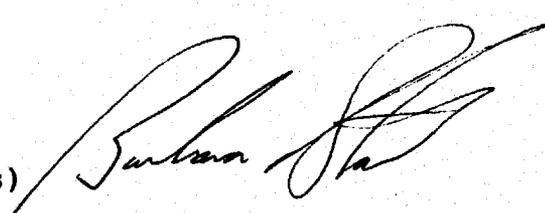
Dear Judge Serpentelli:

Enclosed please find original and two copies of duly executed Consent Order in connection with the above matter. If same meets with Your Honor's approval, please sign and file the original, returning a conformed copy to this office in the self-addressed, stamped envelope enclosed for that purpose.

Respectfully yours,

encls

cc/Leslie Lefkowitz, Esq. (w/encls)  
Stewart M. Hutt, Esq. (w/encls)  
Douglas K. Wolfson, Esq. (w/encls)  
Donald R. Daines, Esq. (w/encls)  
Jeffrey Kantowitz, Esq. (w/encls)  
Carla Lerman, P.P. (w/encls)





entered in these consolidated cases by the Court on September 10, 1984;

Whereas, paragraph 8(b) of the aforementioned Consent Order, entered on September 10, 1984, requires that no residential development in the Manor Realty Tract shall be more than three stories in height;

Whereas, plaintiff Brunswick Manor Associates has, subsequent to the entry of the aforesaid Consent Order, dated September 10, 1984, applied to both defendant Planning Board and defendant Township for a relaxation of the abovementioned height limitation contained in paragraph 8(b) of said Consent Order;

Whereas, defendant Township has consented to relax said residential height limitation and has established a schedule of Maximum Residential Building Height in Section 145.-87.4-A(11) of the Township's revised zoning ordinance, adopted February 4, 1985;

Whereas, defendant Township of North Brunswick having agreed to the terms of the within Consent Order; the Court having heard counsel for the parties; and for good cause shown,

IT IS ON THIS            DAY OF JANUARY, 1986,

ORDERED and ADJUDGED:

1. Paragraph 8(b) of the Consent Order entered herein on September 10, 1984 is hereby amended to read as follows:

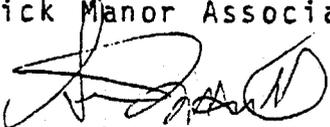
(b) All residential development on the Manor Realty Tract shall be subject to a mandatory set aside of low and moderate income units, requiring that a total of 520 housing units to be developed on the tract shall be affordable to low or moderate income households. One-third of the set

aside units in the development shall be affordable to low income households and two-thirds of the units shall be affordable to moderate income households. The height of residential development in the Manor Realty Tract shall be governed by the provisions of Section 145-87.4-A(11) of the Township's revised zoning ordinance, adopted February 4, 1985.

EUGENE D. SERPENTELLI, A.J.S.C.

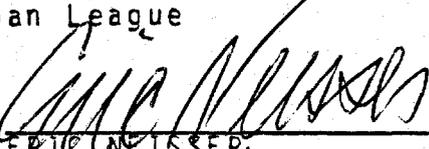
The undersigned hereby consent to the form, substance and entry of this Consent Order.

Hutt, Berkow and Jankowski  
Attorneys for Plaintiff  
Brunswick Manor Associates

By:   
STEWART M. HUTT

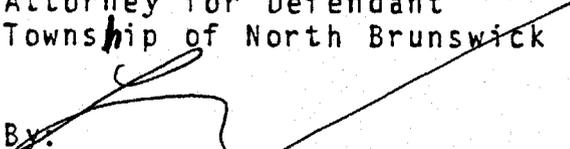
Date: Jan 13 1986

Eric Neisser, Esq.  
Attorney for Plaintiff  
Urban League

By:   
ERIC NEISSER

Date: 3/11/86

Lefkowitz and Zublatt  
Attorney for Defendant  
Township of North Brunswick

By:   
LESLIE LEFKOWITZ

Date: 3-10-86