

ULr. (actvet (South Plainfield) Oct 12 (1984)

Letter opposed to Mayor / Council not approving
revisions to Zoning plan of Borough of S.
Plainfield in absence of a complete
revision of the master plan

2 pgs
post it #1049

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THE STATE UNIVERSITY OF NEW JERSEY
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October 12, 1984

RECEIVED

OCT 13 1984

Patrick J. Diegnan, Esq.
 2325 Plainfield Avenue
 South Plainfield, N.J. 07080

JUDGE SERPENTELLI'S CHAMBERS

Re: Urban League v. Carteret, No. C 4122-73

Dear Mr. Diegnan:

I am in receipt of your letter to Judge Serpentelli dated October 4, 1984 indicating that the Mayor and Council will not approve revisions to the Zoning Plan of the Borough of South Plainfield in the absence of a complete revision of the Master Plan.

This position is totally unacceptable to the Civic League.

On May 22, 1984, the Court entered its Judgment which was explicit as to the parcels to be rezoned and zoning ordinances to be modified and enacted by October 3, 1984. This Judgment was not contingent in any respect upon enactment of a Master Plan. The Judgment is final and binding upon South Plainfield.

In addition, South Plainfield has drafted proposed ordinances in accordance with terms of the Judgment. You submitted these proposed ordinances to us for purposes of review and we have substantially agreed to the ordinances other than the three items of definition of condominium apartments and townhouses, apartment and townhouse mixture and certain cost generating factors set forth in the letter of Eric Neisser, Esq. to you dated September 5, 1984. (Attached)

Absolutely no reason exists to await implementation of the Judgment pending enactment of the Master Plan. Nothing in Mt. Laurel II either authorizes or permits delay of enactment of the compliant ordinances. The Judgment is specific; discrete from the Master Plan process; and most importantly an Order of the Court subject to enforcement.

Since only the three items set forth in Mr. Neisser's letter remain outstanding, I am writing to provide you one last opportunity to work with us in resolving these open issues and enacting the ordinances required by the existing Judgment. Please be advised that unless the Borough of South Plainfield affirmatively indicates it will comply with the terms

Patrick J. Diegnan, Esq.

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of the Judgment with seven (7) days from the date of this letter, I will formally move before the court on short notice for appropriate relief.

I await your response.

Very truly yours,

Barbara J. Williams

cc/Hon. Eugene Serpentelli
Bruce Gelber
Alan Mallach