

UL v. Cartoet (South Plainfield) 29 Nov (1984)

Letters proposing revision of an order
in reference to zoning ordinance +
further letters objecting it

11 pg

CA 000621 L

Patrick J. Diegnan, Jr.

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South Plainfield, N.J. 07080

November 29, 1984

The Honorable Eugene D. Serpentelli
Judge, Superior Court of New Jersey
Ocean County Courthouse
Toms River, New Jersey 08753

RE: Urban League vs. Carteret et al
Docket No.: C-4122-73

Dear Judge Serpentelli:

Reference is made to the proposed Order in the above captioned matter forwarded by Barbara J. Williams, Esq., Attorney for the Urban League by cover letter dated November 27, 1984. I have no objection to the substance of the proposed Order, however, there is some difficulty with the mandatory completion date for the revisions to the Zoning Ordinance.

As Ms. Williams may be aware, our Planner, Mr. Rosa has met with representatives of the Urban League and is in the process of incorporating their recommendations into the proposed revisions to the Zoning Ordinances. I specifically recommended this course of action to Mr. Rosa so that there would not be continued dispute over the exact provisions of the proposed Ordinances. I have spoken with Mr. Rosa's office and they inform me that the revisions will be forwarded to the Planning Board next week.

Therefore, Mr. Rosa will not be in a position to sit down with the Planning Board and review the proposal until the week of December 10, 1984. Accordingly, I ask that the proposed Order of Ms. William's be revised to read:

IT IS FURTHER ORDERED; that the Borough of South Plainfield, through its Planner, shall forward the revision of its Zoning Ordinances to the Borough Planning Board on or before December 8, 1984, and that after Planning Board review, said Ordinances shall be immediately forwarded to the Borough Council for first reading.

*Williams
Barbara J.
Urban League
Nov 27 1984
Toms River NJ
08753*

Although this matter has been delayed long enough, I submit that it is in all parties interest that the final revisions to the Zoning Ordinance be presented in a logical and thorough fashion.

I will await your Honor's position in this matter.

Very truly yours,


PATRICK J. DIEGNAN, JR.

PJD/cp

cc: Barbara J. Williams, Esq.
Bruce S. Gelber, Esq.
Angelo Dalto, Esq.
William V. Lane, Esq.
Peter Calderone, Esq.

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November 29, 1984

File No. 186

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Re: URBAN LEAGUE OF GREATER NEW BRUNSWICK, et al
VS: TOWNSHIP OF NORTH BRUNSWICK, et al
Docket No. C-4122-73

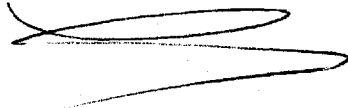
Gentlemen:-

As you are aware, we had the first reading of the proposed Zoning

Ordinance on November 19, 1984, and the second reading is scheduled for December 3, 1984. However, the Township Council is carrying the second reading of the Ordinance to permit you time to digest the proposed Zoning Ordinance; and to meet with us to present your input and iron out any problems that may exist.

I would like to suggest a meeting at my office on either December 10 or 11th, so that the Township Council can move the Ordinance at its regular scheduled meeting on December 17, 1984. Please advise.

Very truly yours,



LESLIE S. LEFKOWITZ

sm/

cc: Honorable Eugene D. Serpentelli, JSC
Mr. Paul Keller, Business Administrator and Planner
E. Eugene Cross Associates

PETER J. CALDERONE
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OBJ

RECEIVED
DEC 4 1984
PLANNING BOARD MEMBERS

December 3, 1984

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

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

Dear Judge Serpentelli:

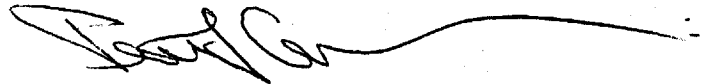
I have reviewed the proposed order submitted by Ms. Williams and have objection to the requirement that the South Plainfield Planning Board provide fourteen (14) days written notice to Mr. Gelber and Ms. Williams of the "filing, placement on agenda, or other action regarding any application concerning any parcel of vacant land in the Borough of South Plainfield... ." Unfortunately, I have not been able to reach and discuss this matter with Ms. Williams and informed your office last week of this objection.

I can understand the need for fourteen days advance notice with respect to the tracts indentified as potential Mount Laurel sites. However, due to the nature and volume of the Planning Board applications and meetings, we do not generally have an agenda for distribution until approximately five (5) days or so before a meeting. Moreover, we could not possibly give notice before an application is filed and the statement "any other action" is too broad and open-ended. We have been forwarding the agenda to Ms. Williams as soon as it is ready for distribution. The Planning Board has also allowed persons to come in for emergent or short notice relief for all kinds of matters such as applications concerning the Development Review Ordinance (i.e., paving requirements, lighting, etc.) and approval modifications or extensions which would be precluded by this proposed order. I would also expect that except for the potential Mount Laurel sites, there would be little if anything of interest to plaintiffs on the Planning Board schedule.

The Honorable Eugene D. Serpentelli
December 3, 1984
Page 2

The Planning Board must be able to function in a practical manner to meet its statutorily mandated functions without unnecessary delay in its activities. Moreover, an understanding of this litigation could be hindered through adjournment and delay of the system on many applications without any real benefit to plaintiffs. I would, therefore, request that with respect to the South Planning Board, the proposed order be amended to limit the fourteen (14) day notice to Ms. Williams requirement to only the potential Mount Laurel sites. Inclusion of such advanced notice of other and unlimited matters would be administratively difficult to meet and as set forth in the proposed order so open-ended that the Board would be confused as to when to act to ensure compliance with the order. Your review of this matter is greatly appreciated.

Respectfully,



PETER J. CALDERONE

c: Barbara Williams, Esq.
Patrick Diegnan, Esq.
William Lane, Esq.

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Urban League v. Carteret, Civ C 4122-73 (Superior Court, Chancery
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DAVID JOSEPH FRIZELL
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MICHELE R. DONATO

November 30, 1984

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

RE: Urban League of Greater New Brunswick vs.
Township Of Piscataway et. al.

I don't know

Dear Judge Serpentelli:

On behalf of the Zoning Board of Adjustment I hereby
object to the proposed order forwarded to the court by the
Urban League. I agree with the comments made by Mr. Paley as
well as those by Miss Hirsch. I would respectfully request that
the court schedule a hearing or a conference call to resolve
these issues.

Respectfully submitted,

Michele Donato
Michele R. Donato

*William
6423*

MRD/baf

cc: Attorneys on attached list

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November 27, 1984

FILE NO.

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

RE: Urban League v. Carteret
Docket No: C-4122-73

Dear Judge Serpentelli:

Please accept the following in objection to the proposed Order concerning Temporary Restraining Order and Interlocutory Injunction against Piscataway Township, which Order was received by this office on November 26, 1984.

On behalf of Lawrence Zirinsky, an option holder of site number 13 in Piscataway Township, I object to the language contained in the second full paragraph on page 2 of the proposed form of Order. The single sentence in that paragraph is quite lengthy and I have been unable to ascertain what it means. Additionally, this paragraph may provide that any development approval granted by Piscataway Township for property which is not listed as suitable in the November 10, 1984 report of Carla Lerman will not "create any vested use or zoning rights". Unless this was a condition of a previous Court Order, I do not believe this language to be justified by Your Honor's ruling from the bench on November 14, 1984.

Respectfully submitted,

Guliet D. Hirsch
GULIET D. HIRSCH

GDH/sr

cc: All parties on attached service list.

NOV 28 1984
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