

UL v. Carteret (S. Plainfield)

(1985)

2 letters re: Agenda for public hearing 9/10/85

4 pgs

CA000673L

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

September 4, 1985

William V. Lane, Esq.
324 East Broad Street
Westfield, New Jersey 07091

Re: Urban League v. Carteret, et al., No. C 4122-73
(South Plainfield)

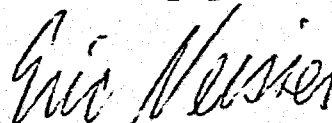
Dear Mr. Lane:

I have today received a letter dated August 28, which was postmarked on September 3 (see attached), describing the revision of the September 10 Board of Adjustment meeting to include the Elderlodge application, and enclosing an agenda for that meeting. As set forth in the enclosed letter to Mr. Calderone, we consider postmarking of agendas to us less than 14 days prior to the meeting to be insufficient under the Court's December 13, 1984 Order and thus any action taken at such an insufficiently noticed meeting to be ineffective in vesting any rights against the claims of the Urban League.

Specifically, with regard to the September 10, 1985 agenda, we note that any action as to the Elderlodge matter is subject to the Court's Order of December 13, 1984 and, of course, to the July 19 and August 9, 1985 Orders. Specifically, the agenda says that the Elderlodge project was "granted" a use variance on October 2, 1984; that grant, of course, is without effect under the terms of the Court's Orders.

None of the other listed applications are within blocks specified in the Judgment and thus we have no objection to action on those.

Sincerely yours,



Eric Neisser

cc/Judge Serpentelli
Frank Santoro, Esq.
Peter Calderone, Esq.

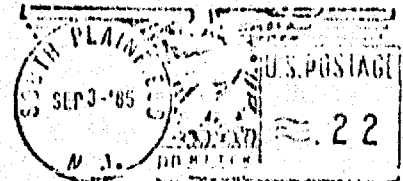
attchmt



BOROUGH *of* SOUTH PLAINFIELD

2480 PLAINFIELD AVENUE
SOUTH PLAINFIELD, NEW JERSEY 07080

Ms. Barbara Williams, ESq.
Rutgers Constitutional Litigation Clinic
15 Washington Street
Newark, NJ 07102





BOROUGH *of* SOUTH PLAINFIELD

MIDDLESEX COUNTY • NEW JERSEY

August 28, 1985

rec'd 9/14

Ms. Barbara Williams Esq.
Rutgers Constitutional Litigation Clinic
15 Washington Street
Newark, NJ 07102

Dear Ms. Williams:

Regarding the South Plainfield Board of Adjustment Agenda for September 10, 1985, this is to inform you that Case 2-82SP - ELDERLODGE, INC. has been continued to this agenda from August 27, 1985. A revised copy of this agenda is enclosed.

Yours truly,

BOARD OF ADJUSTMENT

Diane Crino

Diane Crino, Secretary

Enc.

CC: Honorable Eugene D. Serpentelli
Mr. William Lane, Board Attorney

A G E N D A

Public Hearing
September 10, 1985
8:00 p.m.

18-85 - KENNETH BANDOMER

Property at Park Avenue & Maple Ave.
Block 78, Lot 1, 2.01, OBC-1 zone
Lot size: 37,043 sq. ft.
Interpretation of zoning ordinance
requested regarding seasonal sales;
In the alternative a variance to
permit storage within 30' required
setback area pending sale of items
(continued from Aug. 6, 1985)

2-82SP - ELDERLODGE, INC.

Property on Hamilton Blvd.
Block 259, Lots 5, 6.01, 6.02, 7, 12
OBC-2 zone/R-7.5 zone
Lot size: approx. 1.4 acres
To erect a senior citizen
housing project
(Use Variance granted Oct. 2, 1984)
Insufficient side & rear yards
Parking interpretation required
Site Plan
(continued from Aug. 27, 1985)

29-85 - MICHAEL KURILEW

Property on Arlington Ave.
Block 405, Lot 9, R-10 zone
Lot size: 100 x 99.6
To erect a one-family dwelling
Insufficient depth
Insufficient square footage

30-85 - JOSEPH MARLOWE

Property on Hamilton Blvd.
Block 264, Lot 9,
Lot size: 50 x 165
To erect a two-car garage
Insufficient side and rear setbacks

31-85 - WAYNE BIZUP

Property on New Market Ave.
Block 313, Lot 12
Lot size: 135 x 99
To alter existing garage with a
16' x 24' addition and to use
existing fenced-in yard to sell
& store Christmas trees
Non-conforming use
Insufficient rear and side setbacks

32-85 - DAVID N. BARNES

Property at 1904 Woodland Ave.
Block 71, Lot 2, R-7.5 zone
Lot size: 51 x 105
Front porch conversion & addition
Insufficient front & side setbacks

33-85 - DR. ANTHONY J. DeCOSTA

Property at 424 Norwood Ave.
Block 216, Lot 1.03, R-10 zone
Lot size: 100 x 100
To erect an addition to be used as
a chiropractic office
Insufficient off-street parking
(7 required; 4 spaces available)

NOTE: NO NEW CASE WILL BE STARTED AFTER 11 P.M.
MEETING WILL BE ADJOURNED BY 11:30 P.M.