

UL v. Cartwright (S. Plainfield) 17 Sept (1985)

Letter from Neisser to Bill re: Elder Lodge

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THE STATE UNIVERSITY OF NEW JERSEY  
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September 17, 1985

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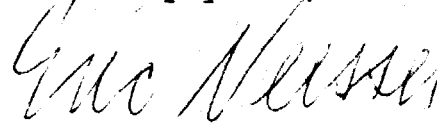
Re: Urban League v. Carteret, No. C 4122-73  
(South Plainfield)

Dear Bill:

Lest you think I only criticize, I want to congratulate you and Ms. Crino at the Board of Adjustment for mailing the October 1 Agenda to us on September 12. Apparently it is possible to comply with the 14 day requirement!

Please note the Urban League plaintiffs' continuing objection to the Board's consideration of the Elderlodge matter. We find it at best odd that the applicant keeps saying that the project is economically infeasible with the 20 percent set-aside required by the Judgment, yet continues to spend substantial funds and effort seeking Board of Adjustment approval. If the applicant cannot or will not construct with the 20 percent set-aside, there is no reason for further Board of Adjustment consideration. Moreover, the Borough Council adopted a new zoning ordinance on August 7 that substantially modifies the zoning for this site and immediately upon taking effect will make the present application before the Board moot at least in substantial part. It is, of course, not our role to save the Board of Adjustment from needless effort; we simply reassert our continuing objection and reaffirm that we will take all legal steps necessary to insure compliance with the Court's Judgment and the Order of December 13, 1984 relating to Elderlodge.

Sincerely yours,



Eric Neisser

cc/Judge Serpentelli  
Frank Santoro, Esq.  
Angelo Dalto, Esq.