

UL v. Certoret (S. Plainfield)

20 March (1987)

Letter discussing Harris steel during oral argument,
It agreed to lift restraints on that property for
limited purpose of allowing Borough to process the
site for site plan approval
+ add'l copies.

6 pgs

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State of New Jersey

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(609) 292-7669

March 20, 1987

South Plainfield Planning Board
2480 Plainfield Avenue
South Plainfield, N. J. 07080

Attention: John Hogan, Chairman

Re: Urban League of Greater New Brunswick
v. Borough of Carteret, et al

Dear Mr. Hogan:

On Monday, March 16, 1987, the Council on Affordable Housing heard oral argument on a motion by applicant Harris Structural Steel Company, Inc., to remove restraints imposed by the Hon. Eugene D. Serpentelli, A.J.S.C. on Harris Steel's property in South Plainfield.

Specifically, Harris Steel asked the Council to remove restraints issued by Judge Serpentelli by order dated July 3, 1985 and modified by Order dated August 7, 1985 forbidding South Plainfield from issuing building permits, site plan and subdivision approvals for all property covered by the Court's May 22, 1984 judgment. This includes certain property owned by Harris Steel and designated in said May 22, 1984 judgment. Representing Harris Steel was Stephen E. Barcan, Esq.; also appearing were Patrick J. Diegnan, Jr., Esq. for South Plainfield, and Barbara J. Williams, Esq., for the Civic League.

Following argument, the Council issued an oral decision in which it agreed to lift the restraints on the property in question, for the limited purpose of allowing the Borough of South Plainfield to process the application by Harris Steel for subdivision and site plan approval. The lifting of restraints is contingent, however, on the Council's receipt of a resolution of the South Plainfield Planning Board that it will not issue conditional, preliminary, or final approval on said applications, pending further order of the Council.

MAR 23 1987

At the next Council meeting, April 6, 1987, the Council will reduce its prior order to writing, and provide a copy to the Planning Board. Further, the Council will hopefully be in a position to make a final determination on whether it should completely lift the restraints and thus permit the Planning Board to either grant or deny approval.

If you have any questions, please do not hesitate to contact me at the above number. Thank you for your cooperation in this matter.

Very truly yours,

W. Cary Edwards
Attorney General of New Jersey

By Donald M. Palombi
Donald M. Palombi
Deputy Attorney General

DMP:mmw

cc:

Arthur R. Kondrup, Chairman, COAH
Douglas Opalski, Executive Director, COAH
Arthur Bernard, Deputy Director, COAH
Shirley Bishop, Chief Housing Specialist, COAH
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