

Piscataway, N.J. v. Asmt 2/7/85 (1985)

Letter discussing Lot 1, Block 371 in Piscataway

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PLEASE REFER TO
 FILE NO.

February 7th, 1985

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

re: Piscataway Township; Lot 1, Block 371

Dear Judge Serpentelli:

Under date of January 18th, 1985, Carla L. Lerman supplemented her previous reports regarding the inventory of vacant land sites in the Township of Piscataway, which sites were proper sites for Mount Laurel consideration. In that letter, under paragraph 6, Block 371, Lot 1, owned by Lackland Brothers, was specifically listed as "suitable for higher density development". As I have previously reported to Your honor, this property is before the Piscataway Township Board of Adjustment for a use variance specifically pursuant to the standards established for PRD development with Mount Laurel set asides.

This property is currently zoned R-10 and the use variance we have requested turns entirely on the fact that Mount Laurel considerations are in and of themselves a special reason for the granting of a use variance. The matter will be decided on February 19th.

In view of the fact that the matter is pending before the Board of Adjustment, we have not filed suit requesting that we be given Mount Laurel consideration. In the event that we are denied our requested use variance, we will, of course, file contesting the Board of Adjustment denial, and further attacking the Zoning Ordinance of the Township of Piscataway.

It was our intention to be available on Monday, February 11th, to attend the initial stages of the Urban League-Piscataway oriented suit. We have been advised, and this advise was confirmed by Your Honor's Clerk (Russ Burcheri), that the initial stages of the litigation would be involved with those parties seeking to exclude themselves from Mount Laurel consideration. Since we have the opposite goal, we would not care to be involved in the initial proceedings. I have arranged with your Clerk to call on Monday to determine when it would be proper for us to appear in order to present our particular viewpoint. If, in fact, the foregoing is in error, I would appreciate Your Honor's office advising me so that I may be available when the positive aspects of the Mount Laurel presentations will be considered.

Respectfully yours,

Angelo H. Dalto
 Angelo H. Dalto

AHD:jsb

cc: Mr. D. Lackland