

Piscataway 1986

3/18

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Khor letter to attorney

Attached: Consent ~~#~~ Order

Demographic Report

pgs. 14

p.n. 3160

3161

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K. HOVNIANIAN COMPANIES OF NEW JERSEY, INC.

10 HIGHWAY 35, P.O. BOX 500, RED BANK, NEW JERSEY 07701 ☐ (201) 747-7800

March 18, 1986

Eric R. Neisser, Esq.
Rutgers School of Law
Constitutional Litigation Clinic
S.I. Newhouse Center for Law and Justice
15 Washington Street
Newark, NJ 07102-3192

Re: Urban League vs. Township of Piscataway
Docket No. C-4122-73
Executed Consent Order Dated July 17, 1985

Dear Mr. Neisser:


Pursuant to your request, please find enclosed a copy of the Consent Order executed by the Honorable Eugene D. Serpentelli, A.J.S.C. filed on July 17, 1985.

In addition, please find enclosed a copy of the Demographic Report dated February 28, 1986 summarizing the statistical analysis of the Mt. Laurel purchasers for the Society Hill at Piscataway development. It should be noted that we were able to sell all 55 moderate income units to qualified moderate income families and were also able to sell all 54 low income units to qualified low income families. We believe that the Affordable Housing Plan worked very well and provided an excellent framework for the implementation of the "Mt. Laurel" precepts. We were also very pleased with the dedication, sincerity and thoroughness of all of the members of the Affordable Housing Agency of Piscataway. We attempted to assume responsibility for all administrative duties leaving the actual income verification and qualification decision to the Township.

If we can be of any further service, please do not hesitate to contact us.

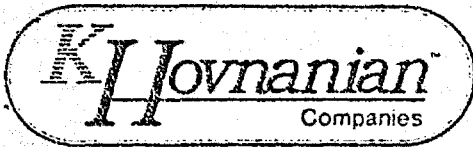
Very truly yours,

K. HOVNIANIAN COMPANIES OF NEW JERSEY, INC.


Donald R. Daines, Esq.
Director of Approvals
& Legal Counsel

DRD:dm
Enclosures

cc: Howard Gran, Abrams, Blatz, Dalto, Gran, Hendricks & Reina



K. HOVNIANIAN COMPANIES OF NEW JERSEY, INC.

10 HIGHWAY 35, P.O. BOX 500, RED BANK, NEW JERSEY 07701 ☐ (201) 747-7800

July 26, 1985

Barbara J. Williams, Esq.
Rutgers School of Law
Constitutional Litigation Clinic
SI Newhouse Center for Law & Justice
15 Washington Street
Newark, NJ 07102-3192

Phillip Paley, Esq.
Kirsten, Freidman & Cherin
17 Academy Street
Newark, NJ 07102

Martin Sloane, Esq.
NCDH
733 15th Street N.W.
Washington, D.C. 20005

RE: Urban League vs. Township of Piscataway
Docket No. C-4122-73
Executed Consent Order Dated July 17, 1985

Dear Counselors:

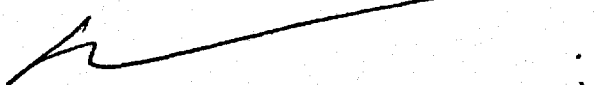
Please find enclosed a copy of the Consent Order which was executed and entered by the Honorable Eugene D. Serpentelli, A.J.S.C. on July 17, 1985.

We wish to express our appreciation to each of you for the manner in which each of you approached the drafting and preparation of the Affordable Housing Plan for Society Hill at Piscataway in a spirit of constructive cooperation. As a result of everyone's efforts, construction of these 109 lower income homes is well under way and we have taken applications from approximately 140 families seeking to purchase these homes. We hope to enable them to take occupancy in the very near future.

If we can be of any further assistance in connection with this matter, please do not hesitate to contact us.

Very truly yours,

K. HOVNIANIAN COMPANIES OF NEW JERSEY, INC.


Donald R. Daines
Director of Approvals
& Legal Counsel

DRD:jac
Enclosure

cc: Honorable Eugene D. Serpentelli, A.J.S.C.

FILED 7-17-88

RECEIVED

IN CHAMBERS
EUGENE D. SERPENTELLI, A.J.S.C.
SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION MIDDLESEX COUNTY

JUL 16 1988

JUDGE SERPENTELLI'S CHAMBERS

URBAN LEAGUE OF GREATER NEW)
BRUNSWICK, etc., et al.)
)
 Plaintiffs,)
)
 v.)
)
 THE MAYOR AND COUNCIL OF THE)
BOROUGH OF CARTERET, et al.)
)
 Defendants.)
)

Docket No. C-4122-73

CONSENT ORDER

THIS MATTER having been opened to the Court by the undersigned attorneys for the plaintiffs and having been remanded for trial by the Supreme Court on the issues of redetermination of region and fair share as those concepts were explicated by Southern Burlington County N.A.A.C.P. v. Township of Mount Laurel, 92 N.J. 58 (1983) ("Mt. Laurel II") and for judicially supervised revision of the defendant's zoning ordinance, the parties agree as follows:

WHEREAS, the plaintiffs moved the Court on November 14, 1984 for and did receive from this Court a Temporary Restraining Order providing, among other things, that any approvals granted by the Township of Piscataway shall not create any vested use or zoning rights or give rise to a claim of reliance against a claim by the Urban League plaintiffs or an Order of this Court for revision of the Piscataway Township zoning ordinances, if the Urban League shall claim or the Court shall order rezoning necessary to satisfy the Township of Piscataway's obligation under Mt. Laurel II to provide opportunities for the development of its fair share of the regional need for low and moderate income housing; and

WHEREAS, on November 14, 1984, K. Hovnanian Companies of New Jersey, Inc. and its wholly owned subsidiary K. Hovnanian at Piscataway, Inc. (Hovnanian), appeared before the Court and informed the Court and plaintiffs that they were the applicants on Applications 84-PB-124, 84-PB-125, 84-PB-126, 84-PB-127C and 84-PB-128 seeking approvals from Piscataway necessary to construct a residential development called Society Hill at Piscataway upon the approximately 55 acre parcel referred to as Site #46 - Gerickont Farm, Block 744, Lot 2 in the November 9, 1984 report entitled "Site Analysis: Township of Piscataway", prepared by Carla L. Lerman, P.P. and submitted to the Court by letter dated November 10, 1984; and

WHEREAS, Hovnanian informed the Court and plaintiffs that its applications sought to develop a 545 residential unit multi-family development, including 55 moderate income homes and 54 low income homes and that such 109 homes represented 20% set aside for low and moderate income housing and such 109 homes were to be sold, occupied, used and resold in accordance with the provisions of the Affordable Housing Plan for Society Hill at Piscataway ("Plan") which would serve as the mechanism whereby these 109 homes would remain in the pool of lower income homes; and

WHEREAS, plaintiffs acknowledged to the Court that they had reviewed said Plan and had been working with Hovnanian in order to revise the Plan so that it met with their approval and achieved the goals of Mt. Laurel II and further represented to the Court that there were then only a few specific items yet remaining to be resolved; and

WHEREAS, the plaintiffs agreed that a Consent Order would be entered giving Hovnanian and Piscataway vested rights against the plaintiffs with respect to the above referenced applications and further giving Piscataway credit for these 109 lower income homes to be applied towards their fair share obligation upon plaintiffs and Hovnanian resolving the specific items remaining to be resolved of the Plan; and

WHEREAS, on January 9, 1985, Piscataway voted to approve Hovnanian's aforementioned applications and memorialized such approvals by Resolution dated January 9, 1985, a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, plaintiffs and Hovnanian did subsequently resolve the remaining items concerning the Plan and have ultimately agreed upon the version of the Plan attached hereto as Exhibit "B"; and

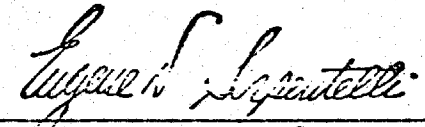
WHEREAS, the parties agree that the terms of the approvals for Society Hill at Piscataway and the provisions of the Plan fulfill the precepts and goals of Mt. Laurel II and that Piscataway should receive full credit towards its fair share obligation for the 109 lower income homes being developed as part of Society Hill at Piscataway.

NOW, THEREFORE, it is this 17 day of July, 1985, ORDERED, and ADJUDGED: 1 - The Township of Piscataway, K. Hovnanian Companies of New Jersey, Inc., K. Hovnanian at Piscataway, Inc. and their successors and assigns, have, by virtue of the Township of Piscataway's approvals of the applications 84-PB-124; 84-PB-125; 84-PB-126; 84-PB-127C; and 84-PB-128 on January 9, 1985, as memorialized by the Resolution dated January 9, 1985 attached as Exhibit A, vested rights against any claim by the Urban League plaintiffs or this Court seeking to revise the ordinances of the Township of Piscataway in a manner which abrogates, diminishes, or affects such approvals received by K. Hovnanian Companies of New Jersey, Inc. and K. Hovnanian at Piscataway, Inc. for the development known as Society Hill at Piscataway in order to satisfy the Township of Piscataway's obligation under Mt. Laurel II.

2 - The Township of Piscataway shall receive full credit towards its fair share obligation for the 55 moderate income homes and the 54 low

income homes which are to be built as part of the development known as Society Hill at Piscataway so long as such lower income homes are actually sold and resold in accordance with the approvals of the Township of Piscataway and the Affordable Housing Plan for Society Hill at Piscataway attached as Exhibit B.

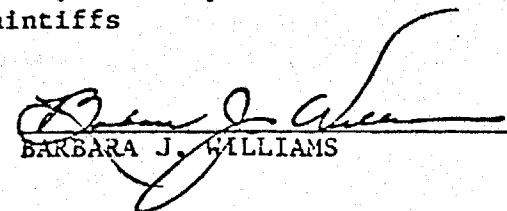
3 - The Township of Piscataway shall serve notice upon the Urban League plaintiffs in the event that an application to amend or revise the approvals or the Affordable Housing Plan for Society Hill at Piscataway is submitted to the Planning Board pursuant to paragraph 5 of the Affordable Housing Plan, such notice to be served within ten (10) business days of the filing of such application.

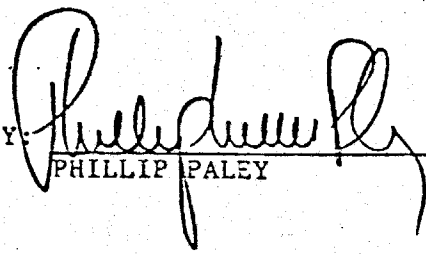

EUGENE SERPENTELLI, A.J.S.C.

We hereby consent to the form, substance, and entry of this Consent Order.


Rutgers University Law School,
Constitutional Litigation Clinic,
et al., Attorneys for the
Plaintiffs

Attorneys for the Defendant,
Township of Piscataway

BY: 
BARBARA J. WILLIAMS

BY: 
PHILLIP PALEY

Urban League of Greater
New Brunswick, The National
Committee Against Discrimination
in Housing

BY: 
MARTIN E. SLOAN

SOCIETY HILL AT PISCATAWAY

MOUNT LAUREL DEMOGRAPHIC REPORT

February 28, 1986

SOCIETY HILL AT PISCATAWAY

MOUNT LAUREL DEMOGRAPHIC REPORT

AGE: The highest percentage of purchasers are between the ages of 26-30 years old.

MARITAL STATUS: Fifty percent are single.
Fifty percent are married.

COMBINED INCOME: The highest percentage for Income (91%) was \$10,000 - \$25,000.

PRIOR RESIDENCE: The most common prior residence is Piscataway.

CITY OF EMPLOYMENT: The most common city of employment is Piscataway.

OCCUPANTS:

One	34%
Two	25%
Three or More	41%

PURCHASER TYPE

Primary Only

ACTUAL #

107

PERCENT

100%

AGE

PRIMARY ONLY

	<u>ACTUAL #</u>	<u>PERCENT</u>
18 - 25	18	17%
26 - 30	25	23%
31 - 35	16	15%
36 - 40	15	14%
41 - 45	10	9%
46 - 50	2	2%
51 - 55	3	3%
56 - 60	5	5%
61 and Over	13	12%
Not Indicated	0	0%
<u>TOTAL</u>	<u>107</u>	<u>100%</u>

SEX

PRIMARY ONLY

	<u>ACTUAL #</u>	<u>PERCENT</u>
MALE	23	21%
FEMALE	39	36%
HUS/WIFE	45	43%
<u>TOTAL</u>	<u>107</u>	<u>100%</u>

MARITAL STATUS

PRIMARY ONLY

	<u>ACTUAL #</u>	<u>PERCENT</u>
SINGLE	53	50%
MARRIED	54	50%
NOT INDICATED	0	0%
<u>TOTAL</u>	<u>107</u>	<u>100%</u>

OCCUPANTS

PRIMARY ONLY

	<u>ACTUAL #</u>	<u>PERCENT</u>
ONE	36	34%
TWO	27	25%
THREE OR MORE	44	41%
<u>TOTAL</u>	<u>107</u>	<u>100%</u>

CHILDRENS AGE

PRIMARY ONLY

	<u>ACTUAL #</u>	<u>PERCENT</u>
0 - 4	22	26%
5 - 18	50	60%
18 and Older	12	14%
Not Listed	0	0%
<u>TOTAL</u>	<u>84</u>	<u>100%</u>

HOUSING

PRIMARY ONLY

	<u>ACTUAL #</u>	<u>PERCENT</u>
WITH PARENTS	9	8%
OWN	18	17%
RENT	80	75%
NOT INDICATED	0	0%
<u>TOTAL</u>	<u>107</u>	<u>100%</u>

TYPE OF OWNERSHIP

PRIMARY ONLY

	<u>ACTUAL #</u>	<u>PERCENT</u>
CONDOMINIUM	3	17%
MULTI-FAMILY	0	0%
SINGLE FAMILY	15	83%
NOT INDICATED	0	0%
<u>TOTAL</u>	<u>18</u>	<u>100%</u>

COMBINED INCOME

PRIMARY ONLY

	<u>ACTUAL #</u>	<u>PERCENT</u>
\$ 5,000-\$9,000	12	11%
\$10,000-\$25,000	91	85%
\$26,000-\$35,000	4	4%
\$36,000-\$40,000	0	0%
NOT INDICATED	0	0%
<u>TOTAL</u>	<u>107</u>	<u>100%</u>

OCCUPATION

PRIMARY ONLY

	<u>ACTUAL #</u>	<u>PERCENT</u>
Administrative	3	3%
Bank	3	3%
Clerical	12	11%
Computer	3	3%
Courier	1	.8%
Electrician	1	.8%
Factory	24	22%
Hairdresser	1	.8%
Laborer	16	15%
Lab-Technician	4	4%
Maid	1	.8%
Nurse	1	.8%
Pharmacist	1	.8%
Sales	2	2%
Secretary	2	2%
Security Guard	2	2%
Self-Employed	3	3%
Social Worker	1	.8%
Supervisor	4	4%
Surveyor	1	.8%
Teacher	3	3%
Travel Agent	1	.8%
Waitress	2	2%
Retired	14	13%
Disability	1	.8%
<u>TOTAL</u>	<u>107</u>	<u>100%</u>

RESIDENCE

PRIMARY ONLY

	<u>ACTUAL #</u>	<u>PERCENT</u>
Bloomfield	1	.78%
Boonton	1	.78%
Bound Brook	1	.78%
East Orange	1	.78%
Edison	3	3 %
Elizabeth	2	2 %
Fanwood	1	.78%
Hampton	1	.78%
Highland Park	2	2 %
Jamesburg	1	.78%
Jersey City	1	.78%
Kendall Park	1	.78%
Middlesex	1	.78%
Newark	1	.78%
New Brunswick	3	3 %
North Brunswick	1	.78%
Nutley	1	.78%
Perth Amboy	1	.78%
Piscataway	73	68 %
Somerset	3	3 %
Somerville	1	.78%
South Plainfield	1	.78%
Union	1	.78%
<u>OTHER STATES</u>		
New York	3	3 %
Pennsylvania	1	.78%
<u>TOTAL</u>	<u>107</u>	<u>100.04%</u>

EMPLOYMENT

PRIMARY ONLY

	<u>ACTUAL #</u>	<u>PERCENT</u>
Basking Ridge	3	3 %
Boonton	1	1 %
Clinton	1	1 %
East Brunswick	1	1 %
East Rutherford	1	1 %
Green Brook	2	2.5%
Highland Park	1	1 %
Irvington	1	1 %
Menlo Park	1	1 %
Metuchen	2	2.5%
Middlesex	5	5 %
Millburn	1	1 %
Mountainside	1	1 %
New Brunswick	2	2.5%
New Providence	1	1 %
Parsippany	1	1 %
Piscataway	34	37 %
Plainfield	3	3 %
Raritan	2	2.5%
Somerset	6	7 %
Somerville	1	1 %
South Plainfield	12	13 %
Union	1	1 %
OTHER STATES		%
New York	1	1 %
<u>TOTAL</u>	<u>92</u>	<u>100 %</u>

These are included in the total counts for the above;

Edison	6	7
Elizabeth	1	1