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- Plaintiff's answers to Cranbury's Interrogatories
- Cover letter to Cranbury counsel

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**NATIONAL COMMITTEE AGAINST DISCRIMINATION IN HOUSING, INC.**

1425 H Street, N.W., Washington, DC 20005 • (202) 783-8150

July 3, 1975

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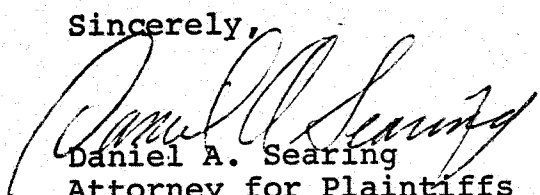
J. Schuyler Huff, Esq.  
Cranbury-South River Road  
Cranbury, New Jersey 08512Re: Urban League of Greater New Brunswick,  
et al. vs. The Mayor and Council of the  
Borough of Carteret, et al.

Dear Mr. Huff:

Enclosed please find three copies of plaintiffs' answers to Cranbury's interrogatories. I will be providing certified copies as soon as we can move through the mechanics of certification by all plaintiffs, but thought you would want the information as soon as possible.

We will, of course, be updating the information pursuant to the rules as discovery and preparation for a full hearing proceed.

Sincerely,

  
Daniel A. Searing  
Attorney for Plaintiffs

DAS:blt

Enclosures

HUFF AND MORAN

~~78 PATERSON ST. P. O. BOX 466~~ Cranbury-South River Rd.  
~~NEW BRUNSWICK, N. J. 08903~~ Cranbury, New Jersey  
~~(201) 247-2230~~ (609) 655-3600  
ATTORNEYS FOR Defendant

*Plaintiff* - URBAN LEAGUE OF GREATER  
NEW BRUNSWICK, et al.

vs.

*Defendant* - THE MAYOR AND COUNCIL OF  
THE BOROUGH OF CARTERET, et al.

SUPERIOR COURT OF  
NEW JERSEY  
CHANCERY DIVISION  
MIDDLESEX COUNTY

*Docket No.* C-4122-73

*CIVIL ACTION*

INTERROGATORIES

To: BAUMGART & BEN-ASHER  
Attorneys for Plaintiffs  
134 Evergreen Place  
East Orange, New Jersey 07018

DEMAND is hereby made of the Plaintiffs, URBAN LEAGUE OF  
NEW BRUNSWICK, et al for Certified Answers to the following  
interrogatories within the time prescribed by the Rules of this  
Court.

1. List the names of all proposed expert witnesses and  
attach copies of their reports. If no written reports are  
available, summarize their proposed testimony.

This information is presently unavailable. See letter to  
Attorney Karcher, dated June 12, 1975.

2. State whether or not Cranbury Township has an established character and, if so, whether that character is worth preserving.

At this time, plaintiffs state that defendant Cranbury does not have an established character.

3. (a) State whether or not Plaintiffs believe that it is necessary to preserve farmland within the housing region in which Cranbury Township is located and, if so, whether or not a farmland which exists in Cranbury Township should be preserved.  
(b) If the farmland in Cranbury Township should be preserved, state how Plaintiffs would recommend doing so consistent with aims set forth in their Complaint.

See attached sheet

4. State in what way Cranbury Township is deemed to have an excessive amount of land zoned for industrial use.

In 1970, Cranbury had 2,899 acres of land zoned industrial. According to the Middlesex County Interim Master Plan (1970), 357.3 acres will be required for manufacturing in the year 2000.

ANSWER TO INTERROGATORY #3(a)

Plaintiffs are not in a position to determine the necessity or lack of necessity of perserving farmland within the housing region in which Cranbury is a part. This is a question best left to local, county, and state planning authorities. Plaintiffs do believe that both agricultural and residential uses are possible and compatible within the municipality so long as Cranbury makes adequate provisions for low and moderate income housing. Plaintiffs note that the Middlesex County Master Plan listed 4,667 acres in use for agriculture in 1967. Projected use by 1980 is 4,468 acres, and by 2000, 3,668 acres (Interim Master Plan, Tables C-1, C-2, and C-3). This is compared to 392 acres in use for residential purposes in 1967, projected to 1,355 in 1980, and 5,014 by 2000 (Id).

ANSWER TO INTERROGATORY #3(b)

Plaintiffs are not in a position to specify how farmland should be preserved, as this is not only an area requiring knowledge and expertise in land use planning, but also one best left to local, county and state planning authorities. Plaintiffs assert only that it can be done consistent with the aims set forth in the complaint.

5. State the amount of land which Plaintiffs deem to be a reasonable amount of land to be zoned for industrial use in Cranbury Township.

At this time this figure is not for plaintiffs to determine. Determination of the reasonable amount is for municipal authorities to decide in consideration of all circumstances. Plaintiff's assertion is that the current allocation is excessive.

6. State whether or not it is Plaintiffs' position that every municipality in the State of New Jersey must adopt a resolution of local approval required for the use of state financial aid to assist low and moderate income families with their housing needs and, if not, what criteria Plaintiffs deem to be important in determining which municipalities should or should not have such resolutions.

See answer to interrogatory 7, below. Plaintiffs can only respond concerning the defendants in the instant case, not every municipality in the State.

7. State whether or not it is Plaintiff's position that every municipality in the State of New Jersey should have a public housing authority and if this is not Plaintiff's position, the criteria which Plaintiff's deem important in determining whether

a municipality should or should not have a housing authority.

At this time, plaintiffs state that their legal position regarding the adoption of a resolution of local approval and the establishment of a public housing authority will be fully explicated at the appropriate time, either through pretrial briefs or through other orders of the court. Plaintiffs do not claim that they are entitled under the law to have low or middle income housing units made available to them, only that they are entitled to be free from discrimination in seeking equal housing opportunities. If plaintiffs prove their case, it may well be that as a matter of equitable relief, the court will order that plaintiffs are entitled under the law to have low or middle income housing units made available to them. SEE ATTACHED SHEET

8. Define the region which should be used in determining whether or not Cranbury Township is providing its fair share of low and moderate income housing needs.

The eight county northeastern New Jersey region consisting of Bergen, Essex, Hudson, Middlesex, Morris, Passaic, Somerset and Union counties.

9. State what Cranbury Township's fair share is of the low and moderate income housing in the region set forth in answer number 8.

See response to interrogatory 21 of Piscataway contained in an appendix to a letter to Attorney Sachar, dated June 18, 1975.

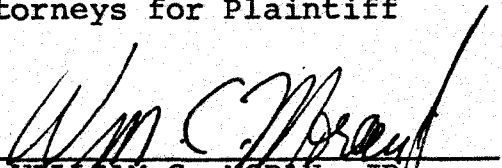
ANSWER TO INTERROGATORY #7 (continues)

Part of this order may include adopting a resolution to utilize state financial aid for housing units and the establishment of a public housing authority. These are, however, questions going to relief, which must be decided by the court after a full hearing on the merits, and it would be premature, as well as inappropriate for the plaintiffs to discuss the scope of such relief. Plaintiffs note that the New Jersey Supreme Court in Southern Burlington County NAACP v. Township of Mt. Laurel, A-11, Sept. Term 1973, decided Mar. 24, 1975. stated (slip opinion at 53) that "... there is at least a moral obligation in a municipality to establish a local housing agency pursuant to state law to provide housing for its resident poor..."



HUFF AND MORAN  
Attorneys for Plaintiff

By

  
WILLIAM C. MORAN, JR.  
A Member of the Firm

CERTIFICATION

I certify that the foregoing statements made by me are true.  
I am aware that if any of the foregoing statements made by me are  
wilfully false, I am subject to punishment.

By URBAN LEAGUE OF GREATER NEW BRUNSWICK, et al