

CA - Milltown

8/21/75

Plaintiff's request for Admissions w/ encls

pg. 5

P.i. 3463

1604

CA ~~CV~~ 15 G

RECEIVED

AUG 20 1975

BAUMGART & BEN-ASHER
134 Evergreen Place
East Orange, New Jersey 07018
201-677-1400

MARTIN E. SLOANE
DANIEL A. SEARING
ARTHUR WOLF
National Committee Against
Discrimination in Housing, Inc.
1425 H Street, N.W.
Washington, D.C. 20005
202-783-8150
Attorneys for Plaintiffs

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION: MIDDLESEX COUNTY
DOCKET NO. C - 4122-73

URBAN LEAGUE OF GREATER NEW
BRUNSWICK, et al.

Plaintiffs

vs.

THE MAYOR AND COUNCIL OF THE
BOROUGH OF CARTERET, et al.,

Defendants.

:
:
:
:
:
:
:

Civil Action

REQUEST FOR ADMISSION

TO:

Charles Booream, Esq.
199 North Main Street
Milltown, New Jersey 08850

Plaintiffs hereby make Request for Admissions
pursuant to R. 4:22, et seq:

1. Does defendant admit that the municipal zoning ordinance makes no provision for mobile homes?

YES

2. Does defendant admit that the municipal zoning ordinance permits multi-family dwellings only by special permit?

YES

3. Does defendant admit that the following minimum lot and floor area requirements are imposed on single-family dwellings:

a. R-4 zone -- minimum floor area 1,000 sq. ft.?

YES - with minimum lot area 4000 sq. ft.

b. R-6 zone -- minimum floor area 1,100 sq. ft.?

YES - with minimum lot area 6000 sq. ft.

c. R-8 zone -- minimum floor area 1,200 sq. ft.?

YES - with minimum lot area 8000 sq. ft.

d. R-10 zone -- minimum lot area 10,000 sq. ft.,

minimum floor area 1,300 sq. ft.?

YES

e. R-18 zone -- minimum lot area 18,000 sq. ft.,

minimum floor area 1,300 sq. ft.?

YES

4. Does defendant admit that the municipality has no public housing authority?

YES

5. Does defendant admit that the number of building permits it issued between 1965 and 1973 was as follows:

	<u>1965</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>	<u>1969</u>	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>
Single Family	18	14	70	35	57	35	62	83	33
Multi-family	0	2	0	0	2	5	0	0	0

YES except for 1972- Our records disclose that only 69 single family building permits were issued in 1972.

6. Does defendant admit that its 1970 minority population was one black person, 30 Spanish-speaking, and 10 other minority persons?

NO

103 Spanish speaking	1 black
1 Indian	9 other

7. Does defendant admit that its black population increased from zero to one during the period 1960-1970?

YES

8. Does defendant admit that its population increased from 5,435 to 6,470 from 1960-1970?

YES

9. Does defendant admit that it has land that could be used for residential purposes?

YES - 50 acres scattered throughout the Borough

10. Does defendant admit that there are no peculiar circumstances which require maintenance of the zoning and other land use regulations listed in 1-3 above? If this is denied, list such peculiar circumstances and provide a summary of the facts supporting such circumstances.

NO

Milltown is not a developing community. It has an established character which should be preserved. Milltown is a fully developed community consisting primarily of one-family owner occupied residences, with significant multi family housing spread throughout the community; a compact downtown business section and a comparatively small industrial area basically separated from the residential portions; and zoning regulations consistent with the actual uses in the Borough, with appropriate zones for single-family, multi-family, business and industry. Physically the Borough has a low profile where structures conform to the 35 foot height limitation; and the small amount of vacant land still available for residential use is widely dispersed and thus unsuited for mass housing projects or apartments. Population wise, the community already represents a mix of high, moderate and low income people.

Paul M. Seaward

BAUMGART & BEN-ASHER
134 Evergreen Place
East Orange, New Jersey 07018

MARTIN E. SLOANE
DANIEL A. SEARING
ARTHUR WOLF
National Committee Against
Discrimination in Housing, Inc.
1425 H Street, N.W.
Washington, D.C. 20005
Attorneys for Plaintiffs

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 willfully false, I am subject to punishment.

DATED: August 21, 1975

David B. Crabiel
DAVID B. CRABIEL, MAYOR