

CA - Piscataway

7/30/75

Supplemental interrogatories made
by P's of Trust of Piscataway.

pg 10

CA0018059

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East Orange, New Jersey 07018
201-677-1400

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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,

v.

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

Defendants

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:
:
:
:
:
:

Civil Action

SUPPLEMENTAL INTERROGATORIES

TO: Mr. Roy M. Oake, Esq.
463 So. Washington Avenue
Piscataway, New Jersey 08854

DEMAND is hereby made of the defendant TOWNSHIP OF
PISCATAWAY for Certified Answers to the following supplemental
interrogatories within the time prescribed by the Rules of
this Court.

1. Please list each of the zoning ordinance provisions
and land use practices admitted in the Request for Admissions
answered by you on June 6, 1975, which you contend are
justified by peculiar circumstances.

We rely upon all of the provisions of the Zoning Ordinance taken as a whole.

2. Please state for each such ordinance provision or practice listed in response to Interrogatory #1 above, a summary of the peculiar circumstances, including the facts which support it.

See defendant's answer to question 24(a), plaintiff's demand for admission and defendant's answer to factual contentions of defendant in pretrial memorandum both of which had been furnished to plaintiffs.

3. Please state every other defense that you intend to raise at trial in response to the allegations of the complaint.

At this time we intend to rely upon all the defenses set forth in the Answer and also as set forth in defendant's pretrial memorandum both of which have been furnished to plaintiff.

4. For each such defense listed in response to Interrogatory #3 above, provide a summary of the facts supporting it.

See answer to No. 3.

5. If you plan to rely on any decision or action taken by any government official, agent, representative or employee of the defendant, County of Middlesex, or State of New Jersey regarding the defenses listed above, set forth with particularity:

(a) ^{Unknown as this time.} each and every such official decision or action upon which defendant will rely:

(b) the name and position of each government official, agent, representative or employee

(c) a description of any document or writing supporting such decision or action.

6. Please give the name and address of each expert witness whose testimony will be relied upon in preparation of the defenses listed in Interrogatories 1-3 above.

Suburban Planning Associates
55 Mountain Boulevard
Warren Township
Somerset County, New Jersey 07060
Joseph Carr and its employees

7. Please provide a summary of any written reports prepared for use at trial of any expert upon whose testimony defendant will rely at the time of trial, including a statement of where a copy of such a report can be obtained and its cost.

Defendant will furnish a copy of said report when received pursuant to the Rules of the Court.

8. If no written reports have been received, give the time, date and place of any interviews or oral discussions with experts and set forth a summary of such discussions.

Improper.

9. Please provide the total number of mobile homes in Piscataway that exist as non-conforming uses.

Three, but two have received a variance for temporary use while home is being rebuilt after fire. One has an application either pending or to be filed for temporary use to rebuild after fire.

10. Please describe all litigation filed, pending, adjudicated or otherwise resolved from January 1, 1973 to the present in which one or more of the issues involves all or any part of the municipal zoning ordinance. For each such case, please list the full caption, civil action number, court, date filed, name of plaintiffs' attorney and a summary of result or current status (this case need not be listed).

See annexed list.

BAUMGART & BEN-ASHER
Attorneys for Plaintiff

BY:

David H. Ben-Asher
DAVID H. BEN-ASHER
A member of the Firm

7-30-75

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

M. Roy Oake
M. ROY OAKE, ESQUIRE
Attorney for Defendant, Township
of Piscataway

DATED: November 14, 1975

1973 Court Cases

<u>Date of Summons & Complaint</u>	<u>Title</u>	<u>Disposition</u>
10/25/73	Albert Miller & Gary Miller t/a A & G Miller, Plaintiff, vs. Board of Adjustment of the Twp. of Piscataway and Mayor and Council of the Twp. of Piscataway, a Municipal Corporation of the State of N.J., Superior Court of New Jersey, Chancery Division, Middlesex County.	
(9/4/73)	Gustave Cohen, Plaintiff, vs. Zoning Board of Adjustment of Piscataway Township and Building Inspector Piscataway Township, Defendants, Superior Court of N.J., Law Division, Middlesex County.	
(8/7/73)	James J. Spera & Nellie Spera, his wife, Plaintiffs vs. Zoning Board of the Township of Piscataway, and Stephen Piluso, Zoning Officer, Defendants, Superior Court of New Jersey, Law Division, Middlesex County.	
(7/3/73)	Management Education Associates, Inc., a New Jersey Corporation, vs. Zoning Board of Adjustment of the Township Of Piscataway and Building Inspector of Piscataway Township, defendants, Superior Court of New Jersey, Law Division, Middlesex County	
4/19/73	William H. Gazi et al, vs. Mayor and Council of the Township of Piscataway, Superior Court of New Jersey, Law Division, Middlesex County, Docket No. L-24303-72 PW.	
4/5/73	Loretta Carlucci, Plaintiff vs. Township of Piscataway, Zoning Board of Adjustment and Steven Piluso, Superior Court of New Jersey, Law Division, Middlesex County, Docket No. L-19330-72.	Favor of Township. Appealed A-2599- 73. Judgment affirmed

1974 Court Cases

Date of Summons
& Complaint

Title

Disposition

2/26/74

Harris Structural Steel Co., Inc.
A Corporation of the State of New York
authorized to do business in New
Jersey, vs. Township Council of the
Township of Piscataway, in the County
of Middlesex a Municipal Corporation
of the State of New Jersey, Middlesex
County, Law Division, Docket No.
L-18799-73 P.W.

Complaint withdrawn
7/10/74.

(2/5/74)

Anthony Chabak, Steven Chabak, Edna
Faulstich, Curt Paulstich, Ralph
Forrest, Carole Forrest, Wanda Liska,
Frances Chiarella, Gus Chiarella, Mary
Bogus, Jerome Bogus, Sandra Reithinger,
Gene Reithinger, Madeleine Weller and
Ron Weller, Plaintiffs, vs. Board of
Adjustment of the Township of Piscataway,
Rose Peluso, Anthony L. Ginesi and
Stephen Piluso, Building Inspector of
the Township of Piscataway, Defendants,
Superior Court of New Jersey, Law Division,
Middlesex County.

1975 Court Cases

<u>Date of Summons & Complaint</u>	<u>Title</u>	<u>Disposition</u>
9/22/75	Charles J. Kupper, Jr., Normann C. Wolf, Jr. and Harry S. Allen, t/a KWA Partnership, Plaintiffs, vs. Board of Adjustment, Township of Piscataway, Stephen Pileso, Building Inspector and Zoning Official of the Township of Piscataway, and the Mayor-Council of the Township of Piscataway, a municipal corporation of the State of New Jersey, Defendants, Superior Court of New Jersey, Law Division, Middlesex County, Docket No. L-1308-75 P.W.	
9/16/75	Barood Agency, Inc., a New Jersey Corporation, Plaintiff, vs. Board of Adjustment of the Township of Piscataway, Stephen Piluso, building Inspector and Zoning Officer, and the Township of Piscataway, Defendants, Superior Court of New Jersey, Law Division, Middlesex County, Docket No. L 1656-75 P.W.	
(8/12/75)	Don DiGiandomenico, Plaintiff, vs. Board of Adjustment of the Township of Piscataway and Building Inspector of the Township of Piscataway, Defendants, Superior Court of New Jersey, Law Division, Middlesex County, Docket No. L-42897-74.	
(8/12/75)	Don DiGiandomenico and Global Development Corp., a New Jersey Corporation vs. Board of Adjustment of the Township of Piscataway and Building Inspector of the Township of Piscataway, Superior Court of the State of New Jersey, Law Division, Middlesex County, docket No. L-42793-74.	
(1/7/75)	RCA Global Communications, Inc., a corporation of the State of Delaware, Plaintiff, vs. The Board of Adjustment of the Township of Piscataway, a public body and Stephen Piluso, Building Inspector of the Township Of Piscataway, Defendant, Superior Court of New Jersey, Law Division, Middlesex County, Docket No. L-12034-74 P.W.	Denial of variance was sustained (7/17/75)

Date of Summons
& Complaint

Title

Disposition

3/13/75

Charles H. Garrod, Jr., Plaintiff,
vs. Planning Board of Piscataway
Township, 195 Broadway Corporation,
Mayor and Council of Piscataway Township,
Defendants, Superior Court of New Jersey,
Law Division, Middlesex County,
Docket No. L-22134 P.W.

Dismissed with
prejudice
(10/14/75).

9/26/75

Raymond Shoppe, Plaintiff, vs. Board
of Adjustment the Township of Piscataway,
Building Inspector of the Township of
Piscataway. Superior Court of New Jersey,
Law Division, Middlesex County, Docket
No. L 3937-75.

Pending