

CA - Plainsboro 27-June-75

Interrogatories demanded by  
Plainsboro of the Plaintiff.

pys = 11

CA001835 G

June 27, 1975

Mr. Joseph L. Stonaker  
245 Nassau Street  
Princeton, New Jersey 08540

Re: Urban League of Greater New Brunswick,  
et al. vs. The Mayor and Council of  
the Borough of Carteret et. al.

Dear Mr. Stonaker:

Enclosed please find three copies of  
plaintiffs' answers to Plainsboro'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

Enclosure

JOSEPH L. STONAKER  
245 NASSAU STREET  
PRINCETON, NEW JERSEY 08540

(609) 921-2155  
ATTORNEY FOR Township of Plainsboro

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

URBAN LEAGUE OF GREATER )  
NEW BRUNSWICK, et als., )

Plaintiffs, )

vs. )

THE MAYOR AND COUNCIL OF )  
THE BOROUGH OF CARTERET, et )  
als., )

Defendants. )

Civil Action

INTERROGATORIES

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

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

SIRS: Please Take Notice that the Defendant, Township of Plainsboro,

requires of the Plaintiffs, answers under oath, to the following Interrogatories within the time prescribed by law:

1. State the facts upon which plaintiffs base their allegations that the Township of Plainsboro excludes low and moderate income households, especially those with children, from residing within the Township.

See attached page.

2. State the facts upon which plaintiffs base their allegations that the Township of Plainsboro confines low and moderate income persons, both white and nonwhite, to overcrowded, substandard, and often unsafe, housing within the central city areas.

Plainsboro has not established a housing authority. The regulations in its zoning ordinance noted in #1 above prohibit the construction of low and moderate income housing. This has caused nearly 75% of the 1780 public housing units for families in the county to be concentrated in the cities of Perth Amboy and New Brunswick. In these two cities over 8.5% of the occupied units are overcrowded compared to 5.5% for the defendant municipalities.

3. State the facts upon which plaintiffs base their allegations that the Township of Plainsboro ignores the general welfare of the larger region.

At this time, plaintiffs state the exclusion of low and moderate income housing by the provisions detailed in 1, above shows that regional housing needs have been ignored. Additionally, from 1960 - 1970, the 8 county Northeastern New Jersey Region had a minority population increase of 290,949. During that same period, Plainsboro's minority population declined from 80 to 64.

ANSWER TO INTERROGATORY #1

Plainsboro's municipal zoning ordinance: (1) requires that any house trailer which cannot be immediately removed to another site meet all zoning ordinance requirements for a residential structure; (2) makes no provision for a trailer court or mobile home park or mobile home sites other than as a non-conforming use; (3) limits multifamily dwellings to service residential zones, planned community development zones and planned multiple use development zones; (4) prohibits in service residential zones multifamily or apartment house units of more than two bedrooms and limits two bedroom units to ten percent of the total dwelling units; (5) applies the following regulations in its planned community development zone:

- (a) no multiple dwelling unit shall contain more than two bedrooms
- (b) not more than 25 percent of the total number of multiple dwelling units shall contain two bedrooms
- (c) townhouse units shall not exceed 20 percent of the total of the two bedroom units;
- (d) a golf course, clubhouse and swimming pool must be provided by the owner;

Plainsboro's R-200 zone requires minimum lot areas of 35,250 sq. ft. and minimum lot frontages of 200 ft.

Plainsboro's R-85 zone requires a minimum lot area of 15,000 sq. ft.

Plainsboro's R-85 zone requires a minimum lot area of 15,000 sq. ft.

Plainsboro's cluster residential development ordinance contains the following regulations:

- a. minimum lot areas of 15,000 sq. ft.
- b. average lot areas shall be not less than 25,000 sq. ft.
- c. minimum lot frontages be not less than 100 ft.

Plainsboro's planned multiple use development ordinance contains the following regulations:

- a. the minimum land area required is 500 contiguous acres;
- b. there shall be an average of not more than eight dwelling units per acre of land
- c. not less than one acre of land must be set aside for common open space for every eight dwelling units.

As of February 1975, there were 1,000 vacant acres in the planned community development zone.

Plainsboro has 2,565 vacant acres in the R-200 zone.

As of February 1975, Plainsboro has 1,335 vacant acres zoned for industrial use.

Plainsboro has no public housing authority.

4. State the facts upon which plaintiffs base their allegations that the Township of Plainsboro maintains white isolated elite communities of high-income households.

According to the 1970 census figures, the median income of blacks living in Middlesex County was \$8,993. The median income for Puerto Ricans was \$7,489. This is less than the median of \$10,883 in Plainsboro. By failing to provide low and moderate income housing only those with high incomes can afford to move into Plainsboro. For this reason, minorities who are concentrated in the lower income brackets are denied access to Plainsboro. Plainsboro's decrease in black population during the 1960s illustrates this point.

5. State the facts upon which plaintiffs base their allegations that the Township of Plainsboro imposes an undue burden on nearby communities which have less restrictive zoning and other land use policies and practices.

See interrogatories 1-4 above. Defendants' zoning and other land use policies have restricted low and moderate income housing within its borders, forcing citizens with such incomes to seek housing in less restrictive communities. The attached census figures on population illustrate this.

RACIAL CHARACTERISTICS  
OF  
POPULATION CHANGES IN MIDDLESEX COUNTY  
1960-1970

<u>Total County Population</u>	<u>1960</u>	<u>1970</u>	<u>Net Change 1960-1970</u>	<u>Percentage of County Total</u>
Middlesex County	433,856	583,813	149,957	
New Brunswick and Perth Amboy	78,146	80,683	2,537	1.6
Rest of County	355,710	503,130	147,960	98.6*

MINORITY POPULATION IN COUNTY

Middlesex County	21,829	40,549	18,720	
New Brunswick and Perth Amboy	11,214	21,237	10,023	54.6
Rest of County	10,615	19,312	8,697	46.4

\*Total exceeds 100% due to rounding

SOURCES

U.S. Bureau of the Census, U.S. Census of Population: 1960. General Population Characteristics. PC(1)-32B. New Jersey.

U.S. Bureau of the Census. U.S. Census of Population: 1960 General Social and Economic Characteristics. PC (1)-32C New Jersey.

U.S. Bureau of the Census. U.S. Census of Population: 1970, General Population Characteristics: Final Report. PC (1)-B 32. New Jersey.

U.S. Bureau of the Census. U.S. Census of Population: 1970 General Social and Economic Characteristics Final Report PC (1)-C 32. New Jersey



MINORITY POPULATION - 1970

Municipalities	Negro	Oriental	Spanish	Minority Total
Carteret	764	59	669	1,492
Cranbury	309	9	-	318
Dunellen	13	26	-	39
East Brunswick	191	220	172	583
Edison	1,367	286	494	2,147
Helmetta	-	-	25	25
Highland Park	842	81	15	938
Jamesburg	543	12		555
Madison	390	239	545	1,174
Metuchen	860	74	43	977
Middlesex	233	36	58	327
Milltown	1	10	30	41
Monroe	673	98	83	854
New Brunswick	9,517	576	1,481	11,574
North Brunswick	281	99	46	426
Perth Amboy	2,751	306	6,606	9,663
Piscataway	3,387	351	101	3,839
Plainsboro	64	31	7	102
Sayreville	35	83	141	259
South Amboy	4	22	20	46
South Brunswick	418	107	88	603

-2- MINORITY POPULATION - 1970 (cont.)

Municipalities	Negro	Oriental	Spanish	Minority Total
South Plainfield	732	45	92	869
South River	464	51	20	535
Spotswood	22	14	6	42
Woodbridge	2,206	314	591	3,111
County total	26,067	3,149	11,333	40,549
- New Brunswick & Perth Amboy	12,904	882	8,087	21,873
- 23 defendants	13,163	2,267	3,246	18,676

6. State the facts upon which plaintiffs base their allegations that the Township of Plainsboro deprives middle and upper income white residents of the benefits of racial and economic integration.

See 1, above. At this time, plaintiffs state that such practices create and maintain a "white ghetto", depriving white residents of the social, business and professional contacts that accrue from association with minority group members in a community not artificially imbalanced.

7. State the facts upon which plaintiffs base their allegations that the Township of Plainsboro denies to low and moderate income persons, white and nonwhite, the right to travel.

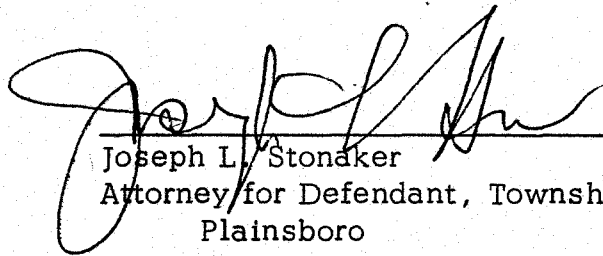
Plaintiffs' legal position on this point will be fully set forth at the proper time. See #1 above. The impact of defendants' exclusionary policies falls most heavily on low and moderate income people and families, especially minorities, imposing a special burden and restraint on their right to migrate to municipalities of their choice, to seek a better life and to find greater employment opportunities. This restraint also operates to confine lower income minority people to the ghettos of the central cities.

8. State the facts upon which plaintiffs base their allegations that the Township of Plainsboro deprives low and moderate income persons both white and nonwhite, of access to employment opportunities in suburban communities.

See answer to #1 above. Also, the Middlesex County Planning Board's adopted Interim Master Plan (September, 1970) states that "most of the present and projected new jobs including most of the new low and moderate income jobs are growing outside the older municipalities" (p. 67). The lack of suitable homes within the means of such workers deprives them of the opportunity to have access to this employment.

9. State the facts upon which plaintiffs base their allegations that the Township of Plainsboro denies its children equal educational opportunities.

Defendants exclusionary zoning and other land use policies operate not only to deny its own children equal educational opportunities found in an integrated setting, but also through confinement of low and moderate income minority families to central city areas which deprives minority children of such opportunities.



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Joseph L. Stonaker  
Attorney for Defendant, Township of  
Plainsboro

Dated: May 14, 1975

#### CERTIFICATION

I hereby certify that the copies of the reports annexed hereto rendered by the proposed expert witnesses are exact copies of the entire report or reports rendered by them; that the existence of other reports of said experts either written or oral, are unknown to me, and if such become later known or available, I shall serve them promptly on the propounding party.

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.

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