

CA - Plainsboro Dec. 24 - ~~1975~~ 75

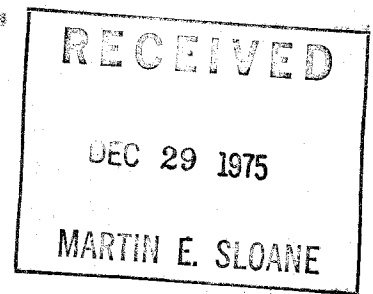
Supplemental Interrogatories demanded
by Plaintiffs of the town of Plainsboro
plus cover letter.

pgs = 7

Yellow p.i. # 923

CA001837G

JOSEPH L. STONAKER
COUNSELLOR AT LAW
245 NASSAU STREET
PRINCETON, NEW JERSEY 08540
TELEPHONE: 921-2155
AREA CODE 609



December 24, 1975

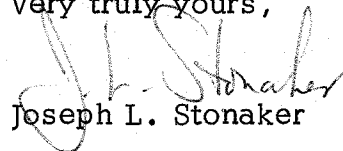
Martin E. Sloane
Daniel A. Searing
Arthur Wolf
National Committee Against Discrimination in Housing, Inc.
1425 H Street, N.W.
Washington, D.C., 20005

RE: Urgan League of Greater New Brunswick, et al. v.
Mayor and Council of Borough of Carteret, et al.

Dear Sirs:

Enclosed please find original and copy of Supplemental Interrogatories answered by Township of Plainsboro with regard to the above matter.

Very truly yours,


Joseph L. Stonaker

JLS:ns
Enclosures

cc: Baumgart & Ben-Asher, Esquires

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RULS-ML-923

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,

v.

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

Defendants

:
:
:
:
:
:
:

Civil Action

SUPPLEMENTAL INTERROGATORIES

TO: Joseph L. Stonaker, Esq.
245 Nassau Street
Princeton, New Jersey 08540

DEMAND is hereby made of the defendant TOWNSHIP OF
PLAINSBORO 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 18, 1975 which you contend are
justified by peculiar circumstances.

The zone plan of Plainsboro Township must be taken in toto since it provides single family detached housing on small, large and clustered lots, it provides for apartments and townhouses together with a balance of commercial, industrial and agricultural land. The zoning ordinance conforms in all respects to a comprehensive plan as mandated by N.J. S.A. 40:55-32.

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.

Plainsboro Township conforms substantially with the Middlesex County master plan alternative.

Plainsboro Township has a considerable amount of prime Class I and Class II farmland and the Blueprint Commission on the Future of Agriculture in New Jersey has recommended that much of this land be preserved as farm land.

The Millstone River has been designated an impacted stream by New Jersey Division of Environmental Control and hence no sewage discharge is permitted in the stream.

Plainsboro Township already provides housing within its borders for low and moderate income families who work in the local industries.

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

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

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) each and every such official decision or action upon which defendant will rely:

1. Blue Print Study Commission
2. No report issued as of this date by Millstone River Sub-Basin Police Advisory Committee
3. Long Range Comprehensive Plan Alternative

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

1. New Jersey Department of Agriculture
2. Millstone River Sub-Basin Policy Advisory Committee
3. Middlesex County Planning Board

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

1. See 5 (a)

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.

1. George S. Veghte, 1320 Hamilton Street, Somerset, New Jersey
2. William Roach , 7 Magda Lane, Somerville, New Jersey
3. Defendant reserves the right to add additional experts once it is ascertained what the contentions of the plaintiff are and has received a list of its experts and has had the opportunity to depose them.
4. Representatives of the New Jersey Attorney General's Office assigned to the Department of Environmental Protection and Water Policy Commission.
5. Directors, Engineers and Supervisors for the Water Policy Commission and the Department of Environmental Protection for the State of New Jersey
6. Records and personnel of the New Jersey Transportation Department.

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.

Not yet determined.

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.

Not yet determined.

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

Unknown as to Piscataway

None as to Plainsboro

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).

- A. 1. William J. McCormack Sand Division, Penn Industries, Inc., v. Mayor and Municipal Council of the Township of Plainsboro, et als., and Robert C. Kane, Jr., et als., Defendants, Intervenors.
2. L-12651-74 P.W.; A-3610-74
3. Superior Court, Appellate Division
4. Appeal filed - July 7, 1975
5. Arthur W. Burgess
6. Prerogative write action appealing denial of a zoning variance; attacking validity of zoning ordinance; and seeking affirmative relief Plaintiff's complaint dismissed - Appeal filed subsequently.

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: Joseph L. Shur
Attorney for
Plainsboro Township

DATED: 12/24/75