

CA - South Amboy 24-Sept-76

Order of dismissal for the claims  
against South Amboy  
- w/ ordinance attached

pgs = 5

CA0019920

**FILED**

SEP 28 9:13

SEP 24 1976

DAVID D. FURMAN, J.S.C.

JOHN J. VAIL, ESQ.  
121 North Broadway  
South Amboy, New Jersey 08879  
201-721-2430

Attorney for Defendant City of South Amboy

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

URBAN LEAGUE OF GREATER NEW  
BRUNSWICK, et al.,

Plaintiffs,

Civil Action

vs.

ORDER OF DISMISSAL

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

Defendants.

The court having entered an order for judgment on July 9, 1976, and said judgment providing that certain individual municipalities shall submit separate orders of dismissal upon enactment of a zoning ordinance eliminating certain alleged prima facie exclusionary provisions of their respective zoning ordinances, and the attorney for the defendant City of South Amboy having presented proof to the court and to the attorneys for the plaintiffs that the City of South Amboy has amended its zoning

ordinance to delete the aforesaid provisions in accordance with  
the aforesaid judgment, it is on this *24* day of *September*  
1976;

ORDERED that all claims against the defendant City of  
South Amboy, based on the complaint and pre-trial order in the  
above captioned matter, be and are hereby dismissed.

*David D. Furman, J.S.C.*

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DAVID D. FURMAN, J.S.C.

ORDINANCE NO. 982

AN ORDINANCE TO AMEND ORDINANCE NO. 20, BEING KNOWN AND DESIGNATED AS "THE CITY OF SOUTH AMBOY ZONING ORDINANCE OF 1968"

BE IT ORDAINED by the Governing Body of the City of South Amboy that Ordinance No. 20, being the City of South Amboy Zoning Ordinance of 1968, is amended as follows:

Page 4, Section 14, Garden Apartments, the following language in the first paragraph is hereby deleted, "not exceeding two stories in height exclusive of the basement."

Page 4, Section 14, fifth paragraph, add the following after the words play areas: "including open areas totalling 10% of the site being developed will be provided, including suitable playgrounds for children residing therein, along with".

Page 4, Section 14, sixth paragraph, delete 12; insert 16.

Page 4, Section 14, seventh paragraph, delete entire paragraph.

Page 18, Article V, Special Exceptions, delete words "Special Exceptions" in heading and in first paragraph.

Page 19, Article V, second paragraph under Article V, delete "Board of Adjustment" where shown and insert "Planning Board."

Page 19, Article V, third paragraph under Article V, delete "Board of Adjustment," insert "Planning Board," delete all references to special use permits.

Page 19, paragraph numbered 1, entitled Garden Apartments, sub-paragraph a, delete "Board of Adjustment," insert "Planning Board." Sub-paragraph b, delete present language in its entirety. Insert the following: "Each garden apartment development shall provide minimum front, side, and rear yards of 25 feet. The maximum number of dwelling units per gross acre

shall not exceed 16, and the minimum floor area per dwelling unit in a three or four bedroom apartment shall be in accordance with the standards of the New Jersey Housing Finance Agency, as amended and supplemented, which standards are adopted by reference."

Page 20, sub-paragraph d, delete the following language: "not exceeding two stories in height exclusive of the basement."

Page 21, first unnumbered paragraph on page, delete 12, insert 16. Second unnumbered paragraph is deleted.

Page 21, sub-paragraph e, deleted.

Section 2, Multi-Family Dwelling, page 22, sub-paragraph a, delete "Board of Adjustment," insert "Planning Board."

Page 22, sub-paragraph b, delete the following language: "there shall be a minimum of 1,000 square feet of gross habitable floor area for each dwelling unit and". Add the following language: "The minimum floor area of a three or four bedroom multi-family unit will be in accordance with the standards of the New Jersey Housing Finance Agency, as amended and supplemented."

Page 22, sub-paragraph d, deleted. Insert "Open space requirements will be the same as provided for in the amendments covering garden apartments."

Page 33, Amendments to Zoning Ordinance, paragraph 7 is deleted in its entirety. Add the following language: "Beginning at a point in the easterly line of Stevens Avenue distant 200 feet northwesterly from the intersection of Pupek Road, and from said beginning point running thence (1) Northwesterly and along the easterly line of Stevens Avenue 440 feet more or less to a point in the northerly right-of-way line of the UNJRR & C Co.; thence (2) Northwesterly along said northerly right-of-way line 1,100 feet to a point, said point being the prolongation of the dividing line between Lots 2 and 4 in Block 152 as shown on the Assessment Map of the City of South Amboy; thence (3) Northwesterly and perpendicular to the easterly line of Raritan Street

100 feet to a point; thence (4) Northeasterly, parallel to and distant 400 feet from the easterly line of Raritan Street, 1,220 feet, more or less, to a point in the southerly line of Main Street; thence (5) Along the southerly line of Main Street southeasterly 2,520 feet, more or less, to a point; thence (6) In a general westerly direction and along the rear of lots fronting on Pupek Road, the various courses thereof 2,904.96 feet to the point and place of beginning. Containing 62.3 acres, more or less, all to be zoned multi-family dwelling from its previous industrial designation.

This ordinance shall take effect immediately after passage upon final reading and publication as provided by law.

*Thomas A. O'Brien*

THOMAS A. O'BRIEN  
Council President and  
Acting Mayor.

THEODORE J. LEWANDOSKI, Mayor

Approved as to Form: JOHN J. VAIL, Law Director

Date Introduced on First Reading: *July 20, 1976*

Date First Published: *July 22, 1976*

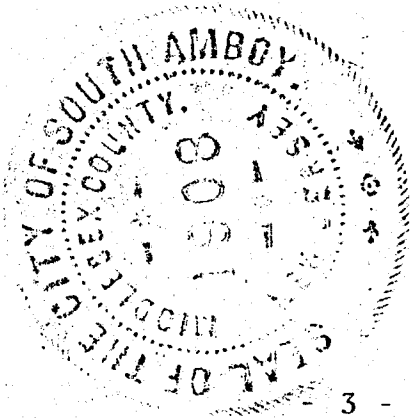
Date Approved on Final Reading: *August 3, 1976*

Date of Final Publication: *August 5, 1976*

Certification:

I, Natalie Brennan, Clerk of the City of South Amboy, do hereby certify that the foregoing is a true copy of the Ordinance adopted by the Governing Body on August 3, 1976.

*Natalie Brennan*  
Natalie Brennan,  
City Clerk.



Ordinance No. 952

AN ORDINANCE TO AMEND  
ORDINANCE NO. 20, BEING  
KNOWN AND DESIGNATED AS  
"THE CITY OF SOUTH AMBOY  
ZONING ORDINANCE OF 1968."

NOTICE

Public Notice is hereby given that at a regular meeting of the City Council of the City of South Amboy, County of Middlesex, New Jersey, held on the 3rd of August, 1976, the above ordinance was adopted on second and final reading.

Natalie Brennan  
City Clerk

Introduced on First Reading  
July 20, 1976  
Advertised in Citizen  
July 22, 1976  
Approved Aug. 3, 1976  
Issue of Citizen  
Aug. 5, 1976