

UL v. Carteret (S. Plainfield)

12/30/75

Request for admission ~~(S. Plainfield)~~  
+ cover letter

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CA002135G

SANFORD E. CHERNIN

*Counsellor at Law*

HOWARD FREEMAN

FRANKLIN STATE BANK BUILDING  
FRANKLIN MALL OFFICE  
1848 EASTON AVENUE  
SOMERSET, NEW JERSEY 08873

(201) 469-5576

DECEMBER 30, 1975

NATIONAL COMMITTEE AGAINST  
DISCRIMINATION IN HOUSING, INC.  
1425 H STREET, N.W.  
WASHINGTON, D.C. 20005

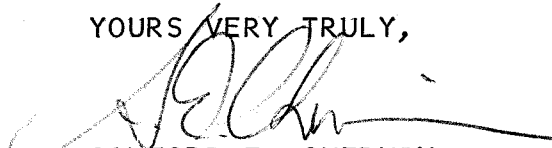
ATTENTION: DANIEL A. SEARING, ESQ.

RE: URBAN LEAGUE OF GREATER NEW  
BRUNSWICK, ET AL V. MAYOR AND  
COUNCIL OF THE BOROUGH OF  
CARTERET, ET AL

DEAR MR. SEARING:

ENCLOSED HEREWITH PLEASE FIND ORIGINAL  
ANSWERS TO REQUESTS FOR ADMISSIONS WHICH HAVE BEEN  
EXECUTED WITH REFERENCE TO THE ABOVE MATTER.

YOURS VERY TRULY,



SANFORD E. CHERNIN

SEC:WMK  
ENCLS.

CA002135G

SANFORD E. CHERNIN  
RECEIVED

100 - 9 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.

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:

Civil Action

REQUEST FOR ADMISSION

TO:

Sanford E. Chernin, Esq.  
1848 Easton Avenue  
Somerset, New Jersey 08873

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

1. Does defendant South Plainfield admit that its municipal zoning ordinance does not provide for mobile homes as conforming uses?

ADMITTED

2. Does defendant admit that its municipal zoning ordinance does not provide for multi-family dwellings?

ADMITTED

3. Does defendant admit that its municipal zoning ordinance prohibits the erection or construction in any residence district of a building or structure which shall have the same appearance or substantially similar appearance as that of any neighboring building or structure?

DENIED

4. Does defendant admit that its municipal zoning ordinance provides the following restrictions:

- a. in the R-40 zone, minimum lot areas of 40,000 sq. ft.; minimum lot widths of 150 ft.; and minimum floor areas of 1,500 sq. ft.?

ADMITTED

b. in the R-20 zone, minimum lot areas of 20,000 sq. ft.; minimum lot widths of 120 ft.; and minimum floor areas of 1,500 sq. ft.?

ADMITTED

c. in the R-15 zone, minimum lot areas of 15,000 sq. ft.; minimum lot widths of 100 ft.; and minimum floor areas of 1,250 sq. ft.?

ADMITTED

d. in its R-10 zone, minimum lot widths of 100 ft. and minimum floor areas of 1,250 sq. ft.?

ADMITTED

e. in the R-7.5 zone, minimum floor areas of 1,250 sq. ft.?

ADMITTED

5. Does defendant admit that as of 1970, of 1,542 acres of zoned, developable land, 333 acres, or 21.6 percent, was zoned for residential use?

DENIED

6. Does defendant admit that as of 1970, almost all of the 333 acres referred to in 5 above were subject to minimum lot sizes of 15,000 to 40,000 sq. ft.?

DENIED

7. Does defendant admit that as of 1970, of 1,542 acres of zoned developable land, 1,133 acres or 73.5 percent was zoned for industry?

DENIED

8. Does defendant admit that the Middlesex County Master Plan projects that total acreage needed by South Plainfield to accommodate existing and projected industrial uses by the year 2000 is 412?

IMPROPER AND IRRELEVANT

9. Does the defendant admit that the number of residential 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	122	70	151	65	131	62	77	87	49
Multi-Family	0	4	14	2	2	0	2	6	0

DENIED

10. Does defendant admit that it has no public housing authority?

ADMITTED

11. Does defendant admit that its black population increased from 395 to 732 during 1960-1970?

ADMITTED TO THE EXTENT OF PLATE #7 OF MASTER PLAN OF DECEMBER 27, 1973.

12. Does defendant admit that there is a concentration of black population in census blocks 501-509 of census tract 9.02?

ADMITTED TO THE EXTENT OF PLATE #7 OF MASTER PLAN OF DECEMBER 27, 1973.

13. Does defendant admit that there is a second concentration of black population of census blocks 503-507 of census tract 10.02?

DENIED AS IMPROPER AND IRRELEVANT.

14. Does defendant admit that 15.9 percent of the units in the blocks 503-507 of census tract 10.02 are overcrowded as compared to 6.6 percent for the entire municipality?

DENIED AS IMPROPER AND IRRELEVANT.

15. Does defendant admit that its population increased from 17,879 to 21,142 during 1960-1970?

DENIED AS IMPROPER AND IRRELEVANT.

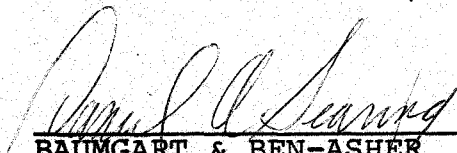
16. Does defendant admit that a substantial portion of its developable land is readily amendable to sewer and water utility installation?

DENIED

17. Does defendant admit that there are no peculiar circumstances which require maintenance of the provisions of the zoning ordinance and other land use practices listed in one through seven above? If this is denied, list such peculiar circumstances and provide a summary of the facts supporting such circumstances.

DENIED. BALANCE OF REQUEST IS NOT PROPER IN DEMANDS FOR ADMISSIONS.





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

MARTIN E. SLOANE  
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National Committee Against  
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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: DECEMBER 31, 1975

BOROUGH OF SOUTH PLAINFIELD



WILLIAM T. DE SABATO  
CLERK