

CA - Spotswood

9/2/75

Plaintiff's request for admission for Pearl Anboj.

pg. 6

CA002185G

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SEP-2 1975

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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:

Guido Brigiani, Esq.
175 Smith Street
Perth Amboy, New Jersey 08862

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

CA002185G

1. Does defendant admit that its mobile home ordinance limits licenses for mobile home parks to one for each 10,000 population?

Yes.

2. Does defendant admit that its mobile home ordinance limits the occupation of such mobile homes to people over age 52 without children?

No; see Section 2.7 of Ordinance #331 (Mobile Home Parks).

3. Does defendant admit that its zoning ordinance requires minimum lot widths in its R-1 zone of 100 ft.?

Yes.

4. Does defendant admit that its zoning ordinance requires in its R-1 zone minimum building areas of 1,300 sq. ft.?

Yes.

5. Does defendant admit that its zoning ordinance requires in R-1 zone minimum lot size of 20,000 sq. ft. where either public water supply or sanitary sewerage is unavailable?

Yes.

6. Does defendant admit that its municipal zoning ordinance requires in its R-1 zone minimum lot size of 40,000 sq. ft. where neither public water supply nor sanitary sewerage is available?

Yes.

7. Does defendant admit that, in permitting multiple-family residences of two bedrooms or less in its R-2 zone, it has excluded multi-family dwellings of more than two bedrooms?

No. Multi-family dwellings of more than two bedrooms are not prohibited.

8. Does defendant admit that its municipal zoning ordinance in its R-2 zone limits two bedroom units to no more than 10 percent of the gross number of apartments?

Yes.

9. Does defendant admit that less than 5 percent of its land is used for multi-family dwellings?

Yes.

10. Does defendant admit that as of 1970 all land zoned for multi-family dwellings was developed?

No. Crescent Avenue area is in a flood zone. Building permits presently being held up and entire area is now the subject of a suit involving various developers, the County of Middlesex, East Brunswick Township and the Borough of Spotswood.

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

Yes.

12. Does defendant admit that its minority population in 1970 was 22 blacks, 6 Spanish-speaking, and 14 other minority?

Do not know. If figures are taken from 1970 census, there is a serious question as to their accuracy.

13. Does defendant admit that its black population increased from 2 to 22 during 1960-1970?

See answer to Question #12.

14. Does defendant admit that its population increased from 6,567 to 8,846 during 1960-1970?

See answer to Question #12.

15. Does defendant admit that the number of 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	156	44	37	20	30	6	8	121	16
Multi-family	138	0	0	0	0	0	0	113	0

Yes; if figures are taken from the records of the Building Inspector of the Borough of Spotswood.

286.40

16. Does defendant admit that as of 1970 it had ~~202~~ acres of vacant developable land?

No; there were 286.40 acres of vacant land as of January, 1975, which includes a combination of all zones and much of which are either swampy or in a flood area.

17. Does defendant admit that a substantial portion of its developable land is readily amenable to sewer and water utility installations?

Yes.

18. Does defendant admit that there are no peculiar circumstances which require maintenance of the zoning and other land use regulations listed in 1 through 9 above? If this is denied, list such peculiar circumstances and provide a summary of the facts supporting such circumstances.

No; the Borough of Spotswood is 1481 acres in size, most of which have been developed. Spotswood is not a developing community.



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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: August 28, 1975

GUIDO J. BRIGIANI
Attorney for Defendant,
Borough of Spotswood