

CA - Woodbridge

3/3/76

Transcript of
A Settlement Agreement

pgs. 5

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URBAN LEAGUE OF GREATER NEW :
BRUNSWICK, et als :
76 MAR 10 :
vs. :
TOWNSHIP COMMITTEE OF THE :
TOWNSHIP OF WOODBRIDGE. :

SETTLEMENT AGREEMENT

New Brunswick, New Jersey
March 3, 1976.

B E F O R E :

THE HONORABLE DAVID D. FURMAN, JSC.

FILED

MAR 16 1976

DAVID D. FURMAN, J.S.C.

PAUL E. TURI, CSR
OFFICIAL COURT REPORTER

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MR. BURGESS: If your Honor please, at the conclusion of our cross-examination of Mr. Mallach yesterday and after discussions with your Honor at sidebar, plaintiffs and the Township of Woodbridge have entered into a proposal with regard to certain amendments to the existing Zoning Ordinance. Mr. Searing can correct me if I'm wrong. The proposal is as follows: That in the R-6a zone garden apartments be permitted as opposed to allowing them as they are now as a special exception use; that garden apartments also be permitted in the B-1, B-2 and B-3 business zone. They are presently permitted in those zones by special exception use. That in addition to the foregoing, a garden apartment restriction with regard to bedroom mix of eighty per cent one bedroom and twenty per cent two bedroom be removed from the provisions of the Zoning Ordinance. As I indicated to the Court yesterday, I had the opportunity last evening to consult informally with council on these proposed changes and I have been informally advised by the majority of the members present that this proposal was acceptable and I am prepared to submit, in fact, at this evening's meeting of the Planning Board an outline of this proposal and secure their recommendation to the

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municipal council. I strongly feel that the proposal will ultimately be approved by this council. We can submit the amended ordinance to the Court during these proceedings or at least close to their conclusion. I am, therefore, asking your Honor to grant a dismissal of this suit against the Township of Woodbridge subject to our complying with the proposed settlement and amendment as I have outlined.

MR. SEARING: Your Honor, for the plaintiff the agreement is substantially as stated. We had requested an examination of the land contained in the R-6 zone and counsel has represented that no substantial acreage is available for multi-family development in that zone. We reserve as we have with other municipalities with which this agreement has been reached the right to have them included in any affirmative relief which may be ordered by your Honor.

THE COURT: All right, subject to the Zoning Ordinance revision as outlined by Mr. Burgess, dismissal will be granted in favor of the Township of Woodbridge subject to possible further remedy as stated by Mr. Searing.

MR. BURGESS: If your Honor pleases, just for clarification purposes with regard to the open

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issue, am I to understand that the remaining issue
against the Township of Woolbridge is confined to
the same matter you indicated with regard to I guess
it's the Borough of Jamesburg and that is municipal
action to secure Section 8 rehabilitation funds and
the like?

you
THE COURT: I want to understand it to be
limited to as of now. I think that the plaintiffs
through Mr. Searing and Mr. Sloane are suggesting
that they want to keep open the possibility of
judgments ordering municipalities to comply with any
program, any available program dealing with present
substandard housing. I don't know that they're
limiting themselves to Section 8 as of now, but it
would, of course, have to be some Federal or state
or combined program.

MR. BURGESS: And that is limited to
substandard housing?

THE COURT: Existing substandard housing,
yes.

MR. BURGESS: Thank you very much, your
Honor. May I be excused, your Honor?

THE COURT: Yes, you may. Thank you.

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SETTLEMENT AGREEMENT

I, PAUL E. TURI, a Certified Shorthand
Reporter of the State of New Jersey, do hereby
certify the foregoing to be true and accurate
to the best of my knowledge and ability.


