

UL v. Carver, Piscataway  
(Mr 2)

14 - feb - 86

Donato letter to Clarkin re list of sites subject  
to Mt. Laurel injunction and Lackland Brothers  
application

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February 14, 1986

James F. Clarkin, Esq.  
850 U.S. Highway 1  
P.O. Box 1963  
North Brunswick, NJ 08902

RE: Urban League v.  
Carteret and Piscataway

Dear Mr. Clarkin:

I have spoken with Edward Szesko regarding the February 3, 1986 letter, which I have received from the Attorneys for the Urban League. Mr. Szesko has requested that I give you some information as to the history of this matter.

In 1984 and 1985, Lackland Brothers processed an application before the Zoning Board requesting a use variance with a Mount Laurel setback for low and moderate income housing. The special reasons asserted at that time were that the approval would help to meet the Township's need as established in the Mount Laurel litigation. At that time, it was reported to the Board by the Administration that the property was not on any of the lists which were subject to the injunction against development approval. Apparently the property had not been included since, at the time the list was prepared, an approved 29 lot subdivision for single-family homes was in existence. However, the applicant's Attorneys sought to have the property included on the list. There was, to the best of my recollection, no disposition on this request.

Thereafter, the applicant reapplied to the Zoning Board for a variance permitting townhouses with no Mount Laurel setback. Again, the Administration advised the Board that the property was not on the Mount Laurel list, although this question was discussed at some length. Of course, these matters relate only to the Mountain Avenue property and not to the Canterbury project.

The file which I have on the Mount Laurel project is voluminous and the vast majority of the correspondence and pleadings which I have received are not applicable to the Zoning Board, which is not a party to the case. Unfortunately, I do not have a copy of the list which is operative for purposes of the injunction. Customarily, the

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staff has reviewed the list to determine whether a particular site has been included. I believe the problem in this case is the fact that the applicant previously requested that they be included as Mount Laurel housing. If you have any questions or problems in regard to this, please feel free to contact me.

Very truly yours,



Michele R. Donato

MRD:smd

cc: Edward Szesko  
Philip L. Paley, Esq.  
Howard Gran, Esq.  
Barbara Stark ✓