

Mt. Laurel - CL v. Edison c/s 1988

- - Proposed Consent Order transferring action to the Council on Affordable Housing

Pgs. 5

P.i. 5168

- ML000470

JOHN M. PAYNE, ESQUIRE  
 Rutgers Law School  
 15 Washington Street  
 Newark, New Jersey 07102  
 (201) 648-5378  
 Attorney for Plaintiff, on behalf of the  
 American Civil Liberties Union of New Jersey

SUPERIOR COURT OF NEW JERSEY  
 LAW DIVISION  
 MIDDLESEX COUNTY/OCEAN COUNTY  
 DOCKET NO. L-6837688

CIVIC LEAGUE OF GREATER NEW BRUNSWICK	:	
	:	CIVIL ACTION
Plaintiff	:	
	:	(MOUNT LAUREL)
-vs-	:	
	:	
EDISON TOWNSHIP, a municipal	:	
corporation of the State of New	:	
Jersey, located in Middlesex	:	
County, New Jersey,	:	<u>CONSENT ORDER</u>
	:	
and	:	
	:	
THE PLANNING BOARD OF	:	
EDISON TOWNSHIP,	:	
	:	
Defendants	:	
	:	

This matter having been opened to the Court by the American Civil Liberties Union of New Jersey (John M. Payne, Esq., appearing), attorney for plaintiffs, by way of an application for an Order to Show Cause with Temporary Restraints;

and notice of the application having been given to: Peter DeSarno, Esq., attorney for defendant Township of Edison; Sheldon Schiffman, Esq., attorney for defendant Planning Board of Edison; and Steven Barcan, Esq. (Wilentz, Goldman & Spitzer, Attorneys), attorney for Garden State Buildings, L.P.; and the parties having conferred in an attempt to resolve the matters raised by the Order to Show Cause; and it having been represented to the Court by counsel for the Edison Planning Board that no residential development applications larger than five acres are on the Planning Board agenda for June 15, 1988; and it having been further represented that the Planning Board would not meet again in regular or special session for the consideration of new applications until July 20, 1988; and it having been further represented by counsel for the Civic League that an immediate application would be made to the Council on Affordable Housing for such restraints as COAH determines to be proper; and all parties having agreed orally in the presence of the Court to the terms of this Order on June 15, 1988, prior to the time of the Planning Board meeting;

IT IS ON THIS 15th DAY OF JUNE, 1988, ORDERED AS FOLLOWS:

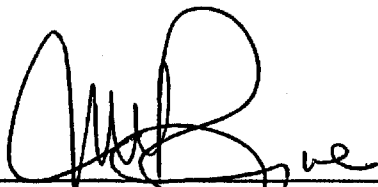
1. This action is hereby transferred to the Council on Affordable Housing.

2. Any development approval granted to the residential portion of the Rivertown development shall require a 10% set aside <sup>or a contribution - then there's</sup> for low and moderate income households, as presently embodied in §86-6(Q) of the Zoning Code of Edison. This requirement shall be a part of any approval granted to the Rivertown development by the Planning Board on June 15, 1988 and shall apply to all residential segments of the Rivertown development, whether given final approval before or after 1993. If COAH subsequently determines that some or all of the low and moderate income units must be made available without age restrictions, the Rivertown applicant shall abide by this requirement.

---

EUGENE D. SERPENTELLI, A.J.S.C.

We consent to entry of the above Consent Order:



---

John M. Payne, Esq.  
Attorney for Civic League of  
Greater New Brunswick

---

Peter A. DeSarno, Esq.  
Attorney for Township  
of Edison

---

Steven Barcan, Esq.  
Attorney for Garden State  
Buildings, L.P.,

---

Sheldon Schiffman, Esq.  
Attorney for Edison  
Planning Board

SERVICE LIST

Peter A. DeSarno, Esq.  
Villager Building  
11 Route 27  
Edison, New Jersey 08820

Sheldon Schiffman, Esq.  
636 Morris Turnpike  
Short Hills, New Jersey 07078

Steven E. Barcan, Esq.  
Wilentz, Goldman & Spitzer  
900 Route 9  
Box 10  
Woodbridge, New Jersey 07095