

ML Cranbury 21-March-84

BFI, et. al. v. Tap of Cranbury

Letter - re: review of proposed
settlement and contests the
potential for "lot A" to be developed.

pgs = 2

MLCC0452L

ANCDH

National Committee Against Discrimination

111 HQUSing 1425 H Street, N.W., Washington, DC. 20005 • (202) 783-8150

March 21, 1984

PRESIDENT

Robert C. Weaver

CHAIRMAN

Harold C. Fleming

VICE PRESIDENTS

Sol Rabkin

Ruth Robbins

Kale A. Williams

SECRETARY

Madison S. Jones

TREASURER

Samuel J. Simmons

ASSISTANT-TREASURER

Martin E. Sloane

DIRECTORS

Betty Adams

Arnold Aronson

Ben Barkin

Joseph Battle

Dale F. Bertsch

Philip Brownstein

Herrington Bryce

Yvonne Braithwaite Burke

Adrian De Wind, Esq.

Charles T. Duncan

Christopher E. Edley

Robert Raymond Elliott

Dwight M. Ellis

Margaret Fisher

Herbert Franklin

Fred Freiberg

Jose Garza

Marlin S. Gilman

Donald Harris

LaDonna Harris

James Harvey

Dorothy I. Height

Antonia Hernandez

Norman Hill

Edward Holmgren

Karla Irvine

Jay Janis

Kenneth C. Kelly

J. Bruce Llewellyn

Leon Lynch

Myrna Loy

Cyril Magnin

Melvin Mister

William O. Oliver

Lee Porter

William F. Rafsky

Marvin Rich

James S. Robinson

Patricia Rouse

Dr. Juliet Saltman

Henry Schechter

Althea Simmons

Glegg Watson

Barbara Wurtzel

EXECUTIVE DIRECTOR

Martin E. Sloane

GENERAL COUNSEL

Bruce S. Gelber

DIRECTOR PROGRAM SERVICES

Maurice Barboza

DIRECTOR, PUBLIC INFORMATION

Marlene L. Johnson

Honorable Eugene Serpentelli
Ocean County Courthouse
Toms River, N.J.

Re: BFI, et al. v. The
Township of Cranbury
Docket No. L-058046-3
P.W.

~~Dear Judge Serpontellii~~

The plaintiffs have reviewed the proposed settlement in the above captioned case and find it acceptable. We have determined that the land south of Brick Yard Road, identified in red on Exhibit A, is not suitable for residential development. The area north of Brick Yard Road, identified in blue on Exhibit A, although suitable for residential development, is not as desirable for that use as numerous other tracts in the Township.

We are concerned, however, that the rezoning from residential to industrial use north of Brick Yard Road not become a prelude to further industrial encroachment on residential use. A 200 foot buffer along the northern boundary, Indian Run, will satisfy this concern. In addition, a lower income housing development, St. James Village, is now under construction in East Windsor Township, south of the Millstone River, the southern boundary of the affected area. We are somewhat concerned that industrial uses might adversely affect that housing development, but believe that a 200 foot buffer along the boundary will satisfy that concern as well.

Article XVI, Section 150-58B(2) appears to meet these two concerns. It provides:

No building or parking area shall be located within two hundred (200) feet of the center line of any stream, or within

Hon. Eugene Serpentelli

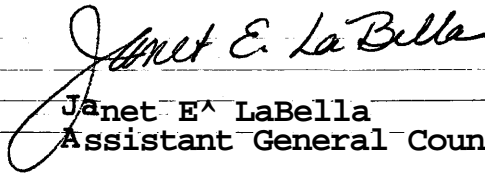
March 21, 1984

Page 2

a floodway^ ^Qch areas may be deeraedrto~
be part of any required landscaped or
buffer area.

Accordingly, we have no bjection to approval of the
proposed settlement.

Respectfully,


Janet E^ LaBella
Assistant General Counsel

cc: All-counsel