

RULS-AD-1977-30

1/21/1977

- COURT OPINION - ALLAN-DEANE & CIESWICK V. TOWNSHIP OF BEDMINSTER

PGS-2

NOT FOR PUBLICATION WITHOUT THE  
APPROVAL OF THE COMMITTEE ON OPINIONS

SUPERIOR COURT OF NEW JERSEY  
APPELLATE DIVISION  
A-1012-75

THE ALLAN-DEANE CORPORATION,

Plaintiff-Respondent,

and

LYNN CIESWICK, et al.,

Plaintiffs-Respondents,

vs.

THE TOWNSHIP OF BEDMINSTER,  
et al.,

Defendants-Appellants.

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Argued December 13, 1976 -- Decided JAN 21 1977,

Before Judges Carton, Kole and Larner.

On appeal from Superior Court, Law Division, Somerset County.

Mr. Nicholas Conover English argued the cause for appellants  
(Edward D. Bowlby and McCarter & English, attorneys;  
Mr. Edward D. Bowlby, of counsel).

Ms. Lois D. Thompson, of the New York Bar, admitted pro hac vice,  
argued the cause for respondents Lynn Cieswick, et al. (Ms. Marilyn  
Morheuser, attorney).

Mr. William W. Lanigan argued the cause for respondent The Allan-  
Deane Corporation (Messrs. Lanigan and O'Connell, attorneys).

Mr. John F. Richardson filed brief, amicus curiae, on behalf of  
Somerset County Planning Board.

PER CURIAM

The judgment invalidating the zoning ordinance of the Township of Bedminster in its entirety and directing revision thereof within three and one-half months after the date of the judgment is affirmed essentially for the reasons expressed in Judge Leahy's comprehensive opinion of October 17, 1975.

We have considered the suggestion advanced at the oral argument by counsel for the Township and plaintiffs Cieswick et al. that this court set forth some guidelines for the assistance of the Township officials in adopting a revised ordinance comporting with the principles enunciated in So. Burl. Ctv. N.A.A.C.P. v. Tp. of Mt. Laurel, 67 N.J. 151 (1975). We deem the present record an inappropriate one for us to attempt to do so.

We are informed that our Supreme Court presently has under consideration a case or cases which may soon result in the promulgation of additional guidelines in cases of this kind involving the application of the Mt. Laurel doctrine. Should such a decision be handed down before the municipality adopts a revised ordinance, its pronouncements should, of course, be applied in the revision of the zoning ordinance.

A TRUE COPY

*Elizabeth W. Daughlin*

Clerk