

RULS-AD-310

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- Ltr. from Andrew Paszkowski, President of ADA, NJ  
to Ms. Jo Loncosky.

Pgs: 2.

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Committee On Opinions  
Administrative Office of the Courts  
State House Annex  
P.O. Box CNO37  
Trenton, N.J. 08625

Attention: Ms. Jo Loncosky

Dear Sirs:


It has recently been brought to the attention of the Executive Committee of the New Jersey Chapter American Planning Association, that the Committee On Opinions has declined to publish the Court's opinion in Allen-Deane Corporation vs The Township of Bedminster (Superior Court of New Jersey, Law Division, Somerset County, decided December 13, 1979). The N.J. Chapter APA sees this as a regrettable action, and we would hereby urge that the Committee reconsider its decision.

Although New Jersey has witnessed an abundance of litigation dealing with the question of exclusionary zoning in recent years, there does not appear to be a better decision with respect to the appropriateness of the public planning hierarchy. Allen-Deane Corp. vs. the Township of Bedminster clearly recognizes the interrelationship of municipal, County, Regional and State planning programs and we think this structuring of the various levels of land use planning is worthy of public recognition.

Over the years, the Courts have directly confronted the question of exclusionary zoning in and of itself. Few decisions however, have attempted to determine what role a municipality should assume with respect to its relationship to the broader scale planning of the County, Regional planning if it exists, and the State. The Allen-Deane ruling examined these interrelationships and, in fact, made them an integral facet of the decision. The Executive Committee of New Jersey APA applauds the Court's appreciation of such issues and because the decision addresses the existence of a planning hierarchy, urges the Committee to give it the attention it deserves by authorizing its publication.

The time and attention of the Committee is greatly appreciated.

Very truly yours,

  
Andrew C. Paszkowski, P.P.  
AICP  
President  
New Jersey Chapter APA

ACP/mg

cc: Honorable Judge B. Thomas Leahy  
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