

RULS - AD - 1984 - 450

10/24/84

- Notice of Proposed Settlement

o Cover letter to Judge S.

Pgs. 3



State of New Jersey
DEPARTMENT OF THE PUBLIC ADVOCATE
DIVISION OF PUBLIC INTEREST ADVOCACY

CN 850

TRENTON, NEW JERSEY 08625

JOSEPH H. RODRIGUEZ
PUBLIC ADVOCATE

RICHARD E. SHAPIRO
DIRECTOR
TEL: 609-292-1693

October 24, 1984

Honorable Eugene Serpentelli
Ocean County Court House, CN-2191
Toms River, New Jersey 08754

Re: Bedminster

Dear Judge Serpentelli:

Pursuant to your instructions, enclosed please find a notice of the settlement agreement which will be published in the Courier News. Proof of publication will be submitted as soon as it is received from the Courier News.

Sincerely,

KENNETH E. MEISER
Deputy Director

KEM:id
Enclosure
cc: All Counsel

RECEIVED

OCT 29 1984

JUDGE SERPENTELLI'S CHAMBERS

RULS - AD - 1984 - 450

ALLAN-DEANE CORP., et al., and :
LYNN CEISWICK, et al., :

Plaintiffs, :

vs. : NOTICE OF PROPOSED

TOWNSHIP OF BEDMINSTER, et al., :

Defendants. :

SETTLEMENT

TO: All Interested Persons:

A hearing is scheduled for November 12, 1984, before the Honorable Eugene Serpentelli, Superior Court of New Jersey, at 9:00 a.m. in the Ocean County Court House, Toms River, New Jersey to consider entry of a final judgment of compliance in favor of Bedminster Township, based upon a proposed settlement agreement which has been submitted to the Court. Entry of a final judgment of compliance would declare Bedminster Township in compliance with its obligation to provide realistic opportunity for housing affordable to low and moderate income households, and may bar for six years any claim that Bedminster is failing to provide sufficient housing opportunities for low and moderate income households.

The parties have agreed to settle the case upon the following terms:

1. Bedminster Township has an obligation between now and 1990 to create realistic opportunities for 656 units of housing affordable to low and moderate income households, including the 168 units now under construction at The Hills.
2. The Township has agreed to rezone certain lands for higher density residential use with a requirement of at least 20% low and moderate income housing. The Township has agreed to modify its zoning standards and fee structure to facilitate construction of these units.

One developer has indicated that he will oppose the settlement on grounds that the fair share, the rezoned sites and the zoning amendments are inadequate to satisfy Bedminster's obligation. The developer will also seek a developer's remedy.

The full text of the proposed agreement may be examined and copied during regular business hours at the Bedminster Township clerk's office, or by appointment at the office of Kenneth E. Meiser, Department of the Public Advocate, CN 850, Trenton, New Jersey, (609) 292-1692.

Any interested party, including any low or moderate income person or organization or any owner of property in Bedminster Township, may file comments upon, or objections to, the proposed agreement. Comments or objections must be filed in writing, together with copies of any supporting affidavits or documents, with the Honorable Eugene Serpentelli, Court House, CN 2191, Toms River, New Jersey 08754 on or before November 8, 1984. Copies must be filed with the Ocean County Clerk, Court House, Toms River, New Jersey 08754 and all counsel. Addresses of counsel can be obtained from Kenneth E. Meiser.

This notice is promulgated by order of the Superior Court. It is intended to inform all interested persons of the existence of the proposed settlement. It does not indicate any view by the Court as to the merits of the lawsuit, the fairness, reasonableness or adequacy of the proposed settlement, or whether the Court will approve the settlement or enter a judgment of compliance.