

COUNCIL ON AFFORDABLE HOUSING
DOCKET NO. COAH 87-11

MEADOWVIEW AT MILLINGTON,)

Plaintiff,)

vs.)

TOWNSHIP OF PASSAIC,)

Defendant.

ORDER

This matter having come before the Council on Affordable Housing on the application of Meadowview at Millington, for an order imposing restraints upon allocation of sewer capacity in the Township of Passaic, Joseph E. Murray, Esq., appearing on behalf of Meadowview at Millington; John R. Pidgeon, Esq., appearing on behalf of the Township of Passaic; Guliet D. Hirsch, Esq., appearing on behalf of Stonehedge Associates; Raymond R. Trombadore Esq., appearing on behalf of Stirling Marmor and all interested parties having been notified of the hearing and the Council having considered all papers submitted and having heard oral argument on April 20, 1987 and for the reasons stated in the Council's written opinion of even date and for further good cause shown;

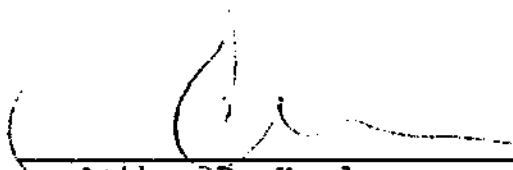
IT IS ON THIS 27th day of May, 1987

ORDERED that the Township of Passaic and its officers, agents, employees and attorneys are hereby enjoined from permitting any additional connection to the public sanitary sewage system.

or increased usage by parties presently connected to the system, which would utilize or diminish sewage treatment capacity in the Township of Passaic, granting any rights to future connection or increases in usage utilizing or diminishing the sewage treatment capacity in the Township of Passaic, or taking any other action that would diminish or impair, directly or indirectly, the future availability of sewage treatment capacity in the Township of Passaic except as described in paragraph two below; it is further

ORDERED that single family residences, or their equivalents existing at the time of this Order located on existing main lines and which do not pass percolation tests shall be exempt from the terms of this Order. This exception shall not apply to a development of single family homes or their equivalent; it is further

ORDERED that this Order shall remain in effect, unless otherwise modified by the Council, until such time as the Council either grants or denies Passaic's Petition for Substantive Certification.



Arthur R. Kondrup
Chairman