

Bond Case Briefs

Municipal Finance Law Since 1971

ZONING - NEW JERSEY

Thomas Gripenburg and Carol Gripenburg v. Township of Ocean, State of New Jersey Department of Environmental Protection and State of New Jersey Department of Community Affairs

Superior Court of New Jersey, Appellate Division - August 29, 2013 - A.3d - 2013 WL 4554621

Plaintiffs were the owners of 31 acres of land in the Township of Ocean. Plaintiffs challenged the enactment of Township ordinances that rezoned the subject property from residential (R-2) and highway commercial (C-3) to an EC Environmental Conservation District (EC Zone).

The appeals court concluded that these ordinances were invalid as applied to plaintiffs' property because the downzoning was not required to serve the stated purposes of the ordinances and did not reflect reasonable consideration of existing development in the areas where the subject property was located.