

# **Bond Case Briefs**

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## **ZONING - NEW JERSEY**

### **Grabowsky v. Township of Montclair**

**Supreme Court of New Jersey - June 15, 2015 - A.3d - 2015 WL 3649579**

Property owner filed complaint in lieu of prerogative writs against township and township officials, challenging township zoning ordinance permitting construction of assisted living facility, and alleging that the township mayor and a councilmember had conflicts of interest preventing them from voting on the ordinance. The Superior Court granted summary disposition in favor of defendants, and owner appealed. The Superior Court, Appellate Division, affirmed. Owner petitioned for certification.

The Supreme Court of New Jersey held that:

- Alleged comment of mayor that he might seek to admit his mother in facility did not give rise to disqualifying personal interest, but
- Mayor and councilmember had disqualifying personal interests to the extent they held leadership positions in church adjacent to proposed facility.