

Bond Case Briefs

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Shipyard Associates, LP v. City of Hoboken

Supreme Court of New Jersey - May 5, 2020 - A.3d - 2020 WL 2120903

As part of long-running dispute regarding proposed riverfront development, developer, which sought to replace planned tennis facilities with two high-rise residential buildings on pier, brought action to challenge application of two new ordinances to project.

The Superior Court granted developer's motion for summary judgment. City appealed, and the Superior Court, Appellate Division, affirmed. City appealed.

The Supreme Court held that:

- Purported environmental ordinance was a planning or zoning ordinance to which the Municipal Land Use Law applied;
- Municipal Land Use Law provides the holder of a final approval with vested rights for two years against any changes in zoning requirements, even changes based on ordinances that affect health and public safety; and
- Ongoing litigation tolled two-year period of protection against changes in zoning requirements under the Municipal Land Use Law.