

Bond Case Briefs

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ANNEXATION - NEW JERSEY

Seaview Harbor Realignment Committee, LLC v. Township Committee of Egg Harbor Township

Superior Court of New Jersey, Appellate Division - December 29, 2021 - A.3d - 2021 WL 6129555

Property owners' sought review of township committee's decision, adopting recommendation of Planning Board to deny property owners' deannexation petition, seeking to annex their small community to a neighboring borough.

The Superior Court granted property owners' motion for summary judgment in part, and denied the motion in part. Property owners appealed.

The Superior Court, Appellate Division, held that:

- Evidence was sufficient to support trial court's determination that deannexation would result in social detriment;
- Evidence was sufficient to support trial court's determination that deannexation would result in economic injury;
- Trial court acted in its discretion when it determined that the harm to property owners from being a part of the township did not outweigh the harm to the township if the petition was granted;
- Trial court did not act arbitrarily or unreasonably in denying property owners' petition; and
- Trial court acted within its discretion in denying property owners' motion to supplement the record with emails and invoices that showed township administrator's communications with Board's attorney and professional planner.