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BUDDING ARTISTS... The Westfield Art Association Awards of Excellence in Fine Art were presented in June to Westfield High School graduating seniors. Pictured, left to right, are: back row, Craig Hein, Brian Kievinig, Van Hanos, Richard Stillwell and Katherine Ball; front row, Catherine Annie Patt, Lindsay Rogers, Lucia Montelegre, Kelly McCloskey, Yan Li and Theresa Caprario. Please see a story on Page 8.

COMMUNITY DEVELOPMENT APPLICATIONS TOLD

Hearing Before Committee Draws Both Positive, Mixed Reviews on Proposed Code

By PAUL J. PEYTON
Specially Written for The Westfield Leader

A dozen or so residents and business owners turned out Tuesday night to make comments in regard to the proposed exterior property maintenance code during a special hearing before the Laws and Rules Committee of the Town Council.

The proposed ordinance, which has yet to be introduced by the council, would give officials the authority to address what is determined to be unsightly conditions existing on both unimproved and improved properties.

While a local realtor and a representative of the Westfield Area Chamber of Commerce endorsed the plan, several senior citizens expressed fears that the code will take away their rights as property owners.

Some of the most interesting input came from Joseph Biren, of Tremont Avenue, an engineer and a member of the town's Architectural Review Board. He stated that the maintenance code covers many of the same areas as the town and state building codes.

Mr. Biren explained that some of the language, though, was left out of the maintenance code which might give residents the incorrect assumption that because they meet the property maintenance code, they are in accordance with the law when, in fact, they still have to follow the building codes which are more extensive.

He said some 20 years ago, he served on a committee which looked into whether some sort of maintenance code was needed to address those properties in town which were not being maintained.

Mr. Biren noted that the committee decided a code was not needed after determining at the time that housing stock not being maintained accounted for just 2 percent of the town.

He recommended that a similar community committee be created to evaluate whether such a code is needed now.

Local Realtor Warren Rorden, of Jefferson Avenue, said he and local Realtors support the code "with caution." He noted that in one case, a home on Cacciola Place appears to have been in a state of disrepair for years. Another property on Dudley Avenue also has not been maintained, he revealed.

He said the enforcement officer, yet to be determined, must have the time and knowledge to make decisions with regard to enforcing the code.

At the start of the meeting, First Ward Councilman Norman N. Greco, a member of the committee, provided committee members with a copy of the code which includes his own revisions.

Councilman Greco added the word "exterior" throughout the ordinance to insure

the code does not give authority for the enforcement officer to enter buildings or homes.

He also put 10 inches and 36 inches on the height of grass and plants, respectively, as the rule before citations could be written on a possible violation of the proposed code.

He emphasized that while he is opposed to some areas of the proposed code, he is not opposed to the maintenance code in itself.

W. Jubb Corbet, a member of the Westfield Board of Health and the Chamber of Commerce, announced that he, along with the two organizations he was representing, are in favor of the code.

He said consideration needs to be given on what will happen to tenants who might be "caught in the middle" between a landlord and the town over a violation in the code.

In regard to the concealing of trash containers, he said the requirement for fencing should be based on the height of the containers rather than an arbitrary number of six feet, which is included in the present code.

In terms of a reference to lighting, the proposed code states that lights should not shine directly on dwellings nearby. Mr. Corbet said this statement should apply specifically to residences.

In the business zone, he noted that lighting from businesses actually increases safety at surrounding establishments.

He questioned the section of the code which will allow five people in an neighborhood to sign a petition with regard to a possible maintenance code violation.

Mr. Corbet said he does not see the need for him to get four people to join him on a petition before he can report a violation such as that of the town fire code.

Another supporter of the code, Ralph Steinhart, of East Dudley Avenue, said the committee should define its reference to aesthetics in sections of the code. He said the committee is "asking a lot" of the code's enforcement officer to have him define aesthetics in the code.

He suggested the council itself become the enforcement officer for the code.

Saul Dritel, of Cowperthwaite Place, said the biggest fear of residents is the penalty of a \$1,000 fine and/or 90 days in jail.

This penalty could be imposed by the Westfield Municipal Court Judge if a person is convicted after failing to bring a property up to the standards required by the code.

Overall, though, he said most of the town supports the ordinance.

Phyllis Combe, of Maple Street, who has spoken before the full council a number of times against the code over the past month, continued to express her concerns Tuesday night.

She said she is against letting the town "invade" her life. She has expressed concerns over how the code might impact at

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Board of Education Applauds District's Achievement in Meeting Proficiency Goals

By SUSAN DYCKMAN
Specially Written for The Westfield Leader

The 1996-1997 Quality Assurance Annual Report (QAAR) of Westfield's public schools met with unanimous approval from the Board of Education at its regular meeting on Monday.

The district is obligated to prepare the QAAR under the revised monitoring system enacted for all New Jersey public school districts in July 1993. It includes a school-by-school report on objectives at the elementary, intermediate and high school level.

District-wide achievement was measured by students' performance on the Grade 4 Iowa Tests of Basic Skills; the New Jersey State Grade 8 Early Warning Test, and the Grade 11 High School Proficiency Test.

"These are not easy tests," Superintendent of Schools, Dr. William J. Foley, said. "As a district, we achieved our 80 percent proficiency target."

Board member Ginger Hardwick called attention to the discrepancy between the QAAR's figures and those reported in *The Star Ledger* a few weeks ago. She said, "The *Ledger* reported test scores from two years ago, and the public should know that."

Instead of relying on percentages to show how students scored at individual proficiency levels, Westfield's QAAR shows the actual numbers of students in each level.

"I particularly liked the format of the report," said board member Arlene Gardner. "The actual number of students (is) more telling than percentages, which can be misleading."

Board Vice President Danielle M. Walsh congratulated Beth Willett, Director of Basic Skills Education and Assessment, for her work in preparing the report. She also praised the parents, staff and community members whose individual efforts filled "pages and pages of the report."

"This is really an impressive overview of what's going on in our district," Mrs. Walsh said.

In other business, the board briefly discussed Parent Teacher Organization (PTO) response to the two drafts of the 1998-1999 school calendar under consideration by the board's Policy Committee.

The first draft of next year's school calendar calls for Westfield schools to open on Wednesday, September 9, 1998, two days after Labor Day. Schools would close for summer vacation on June 25, 1999.

In the second draft, schools would open before Labor Day on Wednesday, September 2, 1998 and close for the summer on Monday, June 21, 1998.

"My preference is to open before Labor Day," the Superintendent said, "and, for the most part, the staff is supportive."

Dr. Foley noted that half of the school districts in Union County are considering opening prior to the Labor Day holiday weekend.

District parents are divided in their feelings about the calendar. "I've gotten a number of phone calls," said AnnMarie Puleto, board member and Liaison to Wilson Elementary School.

"These parents want to open after

Labor Day," she explained. "(They say) the hardship of going to June 25 is not that great."

Mrs. Walsh said she heard differently from parents at upper grade levels who "remember Westfield's successful opening prior to Labor Day a few years ago."

Prior to taking any action on the calendar, the board agreed to continue to solicit parents' input.

"It's important to hear what the parents have to say. After all, they are our customers," Dr. Foley said.

In her Facilities Committee report, Mrs. Walsh announced that discussions have begun on converting the former auto body shop at Westfield High School into an Interactive Television (ITV) classroom and computer lab.

She said the room's size, external door and proximity to a parking lot make it an "ideal location" for an ITV classroom.

The Superintendent listed "the opportunity for distance learning; in-service programs, and another computer lab in which instruction can be provided irrespective of ITV," as his reasons for supporting a possible conversion.

The major problems associated with converting the body shop into a classroom include the cement floor, wiring within the floor, an oil pit and overhead door. Board Secretary, Dr. Robert C. Rader said, "Just to make the shop into a (regular) classroom would cost well over \$100,000."

Dr. Rader explained that the original architect's estimate for the conversion was approximately \$300,000. With adjustments to the proposal, he believes costs could be reduced to \$250,000. With funding (including a \$30,000 educational grant specified

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Lengthy Variance Appeal Forces Board To Push Dozen Other Cases to November

By MARIA CICCARELLA
Specially Written for The Westfield Leader

After devoting three hours and 45 minutes Monday to testimony and debate regarding one residential appeal, the Westfield Board of Adjustment was forced to postpone the remainder of its agenda until its Monday, November 10, meeting.

Twelve appeals in all were pushed back due to the complex circumstances surrounding the appeal submitted by Kevin and Jane Quinn of 618 Highland Avenue.

The Quinns, who are the parents of two children, proposed an addition which would provide what Mrs. Quinn defined as "a comfortably-sized family room," connected to the kitchen so the couple could keep a watchful eye on their children.

The Quinns came before the board seeking a variance for their proposed side-yard setback, which would allow only 11 feet, 9 inches between the addition to the house and the neighboring residence of Marilyn Kelly of 416 Colonial Avenue.

At the meeting, the Quinns expressed their frustration and confusion. "We selected this house knowing we had the ability to build on it," stated Mrs. Quinn.

Admitting that they understood the process which was involved in seeking a variance, the couple said that they were misinformed by a Realtor whom, they said, suggested that variances and additions were "routine" and easily granted to Westfield residents.

In addition, the Quinns stated that their intent to place an addition onto their home was also listed in the Realtor's contract. "With that comfort, we purchased this home," said Mrs. Quinn.

Attorney Arthur Attenasio of the Warren law firm of Bivona, Cohen, Kunzman, Coley, Yospin, Bernstein and DiFrancesco, representing the Quinns, added that without this stipulation to the contract, "the Quinns would not have gone forward with the purchase."

Hoping to preserve the antiquity and historic feel of the 1903 home, the Quinns selected Walter Koch, a Virginia-based architect, who has done the bulk of his work in the restoration of homes.

At the hearing, Mr. Koch stated that

the proposed 29½-foot addition, including a bay window, kitchen and family room/living room, is the most compact design to fulfill the purpose designated by the Quinns.

Coming before the board to contest the issuance of a variance to this appeal was Mrs. Kelly, the Quinns' neighbor. Mrs. Kelly expressed her concern with the possible negative impact the addition would pose to her home.

Mrs. Kelly's attorney, James Flynn, pointed out that plans for a cathedral ceiling would raise the roof line three feet and be readily visible from the Kelly home.

Also supporting the Kelly case was Alfred George Rogers, a licensed real estate broker based in Westfield. In his presentation to the board, Mr. Rogers referred to a study he conducted of properties surrounding the Quinn home.

In his study, Mr. Rogers concluded

that he found no homes in the area with a side-yard distance of 11 feet and 9 inches, and that a variance allowing the Quinns to build within this range, toward the Kelly residence, would diminish the property value of the Kelly home.

"It will have a tremendous, adverse, dramatic effect on the adjoining property," said Mr. Rogers, adding "To me, it looks like someone plopped a ranch house in a backyard."

Christopher J. Ard of Clark, a professional real estate appraiser representing the Quinns, also conducted his own study of 100 properties in comparable adjacent neighborhoods to the Quinn residence. Mr. Ard concluded that he found 60 homes in the area to be non-conforming to the side-yard variance.

Board member Doris M. Molowa noted, however, that it was not known which of these homes received vari-

ances or were exempted under a grandfather clause from the ordinance.

Mr. Flynn also noted that some of the homes were located within an RS-8 zone, while the Quinn property is located in an RS-10 zone. Both are residential, single-family zones, with the numerical difference representing the lot sizes permitted in each zone.

Board Vice Chairman G. Graydon Curtis acknowledged that the major issue between the applicants and their neighbor is property value with respect to the addition and not the variance.

The use of shrubbery or a fence was mentioned as a way to screen the proposed addition, but Board Attorney Robert W. Cockren suggested that shrubbery could not appropriately screen a structure of this size.

Although the Quinns and Mrs. Kelly had discussed the design for

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A NEW DAY... Executives with Sunrise Assisted Living celebrate the grand opening of the new residence on Springfield Avenue in Westfield on October 16. Pictured, left to right, are: Sandy Chang, Director of Sales and Marketing; John Moore, Executive Director; Julia Marchese, Assisted Living Coordinator; Peggy Sabulka, Reminiscence Program Coordinator; Tiffany Tomasso, Executive Vice President of Operations, and Bill Moore, Regional Vice President of Operations.

Deadlines Told For Submittals To The Leader

Those persons preparing press releases for submission to *The Leader* are reminded that copy should be e-mailed or faxed by 4 p.m. on the Friday prior to publication. *The Leader's* e-mail address is goleader@aol.com. The fax number is 232-0473.

Releases, pictures and letters to the editor can also be dropped off at our office located at 50 Elm Street or through out mail slot. To ensure that submittals reach our office prior to deadline, we encourage e-mail or faxed materials.

Sports stories which occur prior to the weekend must be in by the Friday deadline. Weekend sports events must be submitted by noon on the Monday prior to the publication date. Obituaries will be accepted up to 5 p.m. on Tuesdays.

All copy must be typed, double-spaced, upper and lower case, no more than 500 words in length, and include a daytime telephone number where the submitter can be reached.

For events which are planned months in advance, we encourage submission of stories as early as possible prior to the event.

Please note that in addition to making our deadlines, the publication of submittals may be delayed due to space considerations. All submittals are subject to being cut due to length, edited for style and clarification at the discretion of the editor.