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SIXTY CENTS

Judge Upholds Board's Denial Of Gulf Station Renovation Plans

By FRED T. ROSSI
Specially Written for The Times of Scotch Plains-Fanwood



HONORED HUMANITARIAN...Susan Airey of Scotch Plains receives the Arc of Union County's Humanitarian Award during the organization's Candlelight Ball at L'Affaire in Mountaintop on March 31. Pictured, left to right, are: Honorary Chairman Kevin Cummings of Investors Savings Bank, Mrs. Airey and Executive Director of Arc Frank Caragher.

FW Council Continues Development Rights Debate

By TED RITTER
Specially Written for The Times of Scotch Plains-Fanwood

FANWOOD - Mayor Colleen Mahr and the borough council, at the governing body's monthly agenda meeting Tuesday night, continued ongoing discussions about a proposed Transfer of Development Rights (TDR) Program.

With a stated goal of preserving Fanwood's historic district while also promoting the revitalization of the South Avenue corridor beyond downtown, the TDR program would allow South Avenue property owners to purchase development rights from historic district residents who agree to preserve their properties indefinitely.

Beginning Tuesday night's discussion, the borough's TDR consultant, Stan Slachetka, said the planning board has raised "a number of [TDR] issues" that would be addressed in its upcoming May 14 meeting.

If these issues are resolved, Mr. Slachetka said the planning board could hold a TDR public hearing in June, setting the stage for formal adoption by summer's end.

Mr. Slachetka said the planning board was concerned with the permitted level of development in the receiving district. "I think that's a valid concern that needs to be addressed," he said.

Mr. Slachetka said another key planning board concern is "what rights or abilities" the board would have "to

approve development" compared to the borough's existing planning approval process.

Mr. Slachetka said the planning board would not "cede" any authority and would still have full review of proposed site plans. He added that other "important answers" would be provided at the May 14 meeting.

Council members asked for clarification on a number of questions before a formal TDR report is finalized.

Councilman Bruce Walsh asked whether the TDR plan would be "in keeping with the will of the public" as expressed in last year's South Avenue redevelopment "visioning sessions."

Councilwoman Donna Dolce asked, "If we put out a carrot, will people see it as enough of an incentive to do something for the good of the whole community?"

Mr. Slachetka said that if the program's goal of preserving 25 percent of the borough's historic properties within five years is not attained, then the borough could either amend or cancel the program.

While Mayor Mahr said, "I would like to make sure that all concerns are vetted," Mr. Slachetka concluded that the program provides "a reasonable balance of [development] potential and developmental control."

In other business Tuesday night, the governing body decided to pursue approval of a resolution at its May 7 regular meeting, pursuant to estimated third quarter municipal tax bills.

"Because we applied for extraordinary municipal aid [from the state], we won't be able to adopt [the municipal budget] until sometime in July," said the borough's Chief Financial Officer Fred Tomkins.

Mr. Tomkins pointed to the borough's "severe cash flow problem" last summer during the state's delayed budget controversy and resulting government shutdown. "We ran out of money," Mr. Tomkins said.

To prevent this from happening again, Mr. Tomkins recommended that the governing body adopt a state-

board when it denied the application in April 2006.

Two years ago, in the face of neighborhood opposition, the zoning board had initially denied Cumberland Farms' application, which called for additional gas pumps and the installation of a canopy. Cumberland Farms then filed suit and then withdrew it after the board, later in 2005, allowed it to submit a new application that differed substantially from its original plan.

The new application, Cumberland maintained, addressed the original concerns raised by the neighbors, including an end to vehicular access to the gas station from Mountain Avenue and a slightly smaller canopy covering the six new gas pumps being proposed.

At its public hearings early last year, the board heard from more than a dozen residents who spoke in opposition to the new application, saying the expanded station would be "detrimental" to the neighborhood and complaining about the way the property is maintained at present. A month after the board denied the application, Cumberland Farms filed suit seeking a reversal of the board's decision.

Mr. Levine said this week that he doesn't know whether Cumberland Farms would appeal Judge Anzaldi's decision, which he called "good news." The only issue remaining, he said, "is that we still have a non-conforming use that will continue to be a non-conforming use."

The Gulf station is situated in an R-2 Residential zone, and officials said it's not clear whether Cumberland Farms would seek a ruling to have the township rezone the area.

Township Seeks Input On DPW, Fire Facilities
By FRED T. ROSSI
Specially Written for The Times of Scotch Plains-Fanwood

SCOTCH PLAINS - The township council will seek input from architects on how to best address the public works facility and the two firehouses, all of which are in need of repair. At the council's conference meeting on Tuesday, Township Manager Thomas Atkins told the council that the state's Public Employees Occupational Safety and Health Administration, which inspects public facilities annually, had raised concerns recently about the condition of the roof at the public works facility on Plainfield Avenue.

Mr. Atkins asked Councilman Kevin Glover, who has a background in facilities management, for recommendations on individuals who might be able to examine and offer recommendations.

Neighbors expressed apprehension at last Wednesday's borough planning board meeting towards the Woodcliff Inc. proposal for a major subdivision at 7 Beverly Avenue that would create a four-home cul-de-sac with an additional lot used to maintain a retention basin.

Among the concerns neighbors expressed were storm-water management, safety-vehicle access and the assumption of ownership of the center island "flag lot."

Colleen Huchn of Forepaugh Avenue questioned whether the property sits in a flood plane and whether a retention basin would attract mosquitoes, rodents or other unwanted environmental dynamics.

Professional Engineer Robert Freud of EKA Associates said the retention basin would be designed to promote a positive flow of water and, based on findings from the 100-year storm, the basin would hold a maximum of a foot-and-a-half of water for about six hours.

Regarding safety-vehicle access, Mr. Freud told the council he used a simulation for 47-foot emergency vehicles to navigate through the cul-de-sac in the event of an emergency and said that the supplementary seven feet over the required 40 feet would provide sufficient room for turning movement.

Based on the impossibility of predicting how many cars would be parked around the cul-de-sac and noting there could be an obstruction at any time, board member John Celardo said, "I like the aesthetics of the island; however, I think the safety

issues overwhelm the aesthetics."

One of the final unresolved debates was whether a homeowners association should be established for the residents of the four lots to perform routine upkeep of the center island or if the borough would be accountable for ensuring proper preservation.

The board discussed the implications of the issue. Board member Kevin St. Onge said, "Homeowners association versus borough responsibility is a critical decision that has to take place before the application can be resolved."

The applicant's attorney, Richard Cohen of Leib, Kraus, Grispin & Roth in Scotch Plains, said suggestions by the board would be considered and met, as well as possible alternatives to the cul-de-sac as suggested.

The board plans to revisit the application and its various components at its Wednesday, June 27, meeting.

In other business, applicant Jim Buggy, managing partner for New Jersey Plumbing Supply of 44 South Martine Avenue, received approval to erect a 34-square-foot carved cedar sign at the front of his building.

The borough's current ordinance mandates signage to a maximum of 20 square feet; the front of the store building is approximately 75 square feet. Mr. Buggy expressed his concerns to the board that the existing sign and size restrictions were "awfully small for a store that large."

Board member Jack Molenaar said he felt the applicant provided a just cause, saying that "this is less than what it would be if it was two stores."

Bruce Peer of 89 Glenwood Road

emissions since the routes may be considerably longer and they may also block traffic from other airports such as LaGuardia, so they cannot be implemented."

Data released by the FAA during the meeting indicates that the Westfield area would see an overall slight decrease in noise, relative to takeoffs and departures, once the changes take effect.

"The data may show that the sound levels will be about the same as they are now, but we never find their data to be accurate," said Dennis Hardie of the Scotch Plains Aircraft Noise Committee, Inc.

"Arrivals are not the problem," said Barbara Reedem of Westfield. "Runway 22 (at Newark Liberty International Airport) departures are the big

port, an increase in noise during takeoffs from Runway 22 would take place, but states that decreased impact in landings would yield an overall reduction in statistical noise."

When asked during the question-and-answer period about certain routing, Mr. Kelley said the purpose of the changes was not only to reduce noise but to reduce emissions and increase operational efficiency and safety, which were all taken into account when developing the final recommendations.

Before the question-and-answer period began, the audience was warned not to include any commentary, as any comments would not be addressed.

"The idea that they [FAA] won't let people speak reflects the arrogance



SAX-A-GO-GO...Scotch Plains-Fanwood High School jazz bands took home top awards at the New Jersey State IAJE (International Association of Jazz Educators) Finals. For the second year in a row, Scotch Plains-Fanwood High School sent two jazz ensembles - the Moonglowers and Spiffy Jazz - to the state finals, held this year at Willingboro High School. Above, the Moonglowers' saxophone section celebrates its award for Best Saxophone Section at the New Jersey State Finals.

Mayors, Air Traffic Advisory Panel Oppose FAA Redesign Plan

By JOHN SKWORONSKI
Specially Written for The Times of Scotch Plains-Fanwood

NEWARK - Local area residents and representatives attended a Federal Aviation Administration (FAA) meeting at the Sheraton Hotel in Newark last Wednesday evening, at which agency officials discussed proposed changes in both takeoff and landing patterns being considered in an attempt to reduce delays, increase capacity and mitigate noise at Newark Liberty International Airport.

The agency proposes a plan that it says would "combine high-altitude and low-altitude airspace" to allow more flights in the area, while maintaining safety and reducing noise levels for residents around the airport.

Numerous maps and computer simulations were displayed showing the various routes overlaying the local geography for attendees to examine.

"These changes will positively impact the air traffic [noise] around Newark Airport while maintaining safety," Steve Kelley, the FAA's airspace redesign program manager, told the audience.

"Environmental emissions were also taken into account when making concessions about noise," Mr. Kelley said. Later, he said, "it's a good-news, bad-news story. Ocean routing reduces noise, but it negatively impacts

issues overwhelm the aesthetics."

One of the final unresolved debates was whether a homeowners association should be established for the residents of the four lots to perform routine upkeep of the center island or if the borough would be accountable for ensuring proper preservation.

The board discussed the implications of the issue. Board member Kevin St. Onge said, "Homeowners association versus borough responsibility is a critical decision that has to take place before the application can be resolved."

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"The idea that they [FAA] won't let people speak reflects the arrogance



AIR TRAFFIC...The Federal Aviation Administration (FAA) has proposed changes to air traffic patterns in the area for landings and departures at Newark Airport. Pictured above is the web of flights, rearranged to pass over the region from traffic surrounding the New York, New Jersey and Philadelphia hub. See goleader.com/features to download detailed FAA reports.

problem," referring to the runway that would come directly towards the Westfield-Scotch Plains area.

"In 1989, we went from being a quiet community to experiencing lots of noise, and our experience is that you can't believe what they say," Mr. Hardie added, saying he urges people to submit comments to the FAA and do so quickly because of the "very tight timeline."

As part of the redesign that has been in development since December 2005, the FAA has proposed different strategies for changing air traffic, including the "fanning" of the flight patterns over the region, the use of ocean routes and changes in altitudes during takeoffs and landings.

Although the FAA contends its measures would reduce noise, multiple questions from the audience expressed skepticism and reiterated Mr. Hardie's sentiment.

FAA data states that because of the changes in altitudes and because of the proximity of Westfield to the air-

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Publisher's Note

This edition of *The Scotch Plains-Fanwood Times* includes the 35th annual edition of *This Is Westfield* from our sister newspaper, *The Westfield Leader*. Many writers and businesses from the region worked hard to create this special publication. We hope you enjoy it.

Since 1959, *The Times* has been serving the community. Thank you for being a subscriber and in understanding that reading is good for you. timesnj.com

Horace Corbin, Publisher



DOGGIN' DOWN...Lew Porziuzzo, center, won the Windmill hot-dog-eating contest at Sunday's Spring Fling street fair. He is now eligible to enter the next Windmill event for \$1,000, winner-take-all, in Lake Como on August 11.

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