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Citizens group urges residents to attend meeting

A Fanwood citizens action group called C.A.N.T., Citizens Against Nonessential Towers has formed in opposition to Cellular One's application to build a 100 ft. monopole tower in Fanwood. The C.A.N.T. steering committee comprised of Margaret Groskin-sky, Anne Mederer, George Mederer, Bruce Walsh and Greg Cummings recently met to develop a strategy and coordinate efforts to obtain experts to represent the community and present testimony to the Board of Adjustment. The committee feels that construction of this tower would severely damage the character of Fanwood and be substantially detrimental to the public good. They urge all concerned citizens to attend the March 19, (8:00 P.M.) Board of Adjustment meeting, which has been moved to the Park Middle School in anticipation of a large turnout.

Masons to hold Fish & Chips Dinner

The Scotch Plains-Fanwood Masonic Temple Association will hold a Fish & Chip Dinner, catered by Argyle of Kearny, at the Masonic Building, Mountain Avenue and Forest Road, Scotch Plains, Saturday evening, March 21st. Dinner will be served from 5:00 to 7:30 P.M. Tickets may be obtained from any member and will be available at the door. Donation: Adults \$7.50; Children \$6.50; Take Out \$7.00.

Come and meet your Board candidates

The Scotch Plains-Fanwood PTA Council will sponsor a Board of Education Candidates Night on Tuesday, March 31 at 8:00 P.M. in the Multi-Purpose Room of Evergreen School. There are three seats vacant. Come hear the candidates give their views and recommendations on education in the Scotch Plains-Fanwood School District over the next three years. There will be many changes in education during this period of time. BECOME INFORMED.

Homework policy topic of Board of Education meeting

At its Regular Meeting on March 26, the Scotch Plains-Fanwood Board of Education will continue discussion and possibly will take a vote on the proposed district-wide homework policy.

The Board's meeting on March 26 will begin at 8 p.m. at the Administrative Offices of the Board of Education, Evergreen Avenue & Cedar Street, Scotch Plains. Residents of Scotch Plains and Fanwood are invited to attend.

It's official! Tree-House case settled out of court

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In 1980, Fanwood resident Clayton Pierce decided to build a "tree house" for his young children. At that time, Pierce said he spoke to the construction official, Norman Geuder, who Pierce claims stated that "a building permit was not needed." Mr. Pierce has stated that he has a tape recording of his conversation with Geuder. Unfortunately, Mr. Geuder passed away in February of 1991.

According to Mr. Pierce, a neighbor who was attempting to sell his home was approached by the real estate agent about the "structure" on Pierce's property. Mr. Pierce believes it was because the neighbor "apparently was not getting the price that he wanted" for his home. Again, according to Mr. Pierce, this neighbor contacted former Mayor Patricia M. Kuran who came out to

see the "structure" for herself. Mr. Pierce said that Mayor Kuran called it an "eyesore" and asked Mr. Geuder to look into the matter to see if it complied with Borough zoning regulations.

Though the "tree house" was already constructed, Mr. Pierce said that he went before the Zoning Board of Adjustment and was denied permission to erect such a "structure" on his property. He also said that he did make modifications in order to satisfy the Borough zoning code. According to Mr. Pierce, he finally disassembled the "tree house" in "1985 or 1986."

Throughout this period Mr. Pierce was assessed fines for not obtaining a variance, a building permit and for violating Borough zoning ordinances. Instead of paying the initial fine, Mr.

Pierce decided to "fight City Hall." According to Mr. Pierce, the fines and levies rose to over \$30,000.

On November 12, 1991, Mr. Pierce, who is an outspoken proponent of affordable housing in Fanwood and a harsh critic of Borough legal fees to fight the Mt. Laurel high-density issue, attended an affordable housing public meeting. This meeting was held in Borough Council Chambers and was moderated by Mayor Kuran. During the public portion of that meeting, Mr. Pierce rose to address the Mayor and Council. When he returned to his seat in the packed audience, he suddenly collapsed. The Borough Rescue Squad immediately responded and took Mr. Pierce to Muhlenberg Hospital. It was later

learned that Mr. Pierce had suffered a heart attack.

Citing his health and doctor's advice to "prioritize his life and reduce stress," Mr. Pierce settled his "tree house" litigation with the Borough of Fanwood. According to Mr. Pierce, he had to pay only the legal fees for Borough attorney Dennis Estis. These fees amounted to \$5,000," Mr. Pierce said. He also stated that "all fines and levies were done away with" by the court. Mr. Pierce claims that this amount was settled prior to Mayor Kuran leaving office on December 31 and was "approved by both Mayor Kuran and Mr. Estis."

Contacted for her reaction and comments, Mayor Kuran denied agreeing to a settlement with Mr. Pierce. The following is her statement: "I am inflexible on law; it must apply equally to everyone. Mr. Pierce refused to comply with the Borough code, launching an obsessive, arrogant barrage of letters to discredit those he perceived as thwarting his plans. This was not simply a case about an illegal backyard structure ("tree house" is a misnomer). In settling cases like this out of court, the message goes out to law-abiding citizens that they are just 'chumps'."

FOR YOUR INFORMATION

THE TIMES presents the following information so that residents may better understand the workings of municipal government and the terms used.

Planning and zoning are the means by which governments control or affect the growth and development of a community along desirable lines. New Jersey statutes require that a municipality provide boards which deal with both planning and zoning.

A planning board is the agency of a local government which recommends approval or disapproval of proposed building projects, real estate development and the like, in their jurisdiction. Among the principal functions of the planning board are subdivisions and site plan review, hearings on conditional uses, recommendations on proposed land use ordinances to the governing body, and the power to adopt the master plan. With the exception of residential sub-division, planning boards almost always deal with commercial rather than residential projects.

A zoning board of adjustment concerns itself

with two specific aspects of planning. The first involves dividing an area into districts or zones -- residential, business, industrial, etc. -- and then regulating the use of land and buildings within these zones. The second aspect deals with the regulation of building heights, lot sizes, yard dimensions, road widths and other physical elements.

A zoning variance is the

permission granted by the zoning board of adjustment to "adjust" or "depart" from the requirements of a zoning ordinance. An ordinance is a rule established by legal authority. It becomes municipal local law. In essence, a zoning variance is an authority to a property owner to depart from requirements of zoning regulations in the

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Resident raises concern about Helen Street

During the public portion of the March 11 Fanwood Borough Council meeting, resident Robert Allen raised several questions regarding the street on which he lives -- Helen Street. Mr. Allen stated that a petition is circulating which requests the Borough to construct some sort of "barrier" or island on the street to decrease the number of speeders. Allen contends that "speeding is not a problem" and "a barrier is out of the question."

Councilwoman Maryanne Connelly, who is Chairperson of the Public Safety Committee,

responded that "there have been many complaints regarding speeding on Helen Street and auxiliary roads." She stated that "studies have been conducted" and at this time no changes are being planned for the street. Connelly did mention that the county engineers conducting the study did investigate the viability of an "island and other alternatives." She invited the residents of Helen Street to the next Public Safety Meeting, which will be held in April.

In other business, the Council approved the posting of signs in local

businesses requesting patrons not to smoke. Skip Ungar, an area anti-smoking activist, thanked the Council for their support. Ungar will donate these signs.

Councilman Andrew MacDonald abstained on the vote, stating that while he is fully aware of the Surgeon General's stand on smoking and secondhand smoke, he believed that this was a matter of individual rights and was not convinced that this was a matter within the realm of Council jurisdiction. MacDonald said "private property rights are

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