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TWO SECT

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Builder sues township over rejected applicati

Mt. Laurel the center of second suit

By Joshua Zaitz
Staff Writer

Pinnacle Communities has sued Springfield, alleging that the township's steep slope ordinance is unconstitutional, after the Planning Board denied its application to build housing on Wilson Road, where the former Baltusrol Swim Club lies vacant.

The trial started Feb. 10 and was scheduled to be completed Tuesday. However, the verdict will not be known for several months.

The developer, Pinnacle, filed the lawsuit after the Planning Board in 2000 rejected its site plan, by a 7-2 vote, for a condominium high rise.

"This is on the Planning Board's denial and we've alleged that the denial was arbitrary and capricious and the township's steep slope ordinance is unconstitutional because it has no standards," said Richard Schkolnick, lawyer for Pinnacle Communities.

Pinnacle's original proposal was to build 96 luxury condominiums in four buildings throughout the site. This would encompass 75 percent of what is allowed under the existing zoning code.

Originally, Pinnacle proposed to build the condos on a market rate basis. This would mean that none of the units would be set aside to help meet the township's Mt. Laurel obligation, providing housing for lower income residents.

"We were denied by the Planning Board," said Vice President of Operations

for Pinnacle Paul Schmeier. "We have appealed the Planning Board's decision because we think it was arbitrary and capricious."

Currently, the abandoned pool, which has been vacant for more than 20 years, serves as a dumping ground for landscapers and gardeners to discard grass cuttings, mulch, tree trunks, and other debris.

"We thought, here is a site, eight acres, that's zoned for multi-family — 16 units to the acre — and we're proposing to only put in 12 units, maintain the buffers, and turn this dump into a ratable for a town that is pressed for revenue," said Schmeier. "We saw it as a win-win situation but the Planning Board didn't see it that way and we're not 100 percent sure why."

Pinnacle tried settling with the township, Schmeier said, proposing that the development be restricted to housing only senior citizens, if the township was concerned about bringing additional school-age children into the community.

"The town apparently was not interested in that even though we also thought it would have the dual benefit of creating housing for seniors which, I think, is one of the state's purposes under the municipal land use law," said Schmeier.

Pinnacle also offered to provide the units that Springfield needed to satisfy the township's Mt. Laurel obligation.

"That was similarly rejected," Schmeier said.

When the township denied Pinnacle's original proposal, the developer appealed that decision.

"They were looking for a number of bulk variances," said Township Attor-

ney Bruce Bergen. "Therefore, under the law they have to maintain things. It is the duty of the Planning Board to review everything that's placed before them and decide whether or not the applicant has fulfilled that duty. The Planning Board, in their opinion, decided that they had not."

The Planning Board's argument is that they were within their legal right to make a determination based on what Pinnacle presented to them and that Pinnacle did not fulfill the legal requirements.

"The question for the court to decide on that issue is whether or not the Planning Board abused their discretion, whether their determination was so outrageous that it has to be overturned," said Bergen.

The Planning Board is not opposed to having housing on the site, it just does not believe the plan presented by Pinnacle was appropriate for the area.

"That isn't to say that the project is without merit," said Bergen. "It's just a determination by the Planning Board that based on what was presented they don't believe it's within the best interest of the zoning plan in Springfield to allow these buildings to be built the way it's planned."

One of the factors being argued is the steep slope ordinance. If the judge determines that the Planning Board was appropriate in its decision to deny Pinnacle the application based on the boundaries of the ordinance, then the judge must decide if the ordinance is unconstitutional. If the court finds that it is, then the Planning Board's decision gets thrown out all together.

"There are really three questions," Bergen said. "First, he must decide if the

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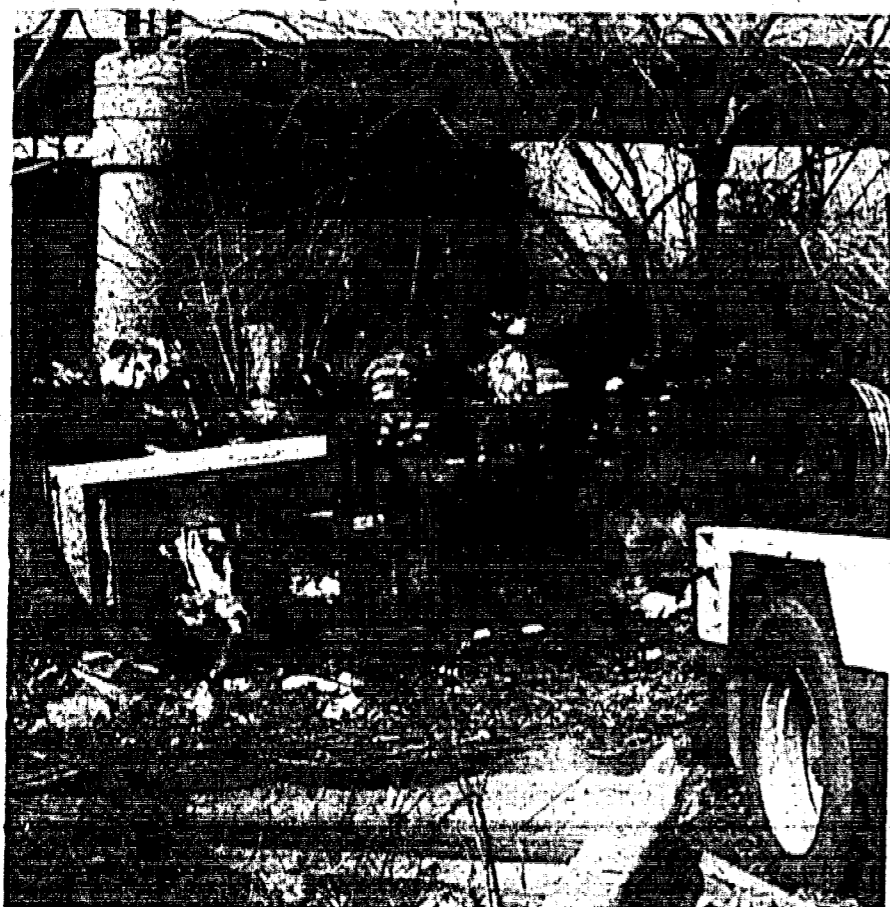
Rt. 24 truck crash prompts rescue mission

By Joshua Zaitz
Staff Writer

A 24-foot refrigerated box truck skidded off Route 24 West on Saturday, blazing through the guardrail and leaving two occupants trapped and in need of extrication as the truck laid at the bottom of a 10-foot deep concrete

culvert filled with water.

The Springfield Fire Department, Police Department and First Aid Squad responded to the crash, which occurred at 10:25 a.m. at milepost 10, near the Route 78 split in the township. Summit and Millburn firefighters also were on hand.



The Springfield Fire Department, along with the police, and First Aid Squad were joined by other emergency departments in the surrounding area as they rushed to the scene of a truck crash off Route 24 West in Springfield Saturday. Two occupants were trapped within the truck and were pulled out alive by the rescuers.

"The truck was wedged into the corner of the 10-foot-by-10-foot high walls, crushing the cab around the occupants," said Springfield Deputy Fire Chief Donald Schwerdt.

The driver lost control on the curb and the vehicle turned over onto the driver's side. It slid several hundred feet, smashed into the guardrail and went down into the culvert.

"I've been here 25 years and this was one of the toughest extrications I've ever had just because of the location of the vehicle and what happened to the vehicle because of the impact," said Schwerdt.

Firefighter Frank Fiorelli was sent into the cab wearing a harness attached to a safety rope to access the victims. He was able to free one of the passengers, who was taken to Morris-town Memorial Hospital by the Springfield First Aid Squad.

"Once the first victim was removed it was discovered that there was a second victim," said Schwerdt. "It was the driver, who was severely pinned in the vehicle. The cab had crushed around him and there was no way to get him out."

The second victim was pinned by the roof of the vehicle, which collapsed under the impact, and the steering wheel on the driver's seat. Numerous cutting tools from Millburn, Summit and Springfield were used to cut the cab and try to get him free. However, there was not enough room to free the victim's legs because the vehicle was lying in the culvert, pinned against a concrete wall.

The victim was semi-conscious while firefighters were trying to free him. "He was very conscious when we tried to move him a few times,"

said Schwerdt. "Very conscious. You heard him probably eight blocks away."

Three heavy-duty tow trucks, which were on the scene, were used to move the vehicle away from the concrete wall so firefighters would have better access to the cab.

"We moved the vehicle approximately 4 feet, used Sawz-Alls and hand tools to cut the roof off the vehicle, and we still had to remove the vehicle from around his legs that were completely encased in the vehicle," said Schwerdt.

Fiorelli and Firefighter Michael Bilotti were working in the stream in the 40-degree water, literally removing the vehicle from around the driver piece by piece. They were assisted in the culvert by two Summit firefighters, Frank DeLuca and Lou Vecchia.

"They finally, after 2½ hours, got the man freed," said Schwerdt.

Route 24 was shut down by the State Police. A Northstar helicopter landed on the highway and transported the victim to University Hospital in Newark.

The Springfield Fire Department did not have any information on the names of the victims or their present condition. "We have not heard other than that their injuries are not life threatening," said Schwerdt.

There also was a diesel fuel spill, leaking into the culvert. The Union County Haz-Mat was called along with Rahway Water Shed, Springfield Office of Emergency Management and the Health Department because the vehicle was carrying meats and produce.

The truck was a Mitsubishi Fuso Box truck owned by New Fu Rong Trading Inc., based in Brooklyn.

A not-so-secret admirer



Photo By Bob Helfrich

This lucky lady has a secret admirer who also happens to be her husband. He let his feelings be known to all of Springfield by posting this sign on the corner of Baltusrol Way and Bryant Avenue during Valentine's Day week so she would be sure to see it on the way to work each day.

Dayton students place 3rd in state competition

By Joshua Zaitz
Staff Writer

They are only sophomores, underclassmen, not the lowest rung on the high school ladder, but certainly low enough to be stepped on. However, 19 sophomores from Jonathan Dayton High School were able to represent Springfield's legislative district in the statewide "We the People" competition, finishing in third place and beating out teams represented by high school seniors.

The competition began as a statewide contest, where each legislative district is represented. Dayton represented Springfield's legislative district. Each district competed against one another on Feb. 8 at the State House in Trenton.

The winning school, West-Windsor/Plainsboro High School, will represent New Jersey in the national-competition, taking place in Washington D.C., in May.

Dayton's third-place finish is extraordinary considering that this was the school's first time in the competition and the team is represented exclusively by sophomores, as opposed to other teams which consisted of seniors.

"I really had no set idea about where we would finish," said Social Studies Supervisor Barry Bachheimer. "To be honest, I didn't think we'd take the whole thing. I thought we'd do well, but I didn't think we'd be heading to Washington, and I was pleasantly surprised that we got third place."

The competition consists of students arguing current issues based on constitutional research. The judges ask the students questions such as: "The press has been widely criticized for its intrusion into the lives of public officials and other public figures. What limits to freedom of the press, if any, are appropriate in relation to reporting on people's private lives?"

The students are judged on their understanding, constitutional application, reasoning, supporting evidence, responsiveness, and team participation.

Bachheimer explained how the winners were announced. "They started off with the honorable mention teams and kind of worked their way through."

The judges announced who won the unit awards, which are the teams who are not in the top four.

"They read off all the schools that won unit awards and that wasn't us either," said Bachheimer. "So now the legs are starting to bounce, the kids are all excited, jumping in their seats, then they read off fourth place and it wasn't us."

Bachheimer said the students could hardly contain themselves, screaming "We're going to Washington. We're going to Washington."

"Then they read off third place and they prefaced it with 'and in a huge upset for their first time in this competition and the fact that they're only sophomores, third place goes to



Jonathan Dayton," said Bachheimer. "All the kids were jumping around. We were really excited."

For their third-place finish, Dayton will receive a plaque that will hang in the high school engraved with their accomplishment, and all the students are getting certificates.

"The level of the questions was a lot more intense in terms of the depth that was expected in their response,"

said Bachheimer. "The questions were the same but the judges were expecting more."

Bachheimer compared it to how the Civil War might be explained to a student in the eighth grade as opposed to how it would be explained to a student in the 10th grade.

"You're expected to have a little more depth and a little more sophistication," said Bachheimer.

The judges who asked the students the questions included elected officials, college professors, public interest group members, lobbyists and educators.

"These were people who are working inside the system and are able to draw from their own personal experiences and ask questions based on that," said Bachheimer.

Filing deadline arrives

By Joan M. Devlin
Staff Writer

Filing deadline for the Mountainside Board of Education election is Monday, and there are two incumbents due to file if they so choose: Peter F. Goggi and John S. Perrin. As of presstime Tuesday, only Goggi is on record as filing for reelection. It was also not known if there had been any other citizens of Mountainside who had come forward for the positions, but of course, there is still time for filing.

Current members of the Mountainside Board of Education are President Richard Kress, Vice President Sally Rivieccio, Frank Geiger, Raymond Haggar, MaryBeth Schaumburg and the two incumbents, Perrin and Goggi.

Interested candidates have until 4 p.m. on Monday to file nominating petitions with Board of Education Secretary Florence Shukis.

Board of Education members serve for a three-year term, and any new candidates coming forward must fulfill all of the election stipulations.

Any candidate also must swear to support the Constitution of the United States as well as the Constitution of the State of New Jersey, under oath.

No Board of Education member shall be directly or indirectly involved in any contract with, or claim against the board.

Taste of the Town to benefit society

The Grand Summit Hotel, 570 Springfield Ave., will be aglow with life and food April 26 from 7 to 10 p.m. as the Leukemia and Lymphoma Society's Northern New Jersey Chapter hosts its Taste of the Town fundraiser.

Local restaurants will be cooking up a storm, preparing delectable fine foods pleasing to the palate. Everyone is welcome to enjoy a scrumptious sampling of mouth-watering foods, prepared on site. Tickets are \$40 in advance and \$50 at the door. There also will be Chinese and silent auctions.

Spring Fling helps celebrate America

Spring may be months ahead, but preparations are already under way for Spring Fling 2002, "Celebrate America." The annual Kent Place Parents' Association fund-raiser, slated for April 20 in the Kent Place Field House, will be an all-American tribute to Kent Place School and to America.



Breyana Isler

Path of monarch to be studied

Did the recent freeze in the oyamel forests of Michoacan, Mexico kill butterflies that hatched in Summit? The world may never know.

Bonnie Chase of Cora Hartshorn Arboretum in Short Hills tagged the legs of 35 healthy butterflies that grew in the butterfly garden at Washington School. "We don't know if any of the tagged butterflies made it," said Cindy Hedin, the school librarian who worked with the schoolchildren to plant the garden and observe the butterflies. "They could be among all the dead ones."



Monarch butterflies like this one, hatched in Summit, may be among the many who migrated to Mexico and perished in the big freeze. Upcoming programs at Reeves-Reed Arboretum will study the Monarch's life cycle this spring.

Monarchs are found throughout North America, and are most often seen in New Jersey from June until September. In early fall, Monarchs stop mating and migrate south.

PEOPLE IN THE NEWS

Cooper named new interim president
Millie Cooper, long-term Board of Trustee member of the New Jersey Center for Visual Arts, was named interim president effective Jan. 1. She replaces Joan Duffey Good, who had served as executive director of the art center since 1995. A search committee as been established to seek a new president.

Clark presented with finalist award
Summit resident Leigh Ann Clark was presented with the finalist award for Corporate Employee of the Year at the annual corporate kick-off meeting of Delta Corporate Services Inc.

Summit Child Care has new members
The Board of Trustees of the Summit Child Care Centers has elected Vivian Boucherit, Walter D. Long Jr. and Elizabeth Tulloch to be members of the Board of Directors.

Clark presented with finalist award
Summit resident Leigh Ann Clark was presented with the finalist award for Corporate Employee of the Year at the annual corporate kick-off meeting of Delta Corporate Services Inc.

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Essex Manor is 'the ultimate'
"The ultimate in gracious catering."
That's how the Essex Manor has been described, and the facility knows that your wedding is an important occasion in your life.
From an intimate reception to a lavish celebration, the banquet staff, with friendly faces, will provide individual attention to your every need, and fulfill the ultimate in perfection.
The banquet director will work closely with you to customize menus and table settings to accommodate your needs in a pleasant, comfortable atmosphere.
You will find every detail carried out to your complete satisfaction in the elegantly remodeled banquet rooms.
The Essex Manor is also available for and features:

- Anniversaries, banquets, christenings
- Communion, confirmations, corporate seminars
- Fashion shows, graduations, repasts
- Reunions, school functions and specialty parties
- Innovative, custom menus
- Accommodations from 50 to 450 in the elegantly remodeled rooms

For nearly 100 years, this reputable establishment has served generations with excellence.
The Essex Manor is conveniently located and offers affordable elegance. Browse the Web site at www.essexmanor.com and feel free to contact the Essex Manor for additional information.
The Essex Manor is located at 41 Broughton Ave. in Bloomfield. For 973-748-6590.

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SEAFOOD & STEAK HOUSE
Lovely Newly-Decorated Banquet Rooms
Weddings, Engagements, Rehearsal Dinners, Showers
Reserve Early for Best Selection of Dates
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Tiered Wedding Cake, Silver
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Weddings planned for 2002-2003 that are booked by 3/01/02 will receive one 11x14 Portrait or 50 Photo Thank You Cards as a gift!

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The Ultimate in Gracious Catering
The Essex Manor invites you to call us and let us help you begin your new life together. We will give you the personal attention to achieve the ultimate in a gracious wedding.
Accommodations from 50 to 450 in our elegantly remodeled rooms.
• Affordable Elegance •
For nearly 100 years, generations have been served with excellence.
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Garden State Pkwy North- or South-bound; Exit 151 Watchung Ave.
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973-748-6590
www.essexmanor.com

(Continued from Page B11)

PUBLIC NOTICE

Table listing names and addresses for public notices, including Scotty Plann, Scotty Plann, and various individuals with their respective street addresses.

PUBLIC NOTICE

Table listing names and addresses for public notices, including Robert Hys, Robert Hys, and various individuals with their respective street addresses.

(Continued on Page B13)

WORRALL NEWSPAPERS

WORRALL NEWSPAPERS

(Continued from Page B12)

PUBLIC NOTICE

Table listing names and addresses for public notices, including Cullenberg, Cullenberg, and various individuals with their respective street addresses.

PUBLIC NOTICE

Table listing names and addresses for public notices, including Penman, Penman, and various individuals with their respective street addresses.

(Continued on Page B14)

(Continued from Page B15) PUBLIC NOTICE

Table of public notices for Worrall Newspapers, listing names, addresses, and contact information for various individuals and businesses.

(Continued from Page B16) PUBLIC NOTICE

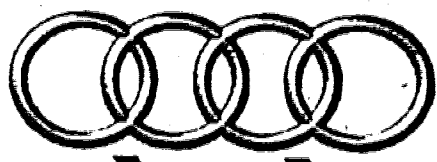
Table of public notices for Worrall Newspapers, continuing the list of names, addresses, and contact information.

NOTICE TO ABSENT DEFENDANTS (L-8) STATE OF NEW JERSEY TO: BAILLE L. HOOSIER... YOU ARE HEREBY SUMMONED AND REQUIRED TO ANSWER UPON THE COMPLAINT...

NEW JERSEY UNCLAIMED PROPERTY CLAIM FORM

Form for New Jersey Unclaimed Property Claim, including instructions, a table for claimant information, and a section for the claimant's signature and date.

Advertisement for 'Sell Your Home' featuring the phone number 1-800-564-8911 and the slogan 'To Place Your Classified Ad Search your local classifieds on the Internet www.localsource.com'



Audi
THE LUXURY OF

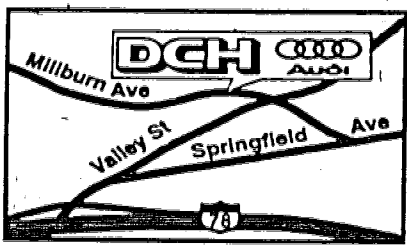


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Mazda-Zoom-Zoom!

2001 MAZDA B2300 SX



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VIN #1TM22015, Stk #2M10097, 2DR, 4 cyl., 4 spd, a/c, p/s/b, am/fm stereo, tint gls, cloth int, dual air bags, MSRP: \$13,735. Price includes \$1000 factory rebate.

BUY FOR **\$9,988** **1.9% APR** available

2001 MAZDA PROTEGE



VIN #10479909, Stk #EM10220, auto, 4 cyl., a/c, p/s/b/winds/lks/seats, cass, tilt, r/def, dual air bags, moon rf, cloth, keyless entry, MSRP: \$17,295. Price includes \$1500 factory rebate.

BUY FOR **\$12,388** **0.9% APR** available

2001 MAZDA MPV



VIN #10178315, Stk #EM10143, 6 cyl., auto, p/s/b/winds/lks/mirrors/seats, tilt, cruise, r/def, tint gls, dual air bags, floor mats, traction ctrl, alloys, alarm, keyless entry, MSRP: \$25,150.

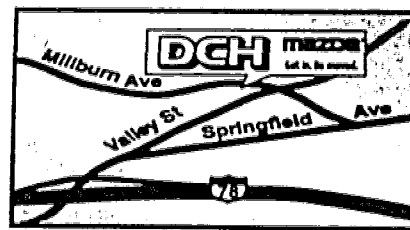
BUY FOR **\$22,288** **1.9% APR** available

2001 MAZDA MILLENIA S



VIN #11703513, Stk #EM10059, auto, a/c, p/winds/lks/mirrors/seats/trunk, 6 disc cd, tilt, cruise, r/def, tint gls, dual air bags, moon rf, leather, floor mats, traction ctrl, chrome whls, 6 disc whl lks, 4 seasons pkg, MSRP: \$32,805. Price includes \$5000 factory rebate.

BUY FOR **\$25,888** **1.9% APR** available



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All cost to be paid include, licensing, reg & taxes and designation cost. Prices include all rebates & incentives to dealer, \$1000 DCH owner loyalty rebate, \$400 recent college grad rebate, if qual. Ad cars sold cosmetically as is. Not responsible for typos, errors or omissions. 0% APR financing for up to 48 mos.; 1.9% APR financing for up to 36 mos.; 3.9% APR financing for up to 60 mos. or 4.9% APR financing for up to 72 mos. on select models. All financing in lieu of factory rebates, on select models. This ad supersedes all other offers. Subject to prior sale.

www.dchessex.com

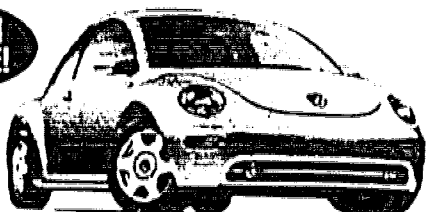


CLAIM YOUR VW!

NEW 2002 VW NEW BEETLE GLS

lease \$138 per mo for 12 mos
Buy \$16,488 for 12 mos

12 MONTH TEST DRIVE!

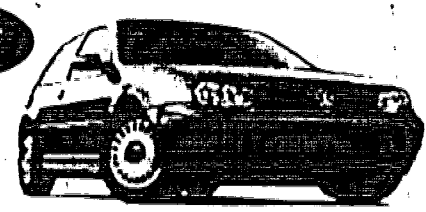


VIN #2M422128, Stk #EV20217, 2 DR, auto, 4 cyl., p/s/ABS/winds/mirrors/lks/trunk, am/fm cass, a/c, tilt, cruise, r/def, tint gls, int wprs, fr mats, cloth bkts, alarm, dual air bags, keyless entry, MSRP: \$18,375.

NEW 2002 VW GOLF GL

lease \$158 per mo for 36 mos
Buy \$14,988 for 36 mos

GREAT RUN-ABOUT

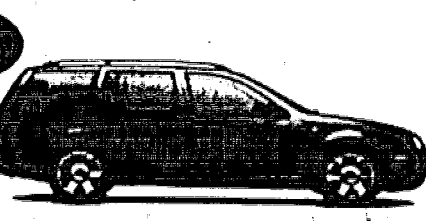


VIN #2M033746, Stk #EV20378, 2 DR, auto, 4 cyl., p/s/ABS/lks, am/fm cass, a/c, tilt, r/def, tint gls, int wprs, fr mats, cloth bkts, alarm, dual air bags, keyless entry, MSRP: \$16,575.

NEW 2002 VW JETTA GL WAGON

lease \$168 per mo for 36 mos
Buy \$15,988 for 36 mos

ROOM FOR EVERYTHING



VIN #2W078840, Stk #EV20147, 4 DR, 5 spd., 4 cyl., p/s/ABS/lks, am/fm cass, a/c, tilt, r/def, tint gls, int wprs, fr mats, cloth bkts, alarm, dual air bags, keyless entry, roof rk, MSRP: \$18,300.

NEW 2002 VW JETTA GL

lease \$178 per mo for 36 mos
Buy \$15,988 for 36 mos

4 AVAILABLE

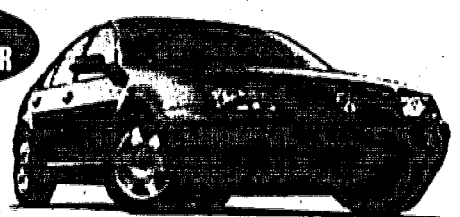


VIN #2M052185, Stk #EV20162, 4 DR, auto, p/s/ABS/lks/trunk, 4 cyl., am/fm cass, a/c, tilt, r/def, tint gls, int wprs, fr mats, cloth bkts, alarm, dual air bags, keyless entry, MSRP: \$18,375.

NEW 2002 VW JETTA GLS TDi

lease \$198 per mo for 42 mos
Buy \$18,788 for 42 mos

GREAT COMMUTER



VIN #2M023171, Stk #EV20064, 4 DR, auto, 4 cyl., turbo diesel, p/s/ABS/winds/mirrors/lks/trunk, am/fm cass, a/c, tilt, cruise, r/def, tint gls, int wprs, fr mats, cloth bkts, alarm, dual air bags, keyless entry, MSRP: \$20,785.

NEW 2002 VW JETTA GLS WAGON

lease \$218 per mo for 42 mos
Buy \$19,888 for 42 mos

AUTOMATIC LOAD & SILVER



VIN #2W228979, Stk #EV20181, 4 DR, auto, 4 cyl., p/s/ABS/winds/lks/mirrors, am/fm cass, a/c, tilt, cruise, r/def, tint gls, int wprs, fr mats, leather bkts, alarm, dual air bags, moonroof, alloys, keyless entry, roof rk, heated seats, MSRP: \$22,500.

NEW 2002 VW PASSAT GLX 4-MOTION

lease \$338 per mo for 42 mos
Buy \$28,888 for 42 mos

TOP OF THE LINE!



VIN #2P078363, Stk #EV20108, 4 DR, auto, 6 cyl., tract ctrl, p/s/ABS/winds/mirrors/lks/seats/trunk, am/fm cass, a/c, tilt, cruise, fog lights, r/def, tint gls, int wprs, fr mats, leather bkts, alarm, dual air bags, moonroof, alloys, keyless entry, heated seats, Moorsound, MSRP: \$32,125.

NEW 2002 VW EUROVAN MV

lease \$358 per mo for 42 mos
Buy \$26,988 for 42 mos

WEEKENDER!



VIN #2H058431, Stk #EV20300, 5 DR, auto, 6 cyl., tract ctrl, p/s/ABS/winds/mirrors/lks, am/fm cass, a/c, r/def, tint gls, int wprs, fr mats, cloth bkts, alarm, dual air bags, alloys, keyless entry, fold up table, rolling, pop-up roof, 2 person bed, curtains, MSRP: \$32,395.

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Just minutes from the Short Hills Mall

We will buy your car on-line: www.DCHAUTONJ.com

Prices exclude licensing, reg & taxes (due at signing). Closed end leases include 10K mi/yr and .15¢ thereafter. Lessee resp. for maint., excess wear & tear. Prices include all rebates & incentives to dealer, \$500 recent college grad rebate, if qual. All financing in lieu of factory rebates, on select models. This ad supersedes all other offers. Subject to prior sale. www.dchessex.com