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THURSDAY, MARCH 21, 2013

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SLOW MONEY

Morristown health food store experiments with locavesting



Grassroots Natural Market in Morristown will be offering up-front shopping cards that offer members benefits. KAREN MANCINELLI/FOR THE DAILY RECORD



Members of the Parsippány Township Council take a question from a Parsippány resident Tuesday. WILLIAM WESTHOVEN/STAFF PHOTO

Developer's Waterview plans rile residents

Lawyer's letter insists Parsippány property's zoning is prohibitive

By William Westhoven :: Staff Writer

PARSIPPANY — The Township Council heard considerable public opposition Tuesday to a proposed rezoning at Waterview Plaza that would permit a mixed-use development on a property zoned for commercial office buildings.

But the most heated conflict of the agenda meeting at Parsippány Hills High School came from an unexpected source — a letter from an attorney for developers RD Realty, which some people on both sides interpreted as a veiled threat.

The letter, dated March 18 from Carl S. Bisgaier, of Bisgaier Hoff of Haddonfield, strongly stated RD Realty's commitment to develop the last open 26-acre parcel of Waterview Plaza.

"Effectively, the current zoning has zoned the property into inutility. Since such development is out of the question, alternative uses must be explored and a realistic zone plan adopted," Bisgaier wrote.

The letter acknowledged the developers "sought what it believed would be the most appealing development product." It also said, "The current market for exclusive residential use on the property and at

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Jefferson woman agrees to give up 'dangerous' dog

By Peggy Wright :: @peggywrightDR

Sparing her dog from potential euthanization, the Jefferson owner of a "potentially dangerous" African Boerboel has agreed to forfeit ownership of the animal and have it moved to a facility in Utah.

Six days after Jefferson Township Municipal Court Judge William Bowkley ordered Susan and Gary Kolb to forfeit their massive female Boerboel, Imani, Susan Kolb was in Superior Court, Morristown, Wednesday to try to resolve a criminal charge of violating a court order to always keep the dog muzzled in public.

To end both the civil forfeiture and criminal cases, Susan Kolb has agreed to surrender Imani to a Utah facility that specializes in handling Boerboels, which were bred to protect children from lions on African savannahs. If the transfer is accomplished by April 10, Morris County Assistant Prosecutor Joseph D'Onofrio said the state is willing to halt prosecution of Susan Kolb on a charge of violating a consent order she signed in Jersey City in October 2011.

See DOG, Page A2



Susan Kolb poses with two African Boerboel dogs. One has died, and the other will be sent to a facility in Utah. PHOTO COURTESY OF KOLB FAMILY

You've heard of shopping local and eating local, but Morristown officials want to take the idea of local pride one step further with community-supported enterprise, or "locavesting."

Just as community-supported agriculture has helped revive small, organic farms, community-supported enterprise operations seek to help struggling independent grocers, bookstores and other neighborhood businesses. Sometimes called "slow money," the idea is that consumers invest directly in the business.

The first small-scale experiment with the concept in town is taking place at Grassroots Natural Market, set to open in mid-April, said owner Paul Kralyevich. The store is offering prepaid cards that will yield a 20 percent return.

Read more in Grassroots on Page B1.



Grassroots Natural Market manager Leslie Serao (top left) gives a tour of the health food store, set to open in Morristown in mid-April. Morristown Office of Sustainability Director Paul Miller (bottom) tries out magnetic shades that encase a refrigerated display. Also uses high-efficiency LED lighting. KAREN MANCINELLI/FOR THE DAILY RECORD



Parsippány soldier dies at home

Afghanistan war vet, 23, had lost both legs, was to be married

"He fought hard right until the end. He will be missed and never forgotten."

SIOBHAN FULLER-MCCONNELL, Derek McConnell's mother, in a Facebook post

By Michael Izzo :: @MlizzoDR

PARSIPPANY — Army Spc. Derek McConnell, a 23-year-old soldier who lost his legs while serving in Afghanistan and who recently had won a dream wedding contest, has died. He died in Parsippány, where he had been living.

"It is with a heavy heart that I must inform you that our hero, Derek, deployed to Heaven today," said his mother Siobhan Fuller-McConnell in a Facebook post Monday. "He fought hard right until the end. He will be missed and never forgotten. Sleep with the angels, my brave, strong boy."

His fiancée and high school sweetheart, Krystina Dressler, found him dead in his bed while trying to wake him up, said another post.

"This morning, I went to wake Derek up at his normal time ... and he didn't wake up," she said. "I tried everything I could think of. I held out hope when I listened for a heartbeat as I tried to wake him and there was none, and even still held out hope when they told me he

was gone."

The couple received the most votes out of 10 military couples to win "Operation Tie the Knot" last December, for which they received an engagement ring and a dream wedding. There is no word yet on what will be done with the prize.

Peter Stavrianidis, owner of Venus Jewelers, who organized the contest, could not be reached for comment Wednesday.

"I feel like I've lost a member of my family," said Stavrianidis in a Venus Jewelers Facebook post Tuesday morning.

The cause of death is still unknown. The family asked not to

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DAILY RECORD DAILY

WEATHER

AREA FIVE-DAY FORECAST

Forecast table with columns for Today, Tomorrow, Saturday, Sunday, and Monday. Includes weather icons, descriptions (e.g., 'Few snow showers'), and high/low temperatures.

MARINE FORECAST Expect snow showers today. Winds northwest at 15 to 20 knots. Waves 1 to 2 feet in bays. 2 to 4 feet in seas.

COMFORT INDICATORS

Sunburn Index: 2 Good
Air Quality: Good
Wind Chill: 25° noon, 29° 4 p.m., 33°

ALMANAC

New Brunswick Readings
Values are for 24 hours ending 7 a.m. yesterday.
Information provided by Rutgers Meteorology Department, Cook College.
Temperatures: High, Low, Average, Normal High, Normal low, Normal average, High this month, Low this month.

TIDES

Tide schedule table for Sandy Hook and Keyport at Raritan Bay, showing high and low tide times for A.M. and P.M.

SUN AND MOON

Full March 27, Last April 3, New April 10, First April 18.
Sunset today, Sunrise tomorrow, Moonrise today, Moonset today.

LOTTERIES

WEDNESDAY, MARCH 20
NEW JERSEY Midday Pick-3: 780, Evening Pick-3: 846, Jersey Cash 5: 18, 19, 29, 32, 40
NEW YORK Midday Daily: 321, Evening Daily: 733, Evening WinFour: 0182
PENNSYLVANIA Cash 5: 1, 4, 6, 11, 34, Midday Daily: 464, Evening Daily: 407
MULTISTATE Powerball: Late drawing



Members of the Parsippany-Troy Hills Council meet Tuesday at the Parsippany Hills High School auditorium. WILLIAM WESTHOVEN/STAFF PHOTO

WATERVIEW

Continued from Page A1

this location would be extremely profitable and would support a rental, apartment complex, at a realistic density of 20 units per acre. This would achieve up to 530 units. Higher densities could be achieved with a four-story or greater product.
The letter concluded with: '(RD Realty) does not intend to simply make a proposal and terminate its land contract if that proposal is rejected. If this option is rejected, RDR will pursue alternative development avenues. Not developing the property is not an option.'

vide a benefit to the town by setting aside 20 percent of the units as affordable to low- and moderate-income and workforce households. He added that he would ask Bisgaier 'if the argument being raised is essentially Plan A or Plan B.'
'This letter really, really grinded me,' Councilman Mike DePierro said.
But DePierro also noted that the public has successfully opposed two previous development plans at the site, both with larger resident buffers than the 65 feet RD Realty is proposing, and 'the applications are not getting better, folks, they're going downhill. What's coming next, you may not like even more. ... Even if it's not this developer, which I'm really mad at, it could be someone else.'
'You never like to be threatened, but this is the reality we have to deal with,' said Mayor James Barberio, who sits on the council. The letter was panned during the public comment period as well.
'I really think that this is an insult to the residents of Parsippany,'

said Parsippany resident Mary Purzycki. 'This developer coming in here and saying if you don't like it my first way, I'm going to make it worse for you, I'm going to really give you something you don't want.'
Much of the opposition for the mixed-use development on the table has come from residents of Intervale Road and the neighboring Intervale Heights section of Parsippany, along with nearby residents of Mountain Lakes. Several of those home owners have organized a group known as Citizens for Health, Safety and Welfare, which has hired a land-use attorney to represent them.
'For the last few months we as residents have believed this developer has come here to bully us and scare us into allowing them to develop this land the way they want,' said David Kaplan, president of Citizens for Health, Safety and Welfare. 'So I'd like to thank the developers for putting that in writing and proving it.'
RD Realty's current proposal includes no

more than 60 luxury townhouse units and retail space. The company has signed an agreement with Whole Foods to occupy a 35,000-square-foot store, with a larger space for one or more additional tenants, one rumored to be a Target department store.
The planning board voted 8-1 last month to recommend the overlay zone to the council despite significant opposition from the public at several meetings, forcing the board to move those meetings to Parsippany High School to accommodate the hundreds of people attending.
Tuesday, the council considered the proposal, which had been drafted into an ordinance. But after a four-hour meeting, a vote to introduce the ordinance was tabled while a few amendments were considered, including the possible preservation of an isolating berm on adjacent Intervale Road known as Doremus Ridge.
William Westhoven: wwesthoven@njpressmedia.com

Today In History

Today is Thursday, March 21, the 80th day of 2013. There are 285 days left in the year.
On this date:
1871: Journalist Henry M. Stanley begins his famous expedition to Africa to locate the missing Scottish missionary David Livingstone.
1919: The Soviet Republic is proclaimed.
1945: After bombing the Gestapo headquarters in Copenhagen, British RAF planes mistakenly bomb a school, killing 86

children and 10 nuns.
1946: The United Nations sets up temporary headquarters at Hunter College in New York City.
1953: Sudan achieves self-government.
1965: More than 3,000 civil rights demonstrators led by the Rev. Martin Luther King Jr. begin a march from Selma to Montgomery, Ala.

Daily Record logo and address information: 6 Century Drive, Parsippany, NJ 07054. Email: newsroom@dailyrecord.com

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SOLDIER

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be contacted during their grieving.
'This is a hard time in our life right now and all we ask is to be left alone to grieve,' the family posted via the Team Derek Facebook page they had created.
McConnell graduated West Essex High School in West Caldwell in 2008 and was a member of

the Notre Dame Parish in North Caldwell, where he was an altar boy.
McConnell first deployed to Afghanistan on March 18, 2011. He was injured in July 2011 after stepping on an improvised explosive device (IED). He had both leg amputated and also fractured his skull, right arm and jaw in addition to other blast wounds, according to the Team Derek Facebook page.
He spent a total of 53 days in

the intensive care unit and seven months in the hospital. He battled pneumonia and various infections during that time. The page said he almost died a few times from sepsis.
The Team Derek Facebook page has nearly 6,200 likes.
McConnell is survived by his mother, fiancée and his four siblings Michael, Kellina, Ryan and Sean.

DOG

Continued from Page A1

'The idea was always to save the dog,' Susan Kolb said, though she and husband Gary Kolb fought Jefferson Township for some 18 months, accusing officials of 'breed hysteria' and persecution.
In a statement after Wednesday's hearing in Morristown, Susan Kolb said: 'The decision is not an easy one. This is not the outcome we were hoping for. My husband is brokenhearted and so is my son.' The Kolb's son, Arthur, is severely autistic and had a nurturing relationship with the Boerboel, Susan Kolb has said.
'I think they're making the right decision,' defense lawyer Robert Dunn said. He said the only hitches are that transportation of Imani to Utah must be successfully accomplished in the next few weeks.

D'Onofrio said the state presently 'endorses' the forfeiture plan and is willing to stop prosecution of Susan Kolb if Imani departs New Jersey for life at an acceptable facility. Susan Kolb must appear on April 10 in Superior Court for paperwork to be signed that would end her prosecution, D'Onofrio said.
The Kolbs had owned two Boerboels, Imani and Jumba, but the male died of cancer in January in the midst of Jefferson Township Municipal Prosecutor James LaSala's effort to get both dogs forfeited. LaSala could not be reached Wednesday but both Dunn and D'Onofrio said LaSala is enthused about the Utah plan.
While living in Jersey City, the Kolbs several times were in danger of having their dogs seized and possibly euthanized after the animals allegedly attacked four people

and bit one man on the groin between 2008 and 2009.
The Kolbs saved the Boerboels by signing a consent order in Jersey City in October 2011 that promised they would build special fences and enclosures, and always keep the dogs leashed and muzzled in public. They relocated to Jefferson in October 2011 and on Oct. 18, 2011, were observed by a police officer walking at least one dog without a muzzle at 5:30 a.m.
The township impounded the dogs, sought forfeiture and the Morris County Prosecutor's Office obtained an indictment from a grand jury that charged the pair with contempt of a court order. Superior Court Judge Mary Gibbons Whipple in Morristown recently dismissed the contempt charge against Gary Kolb and the state will dismiss

the charge against Susan Kolb if the transfer of Imani occurs.
Bowkley, the municipal court judge, last week concluded after hearing testimony over several months that the Kolbs violated the Jersey City court order. He ordered forfeiture and euthanization of Imani, but his order was put on hold pending an appeal, which would be moot if the Utah arrangement occurs.
'Imani is a member of our family and we have tried to protect her and Jumba with everything we have and as vigorously as possible,' Susan Kolb said. 'There are still a lot of hurdles to overcome so we are reserving our judgment until the agreement is signed and Imani is safe and out of harm's way.'
Staff Writer Peggy Wright: 973-267-1142; pwright@njpressmedia.com