

TOWNSHIP OF DENVILLE  
PLANNING BOARD  
MINUTES

**January 13, 2010**

The Planning Board of the Township of Denville held its reorganization meeting on Wednesday, January 13, 2010. The meeting was held at the Township Municipal Building, 1 Saint Mary's Place and commenced at 7:30 P.M.

**Acting Secretary Cuneo read Notice of Public Meeting.**

**Roll Call: Present –** Sue Filauro, Glenn Buie, Don Kuser, Lou Maffei, Kurt Schmitt, Mayor P. Ted Hussa, Marilyn Kuntz  
**Absent:** Peter Nienstadt, Jim Schoner  
**Professionals present –** Edward J. Buzak, Esq., Tiena Cofoni, Esq., Nicholas Rosania, PE, P.P., William Denzler, PP

**OATH OF ALLEGIANCE**

Acting Secretary Cuneo acknowledged the new appointment of Donald Kuser to the Planning Board. Ed Buzak, Esq. confirmed that the oath of allegiance had been administered to Mr. Kuser.

Peter Nienstadt, Marilyn Kuntz, Jim Schoner and Kurt Schmitt were previously sworn by Donna Costello, Town Clerk for their reappointments as board members.

**NOMINATION OF OFFICERS**

Acting Secretary Cuneo opened nominations for the position of Chairperson of the Board.

A motion was made to nominate **Susan Filauro** to serve as Board **Chairperson** by Mayor Hussa and seconded by Mbr. Buie.

No other nominations were heard and the nominations were closed.

**Roll Call: Ayes –** Hussa, Kuntz, Buie, Kuser, Maffei, Schmitt

Chr. Filauro opened nominations for the position of Vice Chairperson of the Board.

A motion was made to nominate **Louis Maffei** to serve as Board **Vice Chairperson** by Mbr. Kuntz, and seconded by Mbr. Buie.

No other nominations were heard and the nominations were closed.

**Roll Call: Ayes –** Kuntz, Buie, Schmitt, Kuser, Filauro, Maffei

**MINUTES**

Motion to adopt the minutes as submitted was made by Mbr. Kuntz, seconded by Mbr. Buie and unanimously approved by all members able to vote.

**PURCHASING**

Motion to pay vouchers submitted by William Denzler & Associates, dated December 2, 2009, subject to the availability of funds, was made by Mbr. Kuntz and seconded by Mbr. Buie and unanimously approved by all Members present and eligible to vote.

Motion to pay vouchers submitted by The Buzak Law Group, dated January 6, 2010, subject to the availability of funds, was made by Mbr. Kuntz and seconded by Mbr. Buie and unanimously approved by all Members present and eligible to vote.

**CORRESPONDENCE**

Chr. Filauro referenced the January edition of the New Jersey Planner and the Municipality Magazines.

Chr. Filauro opened to professional comments.

**PROFESSIONAL COMMENTS**

Nick Rosania, Township Engineer welcomed Susan Filauro as Chairperson. Bill Denzler, Township Planner stated he had nothing new and commented that we are waiting for the Governor and any changes for COAH and Highlands. Mayor Husa distributed a copy of a letter regarding a conformance seminar on the Highlands on February 1, 2010 at 7:30 p.m. and all are invited. Mayor Husa then inquired about zoning charges being billed directly. Bill Denzler indicated that applicant's are charged through escrow accounts. Bill is authorized to address zoning inquiries by walk-in's and escrow can be requested for extensive reviews by professionals from non-applicant's.

## **RESOLUTIONS**

### **Appointment of Board Attorney**

A motion was made to appoint **Edward J. Buzak, Esq.**, as Board Attorney for the year 2010 was made by Mbr. Buie, seconded by Mbr. Maffei and unanimously approved by all Members present.

### **Appointment of Board Secretary**

A motion was made to appoint **Denean Probasco** as Board Secretary by Mbr. Buie, seconded by Mbr. Kuntz and unanimously approved by all Members present.

### **Designation of Newspapers and Notices**

A motion was made to adopt the resolution by Mbr. Husa, seconded by Mbr. Kuntz and unanimously approved by all Members present.

### **Schedule of Meeting Dates 2010**

A motion was made to adopt the resolution by Mbr. Kuntz, seconded by Mbr. Maffei and unanimously approved by all Members present.

### **Requests for Notices of Meetings**

A motion was made to adopt the resolution by Mbr. Kuntz, seconded by Mbr. Maffei and unanimously approved by all Members present.

### **Adequate Notice of Meetings**

A motion was made to adopt the resolution by Mbr. Husa, seconded by Mbr. Kuntz and unanimously approved by all Members present.

### **Minutes of Meetings**

A motion was made to adopt the resolution by Mbr. Kuntz, seconded by Mbr. Buie and unanimously approved by all Members present.

## **OLD BUSINESS**

Mayor Husa commented that Bill Denzler, P.P. was going to speak at an upcoming council workshop on February 9, 2010 and indicated that members of the Planning Board are welcome to attend. This will be to discuss the Housing Element of the Master Plan, Ordinances for the Highlands. Mayor Husa inquired about changes to the Master Plan. Bill Denzler confirmed that the last review was in 2006 and the next review is due in 2012, which can be done as a Re-examination Plan if desired. Mayor Husa suggested that all board members receive a complete copy of the Master Plan at the end of this year and Bill Denzler confirmed that this will be year that things are in flux. The Highlands will supersede the Master Plan and if adopted, the new Highlands ordinances and elements will become the governing documents. Bill Denzler referenced the Township of Denville's Highlands Initial Assessment Report distributed to all members last July. Mayor Husa commented that the Board Members need to become familiar with the details of these documents and prepared for questions from the public. Chr. Filauro stated that a summary list of items would be helpful to outline the changes. Bill Denzler confirmed that he could provide this with a Development Matrix with the various regulations and exemptions side-by-side. The Plan Use Capacity Map is key in depicting existing development within the community as it relates to future growth and identifying environmentally sensitive areas using three zones and four sub-zones.

General board discussion ensued regarding gallons of water and the need for further education on the highlands overall and the exemption process. The Township Planner described the plan, not just as gallons of water but as multiple layers of consideration such as water resources, forest resources, scenic resources, as well as water infiltration, densities per acre, etc. The Mayor indicated that we have the very best professionals and legal counsel for the Highlands. The Board Attorney added that the upcoming sessions would be helpful in educating the board members and will ease understanding this massive undertaking. The Highlands Coalition is a group of 40 non-profit agencies "pro" Highlands organization. Chr. Filauro referenced copies

are available of the Sunday, December 27, 2009 publication with information from Mayor Husa on the Highlands.

**NEW BUSINESS**

Chr. Filauro stressed the importance of tapping into existing resources and walking the sites on applications before the public hearings. Nick Rosania confirmed his availability to accompany interested board members on some site visits.

The board attorney commented on foreseeable change in COAH regulations where municipalities will have more control. Mr. Buzak also mentioned the training program for new members and encouraged participation in attending regardless of mandatory obligation.

Mbr. Kuntz made a motion to go into closed session to discuss the pending litigations. Mbr. Maffei seconded the motion.

**CLOSED SESSION**

Mbr. Buie made a motion to end the closed session of the meeting and adjourn. Mbr. Kuntz seconded the motion.

**ADJOURNMENT**

Motion to adjourn.

Denean Probasco, Board Secretary