

TOWNSHIP OF DENVILLE  
PLANNING BOARD  
MINUTES

**May 26, 2010**

The Planning Board of the Township of Denville held its regularly scheduled meeting on Wednesday, May 26, 2010. The meeting was held at the Township Municipal Building, 1 Saint Mary's Place and commenced at 7:30 P.M. Chairperson Filauro presided.

**Secretary Probasco read Notice of Public Meeting.**

**Roll Call:**       **Present** – Mayor Hussa, Chr. Filauro, Vice Chr. Lou Maffei, Glenn Buie, Marilyn Kuntz, Don Kuser, Pete Nienstadt, Peter Nienstadt  
                      **Absent** – James Schoner, Kurt Schmitt  
                      **Professionals present** – Ed Buzak, Esq., Nicholas Rosania, PE, William Denzler, PP

**MINUTES**

**May 12, 2010**

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

**PROFESSIONAL COMMENTS**

Nick Rosania, Township Engineer indicated that members should feel free to contact him with any questions regarding the project updates in the monthly engineering report. Referenced large water main and paving projects would be commencing soon. Phase I of the sewer project is coming to a close. Stating that of 300 homes approximately 200 have tied in. Cost for remediation with the Diocese is under negotiation and has not yet been determined.

William Denzler, Township Planner indicated that there will be ordinances coming from the council regarding property maintenance, signing and lighting in the coming weeks. Water resource, well-head and tree management will be in the next round.

Chr. Filauro recognized Mayor Hussa's attendance.

Ed Buzak, Esq. had no comments.

**PUBLIC HEARINGS**

**Affordable Housing Plan**

Chr. Filauro opened the public hearing on the Affordable Housing Plan. Stating to the public that due to legislation Housing Plans now include Affordable Housing. Secretary Probasco confirmed to the board attorney that legal notice had been given in accordance with the statute.

Bill Denzler, Township Planner reviewed the Housing Element and Fair Share Plan dated May 2010. Third Round COAH Obligation deadline of June 8, 2010. With anticipated Council endorsement of June 1, 2010. Mr. Denzler reviewed the May, 2010 report providing an overview of the prior COAH round obligations and corresponding fulfillments and remaining requirements. Background studies include demographics of the Township. Provided a review of the property (p.11) summary. The corresponding handout on Conceptual Development for Block 62002, Lot 1 of 19.01 acres (Exhibit A-1) was reviewed.

Only 5% of all building permits issued were affordable housing, whereas 51 housing units in the prior year. Due to the recession, only 19 new homes have been built in the past two years, (9 in one and 10 in another). Reflecting a drop-off in large development, with a trend now for minor subdivisions and small in-fill type developments of single lots throughout the Township.

Summarizing Denville Township's Third Round COAH Obligation. The Township exceeded the prior obligation of 325 units with a total of 356 units. The third round rule obligation of 290 units assigned leaving an obligation of 259, leaving 232 units remaining after a 383.5 credit.

Two primary methods to meet the obligation. The first is Vanderhoof Avenue (Block 62002, Lot 1) a 19 acre property owned by the Township. 100% affordable housing. The site could hold 110 units of 1, 2 and 3 bedrooms. (Exhibit A-1) Options to fund this could be Housing Trust Fund, Development Fees, Residential Growth throughout the township and could be done in a phased approach. Another option is a mandatory 2-% set-aside for development of three lots or more. Group housing provides the most bang for the buck as the numbers are based upon bedrooms.

Mr. Denzler explained that the Township is not locked in to the proposed layout. That the Governor will be looking at changing the COAH rules. The new Senate Bill S-1 (scheduled for decision next week)

could abolish COAH and task force on March 19, 2010. The obligations would be reduced to a 10% set-aside (reduced 1 in 10 versus 1 in 5) and residential growth instead of a combination of residential growth and non-residential growth.

Chr. Filauro opened the hearing to board members for comments and questions.

Mbr. Nienstadt inquired if Peer Place and St. Peters are included. Bill Denzler responded that Peer Place was included but that the St. Peters group home doesn't meet all the criteria (i.e. deed restricted and income controlled) and is more private housing.

Mbr. Kuser inquired about St. Francis for rehabilitation. Bill Denzler indicated also not qualified due to not being income controlled. Must be deed restricted and income controlled. Medicare does not necessary meet the criteria.

Chr. Filauro inquired about the rehab criteria. Bill Denzler indicated census statistics are a part of it but if insufficient bathroom facilities, etc.

Mbr. Kuser inquired about census information. Mr. Denzler responded that that census information is provided once annually and then goes through several revisions. Taking one and one half years to get the final full census package.

Chr. Filauro inquired about who determines the affordable housing eligibility. Bill Denzler indicated that administrative agents. There are income limits and the managing entities are responsible to determine eligibility. There is a two year waiting list.

Mayor Husa spoke to the plan being conceivable and inquired about accessory apartments and buy-down programs. Mr. Denzler confirmed that the township has to have the mechanism in place for the affordable housing. With the buy-down a two-family home or a living area above a two car garage could be purchased by the township with these funds and resold as affordable housing. There is a limit of ten of these homes over the life of the plan. The Highlands build-out of 50 for residential development would be increased and does not include the exempted properties.

Chr. Filauro opened the hearing to the public for comments and questions. Seeing none the public portion was closed.

Mayor Husa spoke to the relief in certain areas in the plan, likes the bonuses and the thorough investigation having taken place. Stating Bill Denzler's due diligence efforts in locating every affordable housing opportunity. The Mayor's opinion is that we should be in the Highlands now and hopes that we won't have to build more than half of what is proposed. Mr. Denzler indicated that he doubts we will have to do much at all.

Mbr. Buie commended Bill Denzler for his work on the project and the complexities of working on it while it's changing.

Mbr. Kuntz commented on Bill Denzler having done a great job with something so repetitive and believes it's perfect to send to the state.

Chr. Filauro agreed on it being a great job. Inquired about Table 8 on Page 24 with bump in female population. Voiced confidence about the selected location, the flexibility it provides, the options and all the changing rules.

Ed Buzak, Esq. added his compliments as well to the Township Planner and indicated that the resolution was prepared for adoption. Recommending that the board adopt the resolution to be forwarded on to Council.

A motion to adopt the Housing Element and Fair Share resolution was made by Mbr. Buie, seconded by Mbr. Kuntz and approved by all voting members.

**ROLL CALL:** Ayes – Buie, Kuntz, Kuser, Nienstadt, Maffei, Husa, Filauro

#### **ADJOURNMENT**

Motion to adjourn.

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Denean Probasco, Board Secretary

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Date adopted