

TOWNSHIP OF DENVILLE
PLANNING BOARD
MINUTES

August 10, 2011

The Planning Board of the Township of Denville held its regular meeting on Wednesday, August 10, 2011. 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** – Chr. Sue Filauro, Mayor Ted Husa, Pete Nienstadt, Kurt Schmitt
 Absent – Lou Maffei, Glenn Buie, Marilyn Kuntz, Gene Fitzpatrick, Mark London
 Professionals present – Edward Buzak, Esq., William Denzler, PP

MINUTES

July 13, 2011

Motion to adopt the minutes as amended was made by Mbr. Schmitt, seconded by Mayor Husa and unanimously approved by all members able to vote.

PURCHASING

Motion to pay vouchers submitted by Hatch Mott MacDonald (dated July 12, 2011) subject to the availability of funds, was made by Mbr. Nienstadt, seconded by Mbr. Schmitt and unanimously approved by all Members present and able to vote.

Motion to pay vouchers submitted by William Denzler and Associates (dated July 7, 2011) subject to the availability of funds, was made by Mbr. Nienstadt, seconded by Mbr. Schmitt and unanimously approved by all Members present and able to vote.

CORRESPONDENCE

Chr. Filauro referenced the New Jersey Planner magazine and it's article on the Master Plan.

PROFESSIONAL COMMENTS

Bill Denzler, Township Planner stated he had nothing specific for this evening.
Mayor Husa had none.

RESOLUTIONS

**PSP/FSPV 11-01: Picatinny Federal Credit Union
 Block 31401, Lot 1
 340 Route 53**

A motion was made to adopt the resolution by Mbr. Nienstadt, seconded by Mbr. Schmitt and unanimously approved by all members able to vote.

ROLL CALL: Ayes – Nienstadt, Schmitt, Husa, Filauro

**MSV 11-03: Richard & Karen Fels
 Block 41301, Lot 8
 26 Broad Street**

A motion was made to adopt the resolution by Mbr. Schmitt, seconded by Mbr. Filauro and unanimously approved by all members able to vote.

ROLL CALL: Ayes – Schmitt, Filauro

NEW BUSINESS

Ordinance Update

Chr. Filauro referenced new ordinances and asked the Township Planner to provide the board members with an overview.

Bill Denzler provided an update on Ordinance 15-11 – Outdoor Storage and 18-11 – Fees

Ordinance 15-11 – Outdoor Storage amends our existing outdoor storage ordinance. There is a change under the Residential section adds a clarifying statement that registered vehicles on your property shall not be considered outdoor storage. There is a change under Business/Industrial zones B2 public garages, service stations and both new and used auto establishments, adding a time period (renewable) limit of sixty days for cars to remain. Applies to both registered and unregistered vehicles.

Chr. Filauro opened to the board members.

Mbr. Schmitt had no questions and commented that the limit and ability to renew the limit is a good clarification.

Mbr. Nienstadt inquired if vehicles have to be registered on your property. Bill Denzler replied that all vehicles are supposed to be registered.

Chr. Filauro commented that a redlined version would be nice to have. Stating that many of her comments were with the existing ordinance and not the amendment. One of which, was for those changing oil in driveways. Bill Denzler spoke to common sense versus extreme cases where legal situations. Commercial vehicles are addressed under a separate section.

Mayor Husa inquired how many were impacted. Bill Denzler replied that he did not have a number but that all of the auto dealerships, gas stations, service stations and repair places along Route 53 will be affected. Stating that it includes unregistered vehicles to address automobile dealerships. Mayor Husa inquired how many people would be cited under the new ordinance and if they were aware of the pending changes. Bill Denzler replied four would be impacted and he did not know if they were aware. Those with issues would be made aware first with a warning. It is not a permitted use for repair centers to sell vehicles.

Mayor Husa stated he has received numerous emails on A2. A2 states that no vehicles can be stored or repaired outside a garage and applies to disassembled or disabled condition. Mayor Husa referenced that strong language be added on A2 because it's a problem for anyone working on a car. Mayor Husa inquired if this ordinance could be tabled. The board attorney stated that even if no action was taken on the ordinance changes, the language is already in the existing ordinance. Stating that the board can only make recommendations to the governing body and that the boards focus should be on the amendments to the existing ordinance. The two items being (a) whether the board finds the changes consistent or inconsistent with the Master Plan and (b) whether the board has any comments on what the governing body is proposing. Mayor Husa stated that the comment included by the Planning Board could be that 'although we don't have a solution to the problems brought before us to Section A2 we do feel that changes should be made and either addressed by the subcommittee meeting or the Planning Board could provide more specific recommendations at a future time. Mbr. Nienstadt referenced 'at discretion' and enforcement. Chr. Filauro added that she would be in favor of a comment back stating that the board does not have any reservations about the two areas being revised in the ordinance but that the board does have concerns about the comments expressed regarding the outdoor storage. Any modifications would be up to the Council.

A motion to approve the ordinance changes was made by Mbr. Nienstadt, seconded by Mbr. Schmitt and unanimously agreed to by all members eligible to vote.

Chr. Filauro referenced the recent presentation before the board by the recycling coordinator and asked the members to notify her if there were other presenters they would like to have.

Ed Buzak, Esq. referenced Ordinance 18-11 and an increase in the zoning board of adjustment application fee. Bill Denzler stated that there is currently an exemption of escrow on residential applications for additions, alterations, decks, fences, etc. The application fee increase would offset the costs of having a professional review a more complex residential application that does not have escrow. The board found that the ordinance was not inconsistent with the master plan and had no further recommendations. It was unanimous by all board members present.

ADJOURNMENT

Motion to adjourn.