

**PSP/FSPV 13-03: Morris County School of Technology (No Vote: London, Schmitt)
Block 31301, Lot 3 & 18
400 East Main Street**

A motion was made to adopt the resolution of approval, as revised, by Mbr. Buie, seconded by Mbr. Filauro and unanimously approved by all Members present and able to vote.

Roll Call: Ayes – Buie, Filauro, Kuntz, Andes, Maffei

Mayor Andes reviewed the meeting that was held on Monday, July 8, 2013 which included Freeholders Lyons, Cabana, Grossi, County Administrator Bonanni, Township Administrator Ward, Chief Wagner, Mr. Ruschke, the County engineer and two (2) representatives from Morris County Vo-Tech to discuss the Route 53 crossing at Fox Hill Road, the traffic in that area and Morris County Vo-Tech playground.

R-13-147 Resolution requesting Planning Board review of a resolution designating certain property in the Township as an area in need of rehabilitation.

**Township of Denville
30 Estling Lake Road
Block 30601, Lot 6**

A review of the report regarding the qualifications for determination of an area in need of rehabilitation under the Local Redevelopment and Housing Law (LRHL) and a review of the proposed resolution of the Township.

Mbr. Buie stated that he had a family member who owns property in Estling Lake but he has no fiduciary responsibilities to it. Mr. Buzak stated there was no conflict.

Mr. Kasler reviewed his report titled "Rehabilitation of 30 Estling Lake Road" which explained the definition of rehabilitation. Mr. Kasler stated that the Township Council has determined this property meets the requirements that this is an area in need of rehabilitation. It is now before the Planning Board for their determination on whether they agree with the Township Council that this is an area in need of rehabilitation.

Mr. Kasler explained the criteria to be used to determine if an area is in need of rehabilitation and the process which will take place in order to declare this property as such.

He confirmed there is contamination on the site of which the developer is aware and will be addressing if the proposed project is constructed.

The Township will not have the power of condemnation with the rehabilitation option, so the site will remain under private ownership.

The developer will still have to come in front of the Planning Board for site plan approval, at which time a traffic study can be requested. The Administration and Township Council are concerned with the traffic and have worked with the developer on different options to alleviate that concern.

An additional benefit for rehabilitation is that the developer is required to pay a PILOT (payment in lieu of payment) on the improvements to the property. The Township will then be able to distribute the PILOT money as it sees fit.

Rehabilitation also allows for the Township to have more control as to what is developed on the property. The developer cannot ask for variances from the rehabilitation plan. The rehabilitation plan is being drafted as part of the zoning ordinances. This would allow the Township to work with a developer to maximize the property to be benefit of both.

There was a discussion regarding other possible uses for this property, the concerns of the neighborhood, wetlands and the contamination currently on the site. The ordinance will have a baseline zone in order to avoid zoning the property into inutility.

A motion that the Board should recommend that the Township Council should adopt the resolution and go forth with the ordinance designating this property as an area in need of rehabilitation was made by Mbr. London, and seconded by Mbr. Buie.

Ayes: London, Buie, Kuntz, Filauro, Schmitt, Andes, Maffei

PUBLIC HEARINGS

No Public Hearings Scheduled.

NEW BUSINESS

Mr. Buzak explained the history regarding Affordable Housing Trust Fund moneys and the letter that was sent about the forfeiture of those funds. He also explained that today the Supreme Court issued their opinion that upheld the Appellate Division's determination that Governor Christie's reorganization plan to abolish COAH was invalid based on the fact that COAH was 'in' and not 'of' the DCA. COAH still exists and can only be dissolved by legislature.

Mr. Kasler stated that the entire sign ordinance should be reviewed and updated.

ADJOURNMENT

Motion to adjourn.

Denean Probasco, Board Secretary

Date Approved: September 11, 2013