

R-10-41

**TOWNSHIP OF DENVILLE, MORRIS COUNTY  
RESOLUTION TO RESCIND A PORTION OF RESOLUTION #R-09-258  
TO WITHDRAW SUBMISSION OF PETITION FOR PLAN CONFORMANCE  
TO THE HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL  
FOR LAND IN THE PLANNING AREA**

**WHEREAS**, by Resolution #R-09-258, adopted November 24, 2009, the Municipal Council of Denville Township Petitioned the Highlands Council for Plan Conformance for lands lying within the Preservations Area and the Planning Area of the Township, as defined by the Highlands Act; and

**WHEREAS**, since Plan Conformance by the municipality is strictly voluntary for lands in the Planning Area, and

**WHEREAS**, at any time during the Plan Conformance process, the Township of Denville may choose not to obtain conformance with the Regional Master Plan for the lands lying within the Planning Area, and any approvals, rejections or approvals with conditions of the revised municipal master plan and development regulations recommended by the Highlands Council during the Plan Conformance process will not be binding on the Township of Denville as they relate to the development and use of land in the Planning Area; and

**WHEREAS**, should the Township of Denville formally withdraw from the Plan Conformance process with regard to the Planning Area, grant funding awarded to the Township of Denville up to the date of withdrawal that has been appropriately utilized in accordance with the Plan Conformance Grant Program and applicable grant agreement shall not be reimbursable to the Highlands Council; and

**WHEREAS**, the Municipal Council has determined to rescind that portion of Resolution #R-09-258 that petitions the Highlands Council for Plan Conformance for lands lying within the Planning Area, as defined by the Highlands Act; and

**WHEREAS**, the Municipal Council has determined to formally withdraw its submission of a Petition for Plan Conformance for lands in the Planning Area.

**NOW, THEREFORE BE IT RESOLVED**, that the Municipal Council of the Township of Denville, County of Morris, hereby rescinds that portion of Resolution #R-09-258 which authorizes the submission of a Petition for Plan Conformance to the Highlands Council for that portion of the Township's jurisdiction lying within the Planning Area in accordance with the Highlands Act; and


**BE IT FURTHER RESOLVED**, that the Municipal Council hereby withdraws the submission of the Petition for Plan Conformance to the Highlands Council for lands within the Planning Area and preserves the right to re-submit a Petition for Plan Conformance for lands in the Planning Area; and

**BE IT FURTHER RESOLVED**, that the portion of Resolution #R-09-258 authorizing the submission of a Petition for Plan Conformance to the Highlands Council

for that portion of the Township's jurisdiction lying within the Preservation Area in accordance with the Highlands Act shall remain in full force and effect.

I, DONNA I. COSTELLO, MUNICIPAL CLERK OF THE TOWNSHIP OF DENVILLE DO HEREBY CERTIFY THE ABOVE TO BE A TRUE AND EXACT COPY OF RESOLUTION 10-41, ADOPTED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE ON 2-9-10, 2010.

2-11-10  
Certification Dated:

  
Donna I. Costello, RMC/CMC  
Municipal Clerk

