

**Fourth Round Master Plan Reexamination Report
Mendham Borough
Morris County, New Jersey**



Mendham Borough Joint Land Use Board

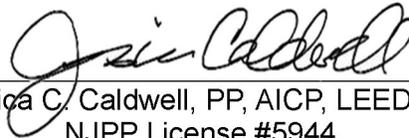
James R. Kelly, Mayor, Class I
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Alexandra Henry Traut, Councilperson, Class III
Joe D'Urso, Class IV
John Egerter, Class IV
Marie Rose Garbacz, Class IV
James Molnar, Class IV
Richard Smith, Class IV
Dave Sprandel, Class IV
Keith Kay, Alternate #1
Richard Pace, Alternate #3
Jim Chambers, Alternate #4

Lisa Smith, Planning & Land Use Coordinator
Thomas Germinario, Esq., Board Attorney
Paul Ferriero, P.E., Board Engineer
Jessica Caldwell, P.P., A.I.C.P., Board Planner

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Prepared by:





Jessica C. Caldwell, PP, AICP, LEED-GA
NJPP License #5944

Mendham Borough Master Plan Reexamination Report – March 3, 2026

1. Introduction

The New Jersey Municipal Land Use Law (MLUL) (N.J.S.A. 40:55D-1 et seq.) provides that each municipality within the State of New Jersey periodically reexamine its Master Plan policies and assumptions, and its zoning restrictions and site plan and subdivision regulations, and prepare and adopt by resolution, a report on the findings of such reexamination. The Reexamination Report must include the following components (N.J.S.A. 40:55D-89):

- A. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.
- B. The extent to which such problems and objectives have been reduced or have increased subsequent to such date.
- C. The extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition, and recycling of designated recyclable materials, and changes in State, county and municipal policies and objectives.
- D. The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.
- E. The recommendations of the Joint Land Use Board concerning the incorporation of redevelopment plans adopted pursuant to the “Local Redevelopment and Housing Law,” into the land use plan element of the municipal master plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.
- F. The recommendations of the Joint Land Use Board concerning locations appropriate for the development of public electric vehicle infrastructure, including but not limited to, commercial districts, areas proximate to public transportation and transit facilities and transportation corridors, and public rest stops; and recommended changes, if any, in the local development regulations necessary or appropriate for the development of public electric vehicle infrastructure.

The first Borough of Mendham Master Plan was adopted by the Planning Board¹ in 1951. It was followed by master plan reviews in 1978, 1988, and 1994, and a reexamination in 2000. In October 2006, the Planning Board adopted a comprehensive Master Plan update which laid the foundation for most of the Borough’s subsequent planning and zoning activities including, land use, demographics, circulation, community facilities, recreation, historic preservation, open space, conservation ERI², and public utilities plan elements. The Planning Board subsequently adopted

¹ The Borough of Mendham adopted a Joint Land Use Board via Ordinance No. 16-2020 on December 17, 2020, wherein the Board shall exercise both powers of a planning board, pursuant to N.J.S.A. 40:55D-25, and the powers of a zoning board of adjustment, pursuant to N.J.S.A. 40:55D-70. The Joint Land Use Board shall exercise the powers assigned to the Borough Planning Board, pursuant to §124-9 of the Borough Code, and the power assigned to the Borough Zoning Board of Adjustment, pursuant to §124-20 of the Borough Code.

² ERI standards for Environmental Resource Inventory.

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Master Plan Reexamination Reports in 2016, 2020, and 2025. The following is a list of various Master Plan Elements or planning documents that have been updated or created over the years:

- Open Space, Recreation, and Historic Preservation Plan (2002)
- Housing Element and Fair Share Plan (2005, 2008, 2016, 2020, and 2025)
- Historic District Expansion Phase 1 (2009)
- Historic District Expansion Phase I Map (2009)
- Highlands Initial Assessment Report (2009)³
- Historic District Expansion Phase II (2011)
- Historic District Expansion Phase II Map (2011)
- Loop Trail Plan (2011)
- Amendment to the Land Use Plan Element of the 2006 Master Plan (2015)

Since the time of adoption of the last Master Plan Reexamination Report in 2025, the assumptions, policies, and objectives upon which the Master Plan is based have changed by virtue of the Borough receiving objections to the Housing Element and Fair Share Plan adopted on June 17, 2025.

Accordingly, the Joint Land Use Board has reexamined the Borough Master Plan and development regulations to determine the specific changes necessary to achieve conformance with the Affordable Housing Dispute Resolution Program settlement. It is the intent of this Report to identify the specific revisions needed to bring the Borough Master Plan and development regulations into conformance with the New Jersey Bill A4/S50 and the Fourth Round settlement agreement.

2. Major Land Development Problems and Objectives

The following is a list of major problems and objectives relating to land development in the Borough at the time of the adoption of the 2025 reexamination report.

2025 Reexamination Report

The Primary focus of the 2025 Master Plan Reexamination Report was to address the changes in New Jersey's affordable housing legislation that requires municipalities to submit an updated Housing Element and Fair Share Plan to the Dispute Resolution Program for a determination of compliance with the Fair Housing Act and the municipality's obligation to provide its fair share of affordable housing. The report referenced the last two reexamination reports as briefly addressed below.

2016 & 2020 Reexamination Reports

- A. Consideration of Village Center clustering for a variety of properties in the Village Center area including:
 - i. de Neufville (Block 1801, Lot 16);
 - ii. Cosma (Block 203, Lot 79); and

³ Mendham Borough is located entirely within the Planning Area of the Highlands Region, where local conformance to the Highlands Regional Master Plan is entirely voluntary. The municipality completed a Highlands Initial Assessment Report in 2009; however, did not go forward with Highlands Plan Conformance at that time. The Borough has reconsidered and may be moving forward on Plan Conformance in the near future.

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- iii. Hilltop School (Block 1501, Lot 35).

The last reexamination report identified the de Neufville tract, from the above listed sites, as the most viable location for any consideration of cluster zoning, which would include inclusionary zoning. Since that time, the last Housing Element and Fair Share Plan identified the Daytop site (Block 18.01, Lot 5) as more viable than the de Neufville site for inclusionary zoning. Thus far, cluster zoning or inclusionary zoning on the de Neufville site is not being pursued.

B. Main Street Corridor

This item was addressed. The Borough adopted design elements for the Main Street Corridor in 2007 (Chapter 195, Subdivision of Land and Site Plan Review, Article XIA).

C. Historic District Overlay Zone

This item was addressed. In September 2011, the Planning Board amended the Historic Preservation Element of the Master Plan to expand the Historic District Overlay as recommended along both East and West Main Street and various other locations on Hilltop Road, Talmage Road, Orchard Street, and Hampton Road. In November 2011 the Borough Council adopted Ordinance No. 7-11 to implement this change.

D. In-Home/Offices and Businesses

This remains an ongoing objective for the Borough.

E. Multi-Generational Family Housing

This remains an ongoing objective for the Borough.

F. Public Parking

This remains an ongoing objective for the Borough.

G. Constraints on Development

This remains an ongoing objective for the Borough.

H. Highlands Region

- i. The Highlands Regional Master Plan had not yet been released at the time of the 2006 Master Plan therefore the Land Use Plan Element stated that the Planning Board intended to review and consider the “...*Highlands Plan and its regulations at the time they are issued.*”

Mendham Borough is located entirely within the Planning Area of the Highlands Region, where local conformance to the Highlands Regional Master Plan is entirely voluntary. The municipality completed a Highlands Initial Assessment Report in 2009 and is considering pursuing Highlands Plan Conformance in the future.

I. Circulation Plan Element

This remains an ongoing objective for the Borough.

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J. Conservation Plan Element

This remains an ongoing objective for the Borough.

K. Stormwater Management Plan

This remains an ongoing objective for the Borough.

L. Public Utilities Plan Element

This remains an ongoing objective for the Borough.

M. Housing

This remains an ongoing objective for the Borough. The Borough of Mendham revised its Third Round Housing Element in 2005, 2008, 2016, and 2020 each time in order to address the Borough's Third Round Affordable Housing Regulations.

N. Affordable Housing:

This objective needs to be addressed at this time. A Housing Element and Fair Share Plan was adopted in May 2020 that addressed the Borough's Third Round obligations. On March 20, 2024, Governor Murphy signed into law Bill A4/S50, codifying the Fourth Round of affordable housing. In accordance with this law, the Borough adopted a 2025 Housing Element and Fair Share Plan on June 17, 2025. In response, the Borough received several challenges from a private developer as well as Fair Share Housing Center. After mediation through the Affordable Housing Dispute Resolution Program, the challenges were settled. The Borough should adopt a new Housing Element and Fair Share Plan that satisfies the requirements of the Fair Housing Act and provides for the Borough's fair share of affordable housing units for the Fourth Round Period from July 2025 through June 2035.

3. Extent of Reduction or Increase in Problems and Objectives

The Primary focus of this Master Plan Reexamination Report is to address the changes in New Jersey's affordable housing legislation that requires municipalities to submit an updated Housing Element and Fair Share Plan to the Dispute Resolution Program for a determination of compliance with the Fair Housing Act and the municipality's obligation to provide its fair share of affordable housing. The Borough Joint Land Use Board adopted a Housing Element and Fair Share Plan (HEFSP) on June 17, 2025. The plan was filed with the Dispute Resolution Program on June 18, 2025. On August 27, 2025, Accordia Realty Venture, LLC filed a challenge of the Borough's HEFSP. On August 31, 2025, Fair Share Housing Center also filed a challenge of the Borough's HEFSP. The Borough has engaged in mediation through the Dispute Resolution Program and in an attempt to settle the challenges, is proposing an updated HEFSP.

Recommendations with respect to other goals and objectives from the 2025 Master Plan Reexamination Report should be considered in future reexamination reports.

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4. Significant Changes in Assumptions, Policies, and Objectives

Since the last Reexamination Report of the Borough Master Plan in 2025, the Borough received several challenges to the Housing Element and Fair Share Plan adopted on June 17, 2025. These challenges include those from the Fair Share Housing Center (FSHC) and Accordia Realty Venture LLC. Accordingly, the HEFSP has been revised to reflect the proposed settlements with the respective parties.

5. Specific Recommended Changes to the Master Plan or Development Regulations

An updated Housing Element and Fair Share Plan dated March 3, 2026 addressing the Round Four obligations of the Borough of Mendham should be adopted and submitted to the Dispute Resolution Program by the March 15, 2026 Fair Housing Act deadline. Specific changes to the HEFSP since June 2025 include the distribution of credits between the Third and Fourth Rounds, implementation of a durational adjustment due to a lack of water and sewer, and updates to affordable housing overlay zones.

All ordinances required to implement the March 3, 2026 Housing Element and Fair Share Plan should be adopted.

6. Changes Recommended for Incorporation of Redevelopment Plans

At this time, the Joint Land Use Board makes no findings or recommendations concerning the incorporation of redevelopment plans pursuant to the Local Redevelopment and Housing Law, P.L. 11992. C.79 (C.40A:12A-1 et al.).

7. Changes Recommended for Public Electric Vehicle Service Equipment (EVSE)

At this time the Joint Land Use Board continues to recommend existing municipal facilities as appropriate locations for the development of public EVSE.