



To: Borough of Mendham Joint Land Use Board
From: Jessica Caldwell, PP, AICP, LEED-GA, Board Planner
Subject: Ordinance 09-2026 – Bernardsville Road Affordable Housing Overlay Zone – Master Plan Consistency Review
Date: June 11, 2026

Dear Board Members:

According to the Municipal Land Use Law, N.J.S.A. 40:55D-26, prior to the adoption of development regulations, revisions, or amendments thereto, the Planning Board (or Joint Land Use Board) shall make and transmit to the Governing Body, within 35 days after referral, a report including identification of any provisions in the proposed development regulation, revision or amendment which are inconsistent with the Borough's Master Plan. Ordinance 09-2026 was introduced at the June 2, 2026, Borough Council meeting and referred to the Joint Land Use Board.

Ordinance 09-2026 proposes to amend and supplement Chapter 215, "Zoning," of the Borough's code to add Article XXI (§ 215-89) entitled, "Bernardsville Road Affordable Housing Overlay Zone." This ordinance would address the requirements of the Fair Housing Act and contribute to the Borough's compliance with its Round Four affordable housing obligations. Specifically, the ordinance implements the recommendations of the Affordable Housing Dispute Resolution Program Judge, the Borough's 2026 Housing Element and Fair Share Plan (HEFSP), and public comments received by the Borough Council and the Joint Land Use Board.

The purpose of the Bernardsville Road Affordable Housing Overlay Zone (B-AHO) is to create a realistic opportunity for the construction of low- and moderate-income housing, and the ordinance is intended to permit the subdivision of Block 2301, Lot 13 (350 Bernardsville Road) to create two (2) lots. The first lot will contain the former and currently vacant Motherhouse, which will be rehabilitated and repurposed into an inclusionary housing development pursuant to the 2026 HEFSP. The second lot will be permitted uses specified in the 5-Acre Residence Zone and the Religious Campus Zone.

After reviewing the Borough's 2006 Master Plan and the 2026 HEFSP, I find that the proposed ordinance advances the following Master Plan goals and objectives:

- To maintain a reasonable balance and variety of housing options within an approved housing element;
- To provide for the orderly development and redevelopment of land in a manner that promotes the public health, safety, and welfare; and





- To ensure that municipal land use regulations remain consistent with State law and policy.

The 2015 Land Use Plan Amendment proposed the amendment to the 2006 Master Plan to permit the R-5/Religious Campus Zone District. This zone district was proposed before the construction of the new Mother House¹ on the religious campus, which effectively left the former Mother House functionally obsolete. The 2026 Master Plan Reexamination Report identifies the changed circumstances with respect to this property and the objection filed by the property owner to the 2025 Housing Element and Fair Share Plan, which did not include their proposal to adaptively re-use the former Mother House for multi-family housing with an inclusionary component for affordable housing. The 2026 Master Plan Reexamination Report recommended that the Joint Land Use Board adopt an updated 2026 Housing Element and Fair Share Plan to address the objection from the property owner and developer of the religious campus. Additionally, the 2026 Housing Element and Fair Share Plan recommended the inclusion of Block 2301, Lot 13, and proposed the adaptive reuse of the Mother House, including 150 multi-family units with 30 affordable units. The project is referred to as the Sisters of Christian Charity site. The inclusion of the project requires an update to the zone for the R-5/Religious Campus Zone District. The proposed ordinance implements the proposal to adaptively reuse the former Mother House for multifamily inclusionary housing. The remainder of the property remains subject to the general standards of the R-5/Religious Campus Zone District.

Ordinance 09-2026 implements the 2026 HEFSP, approved by the Joint Land Use Board, the Affordable Housing Dispute Resolution Program, and recommended by the Program Judge. It permits the subdivision of the site to provide for a portion of the Borough's affordable housing unit obligation. The ordinance requires compliance with the Amended Fair Housing Act and the Uniform Housing Affordability Controls.

Accordingly, I recommend that the Joint Land Use Board find that Ordinance 09-2026 is consistent with the Borough of Mendham Master Plan.

Very truly yours,

Jessica C. Caldwell, PP, AICP, LEED-GA
Mendham Borough Board Planner
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¹ Construction completed in 2018.