

**MINUTES OF THE  
MENDHAM BOROUGH PLANNING BOARD  
May 11, 2015**

**Garabrant Center, 4 Wilson Street, Mendham, NJ**

**CALL TO ORDER**

The regular meeting of the Mendham Borough Planning Board was called to order by Mr. Kraft, Chair, at 8:00PM at the Garabrant Center, 4 Wilson Street, Mendham, NJ.

**OPENING STATEMENT**

Notice of this meeting was published in the *Observer Tribune* and in the *Daily Record* on January 15, 2015 and was posted on the bulletin board in the Phoenix House in accordance with the Open Public Meetings Act, and furnished to all those who have requested individual notice and have paid the required fee.

**ATTENDANCE**

Mayor Henry – Present  
Mr. Bradley – Present  
Ms. Lichtenberger – Absent  
Administrator Merkt – Present  
Mr. Sprandel - Present

Mr. Kraft - Present  
Mr. Cascais – Present  
Ms. Isaacson – Present (arrived at 8:10PM)  
Councilman Andrews – Present

Alternates:

Mr. Kay, Alternate I – Present  
Mr. McDevitt, Alternate II - Present

Also Present:

Mr. Ferriero, Engineer  
Mr. Henry, Attorney

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**MINUTES**

Councilman Andrews made a motion to approve the minutes of the regular meeting of April 13, 2015 which was seconded by Mr. Bradley. On a voice vote, all eligible voters were in favor and the minutes were approved, as written.

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**PUBLIC COMMENT**

Mr. Kraft opened the meeting to questions and comments on items not included in the agenda. There being none, the public comment session was closed.

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**APPLICATIONS**

**PB #943 Barber, Ronald, 78 Mountainside Road, Block 501, Lot 24**  
Minor Subdivision

Mr. Kraft announced that Applicant's Attorney has requested that hearing be carried to the June 8, 2015 meeting with no further notice.

Mr. Kraft, Mr. Merkt and Mr. McDevitt indicated that they may recuse from the hearing as they own/reside in the Mendham Commons.

**PB #03-15 Castignetti, Albert & Nancy, 8 Forest Road, Block 604, Lot 7**  
Amended Subdivision

Present: Albert Castignetti, Applicant

Mr. Castignetti was sworn. He confirmed that sufficient notice had been provided, however, his Engineer was unable to attend the hearing.

Exhibits 1-17 were entered into the record (photographs depicting the existing stormwater basin during various weather conditions at various points during the year).

Mr. Castignetti stated that he is seeking approval to install an underground stormwater management system to replace the existing system. Mr. Ferriero explained the existing system in more technical detail but stated that he is not able to provide testimony on the Applicant's behalf as to what Mr. Castignetti is proposing. Mr. Castignetti confirmed that the Engineer will be at the June 8, 2015 hearing during which the technical portion will be conducted.

Mr. Castignetti testified that he began removal of the existing system without proper approvals as he did not know they were required. He respectfully requested that the Planning Board grant approval for continuation of the work.

Mr. Kraft opened the floor to comments/questions from the public. Several property owners of adjacent lots identified a number of concerns regarding drainage, standing water and the aesthetics of the neighborhood and expressed support for the project. Mr. Henry, Esq. clarified that there are no DEP issues that must be addressed as part of the application.

The hearing was adjourned at approximately 8:22PM and carried to the June 8, 2015 meeting.

**OTHER BUSINESS**

It was agreed that going forward informational copies of DEP Notices will be distributed electronically by the Land Use Assistant.

Mr. Kraft noted that the packet contains correspondence from the Historical Society which sets forth their opposition to outdoor dining in the Borough.

Discussion followed regarding the ruling following COAH's inability to develop Third Round rules. Mr. Henry, Esq. explained that municipalities who received Third Round certification previously or were in the process of obtaining it are able to seek a declaratory judgment for relief against a builder's remedy lawsuit.

**TRC UPDATE**

**PB #04-15    106 Mendham LLC** – Amended Site Plan  
106 East Main Street, Block 801, Lot 12

**PB #05-15    Neptune, Sabrina** – Site Plan Waiver  
22 East Main Street, Block 601, Lot 10

Mr. Ferriero and Mr. Henry, Esq. provided brief overviews of PB #04-15 and #05-15 which are scheduled to be appear before the TRC on May 18, 2015 meeting.

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**ADJOURNMENT**

There being no additional business to come before the Board, Mr. Sprandel made a motion to adjourn which was seconded by Mr. Bradley. On a voice vote, all were in favor.

Chair Kraft adjourned the meeting at 8:44PM.

The next regular scheduled meeting of the Planning Board will be held on **Monday, June 8, 2015 at 8:00PM** at the Garabrant Center, 4 Wilson Street, Mendham.

Respectfully submitted,

*Margot G. Kaye*

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Board Secretary