

**MINUTES OF THE
MENDHAM BOROUGH JOINT LAND USE BOARD
MEETING AGENDA
TUESDAY, JUNE 16, 2026 7:30 PM
MENDHAM BOROUGH FIRE DEPARTMENT, 24 EAST MAIN ST., MENDHAM, NJ**

CALL TO ORDER/FLAG SALUTE

The Special meeting of the Mendham Borough Joint Land Use Board was called to order at 7:30 p.m., and the open public meeting statement was read into the record.

ROLL CALL

Council Member Neff – Present
Ms. Bushman – Present
Council Member Traut – Present
Mr. Pace – Present
Mr. Sprandel – Present
Mr. D’Urso– Present

Mr. Kay – Absent
Ms. Garbacz – Absent
Mr. Molnar –Present
Mr. Heller – Alternate 1 -Present
VACANT- Alternate 2
Mr. Benigno– Alternate 3- Present
Mr. Chambers– Alternate 4 – Present

Also Present: Mr. Germinario – Board Attorney
Mr. Ferriero – Board Engineer
Ms. Caldwell – Board Planner

APPROVAL OF MINUTES

a. May 19, 2026

Motion by Council Member Traut, seconded by Mr. Pace, and unanimously carried by voice vote to adopt the minutes of the May 19, 2026, Joint Land Use Board Special Meeting, as written.

Roll Call:

In Favor: Council Member Neff, Council Member Traut, Mr. Pace, Mr. D’Urso, Mr. Molnar, Mr. Heller, Mr. Benigno, and Mr. Chambers.

Opposed:

Abstain: Ms. Bushman

Motion Carried

PUBLIC COMMENT

Chairman D’Urso opened the meeting to the public for questions and comments on items not included on the agenda.

- Mr. Gaglione- 20 Galway Dr.- suggests the board should do more to communicate about upcoming major projects to the community.
 - He proposes using the Mendham Borough Facebook page and the monthly newsletter to keep people informed.
- Mr. Gaglione emphasizes the importance of community input and awareness of upcoming projects.
 - He questions the board's proactive approach to affordable housing and suggests using available land for portable housing.
- Mr. Hogoboom- 88A West Main St.- mentions a letter submitted by him to Ms. Smith on behalf of the Defend Historic Amendment Coalition.

- Mr. D'Urso and Mr. Germinario explain that the completeness determination for the Day Top application is an administrative decision and does not require public comment.
 - Mr. Hogoboom argues that the municipal land use law allows public comment on pending applications.
- Frank Zammataro- 41 Corey Lane- discusses the municipal land use law's requirement to promote public health, safety, and welfare.
 - He highlights the cumulative impacts of multiple major residential developments on transportation, public services, environmental resources, and infrastructure.
- Gail Wragg- 425 Bernardsville Rd. emphasizes the importance of historic preservation and the significance of the Sisters of Christian Charity property.
 - She mentions the removal of their presentation from the Historic Preservation Commission meeting and the need for the board's input.
- John Nosta, 85 West Main St. -President of the Mendham Board of Health, expresses concerns about the complexity of multiple projects.
 - He questions the board's mechanism for addressing the diffusion inhibition in complex systems.
- Mr. Ju- 435 Bernardsville Rd. - A member of Friends of Mendham thanks the Borough for its commitment to Highlands Conformance and requests regular updates on the borough's progress.
 - He emphasizes the importance of making relevant documents easy to find and accessible to residents.
- Ms. Laguerre – 14 Balbrook Dr. - raises questions about the location of private sewage treatment and disposal facilities.
 - Mr. D'Urso explains that these details will be addressed when the application is heard.
 - Mr. Germinario advises Laguer to attend the Borough Council meeting to discuss these points.
 - Mr. D'Urso encourages everyone to read the ordinance for detailed information on the Sisters of Christian Charities application.
- Ms. Summers, Executive Director of the New Jersey Highlands Coalition, encourages the board to become familiar with the state regional master plan.
 - She explains that the state plan advises state agencies on decision-making and impacts various decisions, including water quality management and wetlands protection.
 - Summers emphasizes the benefits of conforming to the regional master plan and the board's commitment to following it.
 - She highlights the importance of the board's decisions in protecting the community and ensuring compliance with state regulations.

There being no further comments, public comment was closed.

I. RESOLUTION

a. Master Plan Consistency Review of the Proposed New Ordinances:

● ORDINANCE 09-2026

AN ORDINANCE OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 215 "ZONING" OF THE CODE OF THE BOROUGH OF MENDHAM TO ADD A NEW ARTICLE XXI ENTITLED "BERNARDSVILLE ROAD AFFORDABLE HOUSING OVERLAY ZONE" TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND TO COMPLY WITH THE BOROUGH'S ROUND FOUR AFFORDABLE HOUSING OBLIGATIONS

Review of Ordinance 09-2026

- Ms. Caldwell presents a report dated June 11, 2026, reviewing the ordinance's consistency with the borough's master plan.
- The ordinance is consistent with three master plan goals: maintaining housing options, orderly development, and state law compliance.

- The 2026 master plan reexamination report recommended updating the housing element and fair share plan to address the property owners' objections.

Consistency with Master Plan Goals

Ms. Caldwell explains that the proposed ordinance implements the 2026 Housing Element and Fair Share Plan. Ms. Caldwell noted that the ordinance includes rezoning block 2301, lot 13 for 150 multifamily units with 30 affordable units. Ms. Caldwell stated that the consistency review concludes that the ordinance is consistent with the Borough's Master Plan.

Ms. Caldwell clarifies that the ordinance promotes public health, safety, and welfare as recommended in the master plan. Ms. Caldwell explains that the Ordinance is in compliance with the Affordable Care Act and is considered part of promoting the general welfare of the community. Ms. Caldwell noted that orderly development is achieved through the master plan and implementing ordinances, rather than use variances.

Council Member Traut seeks clarification on the justification for removing the religious portion of the zoning.

Ms. Caldwell explains that the 2026 master plan reexamination report recommended changing the zone due to the new mother house.

Ms. Caldwell explained that the former mother house is now functionally obsolete, leading to the proposed rezoning, and that the new mother house was not considered in the 2015 land use plan amendment. Ms. Caldwell noted that the proposed ordinance addresses the new circumstances identified in the 2026 master plan reexamination report.

Mr. D'Urso asks if the Highlands Regional Master Plan was considered in the ordinance review.

Ms. Caldwell states that the board has not yet adopted a Highlands element of the master plan. The Highlands Regional Master Plan was not part of the current consideration.

Mr. Chambers questions the portfolio view of looking at everything at once, rather than an application-specific approach.

Mr. Chambers expresses confusion about the logic of the ordinance's recommendations.

Mr. Germinario clarifies that the board's role is to determine consistency with the master plan, not delve into policy issues.

Ms. Caldwell explains that the Fair Housing Act mandates certain developments, despite the board's preferences.

Ms. Caldwell noted that the state requires a holistic review of the housing element and fair share plan, which the board followed.

Mr. Germinario allowed Mr. Leach to comment

Mr. Leach , representing Friends of Mendham.

Mr. Leach lodges an objection that their expert was not allowed to testify.

Mr. Leach states that the central issue is not about affordable housing but the environmental goals and policies of the master plan and that the 2006 master plan establishes a clear framework for density, which the proposed ordinance inverts.

Mr. Leach highlights the conflicts between the proposed ordinance and the 2006 master plan.

The ordinance increases density significantly, far exceeding the limits set by the 2015 land use amendment, and the proposed development conflicts with multiple goals of the master plan, including preservation of rural areas and open space. Mr. Leach noted that previous applications raised concerns about the feasibility and environmental impact of the proposed development.

Mr. Leach discusses the environmental issues associated with the proposed development and notes that the ordinance authorizes substantial disturbance of environmentally sensitive areas, including steep slopes.

Mr. Leach stated that the proposed development increases water demand and wastewater generation, contradicting the master plan's objectives, and that the ordinance's steep slope disturbance calculations are unclear and may allow more disturbance than previously allowed.

Mr. Leach concludes that the ordinance conflicts with the master plan's environmental and rural preservation goals.

Mr. Leach suggested that the board should identify inconsistencies in a report to the Borough Council and recommend against adopting the ordinance in its current form.

Mr. Leach requests that the Board mark his letter as part of the evidence on the record and the Board marked the letter as O-1.

Council Member Traut made a motion to approve the resolution Finding Master Plan Consistency with the Mendham Borough Master Plan, and Mr. Heller seconded.

Roll Call:

In Favor: Council Member Neff, Ms. Bushman, Council Member Traut, Mr. D'Urso, Mr. Molnar, Mr. Heller, Mr. Benigno, and Mr. Chambers

Opposed: Mr. Pace and Mr. Sprandel

Abstain:

COMPLETENESS

**06-26 80-88 West Main LLC- Daytop
80-88 West Main St
Blk 1801 Lot 5**

Council Member Neff recused himself.

Mr. Ferriero summarized the completeness review letter dated May 19, 2026, where it was noted that there were several waivers requested in the application. Mr. Ferriero stated that, subject to the waivers, the application can be deemed complete.

Motion by Mr. Heller, seconded by Mr. Pace, and unanimously carried to deem the application complete.

Roll Call:

In Favor: Ms. Bushman, Council Member Traut, Mr. D'Urso, Mr. Pace, Mr. Sprandel, Mr. Molnar, Mr. Heller, Mr. Benigno, and Mr. Chambers

Opposed:

Abstain:

Hearing for this application will be held on August 18, 2026, and the applicant has agreed to re-notice.

HEARINGS

**23-22 V-Fee Mendham Apartments – AMENDED SITE PLAN
84-86-88 East Main Street
Blk 801 Lot 20**

This application is being carried to the Regular Meeting scheduled for July 21, 2026, without further notice needed.

ADJOURNMENT

There being no additional business to come before the Board, a Motion was made by Council Member Traut and seconded by Mr. Molnar. On a voice vote, all were in favor. Mr. Molnar adjourned the meeting at 9:10 pm.

Respectfully submitted,

Lisa J. Smith

Lisa Smith
Land Use Coordinator