

**MINUTES OF THE
MENDHAM BOROUGH JOINT LAND USE BOARD
REGULAR MEETING AGENDA
TUESDAY, AUGUST 18, 2026 7:30 PM
GRACE LUTHERAN CHURCH
65 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 – Absent
Ms. Bushman – Absent
Council Member Traut – Present
Mr. Pace – Present
Mr. Sprandel – Present
Mr. D’Urso– Present

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

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

APPROVAL OF MINUTES

August 4, 2026 – Tabled to September 15, 2026

PUBLIC COMMENT

Chairman D’Urso opened the meeting to the public for questions and comments on items not included on the agenda.
There being none, public comment was closed.

RESOLUTION

a. Master Plan Consistency Review of the Proposed New Ordinance: ORDINANCE #12-2026

Discussion on Council Ordinance 12-2026

Mr. D’Urso introduces the resolution about Council Ordinance 12-2026, focusing on the prohibition of cannabis businesses and read the title of the ordinance. Mr. D’Urso explains that the ordinance reaffirms the prohibition of cannabis businesses and ensures consistency with the master plan.

Ms. Caldwell submits a report dated July 20, 2026, detailing two goals supported by the ordinance: orderly development and consistency with state law.

Mr. D’Urso asked if there were any public comments or questions.
There being none, public comment was closed

RESOLUTION ADOPTING MASTER PLAN CONSISTENCY DETERMINATION ORDINANCE NO. 12-2026 TO REAFFIRM THE PROHIBITION OF LICENSING OF RECREATIONAL CANNABIS BUSINESS OF ALL CLASSES WITHIN THE BOROUGH AS DESCRIBED IN CHAPTER 70 OF THE BOROUGH CODE:

Mr. Germinario explained to the Board that they are voting on whether the Ordinance was consistent with the Master Plan.

Mr. Molnar made a motion to memorialize the resolution, and Mr. Pace seconded.

Roll Call:

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

Opposed:

Abstain:

Motion Carried

The resolution follows.

BOROUGH OF MENDHAM JOINT LAND USE BOARD

RESOLUTION FINDING MASTER PLAN CONSISTENCY

IN THE MATTER OF MASTER PLAN CONSISTENCY DETERMINATION ORDINANCE NO. 12-2026 TO REAFFIRM THE PROHIBITION OF LICENSING OF RECREATIONAL CANNABIS BUSINESS OF ALL CLASSES WITHIN THE BOROUGH AS DESCRIBED IN CHAPTER 70 OF THE BOROUGH CODE

WHEREAS, the Joint Land Use Board (the "Board") has reviewed the proposed Ordinance No. 12-2026 and has received input from the Board Planner and Board Attorney concerning same, and has discussed the Ordinance at its public meeting of 8/18/26; and

WHEREAS, based upon its review and that of the Board Planner and the Board Attorney, the Board has determined that the proposed Ordinance is consistent with the Master Plan and promotes the goals and objectives of the plan.

NOW, THEREFORE, BE IT RESOLVED, that the Board does hereby find and determine that proposed Ordinance No. 12-2026 to Reaffirm the Prohibition of Licensing of Recreational Cannabis Businesses of all Classes within the Borough as described in Chapter 70 of the Borough Code of the Revised Ordinances of the Borough of Mendham, County of Morris, State of New Jersey, is consistent with the Mendham Borough Master Plan and with the planning goals and objectives of the Borough. The Board Secretary is hereby directed to advise the Borough Council of said determination by the Board.

The undersigned does hereby certify that the foregoing is a true copy of the action taken by the Joint Land Use Board at its regular meeting of 8/18/26.

Lisa Smith, Secretary

COMPLETENESS

During the completeness portion of the meeting, there is no public comment/testimony.

11-26 Jeffery and Karen Johnson

2 County Line Rd

Blk 2401 Lot 3

Mr. Ferriero summarized his completeness letter dated July 7, 2026. Mr. Ferriero recommends that the application be deemed complete, subject to the waivers.

Motion by Council Member Traut, seconded by Mr. Pace, and unanimously carried to deem the application complete.

Roll Call:

In Favor: Councilmember Traut, Mr. Pace, Mr. D'Urso, Mr. Kay, Mr. Molnar, Mr. Heller, and Mr. Chambers.

Opposed:

Abstain: Mr. Sprandel

13-26 Richard Krostek
17 Halstead Rd
Blk 705 Lot 15

Mr. Ferriero summarized his completeness letter dated July 17, 2026. Mr. Ferriero recommends that the application be deemed complete, subject to the waivers.

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

Roll Call:

In Favor: Councilmember Traut, Mr. Pace, Mr. Sprandel, Mr. D’Urso, Mr. Kay, Mr. Molnar, Mr. Heller, and Mr. Chambers.

Opposed:

Abstain:

Both applications will be noticed and heard at the October 20, 2026 meeting.

HEARINGS

a. Adoption of the 2026 Highlands Plan Conformance Master Plan Reexamination Report and Mendham Borough Highlands Master Plan Element

Mr. D’Urso introduces Ms. Caldwell to present the Highlands Plan Conformance and Master Plan Reexamination Report and Mendham Borough Highlands Master Plan Element. Ms. Caldwell explains the proposal for voluntary plan conformance in the Highlands region, focusing on the housing element and fair share plan. The report includes recommendations for adopting the Highlands Master Plan element, updating the zoning map, and implementing an environmental resource inventory.

Ms. Caldwell highlights the benefits of conforming with the Highlands Regional Master Plan, including financial support from grants and better planning tools.

Mr. D’Urso asked if there were any public comments or questions.

Ms. Thomas- 230 Thomas Rd- supports the Highlands Plan Conformance, emphasizing the importance of current science and mapping.

Ms. Rivera – 175 Cherry Lane- asks about the impact of conformance on existing developments and the primary reason for the Highlands Act.

Ms. Laguerre – 14 Balbrook Dr.- praises the planning efforts and the benefits of receiving professional expertise and grant funding.

Ms. Wragg – 425 Bernardsville Rd. - questions the primary consideration for sanitary sewage treatment and the impact of environmental constraints on development applications.

Ms. Somers - from the Highlands Coalition - encourages the board to move forward with conformance, citing a successful lawsuit in Harding Township.

Mr. Ju- 435 Bernardsville Rd. – Complemented on the thoroughness of the report. Mr. Ju asked if any project or properties were excluded. Ms. Caldwell stated that there wasn’t. Mr. Ju asked if there was an expansion to an existing property the requirements would kick in. Ms. Caldwell stated it would and that there would be more clarity once the Ordinances are made. Ms. Caldwell clarifies that exemptions are determined on a case-by-case basis through the ordinances. Mr. Ju also questions the protection of existing developments and the evaluation of new proposals under the element standards. Ms. Caldwell confirms that new applications will be evaluated based on the adopted ordinances and standards.

There being no further questions, public comment was closed.

Motion by Mr. Molnar and seconded by Mr. Pace to approve the 2026 Highlands Plan Conformance Master Plan Reexamination Report with the motion being approved unanimously.

Roll Call:

In Favor: Councilmember Traut, Mr. Pace, Mr. Sprandel, Mr. D’Urso, Mr. Kay, Mr. Molnar, Mr. Heller, and Mr. Chambers.

Opposed:

Abstain:

Motion Carried

The resolution follows.

MENDHAM BOROUGH JOINT LAND USE BOARD

**RESOLUTION ADOPTING THE
HIGHLANDS PLAN CONFORMANCE
MASTER PLAN REEXAMINATION REPORT**

***WHEREAS**, the New Jersey Municipal Land Use Law (MLUL), N.J.S.A. 40:55D-1 et seq., requires periodic reexamination of municipal master plans and development regulations; the Joint Land Use Board must prepare and adopt by resolution a report for the subjects set forth under N.J.S.A. 40:55D-89;*

***WHEREAS**, the first Borough of Mendham Master Plan was adopted in 1951, and major reviews followed in 1978, 1988, and 1994, with a reexamination in 2000; in October 2006, the Planning Board adopted a comprehensive Master Plan addressing land use, population and housing, circulation, community facilities, recreation, historic preservation, open space, conservation an environmental resources, and public utilities, and reexamination reports were subsequently adopted in 2016, 2020, 2025, and the most recently on March 3, 2026;*

***WHEREAS**, the Highlands Plan Conformance Master Plan Reexamination Report is a targeted, supplemental reexamination prepared specifically for Highlands Plan Conformance, which modifies or supplements previous findings only where necessary to address the Highlands Regional Master Plan (RMP), the conditions of Highlands Council approval, and the companion Highlands Planning Area Master Plan Element;*

***WHEREAS**, on August 18, 2026, the Borough’s Joint Land Use Board (the “Board”) conducted a public hearing, with public notice pursuant to N.J.S.A. 40:55D-13, concerning the Highlands Plan Conformance Master Plan Reexamination Report, prepared by Borough/Board Planner Jessica Caldwell, PP, AICP, dated August 18, 2026;*

***WHEREAS**, at the public hearing of August 18, 2026, the Board heard the testimony of Jessica Caldwell, PP, AICP, and also afforded the opportunity for public comments, regarding the Highlands Plan Conformance Master Plan Reexamination Report; and*

***WHEREAS**, the Board has determined that the Highlands Plan Conformance Master Plan Reexamination Report appropriately modifies and adjusts the findings of the Borough’s previously adopted Master Plan documents as necessary to address the Highlands Regional Master Plan (RMP), the conditions of the Highlands Council’s approval of the Borough’s Petition for Plan Conformance, and the Highlands Planning Area Master Plan Element adopted herewith.*

***NOW, THEREFORE, BE IT RESOLVED**, that the Joint Land Use Board does hereby adopt the Highlands Plan Conformance Master Plan Reexamination Report, dated August 18, 2026.*

***AND, BE IT FURTHER RESOLVED**, that the Board’s Secretary shall arrange for publication of notice of adoption of the Highlands Plan Conformance Master Plan Reexamination Report in accordance with N.J.S.A. 40:55D-13.*

The undersigned does hereby certify that the foregoing is a true copy of the action taken by the Planning Board at its meeting of August 18, 2026.

Lisa Smith, Secretary

Motion by Mr. Pace and seconded by Mr. Kay to approve the Highlands Master Plan Element with the motion being approved unanimously.

Roll Call:

In Favor: Councilmember Traut, Mr. Pace, Mr. Sprandel, Mr. D’Urso, Mr. Kay, Mr. Molnar, Mr. Heller, and Mr. Chambers.

Opposed:

Abstain:

Motion Carried

The resolution follows.

MENDHAM BOROUGH JOINT LAND USE BOARD

**RESOLUTION ADOPTING THE
HIGHLANDS PLANNING AREA MASTER PLAN
ELEMENT AS AN AMENDMENT TO THE
MENDHAM BOROUGH MASTER PLAN**

WHEREAS, the Borough of Mendham is located in the New Jersey Highlands Region and is protected by and subject to the Highlands Water Protection and Planning Act (Highlands Act, N.J.S.A. 13:20-1 et seq.), which created the New Jersey Highlands Water Protection and Planning Council (Highlands Council) and charged it with preparing a comprehensive master plan for the Highlands Region;

WHEREAS, the Highlands Regional Master Plan (RMP) was adopted by the Highlands Council and establishes a coordinated framework for protecting water, ecological, agricultural, historic, scenic, and recreational resources while directing development and redevelopment to appropriate locations;

WHEREAS, the Highlands Region is divided into a Preservation Area and a Planning Area, and the Highlands Act requires that jurisdictions having lands in the Preservation Area to conform to the Highlands RMP with respect to that area, while for lands located in the Planning Area, conformance is voluntary;

WHEREAS, Mendham Borough is located entirely within the Planning Area (henceforth referred to as the “Borough Highlands Area”), and the Borough submitted its Petition for Plan Conformance on October 22, 2025; on January 15, 2026, the Highlands Council approved the Petition with conditions through Resolution 2026-03, which conditions include, among other things, adoption of a Highlands Master Plan Element and related Master Plan Reexamination Report;

WHEREAS, on August 18, 2026, the Borough’s Joint Land Use Board (the “Board”) conducted a public hearing, with public notice pursuant to N.J.S.A. 40:55D-13, and adopted the Highlands Plan Conformance Master Plan Reexamination Report, prepared by Borough/Board Planner Jessica Caldwell, PP, AICP, dated August 18, 2026;

WHEREAS, on August 18, 2026, the Board conducted a public hearing, with public notice pursuant to N.J.S.A. 40:55D-13, concerning the Highlands Planning Area Master Plan Element, dated August 18, 2026, which amends the Master Plan of the Borough of Mendham, so as to address the Borough’s conformance with the RMP as applied to the Borough Highlands Area;

WHEREAS, at the public hearing of August 18, 2026, the Board heard the testimony of Jessica Caldwell, PP, AICP, and also afforded the opportunity for public comments, regarding the Highlands Planning Area Master Plan Element, dated August 18, 2026; and

WHEREAS, the Board has determined that the Highlands Planning Area Master Plan Element accurately sets forth the appropriate policies to guide future use and development of land in the Borough Highlands Area and provides the rationale and framework for the adoption of land use regulations that are protective of Highlands resources and are consistent with the RMP.

NOW, THEREFORE, BE IT RESOLVED, that the Joint Land Use Board does hereby amend the Borough’s Master Plan by adding thereto the Highlands Planning Area Master Plan Element, dated August 18, 2026.

AND, BE IT FURTHER RESOLVED, that the Board’s Secretary shall arrange for publication of notice of adoption of the Highlands Planning Area Master Plan Element in accordance with N.J.S.A. 40:55D-13.

The undersigned does hereby certify that the foregoing is a true copy of the action taken by the Planning Board at its meeting of August 18, 2026.

Lisa Smith, Secretary

b. 06-26 80-88 West Main LLC**80-88 West Main Street****Blk 1801 Lot****Present: Mr. Gianetti- Attorney****Mr. Keller – Engineer/Traffic Consultant**

Mr. D'Urso introduces the application for preliminary and final site plan approval at 80-88 West Main Street.

Mr. Gianetti presents the application detailing the proposed inclusionary residential development of 147 townhouse units.

The application includes 118 market-rate townhouse units and 29 affordable housing townhouse units, with no rental units.

The property is located in the AHO affordable housing overlay zone and has been identified since 2019 as part of the town's affordable housing compliance.

Mr. Keller was sworn in and qualified.

Overview of Property and Surrounding Area

Mr. Keller provides an overview of the property, including its history, current zoning, and the proposed development.

The site is approximately 26 acres with 400 feet of frontage along West Main Street and is located in the AHO affordable housing overlay zone.

The proposed development includes 147 townhouse units in 32 buildings, with 29 affordable units in five buildings.

The application does not seek any variances and includes extensive tree removal and replacement, with more trees being planted than removed.

Detailed Site Plan and Environmental Considerations

Mr. Keller presents the detailed site plan, highlighting the proposed layout, courtyards, and parking arrangements. The development includes a mix of rear-loaded and front-loaded townhouses, with a focus on pedestrian-centric design.

The site plan includes extensive landscaping, sidewalk connectivity, and a looped roadway system for internal access.

Mr. Keller discusses the environmental considerations, including wetlands delineation, riparian zones, and the impact on existing waterways.

Public Comments and Questions

The board and public have the opportunity to ask questions and provide comments on the proposed development.

Mr. Keller addresses specific questions about the site plan, parking arrangements, and environmental impact.

The board members express their support for the proposed development and the importance of adhering to the Highlands Plan Conformance.

The meeting concludes with a motion to approve the site plan, which is seconded and approved unanimously.

Fire Truck Turning Plan and Rear Access

Mr. Keller discusses the "Fire Truck Turning Plan Greens at Lindum Village," dated 8/17/26, showing sufficient maneuverability of an aerial fire truck.

Mr. Pace inquires about rear access for the fire department, which Mr. Keller confirms is not possible due to perimeter buffer requirements.

Exhibit A4 is a single-unit 30-vehicle circulation plan, showing accessibility for various vehicles, including garbage trucks and delivery vehicles.

Mr. Keller mentions two dumpsters for the affordable and plans for refuse and recycling.

Sidewalk System and Crosswalks

Mr. Keller describes the complete sidewalk system within the community, connecting all buildings and courtyards.

The sidewalk system includes crosswalks across low-volume residential streets, with a preference for typical crosswalks over ladder-style crosswalks.

Council Member Traut asks about the process for addressing questions during the meeting, and Mr. Keller explains the flow of topics.

Mr. Keller details the circulation, roadways, sidewalk system, parking, grading, stormwater management, lighting, landscaping, and utilities.

DEP's Determination and Affordable Units

Council Member Traut questions the DEP's determination that the pond is man-made, and Mr. Keller explains the process involving aerial research.

Council Member Traut inquiries about the exclusionary nature of having only one assigned parking spot for affordable units, and Mr. Keller clarifies that there is more than one spot available.

Mr. Keller explains the shared parking lots and parallel parking spaces, addressing potential accessibility issues. Council Member Traut raises concerns about package delivery for cluster mailboxes, and Mr. Keller confirms that deliveries will be made to the front doors of townhomes.

Visitor Parking and Driveway Spaces

Mr. D'Urso questions about the number of parking spaces for visitors, and Mr. Keller confirms compliance with RSIS requirements.

Mr. Keller explains the parallel parking spaces along the boulevard and the additional parking spaces in the southern portion of the site.

Mr. Germinario questions the adequacy of driveway spaces, and Mr. Keller confirms compliance with RSIS requirements for front-load townhomes.

Mr. Keller discusses the ADA-compliant parking spaces and the accessible routes for affordable units.

Grading and Retaining Walls

Mr. Keller describes the grading of the site, rising from West Main Street to the middle of the site and dropping in the back.

The maximum height of retaining walls is 13.5 feet, with most walls averaging between 5 and 7 feet.

Mr. Keller explains the use of tiered walls and graded access into basins to comply with regulations.

Mr. Heller questions the visibility of walls from the boulevard, and Mr. Keller confirms that the top of the walls will not be visible.

Lighting Plan and Compliance

Mr. Keller presents the overall lighting plan, showing the proposed light fixtures and their locations.

The lights are full cut-off, high-efficiency LED decorative lights, operating on dusk to dawn.

The color temperature of the lights is 3,000 Kelvin, similar to daylight, and the mounting heights are at 15.4 feet.

Mr. Keller confirms that the lighting plan is consistent with the borough ordinance and provides appropriate illumination without impacting adjoining properties.

Comments and Adjournment

Mr. Germinario asks about the borough ordinance on lighting, and Mr. Keller confirms compliance.

Mr. Keller explains the location of bollards in courtyards and along walkways, and the dusk to dawn operation of the lights.

Mr. Chambers inquires about emergency lighting, and Mr. Keller confirms no backup generators or low voltage lighting.

Mr. Ferriero suggests discussing the possibility of allowing generators and low voltage lighting in the future.

Action Items

- Submit PDF copies of Exhibits A1 through A5 for the 80–88 West Main site plan to the board. (@Eric Keller)
- Provide a detailed, bullet-by-bullet response to Boswell Engineering's report addressing each concern about driveways, alley widths, and other engineering issues for the 80–88 West Main development. (@Eric Keller)
- Confirm with the applicant and document how cluster mailboxes will be located (proximate to parking spaces and sidewalks) for the 80–88 West Main townhome community. (@Eric Keller)
- Work with the applicant to clarify and document refuse and recycling collection procedures for the 80–88 West Main project, including whether rear-loaded townhomes will deposit trash near designated areas on the boulevard and how shared lots will support visitor parking. (@Eric Keller)
- Discuss with the applicant and prepare guidance on any limitations or requirements regarding individual emergency generators and low-voltage landscape lighting that should be reflected in the homeowners association governing documents for the 80–88 West Main townhome community. (@Eric Keller)

- Provide the board with additional technical documentation for the 80–88 West Main project, including the fire truck turning diagram and supporting materials, so the board can review accessibility and circulation before the next hearing. (@Eric Keller)
- Review the proposed truck-route circulation plan (including the SU30 vehicle access study) for the 80–88 West Main project in detail before the next public hearing.

This application is being carried to the Regular Meeting scheduled for September 15, 2026, without further notice needed.

ADJOURNMENT

There being no additional business to come before the Board, a Motion was made by Mr. Heller and seconded by Mr. Molnar. On a voice vote, all were in favor. Mr. Molnar adjourned the meeting at 10:00 pm.

Respectfully submitted,

Lisa J. Smith

Lisa Smith
Land Use Coordinator