

**MINUTES OF THE
MENDHAM BOROUGH JOINT LAND USE BOARD
REGULAR MEETING
Tuesday, July 16, 2024- 7:30PM
Garabrant Center, 4 Wilson Street, Mendham, NJ.**

CALL TO ORDER/FLAG SALUTE

The regular 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

Mayor Glassner – Absent	Mr. Egerter – Present
Ms. Bushman – Present	Ms. Garbacz – Present
Councilman Sullivan – Present	Mr. Molnar –Present
Mr. Smith – Present	Ms. Traut – Alternate 1 -Present
Mr. Sprandel – Present	Mr. Kay- Alternate 2- Present
Mr. D’Urso– Present	Mr. Barker – Alternate 3 - Absent
	Mr. Pace – Alternate 4 – Present

Also Present: Mr. Ferriero – Board Engineer
Mr. Sposaro – Acting Board Attorney

Mr. D’Urso announced that the following items will not be heard at this meeting:

- 1. 07-24 Thomas Veman
465 Cherry Lane
Blk 2401 Lot 28**
- 2. V-Fee Consent Order- Whispering Woods**
- 3. 23-22 V-Fee Mendham Apartments
84-86-88 East Main Street
Blk 801 Lot 20**

APPROVAL OF MINUTES

Motion by Mr. Smith, seconded by Mr. Egerter and unanimously carried by voice vote to adopt the minutes of the June 18, 2024, Joint Land Use Board Regular Meeting, as written.

Roll Call:

In Favor: Ms. Bushman, Mr. Smith, Mr. D’Urso, Mr. Egerter, Ms. Garbacz, Mr. Molnar, Ms. Traut, and Mr. Kay.

Opposed:

Abstain: Councilman Sullivan, Mr. Sprandel and Mr. Pace.

Motion Carried

PUBLIC COMMENT

Chairman D'Urso opened the meeting to the public for questions and comments on items not included on the agenda or any pending applications.

Mr. Ritger, 14 Gunther St.- Asked if documents for applications can be available online. Mr. Sposaro stated that documents are available at the Borough buildings.

Mr. Vacchiano, owner of 5 W. Main St. – Questioned new location of dumpster at the Black Horse. Mr. D'Urso explained that this was part of the application being heard and he would be able to ask the question during the hearing.

There being no further comments, the public session was closed.

COMPLETENESS

05-24 Black Horse Tavern & Pub
1 West Main Street
Blk 301 Lot 1

Mr. Ferriero stated that he had written a letter dated June 28, 2024, that noted the application was incomplete because the certificate certifying paid taxes was missing and now has been provided. Mr. Ferriero noted that based on that he recommends deeming the application complete.

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

Roll Call:

In Favor: Ms. Bushman, Councilman Sullivan, Mr. Smith, Mr. Sprandel, Mr. D'Urso, Mr. Egerter, Ms. Garbacz, Mr. Molnar, Ms. Traut, Mr. Kay and Mr. Pace.

Opposed:

Abstain:

Motion Carried

HEARING

07-24 Thomas Veman
465 Cherry Lane
Blk 2401 Lot 28
Present: Mr. Hefele – Attorney

Mr. Sposaro stated that the attorney for the Veman application has requested the application be carried to the August 20, 2024 meeting with no further notice required.

V-Fee Consent Order- Whispering Woods

Mr. Sposaro explained that due to the absence of Mr. Germinario, the Board will hold the Whispering Woods hearing when he returns at the August 20, 2024 meeting and no further notice is required.

23-22 V-Fee Mendham Apartments
84-86-88 East Main Street
Blk 801 Lot 20

Mr. Sposaro stated that the Attorney for the V-Fee Mendham Apartments has requested the application be carried to the August 20, 2024 meeting with no further notice required.

**05-24 Black Horse Tavern & Pub
1 West Main Street
Blk 301 Lot**

Present: Mr. Calli – Attorney
Mr. Hubschman – Engineer
Mr. Felice – Operations Manager

Mr. Calli explained the site plan for the improvement to install an enclosed stairwell in the rear of the building, replacement of HVAC and refuse area. Mr. Calli noted that the applicant received HPC approval.

Mr. Hubschman was sworn in and qualified as an expert Engineer.

Mr. Hubschman explained that the proposed stairwell is to create access from the kitchen to the basement. Mr. Hubschman noted that the applicant is proposing the relocation of the refuse area and to build an enclosure with a concrete pad. Mr. Calli asked Mr. Hubschman if he reviewed the Boswell report. Mr. Hubschman stated that he had and has removed the 10 sq ft of impervious coverage so that a variance was not needed. Mr. Hubschman also stated that the applicant will comply with the recommendation to make masonry enclosure for garbage. Mr. Hubschman stated that there are no changes proposed on the restaurant. Mr. Hubschman noted that moving the dumpster will gain 2 parking spaces. Mr. Sprandel asked if the parking spaces that are being added are by the dumpster area is. Mr. Hubschman stated that was correct. Mr. Molnar asked for more information on the dumpster enclosure. Mr. Hubschman noted that the enclosure would be a masonry block with stucco. Mr. Ferriero stated that typically the enclosure would be a three-sided block with a gate. Mr. Sprandel asked if the drainage would go to the front and Mr. Hubschman stated that was correct. Mr. D'Urso asked if the dumpster will be moved closer to the property line. Mr. Hubschman stated that was correct but was within the setback. Mr. Felice was sworn in. Mr. Felice noted that refuse pick up would be 4-5 times per week. Mr. Felice noted that the new location of the dumpsters will be farther away from where guests walk and will not be visible from Mountain Ave. Mr. D'Urso asked about the use of the stairway. Mr. Hubschman stated that it will be used to go from the basement to the kitchen. Mr. Felice stated that the stairway is for employee access only. Mr. D'Urso asked why the dumpster is being moved. Mr. Felice stated that moving it will create better access for the public to enter the facility. Mr. Calli noted that the new refuse area is relief free and notes that a green screen will be added to the proposed plan and installed.

Chairman D'Urso opened the meeting to the public for questions and comments. There being none, Chairman D'Urso closed public comment.

Ms. Tufariello, 11 Mountain Ave. – Ms. Tufariello questioned what screening will be used to keep birds and other animals out of dumpsters. Mr. Hubschman noted that the area will be enclosed with a gate and arborvitaes. Mr. Ferriero explained that the dumpsters will have lids.
Ms. Fredericks, 4 Mountain Ave. - Ms. Fredericks stated that she likes the proposed location of the garbage.
Mr. Vacchiano, owner of 5 W. Main St. – Mr. Vacchiano expressed concerns that the placement of the refuse area. Mr. Calli stated that zoning and the health department would get involved if there was a rodent issue and with regards to the placement, the ownership wants this proposed area that the area is conforming and agrees to the requested enclosure. Mr. Calli noted that there will be no change to the pickup times or frequencies.

Mr. Pace asked how close to the neighbors will the proposed dumpster area be. Mr. Hubschman noted that the area will be approximately 70-80 feet from the neighboring dwelling. Mr. D'Urso asked if the area is significantly behind the building and Mr. Hubschman agreed.

Mr. Ritger, 14 Gunther St.- Mr. Ritger asked what the current stall size is. Mr. Ferriero stated that there are no proposed changes to the stall size. Mr. Ferriero noted that the stall size shown on the plan is 9x18. Mr. Ritger asked if that complies with the local ordinance. Mr. Hubschman stated that is what size is existing.

There being no further questions, Chairman D'Urso closed public comment.

Mr. Molnar made a motion to approve the application with conditions as outlined in the Resolution and was seconded by Mr. Sprandel.

Roll Call:

In Favor: Ms. Bushman, Councilman Sullivan, Mr. Smith, Mr. Sprandel, Mr. D'Urso, Mr. Egerter, Ms. Garbacz, Mr. Molnar, Ms. Traut, and Mr. Kay

Opposed: Mr. Pace

Abstain:

Motion Carried

ADJOURNMENT

There being no additional business to come before the Board, Motion was made by Mr. Smith, and seconded by Mr. Egerter. On a voice vote, all were in favor. Chairman D'Urso adjourned the meeting at 8:10PM.

Respectfully submitted,

Lisa J. Smith

Lisa Smith
Land Use Coordinator