

**MINUTES OF THE  
MENDHAM BOROUGH JOINT LAND USE BOARD  
REORGANIZATION/REGULAR MEETING  
Tuesday, January 21, 2025  
Grace Lutheran Church, 65 E Main St, Mendham, NJ**

**CALL TO ORDER/FLAG SALUTE**

The Reorganization/ Regular meeting of the Mendham Borough Joint Land Use Board was called to order at 7:00 p.m. and the open public meeting statement was read into the record.

**\*\*\*REORGANIZATION\*\*\***

**APPOINTMENTS/OATHS OF OFFICE**

The Mr. Germinario, Board Attorney, administered Oaths of Office to the following Board members:

- Joyce Bushman Administrator (Class II) – Term expires 12/31/2025
- Alexandra Henry Traut (Councilperson) (Class III) – Term expires 12/31/2025
- Richard Smith – Class IV Member - Term expires 12/31/2028
- Keith Kay - Alternate I Member - Term expires 12/31/2026
- Richard Pace – Alternate III Member - Term expires 12/31/2026
- Jim Chambers – Alternate IV Member - Term expires 12/31/2026

**ROLL CALL**

Mayor Glassner – Absent  
Ms. Bushman – Present @7:08pm  
Councilmember Traut – Present  
Mr. Smith – Present  
Mr. Sprandel – Present  
Mr. D’Urso– Present

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

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

**ELECTION OF OFFICERS**

**CHAIR**

Motion by Mr. Smith, seconded by Mr. Sprandel to nominate Mr. D’Urso as Chair. There being no further nominations, a single ballot was cast, and Mr. D’Urso was designated Chairman.

**Roll Call:**

**In Favor:** Councilmember Traut, Mr. Smith, Mr. Sprandel, Mr. Egerter, Ms. Garbacz, Mr. Pace, and Mr. Chambers

**Opposed:**

**Abstain:** Mr. D’Urso

**Motion Carried**

**VICE CHAIR**

Motion by Mr. D’Urso, seconded by Mr. Sprandel to nominate Mr. Smith as Vice Chair. There being no further nominations, a single ballot was cast, and Mr. Smith was designated Vice Chair.

**Roll Call:**

**In Favor:** Councilmember Traut, Mr. Sprandel, Mr. D’Urso, Mr. Egerter, Ms. Garbacz, Mr. Pace, and Mr. Chambers

**Opposed:**

**Abstain:** Mr. Smith

**APPOINTMENT OF THE JOINT LAND USE BOARD LIAISON TO THE ENVIRONMENTAL COMMISSION**

Appointment to the Joint Land Use Board Liaison to the Environmental Commission is being carried to the February 18, 2025 meeting.

**RESOLUTIONS**

**MEETING DATES**

Motion by Mr. Egerter, seconded by Mr. Smith and unanimously carried by voice vote to adopt a resolution (as outlined herein) setting forth the meeting dates for 2024 and the first meeting of 2025.

**Roll Call:**

**In Favor:** Councilmember Traut, Mr. Smith, Mr. Sprandel, Mr. D'Urso, Mr. Egerter, Ms. Garbacz, Mr. Pace, and Mr. Chambers

**Opposed:**

**Abstain:**

**Motion Carried**

**BOROUGH OF MENDHAM**  
**MORRIS COUNTY, NEW JERSEY**

**JOINT LAND USE BOARD**

**RESOLUTION #01-2025**

**RESOLUTION SETTING THE ANNUAL MEETING SCHEDULE  
FOR THE JOINT LAND USE BOARD OF THE BOROUGH OF MENDHAM CALENDAR YEAR 2025**

***WHEREAS**, the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., requires every public body to designate and publish its Annual Meeting Schedule and provide adequate notice of all meetings.*

***BE IT RESOLVED** that that at its Regular and Reorganization Meeting held on January 21, 2025, the Joint Land Use Board of the Borough of Mendham established regularly scheduled meetings for the year 2025 as follows:*

*Tuesday, January 21, 2025 (Previously Advertised)*  
*Tuesday, February 18*  
*Tuesday, March 18*  
*Tuesday, April 15*  
*Tuesday, May 20*  
*Tuesday, June 17*  
*Tuesday, July 15*  
*Tuesday, August 19*  
*Tuesday, September 16*  
*Tuesday, October 21*  
*Tuesday, November 18*  
*Tuesday, December 16*  
*Tuesday, January 20, 2026 (Regular and Reorganization)*

*The regular and reorganization meeting for 2026 will be held on January 20, 2026.*

***BE IT FURTHER RESOLVED** that the meetings will be held at 7:30PM at the Garabrant Center, 4 Wilson St, Mendham, NJ.*

***BE IT FURTHER RESOLVED** During a declared state of emergency when meetings of Joint Land Use Board are held remotely, the public may attend remotely by Zoom. Instructions on how to attend a meeting via Zoom will be posted on the meetings schedule webpage on the Borough's website in advance of the meeting and in accordance with the Open Public Meetings Act.*

***BE IT FURTHER RESOLVED**, in accordance with N.J.S.A. 10:4-12, notice is hereby given that an executive (closed) session may be convened at any scheduled meeting of the Joint Land Use Board of the Borough of Mendham by a duly adopted resolution; and*

**BE IT FURTHER RESOLVED** that notice of any additions to the above schedule or change in the time, date or place of any scheduled meeting will be posted and maintained in the Phoenix House, 2 West Main St., Mendham, NJ for purposes of public inspection, and will be filed in the Office of the Borough Clerk in accordance with the Open Public Meetings Act and delivered to the official newspapers in advance as required by law.

Dated: January 21, 2025

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Chairman, Joint Land Use Board

ATTEST:

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Land Use Coordinator

## OFFICIAL NEWSPAPERS

Motion by Mr. Smith, seconded by Mr. Egerter and unanimously carried by voice vote to adopt a resolution (as outlined herein) recognizing the Star Ledger and The Daily Record as the official newspapers of the Board for 2025.

### Roll Call:

**In Favor:** Ms. Bushman, Councilmember Traut, Mr. Smith, Mr. Sprandel, Mr. D'Urso, Mr. Egerter, Ms. Garbacz, Mr. Pace, and Mr. Chambers

**Opposed:**

**Abstain:**

### Motion Carried

**BOROUGH OF MENDHAM**  
**MORRIS COUNTY, NEW JERSEY**  
**JOINT LAND USE BOARD**  
**RESOLUTION #02-2025**

**RESOLUTION AUTHORIZING DESIGNATION OF NEWSPAPERS FOR CALENDAR YEAR 2025**

**BE IT RESOLVED** by the Joint Land Use Board of the Borough of Mendham, Morris County, New Jersey as follows:

**WHEREAS**, Chapter 231 of the Public Laws of the State of New Jersey for 1975, known as and hereinafter designated as the "Open Public Meetings Act" aforesaid, the Open Space Advisory Committee of the Borough of Mendham hereby makes the following designations:

1. The Star Ledger and the Daily Record are hereby designated as the two newspapers to receive notice of meetings required by any and all sections of the Open Public Meetings Act, it appearing that said newspapers are most likely to inform the local public of such meetings. Notices required by the New Jersey Municipal Land Use Law or the Borough's Land Use Regulations may be placed, as required by law, in either of the designated newspapers.
2. Notice of this meeting of the Joint Land Use Board of the Borough of Mendham shall be posted and maintained in the Phoenix House, 2 West Main Street, Mendham, NJ for purposes of public inspection, and will be filed in the Office of the Borough Clerk in accordance with the Open Public Meetings Act
3. The sum of \$12.00 per year is hereby fixed as the amount to paid by any person requesting individual notice of meetings as provided in Section 13 of the Open Public Meetings Act.

Dated: January 21, 2025

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Chairman, Joint Land Use Board

ATTEST:

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Land Use Coordinator

**BOARD ATTORNEY**

Motion by Mr. Smith, seconded by Mr. Sprandel and unanimously carried by voice vote to adopt a resolution (as outlined herein) authorizing entry into an agreement with Thomas J. Germinario, esq., for board attorney services.

**Roll Call:**

**In Favor:** Ms. Bushman, Councilmember Traut, Mr. Smith, Mr. Sprandel, Mr. D'Urso, Mr. Egerter, Ms. Garbacz, Mr. Pace, and Mr. Chambers

**Opposed:****Abstain:****Motion Carried**

**BOROUGH OF MENDHAM  
MORRIS COUNTY, NEW JERSEY  
JOINT LAND USE BOARD  
RESOLUTION#03-2025**

**RESOLUTION OF THE JOINT LAND USE BOARD OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO THOMAS J. GERMINARIO, ESQ. FOR BOARD ATTORNEY SERVICES**

***WHEREAS,** the Joint Land Use Board of the Borough of Mendham has a need to acquire professional Board Attorney services without competitive bidding pursuant to the provisions of N.J.S.A. 19:44A- 20.5; and*

***WHEREAS,** the Borough Administrator has determined and certified in writing that the value of the services will exceed \$17,500; and*

***WHEREAS,** the anticipated term of this contract is one (1) year; and*

***WHEREAS,** Thomas J. Germinario, ESQ. has submitted a proposal indicating that he will provide Board Attorney services in an amount projected not to exceed \$20,000 (this amount does not include payments made against escrow accounts which are not paid out of taxpayer funds); and*

***WHEREAS,** Thomas J. Germinario, ESQ. has completed and submitted a Business Entity Disclosure Certification which certifies that Thomas J. Germinario, ESQ. has not made any reportable contributions to a political or candidate committee in the Borough of Mendham in the previous one year, and that the contract will prohibit Thomas J. Germinario, ESQ. from making any reportable contributions through the term of the contract; and*

***WHEREAS,** the Joint Land Use Board of the Borough of Mendham desires to award the contract to Thomas J. Germinario, ESQ.; and*

***WHEREAS,** the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution authorizing the award of contracts for "professional services" without competitive bids and the contract itself must be available for public inspection.*

***NOW, THEREFORE, BE IT RESOLVED** by the Joint Land Use Board of the Borough of Mendham as follows:*

1. The Joint Land Use Board of the Borough of Mendham hereby authorizes execution of a professional services agreement with Thomas J. Germinario, ESQ to serve as Board Attorney for the year 2025 in an amount projected not to exceed \$20,000 (this amount does not include payments made against escrow accounts which are not paid out of taxpayer funds).

2. This contract is awarded without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because said services are exempt from the provisions of the bidding statutes in that they are services rendered or performed by a person authorized by law to practice a recognized profession and are services which require knowledge of an advanced type in a field of learning acquired by a prolonged course of specialized instruction as distinguished from general academic instruction or apprenticeship and training.

3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.

4. That a notice of this action shall be published once in the official newspapers of the Joint Land Use Board of the Borough of Mendham, as required by N.J.S.A. 40A:11-5(1)(a).

5. This Resolution shall take effect as provided herein.

*I, Lisa J. Smith, Land Use Coordinator, do hereby certify that the foregoing Resolution was duly adopted at the Reorganization Meeting of the Joint Land Use Board of the Borough of Mendham, held this 21st day of January 2025.*

\_\_\_\_\_  
*Lisa J. Smith, Land Use Coordinator*

ATTEST:

\_\_\_\_\_  
*Lisa J. Smith  
Land Use Coordinator*

\_\_\_\_\_  
*Chairman, Joint Land Use Board*

## **BOARD ENGINEER**

Motion by Ms. Bushman, seconded by Councilmember Traut and unanimously carried by voice vote to adopt a resolution (as outlined herein) authorizing entry into an agreement with Paul Ferriero, PE, PP of Boswell Engineering, Inc. for Board Engineer services for professional engineering services.

### **Roll Call:**

**In Favor:** Ms. Bushman, Councilmember Traut, Mr. Smith, Mr. Sprandel, Mr. D'Urso, Mr. Egerter, Ms. Garbacz, Mr. Pace, and Mr. Chambers

### **Opposed:**

### **Abstain:**

## **Motion Carried**

**BOROUGH OF MENDHAM  
MORRIS COUNTY, NEW JERSEY  
JOINT LAND USE BOARD  
RESOLUTION#04-2025**

**RESOLUTION OF THE JOINT LAND USE BOARD OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO BOSWELL ENGINEERING, INC. FOR BOARD ENGINEER SERVICES**

**WHEREAS**, the Joint Land Use Board of the Borough of Mendham has a need to acquire professional Board Engineer services without competitive bidding pursuant to the provisions of N.J.S.A. 19:44A- 20.5; and

**WHEREAS**, the Borough Administrator has determined and certified in writing that the value of the services will exceed \$17,500; and

**WHEREAS**, the anticipated term of this contract is one (1) year; and

**WHEREAS**, Boswell Engineering, Inc. has submitted a proposal indicating that he will provide Board Engineer services in an amount projected to not exceed \$7,000 (this amount does not include payments made against escrow accounts which are not paid out of taxpayer funds); and

**WHEREAS**, Boswell Engineering, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Boswell Engineering, Inc. has not made any reportable contributions to a political or candidate committee in the Borough of Mendham in the previous one year, and that the contract will prohibit Boswell Engineering, Inc. from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Joint Land Use Board of the Borough of Mendham desires to award the contract to Boswell Engineering, Inc.; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution authorizing the award of contracts for "professional services" without competitive bids and the contract itself must be available for public inspection.

**NOW, THEREFORE, BE IT RESOLVED** by the Joint Land Use Board of the Borough of Mendham as follows:

1. The Joint Land Use Board of the Borough of Mendham hereby authorizes execution of a professional services agreement with Boswell Engineering, Inc. to serve as Board Engineer for the year 2025, in an amount projected not to exceed \$7,000 ( this amount does not include payments made against escrow accounts which are not paid out of taxpayer funds).

2. This contract is awarded without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because said services are exempt from the provisions of the bidding statutes in that they are services rendered or performed

*by a person authorized by law to practice a recognized profession and are services which require knowledge of an advanced type in a field of learning acquired by a prolonged course of specialized instruction as distinguished from general academic instruction or apprenticeship and training.*

3. *The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.*
4. *That a notice of this action shall be published once in the official newspapers of the Joint Land Use Board of the Borough of Mendham, as required by N.J.S.A. 40A:11-5(1)(a).*
5. *This Resolution shall take effect as provided herein.*

*I, Lisa J. Smith, Land Use Coordinator of the Borough of Mendham, do hereby certify that the foregoing Resolution was duly adopted at the Reorganization Meeting of the Joint Land Use Board of the Borough of Mendham, held this 21st day of January 2025.*

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*Lisa J. Smith, Land Use Coordinator*

*ATTEST:*

*Lisa J. Smith*  
*Land Use Coordinator*

*Chairman*

## BOARD PLANNER

Motion by Councilmember Traut, seconded by Mr. Smith and unanimously carried by voice vote to adopt a resolution (as outlined herein) authorizing entry into an agreement with Jessica Caldwell, PP, AICP of J. Caldwell & Associates, LLC professional planning services.

### Roll Call:

**In Favor:** Ms. Bushman, Councilmember Traut, Mr. Smith, Mr. Sprandel, Mr. D’Urso, Mr. Egerter, Ms. Garbacz, Mr. Pace, and Mr. Chambers

**Opposed:**

**Abstain:**

### Motion Carried

**BOROUGH OF MENDHAM**  
**MORRIS COUNTY, NEW JERSEY**  
**JOINT LAND USE BOARD**  
**RESOLUTION#05-2025**

***RESOLUTION OF THE JOINT LAND USE BOARD OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO J. CALDWELL & ASSOCIATES, LLC FOR BOARD PLANNER SERVICES***

**WHEREAS**, the Joint Land Use Board of the Borough of Mendham has a need to acquire professional Board Planner services without competitive bidding pursuant to the provisions of N.J.S.A. 19:44A- 20.5; and

*WHEREAS, the Borough Administrator has determined and certified in writing that the value of the services will exceed \$17,500; and*

**WHEREAS**, the anticipated term of this contract is one (1) year; and

**WHEREAS**, J. Caldwell & Associates, LLC has submitted a proposal indicating that J. Caldwell & Associates, LLC will provide Board Planner services in an amount projected to not exceed \$8,000 (this amount does not include payments made against escrow accounts which are not paid out of taxpayer funds); and

**WHEREAS, J. Caldwell & Associates, LLC, has completed and submitted a Business Entity Disclosure Certification which certifies that J. Caldwell & Associates, LLC has not made any reportable contributions to a political or candidate committee in the Borough of Mendham in the previous one year, and that the contract will prohibit J. Caldwell & Associates, LLC from making any reportable contributions through the term of the contract; and**

***WHEREAS,** the Joint Land Use Board of the Borough of Mendham desire to award the contract to J. Caldwell & Associates, LLC; and*

***WHEREAS,** the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution authorizing the award of contracts for “professional services” without competitive bids and the contract itself must be available for public inspection.*

***NOW, THEREFORE, BE IT RESOLVED** by the Joint Land Use Board of the Borough of Mendham:*

- 1. The Joint Land Use Board of the Borough of Mendham hereby authorizes execution of a professional services agreement with J. Caldwell & Associates, LLC. to serve as Board Planner for the year 2025, in an amount projected not to exceed \$8,000 (this amount does not include payments made against escrow accounts which are not paid out of taxpayer funds).*
- 2. This contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because said services are exempt from the provisions of the bidding statutes in that they are services rendered or performed by a person authorized by law to practice a recognized profession and are services which require knowledge of an advanced type in a field of learning acquired by a prolonged course of specialized instruction as distinguished from general academic instruction or apprenticeship and training.*
- 3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.*
- 4. That a notice of this action shall be published once in the official newspapers of the Joint Land Use Board of the Borough of Mendham, as required by N.J.S.A. 40A:11-5(1)(a).*
- 5. This Resolution shall take effect as provided herein.*

*I, Lisa J. Smith, Land Use Coordinator of the Borough of Mendham, do hereby certify that the foregoing Resolution was duly adopted at the Joint Land Use Board of the Borough of Mendham Reorganization Meeting, held this 21st day of January 2025.*

\_\_\_\_\_  
Lisa J. Smith, Land Use Coordinator

ATTEST: \_\_\_\_\_  
Lisa J. Smith  
Land Use Coordinator

\_\_\_\_\_  
Chairman  
Joint Land Use Board

## **BOARD SECRETARY**

Motion by Ms. Bushman, seconded by Mr. Egerter and unanimously carried by voice vote to adopt a resolution (as outlined herein) authorizing the appointment of Lisa J. Smith to the position of Board Secretary

### **Roll Call:**

**In Favor:** Ms. Bushman, Councilmember Traut, Mr. Smith, Mr. Sprandel, Mr. D’Urso, Mr. Egerter, Ms. Garbacz, Mr. Pace, and Mr. Chambers

### **Opposed:**

### **Abstain:**

### **Motion Carried**

**BOROUGH OF MENDHAM  
MORRIS COUNTY, NEW JERSEY  
JOINT LAND USE BOARD**

**RESOLUTION #06-2025  
APPOINTMENT OF LISA SMITH AS BOARD SECRETARY**

**BE IT RESOLVED** by the Joint Land Use Board of the Borough of Mendham that Lisa J. Smith has been appointed to the position of Secretary to the Joint Land Use Board effective January 1, 2025.

*I certify that this is a true and exact  
copy of a resolution adopted by the  
Borough of Mendham Joint Land Use Board  
on January 21, 2025.*

\_\_\_\_\_  
*Land Use Coordinator*

\_\_\_\_\_  
*Chairman, Joint Land Use Board*

**\*\*\*REGULAR MEETING\*\*\***

**APPROVAL OF MINUTES**

- November 12, 2025 Tabled until the February 18, 2025 Regular Meeting
- December 3, 2025 Tabled until the February 18, 2025 Regular Meeting
- December 17, 2025 Tabled until the February 18, 2025 Regular Meeting

**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, the public session was closed.

**COMPLETENESS**

**20-24 15 West Main LLC  
15 West Main St.  
Blk 301 Lot 39**

Mr. Ferriero explained that this application was seen by the Board before and when it went through the construction process there was a requirement for a fire escape. Mr. Ferriero noted that this application is an amendment to the site plan. Mr. Ferriero stated that based on that he recommends deeming the application complete.

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

**Roll Call:**

**In Favor:** Ms. Bushman, Councilmember Traut, Mr. Smith, Mr. Sprandel, Mr. D'Urso, Mr. Egerter, Ms. Garbacz, Mr. Pace, and Mr. Chambers

**Opposed:**



**Abstain:**

**Motion Carried**

**14-24 Grayson & Elizabeth Miller  
15 Orchard St  
Blk 602 Lot 25**

Mr. Ferriero explained that 15 Orchard St is an application for an impervious coverage variance for a cover over a patio. Mr. Ferriero noted that in the October 1, 2024 letter there is no objections to the number of waivers requested. Mr. Ferriero noted that based on that he recommends deeming the application complete.

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

**Roll Call:**

**In Favor:** Ms. Bushman, Councilmember Traut, Mr. Smith, Mr. Sprandel, Mr. D'Urso, Mr. Egerter, Ms. Garbacz, Mr. Pace, and Mr. Chambers

**Opposed:**

**Abstain:**

**Motion Carried**

## **HEARINGS**

**20-24 15 West Main LLC  
15 West Main St.  
Blk 301 Lot 39**

**Present: Mr. Gianetti- Attorney  
Mr. Maillet- Architect**

Mr. Germinario reviewed the public notice and found it to be adequate to proceed.

Mr. Gianetti explained that the application is for minor site plan for the building at 15 West Main St. Mr. Gianetti noted that this property was in front of the Board in October of 2023 where the request was approved for D5 approval and site plan to make the empty space on 3<sup>rd</sup> floor be split into 2 units and one of the units would be deed restricted for affordable housing. Mr. Gianetti stated that when the applicant went for construction permit and the code requires a fire escape to the 3<sup>rd</sup> floor. Mr. Gianetti noted that the applicant has received HPC approval with the condition that no loitering signs will be installed.

Mr. Maillet was sworn in and qualified as an expert.

Mr. Maillet noted that the proposed fire escape would be black steel and is appropriate to the building style and blends with the building. Mr. Maillet explained that the fire escape is separate from the residential units. Mr. Germinario asked if all the other conditions of the fire marshal's report were met. Mr. Maillet stated that they were. Mr. Smith asked if the proposed ladder telescopes up and Mr. Maillet stated that it was. Mr. D'Urso asked if the proposed ladder was fixed. Mr. Maillet stated that a portion of the ladder was fixed and a portion down to grade does telescope up for safety reasons. Mr. Smith agreed with having a telescoping portion so that children will not climb on it. Ms. Bushman asked how far does it telescope up? Mr. Maillet noted approximately 12 feet. Mr. Pace asked if there were any changes to the setbacks that were previously approved. Mr. Maillet stated that there were not. Mr. Gianetti noted that in the previous resolution for the

D5 and site plan there was a condition that stated construction needed to start within 1 year of the variance and would like that it be noted in the resolution for this application that the applicant did apply for permits and to the board within that time limit. Mr. Gianetti requested that the approval be effective immediately.

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

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

**Roll Call:**

**In Favor:** Ms. Bushman, Councilmember Traut, Mr. Smith, Mr. Sprandel, Mr. D'Urso, Mr. Egerter, Ms. Garbacz, Mr. Pace, and Mr. Chambers

**Opposed:**

**Abstain:**

**Motion Carried**

**14-24 Grayson & Elizabeth Miller  
15 Orchard St  
Blk 602 Lot 25**

**Present: Mr. Encin – Architect  
Ms. Miller – Applicant  
Mr. Miller – Applicant**

Mr. and Ms. Miller were sworn in.

Mr. Germinario reviewed the public notice and found it to be adequate to proceed. Ms. Miller explained that the application was for a patio to be added to the side of the house. Mr. Germinario noted that in the application, part of the reasoning for the impervious coverage was due to the detached garage and asked if that was correct. Ms. Miller stated that this was correct. Mr. Germinario explained that the Board can look at this characteristic and can be viewed as a hardship. Mr. Germinario noted that the proposed patio is a usable patio unlike the one in the back that is not accessible. Ms. Miller stated that this was correct. Mr. Germinario noted that on the plans there are steppingstones going from the proposed patio to the existing patio. Ms. Miller stated that this was correct.

Mr. Encin was sworn in and qualified as an expert

Mr. Encin explained Sheet A-2 marked as Exhibit A-1 dated January 21, 2025 of the plans includes a breakdown chart of the impervious coverage by item with existing and proposed that was requested in the review.

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

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

Roll Call:

In Favor: Ms. Bushman, Councilmember Traut, Mr. Smith, Mr. Sprandel, Mr. D'Urso, Mr. Egerter, Ms. Garbacz, Mr. Pace, and Mr. Chambers

Opposed:

Abstain:

Motion Carried

Mr. Ferriero suggested the approval be effective immediately. Mr. Ritger asked the Board if there were any issues with not making Mr. Pyznar wait until the memorialization of the resolution. The Board had no objections.

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

Carried to the January 29, 2025 Special Meeting with no further notice required.

## **DISCUSSION ITEMS**

### **ANNUAL REPORT**

- **Annual Report- Being Tabled to the February 18, 2025 Meeting**

## **ADJOURNMENT**

There being no additional business to come before the Board, Motion was made by Mr. Smith, seconded by Mr. Sprandel. On a voice vote, all were in favor. Chairman D'Urso adjourned the meeting at 7:55PM.

Respectfully submitted,

*Lisa J. Smith*

Lisa Smith  
Land Use Coordinator