

**MINUTES OF THE  
MENDHAM BOROUGH JOINT LAND USE BOARD  
REGULAR MEETING  
Tuesday, February 20, 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 – Present @ 7:40pm	Mr. Egerter – Present
Ms. Bushman – Present	Ms. Garbacz – Present
Councilman Sullivan – Absent	Mr. Molnar – Absent
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. Germinario – Board Attorney  
Ms. Caldwell – Board Planner

**APPROVAL OF MINUTES**

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

**Roll Call:**

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

**Opposed:**

**Abstain:** Ms. Bushman, Ms. Garbacz, and Mr. Kay.

**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.

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

**COURTESY REVIEW**

01-24 Mendham Borough First Aid Squad  
24 East Main Street  
Block 601 Lot 11  
Present: Mr. Metrione – Asst. Quartermaster  
Mr. Lordy – Lieutenant

Mr. Lordy summarized the plans to add a 2-bay heated and air-conditioned garage on the existing tarmac that will take up 3 parking spaces. Mr. Sprandel asked if there are any under ground tanks. Mr. Lordy stated that he doesn’t believe so but will check. Ms. Traut asked how many parking spaces will be used and Mr. Lordy stated 3 possibly 4.

**COMPLETENESS**

10-23 Rachna Mathur-Rohit Reddy  
32 Gunther St.  
Block 301 Lot 28

Mr. Ferriero summarized the completeness review letter dated January 8, 2024, where it was noted that there were a number of waivers requested in the application. Mr. Ferriero stated that subject to the waivers, the application can be deemed complete.

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

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

**Roll Call:**

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

**Opposed:**

**Abstain:**

**Motion Carried**

18-23 West Main 21, LLC  
21 West Main St.  
Block 301 Lot 40

Mr. Ferriero summarized the completeness review letter dated December 28, 2023, where it was noted that there were a number of waivers requested in the application. Mr. Ferriero stated that subject to the waivers, and submission of ownership disclosure statement, the application can be deemed complete.

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

**Roll Call:**

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

**Opposed:**

**Abstain:**

**Motion Carried****HEARING**

10-23 Rachna Mathur-Rohit Reddy  
32 Gunther St.  
Block 301 Lot 28  
Present: Rachna Mathur- Applicant  
Rohit Reddy- Applicant

Mr. Reddy and Ms. Mathur were sworn in.

Ms. Mathur summarized the application to build a bedroom and bath at the main level that will be handicap

accessible for her mother to be able to come visit. Ms. Mathur explained that they are also proposing a front porch.

Mr. Germinario asked if Ms. Mathur's mother would be sharing the kitchen. Ms. Mathur stated that the only things being added are a bedroom, bathroom, and an entrance from the side. Mr. Reddy stated that there will be no kitchen added.

Mr. D'Urso noted that the recommendation from ECOSST was to put any runoff into a dry well because the area is within a flood plan. Mr. Reddy agreed to add a dry well into the revised set of plans along with revising the chart that includes current, allowed, and proposed. Mr. Reddy agreed.

Mr. Ferriero clarified that the property is not in a flood plan but does exceed impervious coverage which does not go over the threshold of 1000sq ft of increase. Mr. Ferriero stated that whomever they get to do the drywell would need to contact him. Mr. Ferriero noted that there are discrepancies in the numbers of proposed lot coverage and would need to be revised to the correct number.

Mr. D'Urso noted that the signature block will need to be added to the revised plans.

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

Mr. Ferriero stated that the applicant will need to finalize the lot coverage and since the ramp is not connecting to the driveway that will add impervious coverage and need to be added as well. Mr. Ferriero suggested that if the Board were to grant the application, they direct Mr. Germinario to prepare the resolution without the numbers and the numbers will be corrected by the next meeting in order to adopt.

Mr. Germinario asked Mr. Ferriero if a dry well would be a condition. Mr. Ferriero stated that it would be up to the Board because the coverage does not exceed 1000 sq ft of coverage. Mr. Ferriero explained that if a dry well is a condition, it should be designed to catch the additional impervious coverage. Mr. Germinario asked the applicants if they were ok with installing a dry well. Mr. Reddy agreed to install a dry well. Mr. Germinario stated that the condition of approval would include the design of the drywell would be reviewed and approved by Mr. Ferriero.

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

**Roll Call:**

**In Favor:** Mayor Glassner, Ms. Bushman, Mr. Smith, Mr. Sprandel, Mr. D'Urso, Mr. Egerter, Ms. Garbacz, Ms. Traut, Mr. Kay, and Mr. Pace.

**Opposed:**

**Abstain:**

**Motion Carried**

Mayor Glassner excused herself from the meeting because the application being heard includes a D variance.

18-23 West Main 21, LLC

21 West Main St.

Block 301 Lot 40

Present: Mr. Malman – Attorney

Mr. Byrne – Architect

Mr. Smith – Engineer

Mr. Weichert - Applicant

Mr. Malman explained that they are proposing 6 residential units and would be seeking a D5 density variance.

Mr. Malman went on to summarize the proposed application where they will be removing an exterior stairwell in the back of the building and a new one installed. Mr. Malman stated that the front of the building will look exactly the same and the Historic Commission reviewed and approved the application.

Mr. Byrne was sworn in. Mr. Byrne described his qualifications and was deemed an expert witness.

Mr. Byrne explained an aerial photograph which was marked as Exhibit A-1 which shows the existing property at 21 West Main St. Mr. Byrne explained an older picture of the building which was marked as Exhibit A-2 and gave history that the building used to be a firehouse and dates back to the 1800s. Mr. Byrne explained another older photo which was marked A-2-2 where you can see the fire equipment and the balcony of some version is a little bit different than the first photograph. Mr. Byrne submitted photographs of how the building looks today which were marked Exhibit A-3-1. Mr. Byrne submitted a picture marked as Exhibit A-3-2. Mr. Byrne explained that this picture is to show the opposite corners, the opposite sides of the building, which is Main Street looking down the left side, which is the access drive to the parking area on the lower level and the back elevation of the building. Mr. Byrne explained that one of the proposed changes would be to the stair tower and replace it with a code compliant interior stairway. Mr. Byrne stated that to meet the code, the stairwell needs to be widened slightly but will be reduced in size by a full floor. Mr. Byrne noted that this building is 4 stories and explained the current conditions.

Mr. Byrne stated that Sheet #1, which was previously submitted to the Board, is the front elevation where the only change would be the color of the door. Mr. Byrne noted that there will be no changes to the windows. Mr. Byrne explained that the bottom of the page includes the right-side elevation and no changes to the building façade other than adding a new window which matches in style and size and texture with the existing windows. Mr. Byrne noted the proposed stairwell pictured that will be reconstructed. Ms. Bushman asked if there were any changes to the roofline on the front elevation. Mr. Byrne stated that the only change being proposed to the front of the building is the color of the door. Mr. D'Urso asked if there are any proposed changes to the roof. Mr. Byrne stated that the roof and parapet will not be changed.

Mr. Byrne explained architectural sheet #2 which was also part of the original submission which are two views of opposite sides and building at the rear elevation. Mr. Byrne explained that the difference is the stair tower that includes the reduction in height and a little bit wider to provide a code complaint stairway. Mr. Byrne noted that Hardi Plank is proposed on the stair tower.

Mr. Malman asked if the Historic Commission commented on this issue at all. Mr. Byrne stated that they weren't concerned about this. Mr. Byrne explained at the bottom of the page that is the left side elevation and except for what is proposed in the stair tower to the rear, there's no changes.

Mr. Byrne explained the proposed interior of the building on sheet #3 which was previously submitted 2 - 1-bedroom units. Mr. D'Urso asked the height of the ceilings. Mr. Byrne stated that they would be approximately 7ft. Mr. Byrne noted that the one unit on the left side is proposed to be affordable housing. Mr. Byrne explained that the lower-level access is from the parking area. Mr. Byrne noted that the building will be sprinklered.

Ms. Bushman asked if both lower units could be affordable. Mr. Malman stated that 1 unit complies with the ordinance. Mr. D'Urso stated that there are items proposed that do not comply with the ordinance. Mr. Malman stated that he would ask his client. Mr. Byrne explained that the right side of the page shows the proposed Main Street level of the building where the Weichert office remains, and the only change would be the removal of the stairway. Mr. Byrne explained that the blue color is an area that's defined as a second tenant space. Mr. Byrne proceeded to explain Sheet #4 of what was submitted which shows the second and third floor. Mr. Byrne noted that there will be 4 apartments on the 2<sup>nd</sup> floor and 4 apartments on the 3<sup>rd</sup> floor. Ms. Bushman noted that in 1982 approval for 4 apartments was given and there are only 2. Mr. Malman stated that the current configuration is 2 units and is not sure what happened but currently the first floor and second floor became commercial, and the third floor became 2 residential units. Ms. Bushman noted that they never executed the previous

approval. Mr. Sprandel asked if there was a fire escape for the third floor. Mr. Byrne explained that based on the configuration of the proposed interior stairway the fire escape is not necessary.

Mr. Byrne submitted interior rendering of the ground floor which was marked A-5-1 and an interior rendering of the second-floor unit which was marked A-5-2.

Chairman D'Urso opened the meeting to the public for questions and comments.

Mr. Van Den Hende, 11 Coventry Rd., asked if there will be any radon remediation or testing. Mr. Byrne stated that there wasn't any done at this point but will take measures once construction begins. Mr. Van Den Hende asked where the mechanical things, such as AC units, be placed. Mr. Byrne explained showed the location on sheet #3. Mr. Van Den Hende asked if there would be skylights. Mr. Byrne stated that there were none proposed.

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

Mr. Smith was sworn in. Mr. Smith described his qualifications and was deemed an expert witness and qualified as a professional engineer.

Mr. Smith summarized a colorized version of the existing conditions on Sheet #2 which was marked as Exhibit A-6. Mr. Smith noted that there are 14 parking spaces that were approved in 1984 which are currently not lined at this time. Mr. Germinario asked when the parking was approved. Mr. Smith noted that he saw it in the 1984 revised plan. Mr. Malman explained that it was approved by a resolution made in 1982.

Mr. Egerter noted that there is no existing lighting in the back. Mr. Smith explained that there is none. Mr. Pace noted that the 1982 resolution has 13 parking spaces. Mr. Smith stated that the 1984 site plan shows 14 parking spaces.

Mr. Smith summarized the proposed conditions on a colorized version of Sheet #3 which was marked as Exhibit A-7. Mr. Smith explained that there is a proposed dumpster area in the corner on the Marshall Terrace side. Mr. Smith noted that the parking will be reconfigured to 15 spaces which includes a handicap and 4 EV spaces. Mr. Malman stated that their traffic consultant will explain the parking further at the next meeting. Mr. Smith stated that there is no increase to impervious coverage. Mr. Smith explained that the buffering around the lot is mature trees which will remain. Mr. Smith noted that there is no landscape plan with this application and a waiver was requested because there is really no room to plant anything due to the mature trees. Based on Mr. Ferriero's letter, Mr. Smith noted that the dumpster can be moved to space #12 and there would be fencing around the dumpster.

Mr. Smith stated that there is no lighting currently. Mr. Smith stated that a lighting consultant prepared a plan. Mr. D'Urso noted that there are currently lights at the rear of the building and a pole light near space #12 at the end of the building. Mr. Smith stated that he was unaware of this.

Ms. Bushman asked if the easements were secured that were mentioned in the resolution. Mr. Malman stated that he would look into it.

The proposed lighting plan was marked as Exhibit A-8 that shows 3 inward facing lights that will light the parking area with no spillover. Mr. D'Urso questioned whether the existing lighting was included on the lighting plan. Mr. Byrne explained that there is illumination under the overhang with no spill over into the parking area and there are no flood lights. Mr. Ferriero suggested submitting details of the lighting when the applicant returns.

Ms. Caldwell asked if there is any signage proposed on the exterior of the building noting the location of the apartments. Mr. Malman stated that there is nothing proposed on the existing plan. Mr. D'Urso asked if there will be any additional signage other than the Weichert sign. Mr. Malman states that there is nothing proposed at the time but since there will be a second tenant they need to think about it.

Chairman D'Urso opened the meeting to the public for questions and comments.

Mr. Van Den Hende, 11 Coventry Rd., pointed out discrepancies in the parking and lighting plan. Mr. Smith stated that Exhibit A-8 will be revised to the correct number of spaces.

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

Application adjourned to the March 19, 2024, meeting with no further notice required.

## **DISCUSSION**

### **Request for extension: Weijlard- 13 East Main St.**

Ms. Bushman made a motion to approve the one-year extension and was seconded by Mr. Smith . On a voice vote, all were in favor.

#### **Roll Call:**

**In Favor:** Mayor Glassner, Ms. Bushman, Mr. Ritger, Mr. Smith, Mr. Sprandel, Mr. D'Urso, Mr. Egerter, Mr. Kay, and Mr. Barker.

#### **Opposed:**

**Abstain:**

**Motion Carried**

### **Change meeting date Tuesday, October 22, 2024, to Tuesday, October 15, 2024**

Ms. Bushman made a motion to approve the changes to the meeting date and was seconded by Mr. Smith. On a voice vote, all were in favor.

#### **Roll Call:**

**In Favor:** Ms. Bushman, Mr. Ritger, Mr. Smith, Mr. Sprandel, Mr. D'Urso, Mr. Egerter, Mr. Kay, and Mr. Barker.

#### **Opposed:**

**Abstain:**

**Motion Carried**

## **ADJOURNMENT**

There being no additional business to come before the Board, Motion was made by Ms. Bushman, and seconded by Mr. Smith. On a voice vote, all were in favor. Chairman D'Urso adjourned the meeting at 9:00PM.

Respectfully submitted,

*Lisa J. Smith*

Lisa Smith

Land Use Coordinator