

**MINUTES OF THE TOWNSHIP OF MENDHAM PLANNING BOARD
REGULAR MEETING HELD JUNE 19, 2019**

Chairman Giordano called the meeting to order at 7:30 p.m. and asked for roll call. Upon roll call:

ROLL CALL

PRESENT: Mayor Warren Gisser, Mr. Monaghan, Mr. D’Emidio, Ms. DeMeo, Mr. Mayer, Chairman Giordano

ABSENT: Mr. Johnson, Mr. Perri, Mr. Maglione

Others present: None

SALUTE THE FLAG

ADEQUATE NOTICE of this meeting of the Mendham Township Planning Board was given as follows: Notice was sent to the Daily Record and the Observer Tribune on January 10, 2019 and Notice was filed with the Township Clerk on January 10, 2019

This meeting is a quasi-judicial proceeding. Any questions or comments must be limited to issues that are relevant to what the Board may legally consider in reaching a decision and decorum and civility appropriate to a quasi-judicial hearing will be maintained at all time.

MINUTES

A motion was made to approve the May 15, 2019 minutes, and it was seconded. All agreed.

RESOLUTION – PB 19-05

APPLICATION – PB 19-01

44 Roxiticus Road
Block 104, Lot 27.01
Minor Subdivision

Chairman Giordano stated this is Resolution 19-05 granting Minor Subdivision approval in connection with Block 104, Lot 27.01 on the official tax map of the Township of Mendham for the Joannah C. Wilmerding Trust No. 2 (Roxiticus Road and Union School Road).

Mr. D’Emidio referred to Letter I on Page 8 of the redlined version of the resolution and inquired about the sentence referring to the conveyance of the easement in the middle of the paragraph. He asked if it should read “shall merge with the fee ownership” instead of “shall not merge with the fee ownership.” It was confirmed by Mr. Bergman and Chairman Giordano that it should read “shall not merge with the fee ownership.” Mr. Bergman explained that as it reads “shall not merge with the fee ownership” that the easement and the restrictions would then remain protected as opposed to losing that protection if it were to merge with the fee ownership.

Mayor Gisser referred to Letter G on Page 8 and asked about the deed restriction, which states that Block 104, Lot 27.05 shall be used for purposes of pasture land only. He inquired whether this pasture land can only be used exclusively for Block 107, Lot 46 or could any future owners of Block 107, Lot 46 allow other farms in Mendham Township to use Lot 27.05 for other animals. Mr. Bergman confirmed that the intent is that Lot 27.05 is to be used exclusively by Block 107,

Lot 46 across the street, which is the way the Trust wants it. Also, Mr. Bergman's additional insertion on page 5 regarding the proposed lot being located in the Ralston Historic District and that it is an historic property was noted.

Chairman Giordano entertained a motion to approve Resolution 19-05. A motion was made by Mr. Monaghan, and it was seconded by Mayor Gisser. For the record, Chairman Giordano stated that he and Ms. DeMeo have listened to the audio recording of the meeting from May 15, 2019 and have signed an affidavit stating as such.

Upon roll call:

AYES: Mayor Gisser, Mr. Monaghan, Mr. D'Emidio, Ms. DeMeo, Mr. Mayer, Chairman Giordano

Chairman Giordano entertained a motion to open the meeting to the public. A motion was made, and it was seconded. All agreed. See or hearing no one from the public, a motion was made to close the meeting to the public, and it was seconded. All agreed.

Chairman Giordano entertained a motion to adjourn the meeting at 7:37 pm. A motion was made, and it was seconded. All agreed.

Respectively Submitted,

Beth Foley
Planning Board Secretary