

**BOROUGH OF KINNELON  
RESOLUTION NO. 06.19.2026**

**A RESOLUTION OPPOSING SENATE BILL S-1408 AND  
SIMILAR LEGISLATION THAT PREEMPTS MUNICIPAL  
ZONING AUTHORITY BY MANDATING THE CONVERSION  
OF CERTAIN OFFICE AND RETAIL PROPERTIES INTO  
MIXED-USE RESIDENTIAL DEVELOPMENTS**

**WHEREAS**, the Borough of Kinnelon has adopted and periodically reexamines its Municipal Master Plan pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., to guide the orderly growth, development, redevelopment, and preservation of the community; and

**WHEREAS**, local land use planning and zoning decisions are developed through a transparent public process involving elected officials, planning boards, professional planners, property owners, and residents to ensure that development is consistent with community goals and infrastructure capacity; and

**WHEREAS**, municipalities are uniquely positioned to evaluate the impacts of development on local roads, traffic circulation, parking, public safety services, schools, utilities, stormwater management systems, environmental resources, and neighborhood character; and

**WHEREAS**, Senate Bill S-1408, commonly referred to as the "Stranded Asset Bill," would require municipalities to permit the conversion of certain office complexes and retail centers into mixed-use residential developments without requiring a use variance under certain circumstances; and

**WHEREAS**, the legislation applies to office properties exceeding 50,000 square feet and retail properties exceeding 15,000 square feet that meet specified vacancy or economic distress criteria; and

**WHEREAS**, S-1408 would significantly limit municipal authority to determine appropriate land uses within the community by mandating mixed-use development opportunities regardless of local zoning designations, planning objectives, or community needs; and

**WHEREAS**, the legislation contemplates the establishment of model standards by the New Jersey Department of Community Affairs and limits the ability of municipalities to impose local bulk, height, setback, and development standards if such standards are deemed to inhibit redevelopment; and

**WHEREAS**, S-1408 would effectively override locally adopted zoning ordinances and Master Plan policies that have been developed through extensive public participation and professional planning analysis; and

**WHEREAS**, municipalities currently possess numerous tools under the Municipal Land Use Law, including zoning amendments, redevelopment designations, redevelopment plans, use variances, and site plan review processes, to address underutilized, vacant, or distressed commercial properties in a manner that reflects local conditions and priorities; and

**WHEREAS**, redevelopment of vacant commercial properties should be encouraged through collaboration between municipalities, property owners, and developers, rather than through state mandates that diminish local decision-making authority; and

**WHEREAS**, the Borough of Kinnelon recognizes the importance of revitalizing underutilized commercial properties but believes that decisions regarding land use, density, building height, site design, and infrastructure impacts should remain under local control; and

**WHEREAS**, increased residential density resulting from mandatory mixed-use redevelopment may create substantial impacts on municipal infrastructure, traffic conditions, parking demand, schools, public safety services, water and sewer systems, and overall community character; and

**WHEREAS**, the Borough of Kinnelon believes that land use decisions are best made at the local level through the planning and zoning processes established under New Jersey law and with meaningful public participation.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Kinnelon, County of Morris, State of New Jersey, that the Borough hereby opposes Senate Bill S-1408 and any similar legislation that preempts municipal land use authority and mandates the conversion of office or retail properties into mixed-use residential developments without appropriate local review and approval; and

**BE IT FURTHER RESOLVED** that the Borough urges the New Jersey Legislature to preserve municipal authority over local planning, zoning, and redevelopment decisions and to work collaboratively with municipalities to address vacant and underutilized commercial properties while respecting local Master Plans and zoning ordinances; and

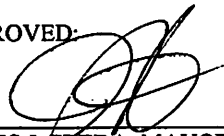
**BE IT FURTHER RESOLVED** that the Borough of Kinnelon reaffirms its commitment to responsible redevelopment that balances economic growth, housing opportunities, infrastructure capacity, environmental stewardship, and the preservation of community character; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to Senator M. Bucco, Assemblywomen Aura Dunn, Assemblywomen Marisa Sweeney, Governor Mikie Sherrill, and the New Jersey State League of Municipalities.

Adopted 06/18/2026 on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Mabey	✓		✓			
Chirido		✓	✓			
Harriz			✓			
Frank			✓			
Lewis			✓			
Reckler						✓

APPROVED:



JAMES J. FREDA, MAYOR

Attest:



Karen M. Iuele  
Borough Clerk