

**BOROUGH OF KINNELON
RESOLUTION NO. 06.20.26**

**A RESOLUTION OPPOSING SENATE BILL S-1786 AND
AFFIRMING MUNICIPAL AUTHORITY OVER LOCAL LAND
USE AND ZONING DECISIONS**

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

WHEREAS, local planning and zoning decisions are developed through a transparent public process involving elected officials, planning professionals, municipal boards, property owners, and residents to ensure that development is appropriate for the unique character, infrastructure, and needs of the community; and

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

WHEREAS, Senate Bill S-1786 would require municipalities with a population density of less than 9,000 persons per square mile to permit Accessory Dwelling Units ("ADUs") that comply with statewide standards established by the legislation; and

WHEREAS, the Borough of Kinnelon falls within the category of municipalities that would be subject to the mandatory provisions of S-1786; and

WHEREAS, S-1786 would require municipalities to adopt or amend local land use regulations to conform to statewide standards, thereby limiting the ability of municipalities to tailor zoning regulations to local conditions and community needs; and

WHEREAS, the legislation would preempt locally adopted zoning ordinances and Master Plan policies that have been developed through extensive public participation and professional planning analysis; and

WHEREAS, the legislation establishes a one-size-fits-all approach to residential development that does not adequately recognize the significant differences among New Jersey municipalities with respect to infrastructure capacity, lot sizes, parking availability, environmental constraints, public services, and neighborhood character; and

WHEREAS, the Borough recognizes the importance of expanding housing opportunities throughout New Jersey, but believes that such efforts should be accomplished through local planning processes that allow municipalities to determine where and how additional residential units may be accommodated safely and responsibly; and

WHEREAS, municipalities should retain the authority to establish reasonable zoning, design, parking, and site development standards that reflect local conditions and protect the health, safety, and welfare of residents; and

WHEREAS, S-1786 would substantially diminish municipal authority over land use planning and zoning matters that have historically been reserved to local governments under the Municipal Land Use Law; and

WHEREAS, the Borough of Kinnelon believes that any legislation affecting residential density and land use should preserve meaningful local discretion and public participation in the planning process; and

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-1786 and any similar legislation that preempts municipal land use authority and imposes mandatory statewide zoning standards for Accessory Dwelling Units; and

BE IT FURTHER RESOLVED that the Borough urges the New Jersey Legislature to preserve municipal authority over local planning and zoning decisions and to work collaboratively with municipalities to address housing needs while respecting local conditions and community planning efforts; and

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

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


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

APPROVED:



 JAMES J. FREDA, MAYOR

Attest:


 Karen M. Iuele,
 Borough Clerk