

Borough of Kinnelon

Planning Board

June 25,2026

The regular monthly and reorganization meeting of the Kinnelon Planning Board was called to order by Mr. Merlucci at 7:00 p.m., Thursday, June 25, 2026, in the Municipal Building.

It was reported that adequate notice of this meeting had been given in accordance with the Sunshine Law by posting a notice on the municipal bulletin board, by publication of a legal notice in the Suburban Trends on January 2026 and by sending the meeting date to the Daily Record and Herald News.

Present and answering roll call in addition to Chairman Mr. Merlucci was Mr. Lockwood, Mrs. Smialek, Mr. Csontos, Councilman Chirido, Mr. Schwartz, Mr. Boswell and Mr. Kruger. Mayor Freda was absent from this meeting.

A motion to approve resolution #859 Community entrance sign along Twin Lakes Road was offered by Mr. Lockwood, second by Mr. Csontos with the affirmative “yes” vote of all on roll call.

#860 1481 Realty,LLC, 1481 Route 23, Mixed Use – 1 Redevelopment Area. The Applicant proposes a new 3-story mixed-use building containing a restaurant and 20 residential rental units.

A motion to approve this application subject to the Borough Engineer’s completeness letter and the conditions listed below was offered by Mr. Lockwood, second by Mr. Schwartz with the affirmative “yes” vote of all on roll call.

1.The approval shall be implemented strictly in accordance with the plans submitted and approved, as revised to reflect the testimony and stipulations provided at the public hearing and in this Resolution.

2.Payment of all fees, costs, escrows due or to become due. Any monies are to be paid within twenty (20) days of said request by the Board’s Secretary;

3.Certificate that Borough property taxes are paid through date of approval;

4.Subject to obtaining and complying with all required approvals by other governmental entities;

5.Subject to all other applicable rules, regulations, ordinances and statutes of other governmental entities, including the Borough of Kinnelon, the County of Morris, the State of New Jersey, and the United States of America;

6.As to the trash enclosure to the north of the proposed new building at the Subject Property, the Applicant shall cause the trash dumpsters to be rolled in and out of the enclosure on the day(s) of trash pickup. The dumpsters shall not remain outside of the enclosure at any time other than when the garbage truck is on site and picking up trash.

7.The Applicant shall meet all conditions in the Board Engineer's report, and shall also comply with all other governmental requirements as applicable, including but not limited to, NJDEP and Borough Ordinances for stormwater management requirements. Any revisions must be made with the prior review and approval of the Board Engineer and the Applicant must make appropriate filings before and after to demonstrate any changed conditions;

8.The Applicant shall meet all conditions in the Board Planner's report, and shall also comply with all other governmental requirements as applicable, including but not limited to, including all requirements of the Affordable Housing laws and as stated in Borough Ordinances, and including but not limited to interspersed of AH units in compliance with the law and the Planner's report;

9.The affordable housing units shall be family rental units and shall have a deed restriction for no less than forty (40) years, consistent with the standards set forth in Borough's affordable housing regulations (Section 207-121) and the Uniform Housing Affordability Control rules ("UHAC"; N.J.A.C. 5:80-26.1 et seq.).

10.The developer shall administer the affordable homes at their sole cost and said administration shall be conducted by an affordable housing administrative agent that is approved by the Borough Administrator, Borough Affordable Housing Planner, or other person(s) indicated by the Planning Board.

11.The affordable homes will comply with all applicable Borough affordable housing regulations (Code Article XXI) and the Uniform Housing Affordability Control rules ("UHAC"; N.J.A.C. 5:80-26.1 et seq.).

12.The Applicant shall provide a plan with all signage and signage details during compliance for Board Planner and Board Engineer approval, including a north elevation plan if signage is to be installed there;

13.The Applicant shall provide a materials board and materials selections and shall aesthetically match the elevator shaft at the roof level with the other exterior finishes, such to be providing during compliance review for Board Engineer approval;

14.The Applicant shall provide a roof plan showing all mechanical equipment and screening, and a north elevation plan if that is where the restaurant ventilation will be installed, such to be provided during compliance review for approval by the Board Engineer;

15.The outdoor dining space shall not be air-conditioned and shall not be closed in, so as to prevent an increase in the parking requirements. The outdoor space consisting of approximately 471 square feet will be covered, but three sides of the outdoor space shall not be closed;

16. Hours of operation for the restaurant shall be no earlier than open doors at 11:00 a.m. and closing at 11:00 p.m. or up to 1:00 a.m. on weekend nights (Friday and Saturday);

17. The Applicant shall cause traffic and parking enforcement of the Subject Property by the Borough Police Department under N.J.S.A. Title 39;

18. The Applicant shall provide twenty (20) designated parking spaces (the “Residential Tenant Spaces”), with one (1) space specifically designated to each dwelling unit;

19. The Applicant shall maintain the ability to terminate the NJDOT lease as already stated therein, or to renegotiate for less than thirty (30) commuter spaces, or to limit the hours of parking by commuters;

20. The Applicant shall prepare and provide a detailed parking plan to be reviewed and approved between the Applicant, the Board Engineer, and the Board Planner. The parking plan shall identify and depict the Residential Tenant Spaces, the NJDOT Commuter Parking and the 1986 Easement Parking, as well as the EV spaces and the ADA spaces.

21. Three (3) of the proposed total of the eight (8) EV spaces shall be created and operational before issuance of a final certificate of occupancy. The remaining five (5) EV spaces shall be “make ready” during construction and shall be in actual operation at the time required by the State statute. The EV spaces shall be available to all as required by State statute;

22. The Applicant shall determine the content of signage to establish the designation of the twenty (20) Residential Tenant Spaces to each unit. If any of these residential tenant spaces shall be shared with any NJDOT Commuter Parking or by any commercial use, the signage shall describe the terms of the shared usage. Elimination of overnight parking except by residential tenants may be imposed. The Applicant shall consult with the Borough Police department as to the appropriate language for the signage and the enforceability of same;

23. The Applicant shall provide a list of the designated parking space numbers and their corresponding residential units, a map of all the various designated areas, a plan showing the wording for each type of parking sign to be installed, and any other appropriate documentation during the Resolution compliance period for review and approval by the Board Engineer and Board Planner. Thereafter, same shall be implemented as approved. All necessary documentation shall be filed by the Applicant with the Board Secretary and with the Borough Zoning Office and the Borough Police Department;

24. In accordance with the Redevelopment Plan and the testimony and discussion during the hearing, the Borough Zoning Officer, in conjunction with the Borough Police Department, may undertake and compel reasonable periodic review to determine whether the parking is working properly at the Subject Property. If at any time the parking is found to be non-compliant with this Resolution, the Applicant may be required to return to this Board for examination and amended site plan review to address any such non-compliance;

A motion to adjourn was offered by Mr. Schwartz, second by Mr. Lockwood with the affirmative “yes” vote of all on roll call.

Respectfully submitted,

Jennifer Alimurat, Secretary

cc: Planning Board Members
Planning Board Attorney
Planning Board Engineer
Borough Clerk
Board of Health
Fire Prevention Bureau
Zoning Official
Construction Official
Environmental Commission
Tax Collector
Assessor
Department of Public Works
Police Department
Morris County Planning Board