

MINUTES

PLANNING BOARD

TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY

Regular Meeting

February 18, 2026

The Regular Meeting of the Planning Board was called to order at 7:30 PM by Chairman Craig Johnson.

Mr. Johnson confirmed that the meeting was being held in conformance with the Open Public Meetings Act. Adequate notice of this meeting has been posted on the Township website and sent to the newspaper of record. The Agenda has also been posted on the Township website and bulletin board at the Municipal Building at least forty-eight hours prior to the meeting. The Agenda items will not necessarily be heard in the order listed and the meeting will not continue substantially past 10:30 PM.

Oath of Public Officers – Newly Appointed Members

Cherron Rountree – Class I Mayor’s Designee

Brian Kraut – Class IV Member – 4 year term to end 12/31/2029

The oath of office was administered by Mr. Robertson prior to the meeting.

Roll Call:

Members present were Mr. Johnson, Mr. Hall, Ms. Roundtree, Ms. Poage, Mr. Popolo, Ms. Kingsley (via zoom), Mr. Harris, Mr. Kraut, Mr. Couto and Mr. Leo. Mr. Robertson, Board Attorney, and Mr. Mistretta, Township Planner, were also present.

Adoption of Minutes:

January 7, 2026 Reorganization Meeting

January 7, 2026 Executive Session

A motion was made by Mr. Popolo, seconded by Ms. Poage, to adopt the Minutes of the Reorganization Meeting of January 7, 2026 as presented. The voice vote was 6-0-3 (Abstain-Mr. Hall, Ms. Rountree, Mr. Kraut).

A motion was made by Ms. Poage, seconded by Mr. Popolo, to adopt the Minutes of the Executive of January 7, 2026 as presented. The voice vote was 6-0-3 (Abstain-Mr. Hall, Ms. Rountree, Mr. Kraut).

Adoption of Resolution:

Resolution amending the Resolution which designated the Official Newspapers for the Township of Berkeley Heights Planning Board

Mr. Robertson reviewed the Resolution.

A motion was made by Ms. Rountree, seconded by Mr. Hall, to adopt the above Resolution as presented. The roll call vote was 9-0 with Mr. Johnson, Mr. Hall, Ms. Rountree, Ms. Poage, Mr. Popolo, Ms. Kingsley, Mr. Harris, Mr. Kraut, and Mr. Couto voting in favor and none opposed.

Presentation / Public Hearing:

Presentation by Michael Mistretta, Harbor Consultants, Inc., on the adoption of the Township's Amended Fourth Round Housing Element and Fair Share Plan ("Amended HEFSP") which will amend the Township's Master Plan. Public comments will be heard following the presentation.

Michael Mistretta presented the proposed Amended Fourth Round Housing Element and Fair Share Plan. Mr. Mistretta reviewed the requirements for the Amended Plan and stated that there are no changes proposed to the Plan, but the Township is required to show how the bonus credits were achieved and allocated.

Open to the Public

The hearing was opened to the public for questions or comments regarding the presentation.

Joseph Iadanza asked questions regarding the location of the 100% affordable housing project and whether other municipalities received the same objections from the Builders Association and if they were computer generated.

Mr. Mistretta advised that the Township has until March 15 to identify the proposed site for the 100% affordable housing, and if the Township decides not to move ahead with it the units will default to the Connell site. Mr. Mistretta stated that every municipality he represents received a challenge from the Builders Association, but they were not computer generated.

Mr. Robertson reviewed the Resolution.

A motion was made by Ms. Poage, seconded by Mr. Popolo, to adopt the Township’s Amended Fourth Round Housing Element and Fair Share Plan (“Amended HEFSP”) which will amend the Township’s Master Plan and to adopt the Resolution memorializing the action taken by the Board. The roll call vote was 9-0 with Mr. Johnson, Mr. Hall, Ms. Rountree, Ms. Poage, Mr. Popolo, Ms. Kingsley, Mr. Harris, Mr. Kraut, and Mr. Couto voting in favor and none opposed.

Referral:

Ordinance to be introduced by the Township Council at the public meeting on February 17, 2026, to amend Appendix A (Municipal Land Use Procedures Ordinance) of the Code of the Township of Berkeley Heights to increase the Township’s affordable housing set-aside for developments in the Downtown Zone Districts -- Downtown Development (DD) and Home Business (HB) -- with rental units from 15% to 20% to address the Township’s affordable housing obligations.

The Planning Board is directed to make and transmit to the Township Council, within 35 days after referral of the above referenced ordinance, a report including an identification of any provisions in the proposed ordinance which are inconsistent with the master plan and recommendations concerning these inconsistencies and any other matters as the Board deems appropriate.

Michael Mistretta reviewed the proposed Ordinance with respect to the increase in the affordable housing set-aside.

Open to the Public

The hearing was opened to the public for questions or comments regarding the proposed ordinance.

Joseph Iadanza suggested that the references to “her” in the document be changed to “Mayor” to make the ordinance gender neutral.

Mr. Robertson advised that the change would have to be an amendment by the Township Council. The Planning Board’s role is to review the ordinance and determine if it is consistent with the Master Plan.

A motion was made by Ms. Rountree, seconded by Ms. Poage, to advise the Township Council that the Planning Board finds the proposed Ordinance to be consistent with the Master Plan and to adopt the Resolution memorializing the action taken by the Board. The roll call vote was 9-0 with Mr. Johnson, Mr. Hall, Ms. Rountree, Ms. Poage, Mr. Popolo, Ms. Kingsley, Mr. Harris, Mr. Kraut, and Mr. Couto voting in favor and none opposed.

Referral:

Ordinance to be introduced by the Township Council at the public meeting on February 17, 2026, repealing Article 4.7 (Affordable Housing Development Fees) in Part 4 (Development Procedures) and Part 18A (Affordable Housing Mandatory Set-aside) in Appendix A (Municipal Land Use Procedures Ordinance) and amending Part 18 (Affordable Housing) of the Code of the Township of Berkeley Heights to address the requirements of the Fair Housing Act (FHA) as Amended, and the Uniform Housing Affordability Controls (UHAC), as Amended, regarding compliance with the Township's affordable housing obligations.

The Planning Board is directed to make and transmit to the Township Council, within 35 days after referral of the above referenced ordinance, a report including an identification of any provisions in the proposed ordinance which are inconsistent with the master plan and recommendations concerning these inconsistencies and any other matters as the Board deems appropriate.

Michael Mistretta reviewed the proposed Ordinance with respect to the affordable housing fees. He advised that this is an administrative update, and nothing is being added.

Open to the Public

The hearing was opened to the public for comments regarding the proposed ordinance. There were no members of the public who had questions or comments.

A motion was made by Ms. Rountree, seconded by Ms. Poage, to advise the Township Council that the Planning Board finds the proposed Ordinance to be consistent with the Master Plan and to adopt the Resolution memorializing the action taken by the Board. The roll call vote was 9-0 with Mr. Johnson, Mr. Hall, Ms. Rountree, Ms. Poage, Mr. Popolo, Ms. Kingsley, Mr. Harris, Mr. Kraut, and Mr. Couto voting in favor and none opposed.

Referral:

Township Council Resolution No. 2026-104 authorizing the Planning Board to undertake a preliminary investigation pursuant to N.J.S.A.40A:12A-6 of the Redevelopment Law of the property identified as Block 3701, Lot 1, and more commonly known as the Nokia Bell Labs site, 600 Mountain Avenue, in order to determine and recommend to the Township Council whether this property, or any portion thereof, constitutes a non-condemnation area in need of redevelopment according to the criteria set forth in N.J.S.A.40A:12A-5.

Michael Mistretta reviewed the proposed resolution authorizing the Planning Board to undertake the required preliminary investigation of the Nokia Bell Labs site. He noted

that the Township is required to enter into a development agreement and redevelopment plan by the March 15, 2026 deadline and the Township will make every effort to finalize the redevelopment agreement as soon as possible.

Discussion took place and questions were raised with regard to the fact that part of the property is located in New Providence and the question was raised as to what New Providence is doing and if they will be working with Berkeley Heights regarding the site.

Mr. Mistretta advised that New Providence has their own plan, he does not represent them, and he does not know what they are doing. Berkeley Heights can only control a plan for the portion of the property in Berkeley Heights. The study will take approximately 90 days, and the Redevelopment Plan is required by the court.

Open to the Public

The hearing was opened to the public for questions or comments regarding the proposed preliminary investigation.

Joseph Iadanza asked what outside sources such as the DEP will be included in the study, if the Board members will be permitted to visit the site, if the plan will include anything other than housing, who is the owner of the property and who is the developer.

Mr. Mistretta advised that outside sources will be included in the study, Board members will be permitted to visit the site, the plan is only for housing, but other items can be considered, and he will find out who the property owner and developer are when he starts the study.

In response to a question from the Board, Mr. Mistretta stated that this housing plan supersedes anything in the Master Plan with regard to the Nokia property.

A motion was made by Ms. Rountree, seconded by Mr. Popolo, to authorize Michael Mistretta, Harbor Consultants, Inc. to undertake preliminary investigation of the Nokia property and report back their findings to the Planning Board which will thereafter conduct a public hearing and send a recommendation to the Township Council and to adopt the Resolution memorializing the action taken by the Board. The roll call vote was 9-0 with Mr. Johnson, Mr. Hall, Ms. Rountree, Ms. Poage, Mr. Popolo, Ms. Kingsley, Mr. Harris, Mr. Kraut, and Mr. Couto voting in favor and none opposed.

Referral:

Ordinance introduced by the Township Council at the public meeting on February 3, 2026, to amend the maximum permitted building height requirements in the R-10, R-15,

and R-15A Zones under Article 6.1 (“Schedule of General Regulations”) of Appendix A (“Municipal Land Use Procedures Ordinance”).

The Planning Board is directed to make and transmit to the Township Council, within 35 days after referral of the above referenced ordinance, a report including an identification of any provisions in the proposed ordinance which are inconsistent with the master plan and recommendations concerning these inconsistencies and any other matters as the Board deems appropriate.

Mr. Mistretta reviewed the proposed ordinance regarding the maximum permitted building height requirements in the R-10, R-15, and R-15A Zones. He advised that the proposed change is from 30’ to 27’ and it is intended to maintain the character of small size communities in the Township.

Open to the Public

The hearing was opened to the public for questions or comments regarding the proposed ordinance. There were no members of the public who had questions or comments.

A motion was made by Ms. Poage, seconded by Ms. Rountree, to advise the Township Council that the Planning Board finds the proposed Ordinance to be consistent with the Master Plan and to adopt the Resolution memorializing the action taken by the Board. The roll call vote was 9-0 with Mr. Johnson, Mr. Hall, Ms. Rountree, Ms. Poage, Mr. Popolo, Ms. Kingsley, Mr. Harris, Mr. Kraut, and Mr. Couto voting in favor and none opposed.

Adjournment:

A motion was made by Mr. Popolo, seconded by Ms. Poage, to adjourn the meeting. The voice vote was unanimous, and the meeting adjourned at 8:25 p.m.

Regina Giardina, Secretary Pro-Tem