

SPECIAL MEETING OF THE PLANNING BOARD OF THE BOROUGH OF KENILWORTH HELD ON THURSDAY EVENING, OCTOBER 12, 2023. PLANNING BOARD CHAIRMAN RICH PICERNO PRESIDED.

The meeting began with an affirmation of the Open Public Meetings Act. The schedule of meetings is on file in the Borough Clerks' office, was posted on the bulletin board, and has been mailed to the Local Source, and the Star Ledger.

The Pledge of Allegiance was led by Mr. Picerno.

### **ROLL CALL**

Mr. Picerno, Mr. David, Mr. Mauro, Mr. Mazzeo, Mr. Pantina.

### **APPROVAL OF MINUTES**

Motion was made by Mr. Mazzeo, seconded by Mr. Clementi to approve the minutes of October 12, 2023. All in favor.

**COMMUNICATIONS:** None

### **REVIEW OF THE BREARLEY SCHOOL REVISIONS**

Mr. O'Brien reported that earlier this year the Kenilworth Board of Education came to us for a courtesy review for various Capital Improvements for David Brearly High School and Harding Elementary Schools which is required under the state and the land use Law. When public money is being spent on any kind of capital project, they come to the Planning Board and make a presentation to tell what they plan on doing, the Board then gives advice, and they walk out the door and they do as they wish. We made some suggestions earlier in the year which they did take, and they submitted revised plans over the summer. The chair and I reviewed them, I wrote a memo to that effect early in September saying that we had taken a look and I reported to the board at that point that I saw no substantial change in those plans and that they were substantially similar to what the Board had previously reviewed and recommended back to the Board. Mr. O'Brien asked if the Board had any questions regarding the revisions and the board had no questions. The changes that were made were some suggestions the board made and some minor operational changes. Some driveways were moved a couple of feet or so, changed, parking moved a couple of feet, one of the sports areas was moved a little bit because of ground problems. They did submit a report of the changes and, also my report. If the Board is content with the minor changes, it would be appropriate to recommend the capital change as revised and either have Lou do a resolution or Kathi can do a memo to the Board, copying the Council letting them know we approved those changes.

**Motion was made by Mazzeo seconded by Pantina to send a memo to the Kenilworth Board of Education approving the minor changes to their Capital Improvement Project. Roll Call: Mr. Picerno voted yes, Mr. Mauro voted yes, Mr. Mazzeo voted yes, and Mr. Pantina voted yes.**

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**RESOLUTIONS:** Application #3-21 & 387  
PFP Shop, LLC  
722-724 Fairfield Avenue  
Block 159, Lots 25 & 26

Mr. Rago said this is an application for PFP Shop, 722-724 Fairfield Avenue that the Board approved at their June 8, 2023 Planning Board meeting. This involved a new Warehouse building a little under 3,000 square ft in size. The building is intended to house two separate warehousing tenants. It was indicated during the hearing that if one tenant was sufficient and appropriate then they would consider one tenant. There is some office space inside. They only needed two dimensional variances, one is for a lot of area, 20,000 ft. is required, 8,000 ft exists and it's not going to change. Lot width and Frontage they need 100 ft. and they have 80 ft and that's not going to change either, he thinks those are hardships. We approved it with a number of conditions. Some general conditions and there were also specific conditions which the board wanted, which he believes he included, in terms of landscaping, curbing, trash enclosures, the red awning and security cameras etc.

**Motion made by Mauro, seconded by Pantina to approve the resolution for Application #3-21 & 387, PFP Shop, LLC, 722-724 Fairfield Avenue, Block 159, Lots 25 & 26. Roll Call: Mr. Picerno voted yes, Mr. Mauro voted yes, Mr. David voted yes, Mr. Mazzeo voted yes, and Mr. Pantina voted yes.**

**RESOLUTIONS FOR RETURN OF ESCROW**

Return of Escrow fees: Application #373	10 Market Street LLC
Application #356	20 Boright Avenue
Application #383	636 Boulevard Bhiwani Singh
Application #381	460 Boulevard FDV Realty
Application #5-22	6 North 21 <sup>st</sup> Street – Ktown

**Motion made by David seconded by Mauro to authorize the return of escrow fees for Applications #373, #356, #383, #381 and #5-22. Roll Call: Mr. Picerno voted yes, Mr. Mauro voted yes, Mr. David voted yes, Mr. Mazzeo voted yes, and Mr. Pantina voted yes.**

**CONSISTENCY REVIEW – ORDINANCE 2023-24**

Mr. Picerno said the Council has asked that we review Ordinance 2023-24 for consistency.

Mr. O'Brian said he reviewed the current ordinance and the proposed ordinance, and he just wanted to make sure everybody understands the ordinance just to be sure. The new ordinance now disallows all new air conditioners in the side yard. The addition to the ordinance is that you can no longer have the air conditioner in the side yard. He said we didn't talk about this before this is an addition and I think everybody needs to be aware that the addition is you can no longer have it in the side yard. He said the new language prohibits it in the front and side yards unless it's one for one replacement which means it will only be allowed in the rear yard.

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Councilman Mauro thanked Kevin and said he will chat with Guenther and suggested we table the review and revisit it at our next meeting. The Board agreed and will wait for further communication from the Council.

### **COMMENTS FOR THE GOOD OF THE BOARD**

Mr. O'Brien said we have two applications that have come in and are under review. The first application is for Dunkin Donuts at the corner of Michigan and the Boulevard for a drive thru restaurant and seven apartment units. The second application is for the Boulevard and 19<sup>th</sup> Street, they are proposing reusing the bank building and putting in a driveway with entrances on both 19<sup>th</sup> Street and the Boulevard with substantially substandard parking. They are asking to convert the building to a funeral home.

Mr. Picerno said he had a conversation with Mr. O'Brien and because of his medical issues there has been a delay with the Master Plan. Mr. O'Brien stated that he has not been able to read or write since mid-September, but he said hopefully we can resume talks before the next meeting and get this done by the end of the year.

Councilman Mauro asked for a timeline for the Master Plan review and Kevin said hopefully in a couple of weeks tops.

### **OPEN MEETING TO THE PUBLIC**

Motion made by David, seconded by Mazzeo to open the meeting to the public. All in favor.

No one wished to speak.

Motion made by David, seconded by Mazzeo, to close the meeting to the public. All in favor.

### **ADJOURNMENT**

Motion to adjourn was made by Mr. David, seconded by Mr. Mauro. All in favor.

Respectfully submitted by:  
Kathleen Moschitta  
Recording Secretary