

REGULAR MEETING OF THE PLANNING BOARD OF THE BOROUGH OF KENILWORTH HELD ON
TUESDAY EVENING MAY 27, 2025. 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: Mayor Karlovitch, Picerno, Scorese, Clementi, Mazzeo, Laudati, Scuderi, Deluca, Grimaldi, Pugliese. Also present, Planning Board Engineer Christian Cueto, Planning Board Attorney Lou Rago and Planning Board Planner Kevin O'Brien.

APPROVAL OF MINUTES:

Motion was made by Deluca, seconded by Clementi to approve the minutes of the Planning Board Meeting of April 24, 2025. All in favor.

COMMUNICATIONS: Letter received from Stephen Hehl, Esq. for Application #24-006, North Holdings NY, L.L.C., 100-124 North 12th Street, Kenilworth, NJ 07033 requesting the application to be carried to the June 24, 2025 Planning Board Meeting.

Natasha Montalv, Hehl offices behalf of Application #24-006, North Holdings NY L.L.C. advised she just hand delivered the revised plans for Application 24-006 to Kevin and Christian, based on the most recent TRC meeting. They are tentatively scheduled for June 24, 2025 which allows Kevin and Christian time to review the plans to see if they need another TRC .

Planner Kevin O'Brien stated this application was carried from the May Planning Board Meeting to this evening and will be carried again to the June 24, 2025 meeting, pending the review of the plans by Christian and himself to be sure all the elements have been provided. Kevin stated the plans should also be provided to the Administrator and Secretary both electronically and on paper.

Motion made by Mayor Karlovitch, seconded by Grimaldi to open the meeting to the public on Application #24-006, North Holdings NY LLC, 100-124 North 12th Street.

No one wished to speak.

Motion made by Clementi, seconded by Scuderi to close the meeting to the public on Application #24-006, North Holdings NY LLC, 100-124 North 12th Street.

Application #24-006 will be carried to June 24, 2025, without further notice, pending the review by the Board's professionals.

RESOLUTION: Application #25-003
CoreWeave Inc. – Data Center
2000 Galloping Hill Road, Kenilworth, NJ

Mr. Rago stated that at the last Planning Board meeting on May 15, 2025, the Board heard and approved an application regarding the CoreWeave Data Center, 2000 Galloping Hill Road, Kenilworth, NJ. The Board heard testimony regarding the building K11, there were two minor dimensional variances which the Board approved. The resolution was reviewed by the applicant's attorney and is presented this evening.

Motion made by Grimaldi, seconded by Scuderi to approve a resolution for Application #25-006, CoreWeave, 2000 Galloping Hil Rd., Kenilworth. Roll Call: Picerno voted yes, Mr. Scorese voted yes, Mr. Clementi voted yes, Mr. Laudati voted yes, Mr. Scuderi voted yes, Mr. Grimaldi voted yes and Mr. Pugliese voted yes.

APPLICATION: Application #24-002 – Use Variance

Mr. Rago explained the difference between a Use Variance and why certain members of the board cannot hear this application. What is being requested for this application is not permitted in this zone. The law states that in a use variance situation, Class I and Class III members, which is the mayor, and the Council appointee have to step down and not participate in the hearing because they are elected officials and elected officials are not permitted to sit on a zoning board.

This means we go from nine regular members to seven members and the applicant will need five of the seven votes for approval. The Chairman stated the does not object to the mayor and council liaison sitting in the audience as long as Mr. Calli does not object to that as well and Mr. Calli stated he has no objection.

Mayor Karlovitch and Mr. Scorese left the dais to observe the meeting in the audience.

Mr. O'Brien Planning Board Planner, Mr. Cueto Planning Board Engineer and Lee Klein, Traffic Engineer were sworn in by Mr. Rago.

Application #24-002, 251 Monroe Owner LLC

Mr. Lawrence Calli presented on behalf of Application #24-002, 251 Monroe Avenue. Mr. Calli described the relief the applicant seeks and stated he will have three witnesses this evening. The application for 251 Monroe Avenue is several blocks and lots, Block 24 Lot 1, Block 6, Lot 1.001 & 1.03, Block 62, Lot 1. Block 23, lot 2. There are multiple structures, multiple tenants, there is warehousing, contractors' storage yards on a sprawling 43 acre site in the industrial zoning district. The application is for a limited small part of the property to add an additional tenant. Durham School Services. They provide school transportation, maintenance and dispatch

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to the immediate community, about 5,000 students. The engineer will walk you through what Durham does from an operational perspective, it is exactly what you would expect of school buses. Bus drivers and aids drive to the location, park their car, pick up the bus and continue on to pickup and drop off children. The D Use Variance relief is necessitated by virtue of the fact that there is not an enumerated use under the code of the zoning district. The school bus transportation and parking, triggers use relief. Our first witness is Mr. Robert Frude who will walk you through the areas that we are developing. He will explain what we anticipate the operations to be each day by virtue of our intelligence they have from the applicant's tenant. Mr. Calli stated he went through the Boards planning report, engineering report and traffic engineering report.

Robert Freud, Civil Engineer, Dynamic Engineering was sworn in by Mr. Rago.

Mr. O'Brien stated Mr. Freud has appeared before this Board on several occasions and he has worked with Mr. Freud in many municipalities. Providing his license is still in good standing and current, the board may wish to consider his qualifications. Mr. Picerno agreed.

Mr. Freud presented Exhibit A-1, an arial map of the site, dated May 27, 2025, the image is from google from July 24, 2024. He enhanced the image with certain identifiers to help with his testimony. The site is 43.4 acres bordering the park, the Rahway River and North 8th Street which is a residential neighborhood. There are a mix of buildings developed and redeveloped over the years on this property. The exhibit shows the buildings numbered for identification based on ownership on the site. The south end of the property is for outdoor storage for a prior application for DOKA, the rest of the property was brought through the use variance process and permitted for trailer and parking for outdoor storage as well as all the various uses that are in the buildings contained therein. The Rahway River has a flood plan component, the flood elevation is about 76. They have a flood hazard area verification from the NJDEP and an individual permit for the use that is proposed, issued in August of 2024. There are wetlands associated with the banks of the Rahway River, and they have an LOI application to confirm the wetlands pending with the DEP and they are waiting for feedback. There is an LSRP, a licensed site remediation professional involved with this property. There are two areas that are deed restricted on the site. Exhibit A-2 is a site plan rendering, revision #6, dated 5/27/2025. The exhibit shows several buildings that will remain. There are five buildings to be removed, specifically they are buildings labeled #20, #25, #28, #31 and 32 to be removed for the creation of additional paving of the area that will be used to store the buses. The buildings to be removed and the area being paved are not in the deed restricted area. They are relocating some of the outdoor storage areas. The subject of the application is building #33 which will be re-occupied and used for Durham Bus as a base of operations, dispatch and maintenance facility. The plan includes three overhead doors. All activity will be inside the building. There is no change to the outside of the building, other than adding the three overhead doors. There will be no signage. As far as access, all driveways into the property are two way, full width, full movement driveways, providing circulations and was reviewed with the Fire Department. From a zoning standpoint there is no change to setbacks, anything that is coming down or going up as pavement is within currently disturbed areas, impervious coverage remains the same at 64.3%, less than 80% allowed by the ordinance. There is a limit of outdoor storage allowed within the zone of 10%. The prior application was approved

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at 19.5% and we are now at 19.7%. The bulk criteria is satisfied. Generally, the hours for Durham Bus are 5AM to 7PM. There will be a few hours in the evening during the winter months, and they will require lighting throughout the site. There are about 136 employees for Durham Bus during various shifts. Storm water is reviewed by the State, County and the Borough and they have no issue with complying with the comments from your Engineer's letter of May 20, 2025, as part of resolution compliance. They are proposing lighting on the property at mounted heights of 20 ft. on the building and 25 ft. on pole-mounted lights, which allows for better coverage, they are requesting relief for the height of the lights. The site is controlled by a gate and a perimeter fence and security is handled throughout the site, not just within the lease area. They are not proposing landscaping. Union County provided approval in July 2024, Somerset Union SED in 9/24, flood hazard at the DEP was approved in August of 2024 and approval from wetlands is pending and they are in contact with them as recently as of April, 2025 and believe they will receive the LOI very soon.

Mr. O'Brien asked Mr. Freud if he would tell the Board what is going on with the DOKA application in terms of fencing, gates and enhanced buffering as referenced in his report, page 2, item D and Mr. Freud replied that DOKA is operational, and they have a Certificate of Occupancy. Mr. Freud answered Mr. O'Brien's questions regarding maintenance products, spillage, fueling and security and a lighting plan for the site. Mr. Freud agreed to discuss this application with the Borough's fire official regarding access to the site.

There was a discussion between Mr. O'Brien, Mr. Freud and Mr. Calli regarding impervious coverage. It was agreed that the applicants engineer, and the planning board engineer discuss ways of reducing impervious coverage.

Mr. Cueto confirmed that Mr. Freud has addressed all of his comments in his report. Mr. Cueto asked about adding an oil water separator for more protection. Mr. Freud stated they already have storm water mitigation and are not required too, but if the board and professionals feel it is necessary, we can provide an oil water separator. Mr. Cueto confirmed that the lighting provided on the site plan is for Durham Bus only and not the entire site.

There was a discussion between the applicant's attorney and the board regarding resolution compliance for a prior application on the property (DOKA). The Chairman stated he would contact the Building Department regarding the lighting at the DOKA property.

Motion made by Mazzeo, seconded by Deluca to take a five-minute break. All in favor.

Mr. Addel-Kader, General Manager for Durham School Services was sworn in by Mr. Rago.

Mr. Addel-Kader explained in detail what maintenance does and does not include on the site. Maintenance includes changing tires, brakes, oil changes, transmissions, engines, no body work. They follow industry standards for disposing of any oil. An outside vendor comes to the site to wash the busses inside the building. Mr. Picerno suggested one of the conditions for this application, if approved, should be that maintenance and the washing of vehicles be done only

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inside of the building and also when vehicles are washed inside, the runoff goes through the oil separator. Mr. Calli agreed. There will be no painting or body work performed in the maintenance building.

Connor Hughes, Traffic Engineer was sworn in by Mr. Rago.

Mr. Hughes submitted a prepared parking and circulation analysis based on his assessment on March 28, 2025. The assessment includes trip generation, and the parking demands specific to the property. The information for the trip generation report was provided by the Institute of Transportation and the Durham Bus for their specific operational information. There are a total of 95 drivers and 30 aids and 11 on-site building staff for a total of 136 employees. The bus driver's hours are staggered, about 40% of the employees use mass transit, the other 60% use their personal cars. About six drivers keep their buses off site and 15 of the 38 aids are picked up along the route. There are 81 morning bus routes and 95 afternoon routes, 5AM to 10AM and 1PM to 6PM. The peak hours are 5:45 to 6:45 and in the afternoon 3:45 to 4:45, based on the applicant's experience. There is a sign designating truck routes and the buses will follow the established truck routes per the Borough ordinance. The sign on North 8th is in disrepair, they will replace that sign and add additional signs.

Lee Klein, Traffic Engineer – Mr. Klein stated he has done reviews for other boards where in six months after the operations is fully operational you can do an assessment, like on North 8th and Monroe Ave. He said right now North 8th Street stops and Monroe free flows. If there was a problem with operations at the intersection it could potentially be a multi-way stop but we would not know that until somebody did a study and he said the board may want to make that a condition of the approval. He stated some of the truck signs are in disrepair and Mr. Hughes stated they will replace the sign. He said all his comments were addressed in Mr. Hughes' report.

There was a lengthy discussion between the Board and the Traffic Engineer regarding a four-way stop at North 8th Street. Mr. Calli stated, as a condition, it could maybe be that the applicant will work with the board professionals to make a submission to the Governing Body to petition for the development of a four-way stop sign here and because and the because will be either backed up by the supplemental data or it won't.

Paul Ricci, Land Use Planner was sworn in by Mr. Rago.

Mr. Ricci reviewed the Borough's 2011 Master Plan and reviewed pertinent sections of the Zoning Ordinance and also the professionals' reports. He also visited the site where he was approached by security guards. While preparing his planning testimony he looked at aerial photography of the site which goes back to 1931. The site is in the Industrial District and is a heavily oversized site for the district and requires 20,000 ft. and we are at 43.4 acres, well over 8 times larger than the minimum lot size. He characterized the site as underutilized, it permits a maximum building coverage of 50%, the site is currently at 8.6%. The floor area ratio of 125%. The site has an impervious coverage of 80%, the site is currently at 64.3% and a minimum open space ratio of 20% is required where the site is at 35.7%. The site provides a full range of land uses and he

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touched on some of the uses. The district has 31 specifically identified uses for the district. They are seeking a D1 use variance to permit bus parking and also outdoor storage that totals 19.7% of the site where 10% is permitted. He said 19.5% exists today and the applicant is looking for 0.2% increase. The storage facility is located 875 ft from the front property line. In his opinion this change is de minimus in a large site that is internally located in that no one will be able to discern that difference from the eye at that distance due to vegetation at the property line. Bus storage is a beneficial use and is determined by statutes and case law. Mr. Ricci cited case law regarding bus storage (Scholastic Bus vs Zoning Board). The site meets the positive criteria under the law and outweighs the negative criteria. He believes this application meets the burden of proof for the use variance relief and would result in sound land use planning.

Mr. O'Brien stated he concurs with Mr. Ricci's statements of fact.

OPEN MEETING TO PUBLIC ON APPLICATION #24-002

Motion made by Laudati, seconded by Clementi to open the meeting to the public. All in favor.

Justyna Paster, 78 Pembroke Avenue - Justyna stated that buses that come out of the site affect the traffic at the light on Monroe and the Boulevard and she asked if the Board was able to address the traffic. The Chairman stated that traffic control would have to be referred to the Police Department.

CLOSE MEETING TO PUBLIC ON APPLICATION #24-002

Motion made by Laudati seconded by Deluca to close the meeting to the public. All in favor.

Mr. Calli stated this is a relatively simple straightforward application that has been confirmed to be inherently beneficial on a significantly oversized property in an Industrial zone. The relief is nominal, 0.2% of additional site coverage. You cannot see it from all abutting properties, the lighting source will not impact residents. The applicant is amendable to the lookback study and/or the equivalent of petitioning the governing body should it be deemed necessary. They are amendable to the supplemental oil water separation measures. He stated should the board desire further safety implementations on the property regarding site access, the applicant is amendable to that as well.

Mr. O'Brien asked if the site has a knock box. The Borough's fire chief stated each building is not required to have one. There is one for the right side of the property that has all the keys and one for the right side.

The Board discussed requiring a stop sign and/or speed bump at the entrance of 251 Monroe Avenue.

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Motion made by Laudati, seconded by Mazzeo to approve Application #24-002, 251 Monroe Owner, LLC, Durham School Services, 251 Monroe Avenue, Kenilworth, NJ, Block 6, Lots 1.01 and 1.03, Block 23, Lot 2, Block 24, Lot 1 with the following conditions stated by Mr. Rago: refuse and oils contained inside the building, the reports from our professionals can be complied with. No fueling on site, water oil separator at upstream inlets. Maintenance and cleaning of buses are done indoors, no body work or painting. Impervious coverage reduction will be addressed between the Planning Boards engineer and the applicants engineer, and a four way stop sign. Buses will follow the Borough signs for truck routes only. Mr. Klein will consult with the Kenilworth Traffic Department to replace truck route signs. Applicant to have the lights dimmed at 8PM and to also submit a proposal for what they suggest for lighting after 8PM. The lighting proposal to be discussed and agreed upon by the board professionals.

Mr. Calli to provide copies of the County Board and exhibits.

ROLL CALL: Picerno voted yes, Clementi voted yes, Laudati voted yes, Mazzeo voted yes, Scuderi voted yes, Mr. Deluca and Grimaldi voted yes.

OPEN MEETING TO PUBLIC

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

No one wished to speak.

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

COMMENTS FOR THE GOOD OF THE BOARD

Mr. Clementi thanked Kevin O'Brien for looking out for the Planning Boards interests.

Mr. Laudati asked Mr. O'Brien for the status on the Master Plan, and he stated his associate is making more progress and things are underway and moving forward.

OPEN MEETING TO THE PUBLIC

Motion made by Clementi, seconded by Scuderi to open the meeting to the public. All in favor.

Justyna Paster, 78 Pembroke – Mrs. Paster stated she has been in contact with Michael Kennedy from DOKA, owner of the property at 251 Monroe Avenue regarding lighting and shrubs that surround the property. He stated he will rectify the situation. Justyna just wanted to go on record.

Mr. O'Brien stated that Mrs. Paster may want to report her concerns regarding lighting at DOCA to the Construction Office/Zoning Official.

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Motion made by Laudati, seconded by Deluca to close the meeting to the public. All in favor.

ADJOURNMENT

The motion to adjourn was made by Mazzeo seconded by Grimaldi. All in favor.

Respectfully submitted by:
Kathleen Moschitta, Recording Secretary

9:55