

**MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, MAY 12, 2022.**

The Regular Meeting of the Piscataway Zoning Board was called to order at 7:30 P.M. online via Zoom, Piscataway, New Jersey, by Chairman Shawn Cahill.

Chairman Cahill stated: IN COMPLIANCE WITH THE OPEN PUBLIC MEETING ACT, ADEQUATE NOTICE OF THIS MEETING WAS PROVIDED IN THE FOLLOWING WAYS:

- \*Posted on the bulletin board of the Municipal Building and made available through the Township Clerk;
- \*Notice published in the Courier News;
- \*Notice sent to The Star Ledger;
- \*Notice made available through the Township Librarians.

**ROLL CALL:**

**PRESENT:** Roy O'Reggio, Steven Weisman, Kalpesh Patel, William Mitterando, Rodney Blount, Artie Hayducka, Jeff Tillery, Waqar Ali, and Chairman Cahill. **ABSENT:** None

**Also present:** James Kinneally, Esq. and Laura Buckley, Recording Clerk. It was determined that a quorum was present by roll call.

**4. PLEDGE OF ALLEGIANCE**

Mr. Kinneally states that Application 21-ZB-81V, Arnaldo Peraza, has been postponed until June 23, 2022; applicant must notice. Application 22-ZB-29V, Vijay Singhal, has been postponed until June 9, 2022; no further notice required.

- 6. 22-ZB-27V                      Mohamed Towfiek  
Bulk Variance  
Block  
968 E. Lincoln Avenue**

Applicant would like to install a fence within an easement.

**VARIANCES REQUIRED:**

**21-501**                      Required – minimum lot area 15,000 square feet  
Proposed – lot area 11,863.80 square feet (existing)

Required – 100 foot lot width  
Proposed – 91.26 foot lot width (existing)

Required – 40 foot front yard setback  
Proposed – 39.3 foot front yard setback (existing)

**21-619.1**                      Required – no open space, municipal drainage way, right-of-way or easement shall be encroached upon or reduced in any manner  
Proposed – a fence located over a municipal easement  
Proposed – wood tiles and a portion of the driveway located over the municipal easement (existing)

**21-613**                      Required – 100 foot lot frontage  
Proposed – 91.26 foot lot frontage (existing)

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- 21-1101.3** Required – paved driveway  
Proposed – gravel driveway (existing)

**Action to be taken prior to July 28, 2022**

Mohamed Towfiek, the applicant, is sworn in to testify. Mr. Towfiek states that he would like to put a fence on the side of his home which is in an easement. Mr. Kinneally states that if the Town has to get to that easement, it is up to the home owner to remove and replace the fence; he agrees. Public portion open/closed.

**MOTION** was made by Chairman Cahill to approve the application; seconded by Mr. Patel. **YES ON THE MOTION:** Jeff Tillery, Roy O'Reggio, Artie Hayducka, Kalpesh Patel, Bill Mitterando, Steve Weisman and Chairman Cahill. **NO ON THE MOTION:** None.

7. **22-ZB-30V** **Jawad A. Hafeez**  
**Bulk Variance**  
**Block 1703, Lot 6; Zone: R-7.5**  
**4 Strawberry Lane**  
Applicant would like to install a fence within an easement.

**VARIANCES REQUIRED:**

- 21-619.1** Required – no open space, municipal drainage way, right-of-way or easement shall be encroached upon or reduced in any manner  
Proposed – a fence located over a municipal easement  
Proposed – an air conditioning unit located over a municipal easement (existing)

**Action to be taken prior to July 28, 2022**

Jawad Hafeez, the applicant, is sworn in to testify on his own behalf. He would like to put up a fence in his backyard and there is an easement. Mr. Kinneally explains that if the Township ever has to get to that easement, it would be up to him to remove and replace the fence. Mr. Hafeez agrees. Public portion open/closed.

**MOTION** was made by Chairman Cahill to approve the application; seconded by Mr. Patel. **YES ON THE MOTION:** Jeff Tillery, Roy O'Reggio, Artie Hayducka, Kalpesh Patel, Bill Mitterando, Steve Weisman and Chairman Cahill. **NO ON THE MOTION:** None.

8. **22-ZB-31V** **Cesar L. Jose**  
**Bulk Variance**  
**Block 1818, Lot 66; Zone: R-7.5**  
**40 Cumberland Road**  
Applicant would like to install a shed.

**VARIANCES REQUIRED:**

- 21-501** Required – minimum lot area 7,500 square feet  
Proposed – lot area 6,670 square feet (existing)  
Required – 75 foot lot width  
Proposed – 62.5 foot lot width (existing)  
Required – maximum building coverage 20 percent  
Proposed – 26.7 percent building coverage

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- 21-613** Required – 75 foot lot frontage  
Proposed – 62.5 foot lot frontage (existing)

**Action to be taken prior to July 29, 2022**

Mr. and Mrs. Cesar Jose, the applicants, are both sworn in. Mrs. Jose states that they have an old shed on the property which is falling apart and has holes. They just want to take it down and put up a new shed for their outside items. There are no issues from the Board. Public portion open/closed.

**MOTION** was made by Chairman Cahill to approve the application; seconded by Mr. Patel. **YES ON THE MOTION:** Jeff Tillery, Roy O'Reggio, Artie Hayducka, Kalpesh Patel, Rodney Blount, Steve Weisman and Chairman Cahill. **NO ON THE MOTION:** None.

9. **22-ZB-32V** **Laxmi N. Vedula**  
**Bulk Variance**  
**Block 8405, Lot 14.04; Zone: R-10**  
**2 Water Street**  
Applicant would like to install a 6' privacy fence in the front yard setback; corner lot.

**VARIANCES REQUIRED:**

- 21-619.1** Required – in any residential district, no fence located within the front yard setback line shall exceed 4 feet in height and/or consist of no more than 50 percent solid material  
  
Proposed – a 6 foot, vinyl fence located within the front yard setback line (3 feet from Poplar Road)

**Action to be taken prior to August 1, 2022**

Laxmi Vedula, the applicant, is sworn in to testify on his behalf. Mr. Vedula states that he would like to put a 6 foot fence and he is on a corner lot. He is on the corner of Water Street and Poplar Road. Mr. Kinneally states that the front yard setback for the fence should be 35 feet; Mr. Hinterstein's report states that he would like the fence should be at least 15 feet off of the property line. Mr. Vedula states that he would like it 5 or 10 feet from the property line. Chairman Cahill states that he agrees with Mr. Hinterstein's report and would like the fence to be at 15 feet from the property line; Mr. Vedula agrees. Public portion open/closed.

**MOTION** was made by Chairman Cahill to approve the application; seconded by Mr. Patel. **YES ON THE MOTION:** Jeff Tillery, Roy O'Reggio, Artie Hayducka, Kalpesh Patel, Rodney Blount, Steve Weisman and Chairman Cahill. **NO ON THE MOTION:** None.

10. **22-ZB-24V** **Rajat Kumar**  
**Bulk Variance**  
**Block 8502, Lot 14; Zone: R-10**  
**517 New Durham Road**  
Applicant would like to construct a two story addition.

**VARIANCES REQUIRED:**

- 21-501** Required – minimum lot area 10,000 square feet  
Proposed – lot area 9,375 square feet (existing)

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Required – 100 foot lot width  
Proposed – 75 foot lot width (existing)

Required – 35 foot front yard setback  
Proposed – 28.5 foot front yard setback

Required – 8 foot rear yard setback for an accessory structure  
Proposed – 4 foot rear yard setback for an accessory structure (shed) (existing)

Required – 8 foot side yard setback for an accessory structure  
Proposed – 3 foot side yard setback for an accessory structure (shed)(existing)

**21-613** Required – 100 foot lot frontage  
Proposed – 75 foot lot frontage (existing)

**Action to be taken prior to August 1, 2022**

Rajat Kumar, the applicant, is sworn in to testify on his own behalf. Mr. Rajat states that he would like to put second story and two story addition on the side of his home. It will be about 300 square feet on the first floor and 636 square feet on the second floor. Mr. Kinneally states that the survey originally given wasn't accurate; it didn't include the roof over the patio and a shed. Mr. Kumar states that he sent in a new survey today which includes everything; he needs a variance for the shed also.

Mr. Kinneally states that it indicates he needs a lot coverage variance; Mr. Kumar agrees. It would be 22.65% where as 20% is required. His architect did the calculations. Mr. Kinneally states that he can't go forward this evening. The survey and coverage have not been reviewed by Piscataway Staff. Chairman Cahill agrees and it will be put on for May 26, 2022 with no further notice required.

**12. 22-ZB-34V                      Stephen J. Veliky**  
**Bulk Variance**  
**Block 109, Lot 80.01; Zone: R-7.5**  
**433 Rushmore Avenue**  
Applicant would like to construct an 18 foot by 34 foot detached garage.

**VARIANCES REQUIRED:**

**21-3(b)** Required – in residential zones an accessory building should not exceed 25 feet by 25 feet or 625 square feet  
Proposed – an accessory building 18 feet by 34 feet or 612 square feet

**21-501** Required -- 75 foot lot width  
Proposed -- 44 foot lot width (existing)

Required – 8 foot side yard setback for an accessory structure  
Proposed – 4 foot side yard setback for an accessory structure (garage)

**21-601** Required – no open space, municipal drainage way, right-of-way or easement shall be encroached upon or reduced in any manner  
Proposed – a fence and planters located within the right-of-way (existing)

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- 21-613** Required – 75 foot lot frontage  
Proposed – 40 foot lot frontage (existing)

**Action to be taken by August 9, 2022**

Stephen Veliky, the applicant, is sworn in to testify on his own behalf. Mr. Veliky states that he would like to remove the existing shed and construct an 18 x 34 foot garage; 612 square feet. He would like to be 4 feet off of the property line to keep an existing maple tree. Mr. Kinneally states that on Mr. Hinterstein's report there are several comments; Mr. Veliky did receive a copy. He recommends a 6 foot side yard setback but he will have to cut the tree down or make the garage smaller. He will obtain a street opening permit as required for the new sidewalk. There is a fence on the side of the home where the garage is proposed.

Chairman Cahill states that the garage is big. Mr. Veliky states that it is under the square footage; the yard is narrow. Chairman Cahill proposes an 18 x 25 foot garage. Mr. Veliky states about 16 x 38 feet. Chairman Cahill states that he would like to wait for Mr. Hinterstein; it will not get approved by 18' x 38'. The application will be continued to May 26, 2022 with no further notice required.

13. **22-ZB-33V** **Paul Cotterill**  
**Bulk Variance**  
**Block 1926, Lot 36.01; Zone: R-7.5**  
**146 Murray Avenue**  
Applicant proposes to construct an addition and deck, retain existing fence in the front yard; corner lot.

**VARIANCES REQUIRED:**

- 21-501** Required – 25 foot front yard setback  
Proposed – 14.7 foot front yard setback (deck) (Poe Place)  
Proposed – 24.5 foot front yard setback (Murray Avenue) (existing)
- Required – 8 foot rear yard setback for an accessory structure  
Proposed – 4.4 foot rear yard setback for an accessory structure (garage) (existing)
- 21-619.1** Required – in any residential district, no fence located within the front yard setback line shall exceed 4 feet in height and/or consist of no more than 50 percent solid material  
Proposed – a 6 foot, solid fence located 1.7 feet from the property line (Poe Place) (existing)

**Action to be taken by August 9, 2022**

Paul Cotterill, the applicant, is sworn in to testify on his own behalf. He states that he would like to put a small addition on the back of his house, 12 foot by 9 foot, single floor and a small deck off of the side of the addition. He believes he needs to discuss moving his fence in; he will move it. Mr. Kinneally states that that answers one of Mr. Hinterstein's comments. The existing survey appears to be inaccurate and doesn't show everything. Mr. Cotterill states that it's old. Mr. Kinneally states that he will have to supply a revised survey showing all items on the property; he agrees.

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Mr. Kinneally asks about the existing decks (#2 in report). Mr. Cotterill states that the existing deck on the back of the house would be the exact location of the new addition. The smaller deck on the side will remain, it was built separate from the first deck. The entire deck will be removed before the build. The deck along Poe Place is a 10' x 10' off of the addition and goes to the ground.

Mr. Kinneally states that in the staff report it states that it creates an excessive front yard setback variance; has he explored any alternatives. Mr. Cotterill states that they have with the door on the back of the house, it doesn't work with the kitchen plan that they have on the inside. Chairman Cahill asks if the Board has any questions; none. He states that Mr. Cotterill needs to revise the survey, speak to Mr. Hinterstein and come back on May 26, 2022.

- 14. 22-ZB-28V Dharmen Patel**  
**Bulk Variance**  
**Block 5901, Lot 24; Zone: R-20**  
**2 Ambrose Valley Lane**  
Applicant proposes to install a privacy fence within an easement on a corner lot; construct a sunroom and deck, undersized lot.

**VARIANCES REQUIRED:**

**21-501** Required – minimum lot area 20,000 square feet  
Proposed – lot area 17,907 square feet (existing)

Required – 150 foot lot depth  
Proposed – 135 foot lot depth (existing)

Required – 30 foot rear yard setback  
Proposed – 14.8 foot rear yard setback

**21-619.1** Required – no open space, municipal drainage way, right-of-way or easement shall be encroached upon or reduced in any manner  
Proposed – a fence located over a municipal easement

**Action to be taken by August 10, 2022**

Dharmen Patel, the applicant, is sworn in to testify on his own behalf. Mr. Patel states that he would like to install a fence in the easement and potentially put in a sunroom and a deck. Mr. Kinneally states that if the Town ever needed access to that easement it would be up to him to remove and replace the fence; Mr. Patel agrees. Chairman Cahill asks if the Board has any questions or comments; hearing none. Public portion open/closed.

**MOTION** was made by Chairman Cahill to approve the application; seconded by Mr. Patel. **YES ON THE MOTION:** Jeff Tillery, Roy O'Reggio, Artie Hayducka, Kalpesh Patel, Rodney Blount, Steve Weisman and Chairman Cahill. **NO ON THE MOTION:** None.

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**15. ADOPTION OF RESOLUTIONS FROM THE REGULAR MEETING OF APRIL 28, 2022:**

- (a) 22-ZB-17V, Michael Dudas; Approved.
- (b) 21-ZB-43V, Bala Subramanian; Denied.
- (c) 22-ZB-22V, Jason Dolphin; Approved.
- (d) 22-ZB-16V, Heather Baillie; Approved.
- (e) 22-ZB-03V, Craig & Denise Newton; Approved for a two-family home.
- (f) 22-ZB-20V, Maxim Real Estate, LLC; Approved.
- (g) 21-ZB-33/34V, Lauria Landscaping; Approved.

**All in Favor:** Steve Weisman, Kalpesh Patel, Roy O'Reggio, William Mitterando, Chairman Cahill.

**16. ADOPTION OF MINUTES FROM THE REGULAR MEETING OF APRIL 28, 2022.**

**MOTION** was made by Mr. Weisman to adopt the minutes; second by Mr. Patel. **All in Favor:** Steve Weisman, Kalpesh Patel, Roy O'Reggio, William Mitterando, Chairman Cahill.

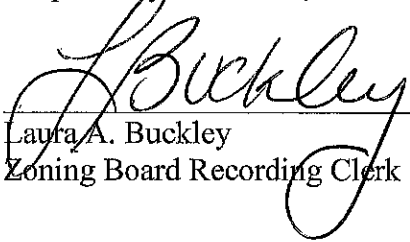
**14. ADJOURNMENT**

**MOTION** was made by Chairman Cahill to Adjourn the meeting; second by Mr. Patel. **ALL IN FAVOR:** Jeff Tillery, Kalpesh Patel, Mr. O'Reggio, Rodney Blount, Steven Weisman, Mr. Hayducka and Chairman Cahill.

**NEXT SCHEDULED MEETING IS MAY 26, 2022 AT 7:30 P.M.**

The meeting was adjourned at 8:02 P.M.

Respectfully Submitted,



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Laura A. Buckley  
Zoning Board Recording Clerk for Shawn Cahill, Secretary

**I certify that the foregoing is a true and correct copy of the Minutes from the Regular Meeting of May 12, 2022 same having been fully adopted by the Zoning Board of Adjustment of Piscataway on May 26, 2022.**



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SHAWN CAHILL, SECRETARY  
PISCATAWAY ZONING BOARD OF ADJUSTMENT