

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, FEBRUARY 23, 2023.

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

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: William Mitterando, Jeff Tillery, Kalpesh Patel, Steven Weisman, Artie Hayducka. **ABSENT:** Shawn Cahill, Waqar Ali, Rodney Blount, Roy O'Reggio

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

4. PLEDGE OF ALLEGIANCE

Mr. Kinneally states that there are a couple of changes to the agenda. #7, 22-ZB-41V, 100 Lakeview Rear, March 9, no further notice. #11, 22-ZB-108/109V, St. Moses, March 23, no further notice.

- 5. 23-ZB-10V Louis Fortunato**
Bulk Variance
Block 510, Lot 8; Zone: R-10
9 Henry Place
Applicant is here for an as-built garage/addition.

VARIANCES REQUIRED:

- 21-501** Required – 35 foot front yard setback
Proposed – 30.8 foot front yard setback
Proposed – 25 foot front yard setback (steps)
- Required – maximum building coverage 20 percent
Proposed – 22.3 percent building coverage

Action to be taken prior to May 17, 2023

Louis Fortunato, the applicant, is sworn in to testify on his own behalf. Mr. Fortunato states that they are requesting relief for a discrepancy for his as-built garage and addition. Mr. Hinterstein states that there are no issues with the application. Mr. Fortunato states that he did measure and they are exact to the plans; it was a mathematical issue when submitted for building plans. Vice-Chairman Weisman asks if anyone from the Board has any questions or comments, none. Public portion open/closed.

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

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, FEBRUARY 23, 2023.

6. **23-ZB-09V** **Santos Lopez**
 Bulk Variance
 Block 506, Lot 64; Zone: R-7.5
 46 Marcel Lane
 Applicant would like to install a gazebo in the rear yard.

VARIANCES REQUIRED:

- 21-501** Required – maximum building coverage 20 percent
 Proposed – 21.8 percent building coverage

*A variance was previously granted for the fence under Application #21-ZB-44V.

Action to be taken prior to April 19, 2023

Santos Lopez, the applicant, is sworn in to testify on his own behalf. Mr. Lopez states that they would like to put a gazebo up in the backyard to enjoy in the summer. Mr. Hinterstein states that the application states a 12 x 12 foot gazebo but he plans show it a little bigger. This will increase the building coverage by .2% and he will encroach in the rear yard setback by one (1) foot. He has no issues with the application. Mr. Hinterstein states that the gazebo can't be enclosed; Mr. Lopez agrees. Vice-Chairman Weisman asks if anyone from the Board has any questions or comments, none. Public portion open/closed.

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

8. **23-ZB-11V** **Michael Trojanowski**
 Bulk Variance
 Block 1406, Lot 77; Zone: R-7.5
 30 Brandywine Circle
 Applicant proposes to convert garage into living space.

VARIANCES REQUIRED:

- 21-1102** Required – garage
 Proposed – no garage

Action to be taken prior to May 30, 2023

Michael Trojanowski, the applicant, is sworn in to testify on his own behalf. Mr. Trojanowski states that they would like to close off their garage to add living space. Mr. Hinterstein states that there were a couple of issues in his report about existing permits, but those have all been cleared up. The driveway can accommodate three (3) cars. Mr. Trojanowski states that the garage is very small and would not be able to park a car in there. Vice-Chairman Weisman asks if anyone from the Board has any questions or comments, none. Public portion open/closed.

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

9. **23-ZB-08V** **BANR Assets, LLC**
 Bulk Variance
 Block 11204, Lot 3; Zone: R-10

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, FEBRUARY 23, 2023.

380 Park Avenue

Applicant to amend previous Board approved.

VARIANCES REQUIRED:

- 21-501** Required – lot area 10,000 square feet
Proposed – lot area 4,000 square feet *

- Required – 100 foot lot width
Proposed – 40 foot lot width *

- Required – 35 foot front yard setback
Proposed – 34.8 foot front yard setback

- Required – 10 foot side yard setback
Proposed – 6.8 foot side yard setback

- Required – maximum building coverage 20 percent
Proposed – building coverage 24.7 percent *

- 21-613** Required – 100 foot lot frontage
Proposed – 40 foot lot frontage *

- 21-1102** Required – garage
Proposed – no garage *

*Variances were previously granted under Application #11-ZB-16V.

**Action to be taken prior to May 22, 2023
Attorney: Tim Arch**

Tim Arch, Attorney, is here to represent the applicant. Mr. Arch states that this property was in foreclosure and when an as-built survey was done, realized the foundation was slightly off what was originally approved. It was 5 inches off of the side and 2 inches off on the front. The new owner needs a variance to complete the project. They received a copy of Mr. Hinterstein’s report and will comply. Mr. Hinterstein states that as long as they comply with the conditions in the report he has no issues with the application. Vice-Chairman Weisman asks if anyone from the Board has any questions or comments, none. Public portion open/closed.

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

- 10. 23-ZB-06V U Dream, LLC**
Use Variance & Certificate of Non-Conforming Use
Block 11205, Lot 12.01; Zone: R-10
397-399 Park Avenue
Applicant to retain two existing apartments.

VARIANCES REQUIRED:

- 21-501** Required – single-family residential use
Proposed – two residential apartments *

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, FEBRUARY 23, 2023.

*The applicant is seeking a certification of non-conforming use or in the alternative, a use variance.

A certification of non-conforming use was previously granted for the commercial uses on the first floor. **Action to be taken prior to April 22, 2023

Attorney: Tim Arch

Tim Arch, Attorney, is here to represent the applicant. Court Stenographer present; transcripts are on file in the Community Development Office.

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

12. ADOPTION OF RESOLUTIONS FROM THE REGULAR MEETING OF FEBRUARY 9, 2023:

- (a) **22-ZB-94V, Patricia Malcolm; Approved.**
- (b) **22-ZB-75V, Patricia & David Cape; Approved.**
- (c) **22-ZB-105V, Harvey Quinonez; Approved.**
- (d) **22-ZB-104V, Latasha Jones; Approved.**

All in Favor: Mr. Weisman, Mr. Tillery, Mr. Patel, Mr. Hayducka and Mr. Mitterando.

11. ADOPTION OF MINUTES FROM THE REGULAR MEETING OF FEB. 9, 2023.

MOTION was made by Chairman Cahill to adopt the minutes; second by Mr. Weisman. **All in Favor:** Mr. Weisman, Mr. Tillery, Mr. Blount, Mr. Hayducka, Waqar Ali and Chairman Cahill.

12. ADJOURNMENT

MOTION was made by Vice-Chairman Weisman to Adjourn the meeting; second by Mr. Patel. **ALL IN FAVOR: Aye**

NEXT SCHEDULED MEETING IS MARCH 9, 2023 AT 7:30 P.M.


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

Respectfully Submitted,



Laura K. 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 February 23, 2023 same having been fully adopted by the Zoning Board of Adjustment of Piscataway on March 9, 2023.



SHAWN CAHILL, SECRETARY
PISCATAWAY ZONING BOARD OF ADJUSTMENT