

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, NOVEMBER 9, 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 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: Shawn Cahill, Steve Weisman, Bill Mitterando, Waqar Ali and Kalpesh Patel.
ABSENT: Jeff Tillery, Artie Hayducka, Rodney Blount & Roy O'Reggio. **Also present:** James Kinneally, Esq., John Chadwick, PP 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. # 5, 23-ZB-90V, Shelia Hobson, postponed to December 14, 2023; applicant must notice. #6, 23-ZB-81V, Allen Cruz, postponed until December 14, 2023; applicant must notice. #7, 23-ZB-93V, Ashar Naqvi, postponed to December 14, 2023; no further notice. #10, 23-ZB-95V, Kaz Beverly, postponed until December 14, 2023; no further notice. # 11, 23-ZB-94V, Ian Supardi, withdrawn. #12, 23-ZB-18/19V, LNR Properties, postponed until December 14, 2023; no further notice.

- 8. 23-ZB-99V Marza Khaled Baig**
Bulk Variance
Block 11201, Lot 8; Zone: R-10
99 Highland Avenue
Applicant would like to install a 6' privacy fence on a corner lot.

VARIANCES REQUIRED:

- 21-501** Required – 8 foot rear yard setback for an accessory structure
Proposed – 5 foot rear yard setback for an accessory structure (existing)
- Required – 60 foot front yard setback for an accessory structure
Proposed – 44.5 foot front yard setback for an accessory structure (trellis)
(Deerfield Avenue) (existing)
- Required – 35 foot front yard setback
Proposed – 27 foot front yard setback (steps) (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 6 feet from the property line located along Deerfield Avenue

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Action to be taken prior to February 13, 2024

Marza Khaled Baig, the applicant, is sworn in to testify. Mr. Baig states that they want to put up a fence, corner lot. Mr. Chadwick states that the setback required is 35 feet and the Board is offering 15 feet from the property line. Also, the shed needs to be moved to a conforming location. The applicant would like 10 feet from the property line, the Board decides 15 feet is appropriate. Public portion open/closed.

MOTION was made by Chairman Cahill to approve the application; seconded by Mr. Weisman. **YES ON THE MOTION:** Steve Weisman, Kalpesh Patel, Bill Mitterando, Waqar Ai and Chairman Cahill. **NO ON THE MOTION:** None.

9. **23-ZB-98V** **Gayatri Nayee**
 Bulk Variance
 Block 9601, Lot 57; Zone: R-20A
 23 Redbud Road
 Applicant would like to retain the deck in rear yard.

VARIANCES REQUIRED:

- | | |
|----------------------|--|
| <u>21-501</u> | Required – minimum lot area 20,000 square feet
Proposed – lot area 2,408.76 square feet (existing) |
| | Required – 100 foot lot width
Proposed – 20 foot lot width (existing) |
| | Required – 150 foot lot depth
Proposed – 120 foot lot depth (existing) |
| | Required – 30 foot rear yard setback
Proposed – 19.5 foot rear yard setback (deck) |
| | Required – 15 foot side yard setback
Proposed – 1 foot side yard setback (deck)
Proposed – 0 foot side yard setback (existing) |
| | Required – maximum building coverage 20 percent
Proposed – 31.9 percent building coverage (existing) |
| <u>21-601</u> | Required – no encroachment into an easement
Proposed – fence located within an easement |
| <u>21-613</u> | Required – 100 foot lot frontage
Proposed – 20 foot lot frontage (existing) |

Action to be taken prior to February 16, 2024

Gayatri Nayee, the applicant, is sworn in to testify on her own behalf. Ms. Nayee states that they would like to keep the deck, which is only 6 inches off of the ground. The roof over the deck and the railing will be removed. Mr. Chadwick asks about the fence in the rear yard, it is not hers. Public portion open/closed.

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MOTION was made by Chairman Cahill to approve the application; seconded by Mr. Weisman. **YES ON THE MOTION:** Steve Weisman, Kalpesh Patel, Bill Mitterando, Waqar Ai and Chairman Cahill. **NO ON THE MOTION:** None.

13. 23-ZB-64/65V VYO-USA, Inc.
Preliminary & Final Site Plan; Bulk & Use Variances
Block 9701, Lots 28.01 & 28.03; Zone: R-20
460 & 464 Metlars Lane
Applicant would like to construct two buildings for a Worship Center, Sunday School, Church School and Parsonage.

VARIANCES REQUIRED:

- 21-501** Required – maximum building height 35 feet
Proposed – a building 38 feet in height (not including decorative roof features)
Proposed – a building 46 feet in height (including decorative roof features) *
- 21-1003.2** Required – maximum lot area 5 acres
Proposed – lot area 5.598 acres **
- 21-1003.7** Required – a building shall not be used for any other use other than a church or other place of worship, Sunday school or church school
Proposed – a place of worship, church/Sunday school in addition to a residence **
- 21-619.1** Required – maximum fence height in a residential zone is 6 feet
Proposed – a wall 9 feet in height with a 4 foot fence on top for a total height of 13 feet
- 21-1102** Required – 240 parking spaces
Proposed – 168 parking spaces

*A use variance is required as per N.J.S.A. 40:55D-70(D)(6)

** All of the conditions of the conditional use standards have not been met. A use variance is required per N.J.S.A. 40:55D-70(D)(3)

Action to be taken prior to December 1, 2023

Attorney: James Stahl

James Stahl, Attorney, is here to represent the applicant. Court stenographer present; transcripts are on file in the Community Development Office. Application will be concluded on December 14, 2023; testimony is complete. Must open to the public; vote only.

14. **DISCUSSION:** Adoption of the 2024 Zoning Board Calendar. James Kinneally asks the Board if anyone has any issues or comments with the 2024 Calendar; none.

MOTION was made by Chairman Cahill to adopt the 2024 Zoning Board Calendar; seconded by Mr. Patel. **YES ON THE MOTION:** Steve Weisman, Kalpesh Patel, Bill Mitterando, Waqar Ai and Chairman Cahill. **NO ON THE MOTION:** None.

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15. ADOPTION OF RESOLUTIONS FROM THE REGULAR MEETING OF OCTOBER 26, 2023:

- (a) 23-ZB-87V, Walter Hernandez & Tarcila Lopez; Approved.
- (b) 23-ZB-89V, Somdat Lilia; Approved.
- (c) 23-ZB-91V, John Minogue; Approved.
- (d) 23-ZB-88V, Mohamed Elashry; Approved.
- (e) 18-ZB-32/33/34V, LaPorta, 15 Stelton Road; Approved.

All in Favor: Mr. Patel, Mr. Mitterando, Mr. Ali, Steve Weisman and Chairman Cahill.

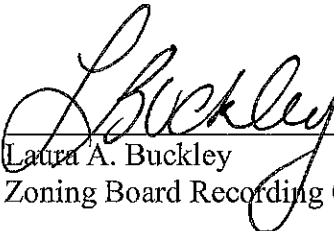
16. ADOPTION OF MINUTES FROM THE REGULAR MEETING OF OCTOBER 26, 2023.

MOTION was made by Mr. Weisman to adopt the minutes; second by Mr. Patel **All in Favor:** Mr. Mitterando, Mr. Ali, Steve Weisman, Mr. Patel and Chairman Cahill.

17. ADJOURNMENT: MOTION was made by Chairman Cahill to Adjourn the meeting; second by Mr. Tillery. **ALL IN FAVOR: Aye**

NEXT SCHEDULED MEETING IS DECEMBER 14, 2023 AT 7:30 PM

The meeting was adjourned at 9:15 P.M.
Respectfully Submitted,



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 November 9, 2023 same having been fully adopted by the Zoning Board of Adjustment of Piscataway on December 14, 2023.



SHAWN CAHILL, SECRETARY
PISCATAWAY ZONING BOARD OF ADJUSTMENT