

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, JANUARY 11, 2024.

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

Also present: James Kinneally, Esq., John Chadwick, 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 some changes to tonight's agenda; #6, 23-ZB-106V, Rolando Solis-Postponed until January 25, 2024; no further notice.

7. **23-ZB-107V** **David Neissany**
 Bulk Variance
 Block 1406, Lot 20.01; Zone: R-7.5
 617 Fairview Avenue
 Applicant would like to construct a 2nd and two story addition with deck to an existing home.

VARIANCES REQUIRED:

- 21-501** Required – 75 foot lot width
 Proposed – 50 foot lot width (existing)
- Required – 25 foot front yard setback
 Proposed – 24.7 foot front yard setback
 Proposed – 19 foot front yard setback (porch/step)
- Required – 8 foot side yard setback
 Proposed – 7.7 foot side yard setback
- Required – 8 foot side yard setback for an accessory structure
 Proposed – 3.1 foot side yard setback for an accessory structure (garage) (existing)
- 21-613** Required – 75 foot lot frontage
 Proposed – 50 foot lot frontage (existing)

Action to be taken prior to April 4, 2024

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David Neissany, the applicant, is sworn in to testify on his own behalf. Mr. Neissany states that he would like to put on a second story addition with a deck in the rear yard. He received a copy of Mr. Hinterstein's report and will comply with the front yard setback requirements. He will change the cantilever in the front to 18" so there is not a setback issue. No further questions 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:** Steve Weisman, Jeff Tillery, Roy O'Reggio, Rodney Blount, Artie Hayduck, Kalpesh Patel, Rodney Blount and Chairman Cahill. **NO ON THE MOTION:** None.

8. **23-ZB-108V** **Beverly Reynolds**
 Bulk Variance
 Block 9401, Lot 41; Zone: R-20
 11 Smoke Tree Close
 Applicant would like to retain the existing fence and shed.

VARIANCES REQUIRED:

- 21-501** Required – 150 foot lot depth
 Proposed – 135 foot lot depth (existing)
- 21-601** Required – no open space, municipal drainage way, right-of-way or easement
 contiguous to any building shall be encroached upon or reduced in any
 manner
 Proposed – a fence located over an easement
- 21-613** Required – 100 foot lot frontage
 Proposed – 67 foot lot frontage (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, wooden fence located along the front yard property line
 (Drake Lane)

Action to be taken prior to April 11, 2024

Beverly Reynolds, the applicant, is sworn in to testify on her own behalf. Ms. Reynolds states that she has been in that house since 1975 and they just replaced a fence that was already there. There is an easement in the back and also it is a front yard. She received a copy of Mr. Hinterstein's report and will comply. Mr. Kinneally states that if the Township needs to gain access to the easement, it is up to the owner to remove and replace, she agrees. Public portion open/closed.

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

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9. **22-ZB-69V** **Derek Bradshaw & Aida Gonzalez**
 Bulk Variance
 Block 405, Lot 25.01; Zone: R-7.5
 1500 Quincey Street
 Applicant would like to retain existing fence and shed, corner lot and within right-of-way easement.

VARIANCES REQUIRED:

- 21-501** Required – 25 foot front yard setback
 Proposed – 22.3 foot front yard setback (Muriel Avenue North) (existing)
 Proposed – 18.55 foot front yard setback (overhang) (Muriel Avenue North) (existing)
- Required – 25 foot rear yard setback
 Proposed – 22.1 foot rear yard setback (existing)
- 21-601** Required – no open space, municipal drainage way, right-of-way or easement shall be encroached upon or reduced in any manner
 Proposed – fence, planter and stone curb located within the right-of-way (existing)
- 21-606** Required – no structure is permitted within the sight triangle
 Proposed – a fence located within the sight triangle (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 within the front yard setback line (1.5 feet from Muriel Avenue North & 21.5 feet from Quincy Street) (existing)

Action to be taken prior to February 29, 2024
Attorney: Erica Edwards

Derek Bradshaw, the applicant, is sworn in to testify on his own behalf. (His Attorney was unavailable). Mr. Bradshaw states that they are on a corner lot and replaced the fence that was already there. Mr. Hinterstein states that he met with the homeowner at the property and they have already have trimmed a tree and bushes in the site triangle. Also, this is not an actual “corner lot”, there is no stop sign; the street just continues around so it is unique.

The applicant will have a developers agreement with the Township as a condition of approval for the fence in the ROW and can keep it in its current location. The Township requests a temporary construction easement for both frontages; Mr. Bradshaw agrees. Public portion open/closed.

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

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10. 23-ZB-90V Shelia Hobson
Bulk Variance
Block 6915, Lot 6; Zone: R-10
2602 Wade Street
Applicant would like to retain privacy fence, pool and sheds;
corner lot.

VARIANCES REQUIRED:

- 21-501** Required – 35 foot front yard setback
Proposed – 28.8 foot front yard setback (existing)
- Required – 25 foot rear yard setback
Proposed – 18 foot rear yard setback (covered patio) (existing)
- Required – maximum building coverage 20 percent
Proposed – 24.10 percent building coverage
- 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 fence located along the front yard property line and within the front yard setback (Newark Avenue & Wade Street)
- 21-617** Required – a swimming pool shall not be constructed within 10 feet from any side yard or rear yard line
Proposed – a swimming pool located 4.5 feet from the rear yard property line and 5 feet from the side yard property line (existing)
- 21-621** Required – no shed shall be located within the front yard
Proposed – a shed located within the front yard (existing)
- Required – no shed shall be constructed within 3 feet from any property line
Proposed – a shed located .5 feet from the side yard property line (existing)

Action to be taken prior to January 16, 2024

Shelia Hobson, the applicant, is sworn in to testify on her own behalf. She discussed the issues with Mr. Hinterstein in reference to the sheds on the property. Mr. Hinterstein states that there is a limit of two (2) sheds on the property. There is a 3rd shed/structure on the property that has to be removed. The fence can stay in its current location on Newark Avenue. The stoned area on Newark Avenue has to be removed and reseeded-not to be used for a driveway. Ms. Hobson states that she agrees and the gazebo has already been removed. The Board states that they will give her six (6) months to remove the stone and reseed the ROW. Public portion open/closed.

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

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11. ADOPTION OF RESOLUTIONS FROM THE REGULAR MEETING OF DEC. 14, 2023

- (a) 23-ZB-81V, Allen Cruz; Approved.
- (b) 23-ZB-93V, Azhar Naqvi; Approved.
- (c) 23-ZB-98V, Shiv K. Patel; Approved.
- (d) 23-ZB-64/65V, VYO-USA; Approved.
- (e) 23-ZB-95V, Kaz Beverly; Approved.
- (f) 23-ZB-100V, Robyn Shephard; Approved.
- (g) 23-ZB-103V, Vijay Singhal; Approved.
- (h) 23-ZB-94V, CZ Piscataway; Approved.
- (i) 23-ZB-94V, Ian Supardi; Withdrawn.

All in Favor: Mr. Weisman, Mr. Tillery, Mr. Patel, Mr. Blount, Mr. Hayducka, Mr. Ali, Mr. Mitterando and Chairman Cahill.

12. ADOPTION OF MINUTES FROM THE REGULAR MEETING OF DEC. 14, 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.


13. ADJOURNMENT

MOTION was made by Chairman Cahill to Adjourn the meeting; second by Mr. Weisman.
ALL IN FAVOR: Aye

NEXT SCHEDULED MEETING IS JANUARY 25, 2024 AT 7:30 P.M.

The meeting was adjourned at 8:13 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 January 11, 2024 same having been fully adopted by the Zoning Board of Adjustment of Piscataway on January 25, 2024.



SHAWN CAHILL, SECRETARY
PISCATAWAY ZONING BOARD OF ADJUSTMENT