

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, MARCH 14, 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, Artie Hayducka & Rodney Blount. **ABSENT:** Waqar Ali

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 Kinneally states that there are some changes to tonight's agenda; #9, 22-ZB-41V, 100 Lakeview Avenue Rear, LLC-have withdrawn their application.

5. DISCUSSION: 91-ZB-56V, 171 Levgar Street. Applicant would like to rescind two previous conditions of the 1991 approval. Kevin Morse, Esq.

**Application went last on the agenda.

- 6. 23-ZB-111V Priyesh Patel**
Bulk Variance
Block 3602, Lot 4.03; Zone: R-10
20 Grace Place
Applicant would like to retain a privacy fence in the front yard setback. Construct a shed within an easement; existing fence and patio within easement.

VARIANCES REQUIRED:

- 21-501** Required – 35 foot front yard setback
Proposed – 33 foot front yard setback (deck) (River Road) (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 – sheds located within the easement
Proposed – a fence and patio located within the easement (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, stockade fence located along the front yard property line (River Road) (existing)

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21-621 Required – no shed shall be constructed within 3 feet from any property line
Proposed – shed located one foot from the side yard property line

Action to be taken prior to May 29, 2024

Priyash Patel, the applicant, is sworn in to testify on his own behalf. Mr. Patel states that they would like to retain his shed, fence and patio within the easement. The fence is along the front yard setback on River Road, which is his rear yard. Mr. Kinneally states that if the Town needs to access that easement, it is up to the homeowner to remove and replace; he agrees.

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.

7. **23-ZB-110V** **Sheree Eames-Tucker**
Bulk Variance
Block 1001, Lot 71.08; Zone: R-7.5
18 Heidy Court
Applicant would like to install a fence in the front yard setback.

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

Action to be taken prior to May 29, 2024

Sheree Eames-Tucker, the applicant, is sworn in to testify on her own behalf. Ms. Tucker states that they would like to put up a section of fence, 6 foot, in their front yard. They are behind the railroad tracks on a cul-de-sac and this would just give them more privacy. Mr. Chadwick states that this is a weird lot and he has no issues with the fence. 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. **24-ZB-01V** **Khaimraj Dookoo**
Certificate of Non-Conforming Use
Block 1005, Lot 23; Zone: R-7.5
12-14 Church Street
Applicant would like to retain use as a two-family home.

VARIANCES REQUIRED:

21-501 Required – use permitted in zone (single-family)
Proposed – use not permitted in zone (two-family) *

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*The applicant is seeking a Certification of Non-conforming Use.

**Action to be taken prior to June 29, 2024
Attorney: John Sullivan**

John Sullivan, Attorney, is here to represent the applicant. Court stenographer present; transcripts are on file in the Community Development Office.

MOTION was made by Chairman Cahill to approve the application; seconded by Mr. Hayducka. **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.

5. DISCUSSION: 91-ZB-56V, 171 Levgar Street. Applicant would like to rescind two previous conditions of the 1991 approval. Kevin Morse, Esq.

Kevin Morse, Attorney, is here to represent the applicant. Mr. Morse states that the prior use in 1991 only received the use variance and did not come back for site plan application. The bank would like to sell the property and would like two conditions removed from the previous Board approval. First would be the condition to remove the time limit and the second condition would be to submit revised plans and change the lighting during the site plan application.

The applicant would like to keep the use granted by the Board of the property and return for site plan on the site. Mr. Chadwick asks if the use will remain landscaping; it is. Mr. Kinneally states that if the Board eliminates the conditions, the applicant would still be required to come back in for a site plan application. They will just be keeping the use that was granted. Chairman Cahill asks the Board if they have any further questions or comments, none. 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.

10. ADOPTION OF RESOLUTIONS FROM THE REGULAR MEETING OF FEB. 22, 2024

- (a) **23-ZB-106V, Rolando Solis; Approved.**
- (b) **23-ZB-109V, NYSMSA Verizon Wireless; Approved.**

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 FEB. 22, 2024

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

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

NEXT SCHEDULED MEETING IS MARCH 28, 2024 AT 7:30 P.M.


The meeting was adjourned at 7:59 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 March 14, 2024 same having been fully adopted by the Zoning Board of Adjustment of Piscataway on March 28, 2024.



SHAWN CAHILL, SECRETARY
PISCATAWAY ZONING BOARD OF ADJUSTMENT