

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, JUNE 13, 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, Steve Weisman, William Mitterando, Jeff Tillery, Roy O'Reggio, Kalpesh Patel, Waqar Ali. **ABSENT:** Artie Hayducka & Rodney Blount

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; #10. 24-ZB-20V, Chris Vakulchik-Postponed until July 11, 2024-No further notice. #12, 24-ZB-08V, Arvind Patel-Postponed by the Board, July 11, 2024.

5. 24-ZB-13V

Christopher Proulx

Bulk Variance

Block 210, Lot 8; Zone: R-15

1742 W 4th Street

Applicant would like to install a heating/cooling unit to side of home.

VARIANCES REQUIRED:

21-501

Required – 100 foot lot width

Proposed – 75 foot lot width (existing)

Required – 10 foot side yard setback

Proposed – 5 foot side yard setback (air conditioning unit attached to exterior wall of the dwelling)

Required – 8 foot side yard setback for an accessory structure

Proposed – 7.4 foot side yard setback for an accessory structure (shed) (existing)

21-601

Required – no encroachment into the right-of-way

Proposed – a wall located within the right-of-way (existing)

21-613

Required – 100 foot lot frontage

Proposed – 75 foot lot frontage (existing)

Action to be taken prior to August 17, 2024

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Christopher Proulx, the applicant, is sworn in to testify on his own behalf. Mr. Proulx states that he applied for a permit to install an energy split for his home. He was then told that it is too close to the property line and he would need a variance. The Board has no issues with the application.

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, Kalpesh Patel, Waqar Ali, Bill Mitterando and Chairman Cahill. **NO ON THE MOTION:** None.

6. **24-ZB-24V** **Ikenna Ozims**
 Bulk Variance
 Block 3606, Lot 5; Zone: R-15
 1 Azalea Place
 Applicant would like to install a 6' privacy fence and retain shed located in the front yard setback.

VARIANCES REQUIRED:

21-619.1 Required – a fence located within front yard shall not exceed 4 feet in height and/or consist of no more than 50% solid material
 Proposed – 6 foot solid fence located 12 feet from the property lines located along Crestwood Street and Azalea Place

21-621 Required – no shed shall be located within a front yard
 Proposed - shed located in the front yard (existing)

Action to be taken prior to September 5, 2024

Ikenna Ozims, the applicant, is sworn in to testify on his own behalf. Mr. Ozims states that he would like to put up a fence on the corner lot for his kids safety. The Board would like him to move the fence back off of Azalea or it needs to be open 50% and 4 feet. Mr. Ozims will come back on June 27, 2024 after meeting with staff to come to a compromise.

7. **24-ZB-27V** **NYSMSA Verizon Wireless**
 Interpretation of Zoning Ordinance
 Block 4302, Lot 11.01; Zone: LI-5
 251 Circle Drive North
 Applicant would like to remove and replace existing antennas for wireless communications.

Action to be taken prior to September 11, 2024
Attorney: Edward Purcell

Edward Purcell, 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. Patel.
YES ON THE MOTION: Steve Weisman, Jeff Tillery, Roy O'Reggio, Kalpesh Patel, Waqar Ali, Bill Mitterando and Chairman Cahill. **NO ON THE MOTION:** None.

8. **24-ZB-25V** **David Richardson**
 Bulk Variance
 Block 7001, Lot 11; Zone: R-10
 10 Willow Avenue

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Applicant would like to install a 6' privacy fence within the front yard setback; retain existing accessory structure & pool.

VARIANCES REQUIRED:

- 21-501** Required – 35 foot front yard setback
Proposed – 30.04 foot front yard setback (existing)
- Required – 25 foot rear yard setback
Proposed – 13.44 foot rear yard setback (existing)
- Required – 8 foot side yard setback for an accessory structure
Proposed – 1 foot side yard setback for an accessory structure (existing)
- 21-617** Required – pool located a minimum of 10 feet from the property line
Proposed – pool located 8.92 feet and 8.51 feet from each property line (existing)
- 21-619.1** Required – a fence located within front yard shall not exceed 4 feet in height and/or consist of no more than 50% solid material
Proposed – a 6 foot solid fence located 21 feet from the front yard property line (Beatty Street)

Action to be taken prior to September 11, 2024

David Richardson, the applicant, is sworn in to testify on his own behalf. Mr. Richardson states that he would like to retain his existing pool and install a 6' privacy fence, he is on a corner lot. The pool can remain but if it needs to be replaced must be placed in a conforming location. The fence will be moved back to be in line with the garage. 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, Kalpesh Patel, Waqar Ali, Bill Mitterando and Chairman Cahill. **NO ON THE MOTION:** None.

9. **24-ZB-26V** **Mario Ojeda & Edda Vivianna Lelez De Ojeda**
 Bulk Variance
 Block 1901, Lot 23.01; Zone: R-7.5
 147 Montgomery Street
 Applicant would like to retain ac equipment.

VARIANCES REQUIRED:

- 21-627** Required – 10 foot side yard setback for an air conditioning unit
Proposed – air conditioning units located 4.64 and 4.74 feet from the side yard property line
- Required – an air conditioning unit must be screened with landscaping and/or fencing
Proposed – no screening or fencing

*Variances were previously granted under Application #22-ZB-02V.

Action to be taken prior to September 11, 2024
Attorney: Daven Persuad

Tim Arch, Attorney, is here to represent the applicant. Mr. Arch states that the home is new construction and the AC units are less than the 10 feet that is required. The Board agrees to leave

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the AC units in their current location but must be screened with either a fence or landscaping within 30 days; the applicants agree.

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

- 11. 24-ZB-17V HC Enterprises Management, LLC
Bulk Variances
Block 11901, Lot 23.08; Zone: R-15
1081 River Road**

Applicant would like to construct a new single family home.

VARIANCES REQUIRED:

- 21-501** Required – 100 foot lot width
Proposed – 99.89 foot lot width (existing)
- Required – 40 foot front yard setback
Proposed – 21 foot front yard setback (porch)

- 21-614** Required – all residential subdivisions, new residential development and new single-family dwellings shall be required to install two (2) four (4') inch PVC conduit lines along all property frontages
Proposed – no conduit

**Action to be taken prior to September 1, 2024
Attorney: Daven Persuad**

Tim Arch, Attorney, is here to represent the applicant. Mr. Arch states that the applicant would like to build a new single family home on a non-conforming lot. They are asking for a front yard setback of 21 feet where 40 feet is required. They come to a compromise of a 25 foot front yard setback; front porch will be reduced. Paul Fletcher, PP, is sworn in to testify. He states that this is a corner lot property on River Road and Kroeger Lane. The property is located in a R-15 zone and is 15,076 square feet in size.

Mr. Fletcher states that the applicant would like to face the home on the Kroeger Lane side and not on River Road. There is no site triangle issue. The porch will be 21 feet from the property line and the house will be 29 feet from the property line. They agree on install conduit along the roadway. The applicant is also aware that there is a moratorium on the road until 2028 and is in talks with Administration. Board has no further questions or comments. 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, Kalpesh Patel, Waqar Ali, Bill Mitterando and Chairman Cahill. **NO ON THE MOTION:** None.

- 13. ADOPTION OF RESOLUTIONS FROM THE REGULAR MEETING OF MAY 23, 2024**

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- (a) 24-ZB-18V, Reinald Reynoso; Approved.
- (b) 24-ZB-12V, Mustafa Chitalwala; Approved.
- (c) 23-ZB-58V, NBAD1, LLC; Approved.

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

10. ADOPTION OF MINUTES FROM THE REGULAR MEETING OF MAY 23, 2024

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

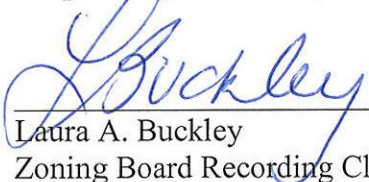
9. ADJOURNMENT

MOTION was made by Chairman Cahill to Adjourn the meeting; second by Mr. Patel.
ALL IN FAVOR: Aye **OPPOSED:** None

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


The meeting was adjourned at 8:55 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 May 9, 2024 same having been fully adopted by the Zoning Board of Adjustment of Piscataway on May 23, 2024.



SHAWN CAHILL, SECRETARY
PISCATAWAY ZONING BOARD OF ADJUSTMENT