

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, OCTOBER 10, 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 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: Chairman Shawn Cahill, Waqar Ali, William Mitterando, Rodney Blount Steve Weisman, Jeff Tillery, Artie Hayducka and Roy O'Reggio **ABSENT:** Kalpesh Patel

Also present: James Kinneally, Esq., Jonathan Misrahi 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-49V, JRJ Fence Installation-Postponed until Oct. 24, 2024; no further notice

- 6. 24-ZB-40V Tarlochan Pakka**
Bulk Variance
Block 6809, Lot 15; Zone: R-10
591 River Road
Applicant would like to retain privacy fence in the front yard setback.

VARIANCES REQUIRED:

- 21-501** Required – 35 foot front yard setback
Proposed – 12.6 foot front yard setback (Bound Brook Avenue) (existing)
Proposed – 18.7 foot front yard setback (River Road) (existing)
- Required – 8 foot rear yard setback for an accessory structure
Proposed – 1.1 foot rear yard setback for an accessory structure (garage) (existing)
- Required – 8 foot side yard setback for an accessory structure
Proposed – 2.8 foot side yard setback for an accessory structure (garage) (existing)
- 21-606.3** Required – no structure located within the sight triangle
Proposed – fence located within the sight triangle
Proposed – a portion of the dwelling located within the sight triangle (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 – 6 foot solid fence located within the front yard setback line

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, OCTOBER 10, 2024.

- 21-3(b)** Required – in residential zones, an accessory building shall not exceed 25 feet by 25 feet or 625 square feet
Proposed – an accessory building 34.6 feet by 18.5 feet or 640.10 square feet (existing)

Action to be taken prior to November 22, 2024

Tarlochan Pakka, the applicant, is sworn in to testify on his own behalf. Mr. Pakka states that he would like to retain the fence that is already on the property. The property is on River Road and there is a lot of traffic. Mr. Misrahi states that they would like for him to move the fence back to be in line with the home which would be about 27 feet from the property line, where required is 35 feet. They would also like a deed restriction on the existing garage so it can't be used for living space and if/when the garage needs to be rebuilt, it must be in a conforming location on the property.

Chairman Cahill asks the application if he agrees with the deed restriction; he does. But Mr. Pakka states that he would be losing a lot of space by moving the fence back that far and if the Board would consider moving it out further. It was agreed upon that Mr. Pakka will come in and meet with staff (Mr. Misrahi) and work out a location. Public portion open/closed.

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

7. **24-ZB-54V** **Jialin Su**
Bulk Variance
Block 3001, Lot 18; Zone: R-10
22 Jersey Avenue
Applicant would like to install a fence within an easement.

VARIANCES REQUIRED:

- 21-601** Required – no encroachment into an easement
Proposed – a fence located over an easement

*The fence must be located a minimum of 35 feet from the front yard property line or an additional variance will be required.

Action to be taken prior to January 9, 2025

Jailin Su, the applicant, is sworn in to testify on his own behalf. Mr. Su states that he would like to put up a privacy fence around his property. Mr. Misrahi states that this property actually has easements on three (3) sides of the property. Mr. Kinneally states that if the Town for any reason needs to gain access to the easement, it is up to the owner to remove and replace the fence; Mr. Su agrees. Public portion open/closed.

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

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, OCTOBER 10, 2024.

- 8. 24-ZB-50V D’Andre Hamilton
Bulk Variance
Block 8301, Lot 1; Zone: R-10
1215 Brookside Road
Applicant would like to retain existing garage.**

VARIANCES REQUIRED:

- 21-3(b)** Required – in residential zones an accessory building should not exceed 25 feet by 25 feet or 625 square feet
Proposed – an accessory building 22 feet by 30 feet or 660 square feet (existing)
- 21-501** Required – 8 foot rear yard setback for an accessory structure
Proposed – 1 foot rear yard setback for an accessory structure (garage) (existing)
- Required – 35 foot front yard setback
Proposed – 33.7 foot front yard setback (existing)

Action to be taken prior to January 9, 2025

D’Andre Hamilton, the applicant, is sworn in to testify on his own behalf. Mr. Hamilton states that he is seeking a variance for his garage, the garage was there when he purchased the home. Mr. Misrahi states that they have no issue with it, they just want to make sure it is not turned into a dwelling unit or living space. They are requesting a deed restriction and also if the garage has to be reconstructed or replaced, it would need to be placed in a conforming location; Mr. Hamilton agrees. No further questions from the Board. Public portion open/closed.

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

- 9. 24-ZB-48V Wafik Guirgis
Bulk Variance
Block 2009, Lot 1.02; Zone: R-10
242 Grandview Avenue
Applicant would like to install an inground pool in the rear yard.**

VARIANCES REQUIRED:

- 21-501** Required – 25 foot rear yard setback
Proposed – 9 foot rear yard setback (deck) (existing) *
- 21-617** Required – a pool shall not be located within 10 feet of any side yard or rear yard property line
Proposed – a pool located 5 feet from the rear yard property line
- Required – pool equipment shall be located only in the rear yard
Proposed – pool equipment located in the side yard

*A variance was granted under Application #03-ZB-58V.

Action to be taken prior to January 10, 2025

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, OCTOBER 10, 2024.

Wafik Guirgis, the applicant, is sworn in to testify on his own behalf. He states that he is seeking a variance request to put a pool in his backyard. They would like a 5 foot setback instead of a 10 foot required setback. Mr. Misrahi states that they would like 8 feet to the property line. Mr. Guirgis states that the problem with that is that there will be a staircase that comes out of his back door, that would mean that the stairs would be right next to the pool. It would be a safety issue, that is why is requesting five (5) feet.

Mr. Guirgis shares his screen with the Board to show how the backyard is set up. There is a 6' vinyl privacy fence with large pine trees between him and the neighbor. The Board views the photos and understands why the applicant is requesting the 5 foot setback. No further questions from the Board. Public portion open/closed.

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

11. ADOPTION OF RESOLUTIONS FROM THE REGULAR MEETING OF SEPT. 26, 2024:

- (a) **24-ZB-19V, Sushma Sharma; Approved.**
- (b) **24-ZB-44V, William Bender; Approved.**
- (c) **24-ZB-41V, Venture Net Properties, LLC; Approved.**
- (d) **24-ZB-05/06V, Solare America Limited Liability Company; Approved.**
- (e) **24-ZB-42/43V, Fox & Foxx Development, LLC; Approved.**
- (f) **24-ZB-03V, HBR Properties, LLC-WITHDRAWN**

All in Favor: Mr. Tillery, Mr. Blount, Mr. Ali, Mr. Mitterando, Mr. Hayducka, Mr. O'Reggio.

12. ADOPTION OF MINUTES FROM THE REGULAR MEETING OF SEPT. 26, 2024

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

13. ADJOURNMENT

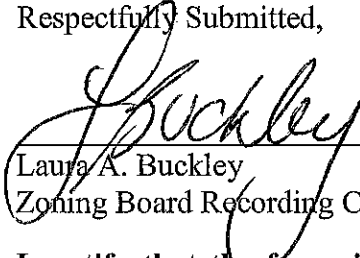
MOTION was made by Chairman Cahill to Adjourn the meeting; second by Mr. Patel.
ALL IN FAVOR: Aye **OPPOSED:** None

NEXT SCHEDULED MEETING IS OCTOBER 24, 2024 AT 7:30 P.M.

The meeting was adjourned at 7:50 P.M.


**MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF
PISCATAWAY TOWNSHIP HELD ON THURSDAY, OCTOBER 10, 2024.**

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 September 26, 2024 same having been fully adopted by the Zoning Board of Adjustment of Piscataway on October 10, 2024.



**SHAWN CAHILL, SECRETARY
PISCATAWAY ZONING BOARD OF ADJUSTMENT**