

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, NOVEMBER 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 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, Jeff Tillery, Artie Hayducka, Waqar Ali, Bill Mitterando, Kalpesh Patel, Roy O'Reggio **ABSENT:** Rodney Blount

Also present: James Kinneally, Esq., Jonathan Misrahi, 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: #23-ZB-101/102V, OnSwitch, Inc.-Postponed to December 12, 2024-No further notice. Application 24-ZB-14V, Facefield, LLP-Postponed to January 23, 2025, (No further notice). 23-ZB-76V, Mary Jo Barnowski-Postponed until Dec. 12, 2024 -Notice 200' list only.

1. **DISCUSSION:** Haresh Patel, 175 Dunellen Avenue, 24-ZB-37V; known as Block 2607, Lot 10. Applicant would like to remove condition #3 on the prior approval of September 12, 2024 to install a fence on the property line opposed to the fence being moved in 5 feet.

Haresh Patel, the applicant, is sworn in to testify on his own behalf. He states that he misunderstood the Board at the last meeting and would like to fence to be on the property line. If he moves it 5 feet off, then there will be a five foot space between him and his neighbor. Chairman Cahill agrees and states that we always give on to the property line. No comments or questions from the Board. Public portion open/closed.

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

7. **24-ZB-61V** **Mark DuFour**
 Bulk Variance
 Block 2301, Lot 2.03; Zone: R-15
 241 Grandview Avenue
 Applicant would like to demolish and reconstruct existing garage;
 not pave existing gravel driveway.

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, NOVEMBER 14, 2024.

VARIANCES REQUIRED:

21-1101.3 Required – paved driveway
Proposed – gravel driveway

Action to be taken prior to February 19, 2025

Mark DuFour, the applicant, is sworn in to testify on his own behalf. Mr. DuFour states that he would like to replace his garage that is in disrepair. The garage is all the way in the back of the property and would be difficult to pave it all. He has already, as a recommendation of the Town, paved up to 24 feet from the street so no gravel will go onto the street. Chairman Cahill asks the Board if they have any questions, none. Public portion open/closed.

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

8. 24-ZB-55V **Juan Torres**
Bulk Variance
Block 9503, Lot 37; Zone: R-20
5 Sunburst Lane
Applicant would like to retain shed and fence within the easement.

VARIANCES REQUIRED:

21-501 Required – 8 foot side yard setback for an accessory structure
Proposed – 1.9 foot side yard setback for an accessory structure (shed)

21-601 Required – no easement shall be encroached upon or reduced in any manner
Proposed – a shed and fence located over an easement

Action to be taken prior to January 29, 2025

Juan Torres, the applicant, is sworn in to testify. Mr. Torres states that he would like to repair the fence that is in the easement and retain his shed. They have been there for fifteen years and would like to keep them. Mr. Kinneally states that if the Township needs to gain access to the easement, it is up to the home owner to remove and replace the fence/shed; he will be required to sign a Memorandum of Restriction stating this. Mr. Torres does not want to sign the agreement and is instructed that if he does not agree, his applicant has to be denied; he agrees. Chairman Cahill asks the Board if they have any questions, none. Public portion open/closed.

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

9. 24-ZB-56V **Liberty Tech, LLC**
Bulk Variance
Block 602, Lot 2; Zone: R-7.5
1860 W 5th Street
Applicant would like to construct a new single family home.

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, NOVEMBER 14, 2024.

VARIANCES REQUIRED:

- 21-501** Required – 75 foot lot width
Proposed – 50 foot lot width (existing)
- 21-613** Required – 75 foot lot frontage
Proposed – 50 foot lot frontage (existing)
- 21-614** Required – all new single family dwellings shall be required to install two (2) four (4”) inch PVC conduit lines along the property frontage
Proposed – no conduit
- 21-1102** Required – a garage must measure at least 12 feet in width by 20 feet in length with no obstructions (stairways, landings, etc.)
Proposed – a garage 10 feet in width by 20.71 feet in length

**Action to be taken prior to February 5, 2025
Attorney: Richard Mangelli**

Richard Mangelli, Attorney, is here to represent the applicant. He states that they would like to demolish and rebuild the current home. Mario Navedo, architect, is sworn in to testify and accepted by the Board. They will agree to install the conduit lines as requested in the staff report and move the garage 1.3 feet east. Mr. Navedo states that the lot is pre-existing and non-conforming, those are the only variances requested. He believes there is no negative impact on the surrounding areas as it is a permitted use in the zone. Chairman Cahill asks the Board if they have any questions, none. Public portion open/closed.

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

- 12. 24-ZB-09/10V Wellspring Adult Day Care
Preliminary & Final Site Plan, Use Variance
Block 6003, Lot 1.02; Zone: BP-I
399 Hoes Lane
Applicant would like to use a portion of the facility for an adult daycare center.**

VARIANCES REQUIRED:

- 21-501** Required – use permitted in zone
Proposed – use not permitted in zone (adult daycare) *
- Required – 25 foot side yard setback
Proposed – 24.2 foot side yard setback (existing)

*A use variance is required.
** A variance is required for parking; however, clarification is required as to the number of parking spaces proposed for Year #1 and Year #2.

**Action to be taken prior to February 28, 2025
Attorney: Tim Arch**

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, NOVEMBER 14, 2024.

Tim Arch, Attorney, is here to represent the applicant. Court stenographer present; transcripts are on file in the Community Development Office. Applicant will be continued on December 12, 2024 with no further notice required by the applicant.

- 13. 22-ZB-101/102V 429 Bell Street, LLC**
Preliminary & Final Site Plan, Use & Bulk Variances
Block 2404, Lot 13.01; Zone: LI-1
429 Bell Street
Applicant would like to continue the existing use of an irrigation company.

VARIANCES REQUIRED:

- 21-501** Required – use permitted in zone
Proposed – use not permitted in zone (wholesale irrigation supply business) *
- Required – minimum floor area 10,000 square feet
Proposed – floor area 8,051 square feet (existing)
- Required – 150 foot lot depth
Proposed – 100 foot lot depth (existing)
- Required – 50 foot front yard setback
Proposed – 44.6 foot front yard setback (existing)
- Required – 30 foot rear yard setback
Proposed – 15.1 foot rear yard setback (existing)
- Required – 75 foot front yard setback for an accessory use (outdoor storage)
Proposed – outdoor storage area 0 feet from the front yard property line
- Required – 25 foot rear yard setback for an accessory use (outdoor storage)
Proposed – outdoor storage area 0 feet from the rear yard property line
- Required – 25 foot side yard setback for an accessory use (outdoor storage)
Proposed – outdoor storage area 0 feet from the side yard property line
- 21-1102** Required – 24 parking spaces
Provided – 9 parking spaces
- 21-1203.3** Required – a building may have a sign located on two separate facades of the building
Proposed – two façade signs located on the front façade of the building and a sign attached to the fence
- 21-1203.4** Required – a free-standing sign shall not be erected closer than 50 feet from the right-of-way line of a public street
Proposed – a free-standing sign located less than 50 feet from the right-of-way line *
- 21-1302.3** Required – outdoor storage area must be screened with a fence, wall or plantings
Proposed – partial to no screening of the outdoor storage area

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, NOVEMBER 14, 2024.

21-3b. Buffer Zone

Required – a buffer no less than 50 feet is required when a residential area abuts an industrial zone

Proposed – no buffer

*A use variance is required.

Action to be taken prior to January 15, 2025

Attorney: Erik Frin

Erik Frin, Attorney, is here to represent the applicant. Court stenographer present; transcripts are on file in the Community Development Office. Applicant will be continued on January 23, 2025 with no further notice required by the applicant.

16. ADOPTION OF RESOLUTIONS FROM THE REGULAR MEETING OF OCTOBER 24, 2024

(a) 24-ZB-52V, Daniel Parascondola; Approved.

(b) 24-ZB-49V, JRJ Fence Installation; Approved.

All in Favor: Chairman Cahill, Roy O'Reggio, Artie Hayducka, Waqar Ali.

17. ADOPTION OF MINUTES FROM THE REGULAR MEETING OF OCT. 24, 2024

MOTION was made by Chairman Cahill to adopt the minutes; second by Mr. Patel.

All in Favor: Mr. Tillery, Mr. Patel, Mr. O'Reggio, Mr. Hayducka, Mr. Ali, Mr. Mitterando and Chairman Cahill

18. 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 DECEMBER 12, 2024 AT 7:30 P.M.

The meeting was adjourned at 9:06 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 14, 2024 same having been fully adopted by the Zoning Board of Adjustment of Piscataway on December 12, 2024.



SHAWN CAHILL, SECRETARY

PISCATAWAY ZONING BOARD OF ADJUSTMENT