

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, JANUARY 14, 2021.

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: Jeff Tillery, Roy O’Reggio Kalpesh Patel, Warren Zimmerman, Steve Weisman, Rodney Blount, William Mitterando, Waqar Ali and Chairman Shawn Cahill, **ABSENT:** N/A

Also present: James Kinneally, Esq., Henry Hinterstein, 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. 20-ZB-82V Ernesto Cedillos, postponed until Feb. 11, 2021-must notice newspaper only. 20-ZB-83V, Noel J. Pimentel-Meson, Postponed until Feb. 11, 2021-No further notice. 20-ZB-85V, Johnathan Stuhl, Postponed until Feb. 11, 2021-no further notice required. 20-ZB-54V, Prakash Patel, has been postponed until Feb. 11, 2021-must notice the newspaper only.

- 5. 20-ZB-68V Tiffany O’Sullivan**
Bulk Variance
Block 601, Lot 92: Zone: R-7.5
62 Grove Street
Applicant proposes to install a generator.

VARIANCES REQUIRED:

- 21-501** Required – 60 foot front yard setback for an accessory structure
Proposed – 36.2 foot front yard setback for an accessory structure (generator)
- 21-621** Required – no shed shall be constructed within 3 feet from any property line
Proposed – shed located 2 feet from the side yard property line (existing)
Proposed – shed located 1.4 feet from the side yard property line (existing)

Action to be taken prior to February 25, 2021

Tiffany O’Sullivan, the applicant, is sworn in to testify on her own behalf. Ms. O’Sullivan states that they would like to put a full house generator on the side of their home. It requires a 60 foot setback and they are proposing a 36.2 foot setback instead. Chairman Cahill asks Mr. Hinterstein if he sees any issues with the variance requested. Mr. Hinterstein state that there is really not any issues with this. There is an existing shed and the generator is behind the front yard setback line of the home. There was a variance for shed, but that shed has been removed. Chairman Cahill

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would like to put in the resolution that the generator will not be loud at night; Ms. O’Sullivan agrees. Public portion open/closed.

MOTION was made by Chairman Cahill to approve the application; seconded by Steve Weisman. **ROLL CALL:** Steve Weisman, Kalpesh Patel, Roy O’Reggio, Jeff Tillery, Rodney Blount, Warren Zimmerman and Chairman Cahill.

- 6. 20-ZB-78V Lucas Grzech
Bulk Variance
Block 6813, Lot 9.02; Zone: R-10
216 Plainfield Avenue**
Applicant proposes to construct a new single family home.

VARIANCES REQUIRED:

- 21-501** Required – minimum lot area 10,000 square feet
Proposed – lot area 9,200 square feet (existing)
- Required – 100 foot lot width
Proposed – 92 foot lot width (existing)
- Required – 35 foot front yard setback
Proposed - 30 foot front yard setback
- Required – maximum building coverage 20 percent
Proposed – 21.2 percent building coverage
- 21-613** Required – 100 foot lot frontage
Proposed – 92 foot lot frontage (existing)

Action to be taken prior to March 10, 2021

Lucas Grzech, the applicant, is sworn in to testify on his own behalf. Mr. Grzech states that they would like to knock down the existing home and build a new single family home. The variances that they are looking for, the main one is the lot size. The lot is 92 by 100 where the zone requires 100 by 100. There are two other variances, one for front yard setback where required is 35 feet and they are proposing 30 feet and the other is building coverage which 20% is required and they are proposing 21.2%.

Mr. Grzech states that regarding the front yard setback, they are proposing a 30 foot setback because the total distance of the driveway will still allow them to park 4 cars there and it will add 5 feet to the backyard. If they have to, they can push it back if needed. In reference to the building coverage, this is a plan that they really liked so they would give it a shot and the total coverage is 1950 (square feet) which if the lot was 100 by 100 it would be under the 20%. It is only over by 100 square feet. He has no other witnesses with him.

Chairman Cahill asks Mr. Hinterstein if he has any issues or comments. Mr. Hinterstein states that in the staff report it states that the lot is an existing non-conformity as to the size and frontage, that’s not the issue. The issue is that they are knocking down a structure and putting up a new structure so he doesn’t see a reason why they can’t comply with the ordinance. Other than the fact that the lot is slightly smaller, there is no reason not to comply with the front yard setback. If the lot was not conforming to the lot depth, like 80 feet, then there would be a reason

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to bring it forward. In order for this Board to find it appropriate to be in the favor of a variance, there needs to be a hardship or something unique to the property. In this case, there is not a hardship and is larger than is allowed in the zone. The house either has to be modified in the size to conform with the coverage and required front yard setback.

Mr. Grzech understands and agrees with Mr. Hinterstein. He can go to 35 feet with the front yard setback. Mr. Hinterstein states that a lot of the homes are pre-existing and as time goes on they will have to be in compliance also. Mr. Grzech agrees to move the house back to the 35 feet and comply with the 20% building coverage requirement. Public portion open/closed.

MOTION was made by Mr. Zimmerman to approve the application with the changes mentioned; seconded by Chairman Cahill. **ROLL CALL:** Steve Weisman, Kalpesh Patel, Roy O'Reggio, Jeff Tillery, Rodney Blount, Warren Zimmerman and Chairman Cahill.

7. **20-ZB-80V** **Dinesh & Varasha Bordia**
 Bulk Variance
 Block 5301, Lot 13.05; Zone: R-10
 65 Saint Olga Place
 Applicant proposes to install an awning above the front door.

VARIANCES REQUIRED:

21-501 Required – 35 foot front yard setback
 Proposed – 31.3 foot front yard setback (awning)

 Required – 100 foot lot width
 Proposed – 90 foot lot width (existing)

21-601 Required – no encroachment into an easement
 Proposed – a driveway partially located over a municipal easement (existing)

21-613 Required – 100 foot lot frontage
 Proposed – 72.34 foot lot frontage (existing)

Action to be taken prior to March 11, 2021

Dinesh Bordia and his son-in-law, Ravpreet Syalee are both sworn in to testify on their own behalf. Mr. Syalee states that they are requesting a variance for a new awning, a bulk variance. These are existing variances, one is for the 90 lot width, the other is part of the driveway is over an easement, also a 72.34 frontage. The new variance is the 31.3 feet in the front yard where 35 feet is required, this is for the awning. Mr. Hinterstein states that he doesn't have any issues with the application, it is minimal in nature and is strictly over the front steps. He only condition would be is that they do not enclose it or make it a permanent structure. Mr. Bordia agrees. Public portion open/closed.

MOTION was made by Chairman Cahill to approve the application; seconded by Steve Weisman. **ROLL CALL:** Steve Weisman, Kalpesh Patel, Roy O'Reggio, Jeff Tillery, Rodney Blount, Warren Zimmerman and Chairman Cahill.

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12. ADOPTION OF RESOLUTIONS FROM THE REGULAR MEETING OF DEC. 10, 2020:

- (a) **20-ZB-74V, Lynn Scala;** application was Approved.
- (b) **20-ZB-47V, Abdelsayed;** application was Approved.
- (c) **20-ZB-73V, Zaballero;** application was Denied.
- (d) **20-ZB-72V, Li;** application was approved for shed, Denied for garage conversion.
- (e) **20-ZB-33/34V, AP Aspen, LLC;** Application was Approved.

All in Favor: Kalpesh Patel, Roy O'Reggio, Jeff Tillery, Chairman Cahill.

16. ADOPTION OF MINUTES FROM THE REGULAR MEETING OF DEC. 10, 2020

All in Favor: Kalpesh Patel, Roy O'Reggio, Jeff Tillery, Warren Zimmerman and Chairman Cahill.

MOTION was made by Mr. Zimmerman to Adjourn the meeting; second by Mr. O'Reggio.

ALL IN FAVOR: Jeff Tillery, Steve Weisman, Mr. O'Reggio, Mr. Patel, Rodney Blount, Mr. Zimmerman and Chairman Cahill.

NEXT SCHEDULED MEETING IS JANUARY 28, 2021 AT 7:30 P.M.

The meeting was adjourned at 7:58 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 December 10, 2020 same having been fully adopted by the Zoning Board of Adjustment of Piscataway on January 14, 2021.

Shawn Cahill, Secretary & Chairman