

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, MARCH 9, 2023.

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, Waqar Ali, Rodney Blount, Roy O'Reggio William Mitterando, Jeff Tillery, Kalpesh Patel, Artie Hayducka. **ABSENT:** Steven Weisman.

Also present: James Kinneally, Esq., PP, Henry Hinterstein 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 a couple of changes to the agenda. #6. 23-ZB-07V, Carlos Arroyo, postponed to April 13, 2023-Must Notice. #9, 22-ZB-41V, 100 Lakeview Rear, April 27, no further notice.

- 5. 23-ZB-01V Michael Perrella**
Bulk Variance
Block 2308, Lot 1.01; Zone: R-7.5
23 Bret Street
Applicant would like to retain existing fence and shed; corner lot.

VARIANCES REQUIRED:

- 21-501** Required – 60 foot front yard setback for an accessory structure
Proposed – 2 foot front yard setback for an accessory structure (shed) (Evans Avenue)
- Required – 8 foot side yard setback for an accessory structure
Proposed – 3.75 foot side yard setback for an accessory structure (shed)
- Required – maximum building coverage 20 percent
Proposed – building coverage 24.7 percent
- Required – 25 foot rear yard setback
Proposed – 10 foot rear yard setback (existing) *
- 21-606** Required – no encroachment into the sight triangle
Proposed – a portion of the fence located within the sight triangle

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, MARCH 9, 2023.

- 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, solid fence located within the front yard setback (along the Evans Avenue property line)

*The opposite of the shorter two frontages is considered the rear yard.

**A variance was previously granted for building coverage under Application#85-ZB-45.

Action to be taken prior to May 28, 2023

Michael Perrella, the applicant, is sworn in to testify on his own behalf. Mr. Perrella states that he replaced a fence that had been there for 33 years. He put up the fence because he was robbed and had a motorcycle and lawn mower stolen. Mr. Perrella states that he was told by his contractor that he didn't need a permit since he was just replacing. He also had the contractor move the shed to it's current location.

Mr. Hinterstein state there was a zoning ordinance 33 years ago and a permit would have been needed then too. The fence has to be moved, it is in the Township right-of-way and can't be left there; he suggests it is moved back 5 feet to where the shed is located. The fence on the corner is in the site triangle and should be moved back to angled to get out of the triangle. The shed can remain where it is, but the fence has to be moved back.

Mr. Perrella states that him and his wife are on a fixed income and can't move it themselves. Chairman Cahill states that it does have to be moved out of the right-of-way, but the Board can give you some time. The Board gives them one (1) year to get the permits and move the fence back. Public portion open/closed.

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

7. **23-ZB-13V** **Deborah Doroteo**
Bulk Variance
Block 1923, Lot 4.01; Zone: R-7.5
164 Montgomery Street
Applicant would like to install a fence within an easement.

VARIANCES REQUIRED:

- 21-501** Required – minimum lot area 7,500 square feet
Proposed – lot area 7,498 square feet (existing)

Required – 8 foot side yard setback
Proposed – 7 foot side yard setback (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 – a fence located over an easement

Action to be taken prior to June 7, 2023

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, MARCH 9, 2023.

Deborah Doroteo, the applicant, is sworn in to testify on her own behalf. Ms. Doroteo states that they would like to put up a fence in the easement. Mr. Kinneally states that if the Township needs to gain access to that easement it is up to the owner to remove and replace the fence; she agrees. Mr. Hinterstein has no issue with the applicant. Public portion open/closed.

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

8. **23-ZB-15V** **Sadaf Ayub Khalid**
 Bulk Variance
 Block 7802, Lot 67.12; Zone: R-20
 9 Wembley Place
 Applicant would like to install an above ground pool.

VARIANCES REQUIRED:

- 21-501** Required – minimum lot area 20,000 square feet
 Proposed – lot area 17,630.57 square feet (existing) *
- Required – 150 foot lot depth
 Proposed – 126 foot lot depth (existing) *
- 21-617** Required – a swimming pool shall be located only in the rear yard
 Proposed – a swimming pool located within the front yard (Metlars Lane)
- 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, solid vinyl fence located within the front yard setback line (Metlars Lane) (existing) *
- 21-621** Required – no shed shall be located within a front yard
 Proposed – a shed located within the front yard (Metlars Lane) (existing) *

*Variances previously granted under Application #22-ZB-74V.

Action to be taken prior to June 15, 2023

Sadaf Ayub Khalid, the applicant, is sworn in to testify on her own behalf. Ms. Khalid states that they were here for a variance last year to install a fence in the front yard setback. The back of their property is Metlars Lane and is considered a front yard. They would like to put a pool in their backyard and will be at least 10 from all property lines. Mr. Hinterstein states that this is a unique lot and has two front yards front and back; he has no issues with the application. Public portion open/closed.

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

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, MARCH 9, 2023.

10. ADOPTION OF RESOLUTIONS FROM THE REGULAR MEETING OF FEBRUARY 23, 2023:

- (a) 23-ZB-10V, Louis Fortunato; Approved.
- (b) 23-ZB-09V, Santos Lopez; Approved.
- (c) 23-ZB-11V, Michael Trojanowski; Approved.
- (d) 23-ZB-08V, BANR Assets, LLC; Approved.
- (e) 23-ZB-06V, U Dream, LLC; Approved.

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

11. ADOPTION OF MINUTES FROM THE REGULAR MEETING OF FEB. 23, 2023.

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

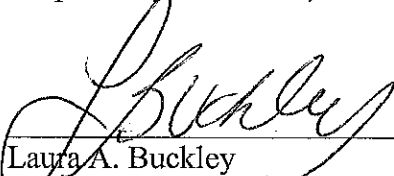
12. ADJOURNMENT

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

NEXT SCHEDULED MEETING IS MARCH 23, 2023 AT 7:30 P.M.

The meeting was adjourned at 7:57 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 9, 2023 same having been fully adopted by the Zoning Board of Adjustment of Piscataway on March 23, 2023.



SHAWN CAHILL, SECRETARY
PISCATAWAY ZONING BOARD OF ADJUSTMENT