

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, MARCH 23, 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: William Mitterando, Jeff Tillery, Kalpesh Patel, Steven Weisman, Artie Hayducka, Shawn Cahill, Waqar Ali, Rodney Blount, Roy O'Reggio **ABSENT:** Waqar Ali

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 no changes to tonight's agenda.

- 5. 22-ZB-108/109V St. Moses & Anba Abraam Coptic Orthodox Church
Preliminary & Final Site Plan; Use Variance
Block 9903, Lot 4.10; Zone: R-20
40 Davidson Road East
Applicant would like to retain existing dome on roof.**

VARIANCES REQUIRED:

- 21-501** Required – maximum building height 35 feet
Proposed – a church 45 feet in height (dome) *

*The height of the church exceeds 10 feet or 10% the maximum allowable height permitted in the zone - 40:55D-70d(6).

**Preliminary and Final Site Plan, a Use and Bulk Variance was previously granted under Application Number 18-ZB-15/16V.

**Action to be taken prior to May 17, 2023
Attorney: Kevin Morse**

Kevin Morse, Attorney, is here to represent the application. 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, Rodney Blount, Kalpesh Patel, Steve Weisman and Artie Hayducka. **NO ON THE MOTION:** None.

- 6. 23-ZB-17V Venkat Padullaparthi
Bulk Variance
Block 1401, Block 15.10; R-7.5
2 Tucceri Court**

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Applicant would like to install a 6' privacy fence, corner lot and in an easement. Retain AC units in side yard setback.

VARIANCES REQUIRED:

- 21-601** Required – no encroachment over an easement
Proposed – a fence located over the temporary construction easement
- 21-606** Required – no fence shall be located within the sight triangle
Proposed – a portion of the fence is located within the sight triangle
- 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 5 feet from the property line located along Maple Avenue North
- 21-627.b** Required – an air conditioning unit shall be set back a minimum of 10 feet from any property line
Proposed – air conditioning units located 6.5 feet from the side yard property line

Action to be taken prior to June 25, 2023

Venkat Padullaparathi, the applicant, is sworn in to testify on his own behalf. Mr. Padullaparathi states that he would like to put up a 6' solid fence 5 feet from his property line; he is a corner lot. Mr. Hinterstein states that in his zone there is 25 setback requirement and he would like to see 15 feet from the property line and the fence can't go in the site triangle. Mr. Padullaparathi states that he would like to go 10 feet off of the property line; they agree at 12 ½ feet off of the property line.

If the applicant wants to get closer, he is able to put up a 4 foot, 50% solid fence. There is an AC unit compressor that is 6.5 feet from the side yard setback, Mr. Hinterstein has no issue with the location. There will be a fence installed so that will be able to buffer the AC unit. 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, Rodney Blount, Kalpesh Patel, Steve Weisman and Artie Hayducka. **NO ON THE MOTION:** None.

- 7. **23-ZB-14V** **Patricia Belloff**
Bulk Variance
Block 7706, Lots 15 & 16; Zone: R-20
30 Suttie Avenue
Applicant would like an addition and expansion to an existing home.

VARIANCES REQUIRED:

- 21-501** Required – minimum lot area 20,000 square feet
Proposed – lot area 13,840.54 square feet (existing)
- Required – 150 foot lot depth
Proposed – 125 foot lot depth (existing)
- Required – 40 foot front yard setback

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Proposed – 29.5 foot front yard setback

Proposed – 27.5 foot front yard setback (covered landing)

Required – 8 foot side yard setback for an accessory structure

Proposed – 1.8 foot side yard setback for an accessory structure (covered wood deck)

Proposed – 2.7 foot side yard setback for an accessory structure (shed)

21-1102

Required – paved driveway

Proposed – gravel driveway (existing)

24-702.3(d)

Required – each enclosed parking space must measure at least 12 feet in width by 20 feet in length

Proposed – a garage measuring 21.33 in width feet by 19.75 feet in length

Action to be taken prior to June 19, 2023

Attorney: Jeremy Solomon

Jeremy Solomon, Attorney, is here to represent the applicant. Mr. Solomon states that they are here to construct an addition to an existing home. They have received Mr. Hinterstein's staff report and are willing to pave the driveway and enlarge the garage to meet the code. There are two variances that are existing for the lot. The front yard setback they are asking for is 27.5 feet, the existing shed to remain which is 2.7 feet from the property line and an existing covered deck on the pool which is 1.8 feet from the property line. Mr. Solomon states that these variances have been existing for years. He was told by the applicant that her husband built that deck over 30 years ago and has never had any complaints. Ms. Belloff and the architect are here if needed.

Paul Fletcher, PP & PE, is sworn in to testify. Mr. Fletcher states that this is a single family home that had fire damage previously. They would like to add a second floor addition and a two story addition to the existing home. There are existing variances for lot area under the C1 and there is no additional land to be purchased. They are undersized for lot depth also. The existing variance for the front yard is 29 ½ feet, they are requesting 27 1/5 feet to the property line. They would like to put a roof over the front porch with pillars to be more attractive. He references the existing variances for the deck, pool and shed. They will supply revised plans to the Board professionals for review. He does not feel that these additions and relief will be a detriment to the public good.

Mr. Hinterstein states that the pool and the deck were never legal and does not matter how long they have been there. The deck and the pool need to be relocated. The shed is less than 3 feet off of the property line but he does not see an issue with the setback that is existing. The covered deck on the pool is out of character and needs to be relocated along with the pool. In reference to the covered front porch, Mr. Hinterstein does not have an issue with the porch and the pillars, but the second story addition over the porch needs to be removed.

Phil Iannitto, 66 Blossomhill Road, Architect, is sworn in to testify. Mr. Iannitto states that they would like to put the addition over the front porch for more space as per the plans. Mr. Hinterstein states that a 3 foot roof over the front porch that is open is acceptable, but the second story over that porch needs to come in. The deck and pool are illegal and must be moved and get permits if they are being moved. Mr. Hinterstein states all items must be removed or corrected into the proper location by permits before any permits for the addition will be issued; applicants agree.

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Public portion: Kenneth Johnson, 54 Seward Avenue, is sworn in. He would like to know the impact of the new coverage. Mr. Hinterstein explains that the roof leaders will be put into the inlet; storm water catch basin. No further questions.

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, Rodney Blount, Kalpesh Patel, Steve Weisman and Artie Hayducka. **NO ON THE MOTION:** None.

8. ADOPTION OF RESOLUTIONS FROM THE REGULAR MEETING OF MARCH 9, 2023:

- (a) 23-ZB-01V, Michael Perrella; Approved.
- (b) 23-ZB-13V, Deborah Doroteo; Approved.
- (c) 23-ZB-15V, Sadaf Ayub Khalid; Approved.

All in Favor: Mr. Weisman, Mr. Tillery, Mr. Patel, Mr. Hayducka and Mr. Mitterando.

11. ADOPTION OF MINUTES FROM THE REGULAR MEETING OF MARCH 9, 2023.

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

12. ADJOURNMENT

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

NEXT SCHEDULED MEETING IS MARCH 9, 2023 AT 7:30 P.M.

The meeting was adjourned at 8:35 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 23, 2023 same having been fully adopted by the Zoning Board of Adjustment of Piscataway on April 13, 2023.



SHAWN CAHILL, SECRETARY
PISCATAWAY ZONING BOARD OF ADJUSTMENT