

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, MAY 11, 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 Vice-Chairman Steve Weisman.

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

Also present: James Kinneally, Esq., 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. 22-ZB-69V, Derek Bradshaw, postponed to June 8, 2023-No Further Notice. #8, 23-ZB-07V, Carlos Arroyo, did not show; application has been postponed until June 22, 2023 and the applicant must notice.

**5. 23-ZB-25V Gulle Centeno-Almonte & Baltazar Almonte
Bulk Variance
Block 7110, Lot 10.01; Zone: R-10
9 Rye Street**

Applicant would like to construct a two story addition & garage and retain the fence within the easement.

VARIANCES REQUIRED:

- | | |
|------------------------|--|
| <u>21-501</u> | Required – 25 foot rear yard setback
Proposed – 24 foot rear yard setback |
| <u>21-601</u> | 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 |
| <u>21-617</u> | Required – a pool shall only be located in a the rear yard
Proposed – a pool located in the side yard |
| <u>21-619.1</u> | 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 fence located within the front yard setback line |

Action to be taken prior to July 21, 2023

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Gulle Centeno-Almonte, the applicant, is sworn in to testify on her own behalf. Ms. Almonte states that they would like to put an addition on the existing home for her, her husband and their daughter. Mr. Hinterstein states that there is a lot of separation and can easily be converted into a two family home. He recommends that the applicants submit a deed restriction stating that the home can be used as a single family only, one kitchen, and can't be converted into a multi-family home; applicant agrees.

Mr. Hinterstein asks why can't the fence be moved back to the property line. Mr. Joseph Solfaro, Architect, states that they can move it closer to the property line as requested. The fence is in the easement but Mr. Hinterstein does not have any issues. Public portion open/closed.

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

7. **23-ZB-34V** **Sivakumar Mathusoodana**
 Bulk Variance
 Block 8201, Lot 1.04; Zone: R-10
 1111 Brookside Road

Applicant would like to convert existing garage into living space, construct a new two-car attached garage and a fence encroaching in the front yard.

VARIANCES REQUIRED:

21-501 Required – minimum lot area 10,000 square feet
 Proposed – lot area 8,912.41 square feet (existing)

 Required – minimum lot depth 100 feet
 Proposed – lot depth 84 feet (existing)

 Required – 35 foot front yard setback
 Proposed – 32.7 foot front yard setback
 Proposed – 25 foot front yard setback (steps) (existing)

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 fence located within the front yard setback line (30.7 feet from the front yard property line)

Action to be taken prior to August 1, 2023

Sivakumar Mathusoodana, the applicant, is sworn in to testify on his own behalf. Mr. Mathusoodana states that they would like to convert the existing garage into living space and construct a new two-car garage. Mr. Hinterstein states that he would like to applicant to move it back 2.3 feet so it is even with the house so there are no front yard setback issues; applicant agrees. There is a moratorium on the road so they would have to use the existing curb cuts; they agree. In reference to the fence, it should be even with the house; applicant agrees. Public portion open//closed.

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

8. **23-ZB-37V** **Joel Coria (JRJ Fence)**
 Bulk Variance
 Block 7508, Lot 8; Zone: R-15
 961 East Lincoln Avenue
 Applicant would like to install a 6' privacy fence on a corner lot within an easement; retain existing shed in easement.

VARIANCES REQUIRED:

- 21-501** Required – minimum lot area 15,000 square feet
 Proposed – lot area 10,062.36 square feet (existing)
- Required – 100 foot lot width
 Proposed – 83.5 foot lot width (existing)
- Required – 40 foot front yard setback
 Proposed – 39 foot front yard setback (existing)
- Required – 25 foot rear yard setback
 Proposed – 12 foot rear yard setback (existing)
- 21-601** Required – no open space, municipal drainage way, right-of-way or easement shall be encroached upon or reduced in any manner
 Proposed – a fence and shed located over an easement
- 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 11 feet from the front yard property line

Action to be taken prior to August 12, 2023

Joel Coria, the applicant, is sworn in to testify on his own behalf. Mr. Coria states that he is the contractor for the property owner. They would like to install a fence on a corner lot and in an easement. There is also a shed located in the easement that they would like to keep. Mr. Hinterstein states that he has no issues with the application. Mr. Kinneally states that if the Township needs to gain access to the easement, it is up to the property owner to remove and replace either the fence or the shed; applicant agrees. Public portion open/closed.

MOTION was made by Vice-Chairman Steve Weisman 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, Waqar Ali and Vice-Chairman Weisman. **NO ON THE MOTION:** None.

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VARIANCES REQUIRED:

- 21-501** Required – 35 foot front yard setback
Proposed – 32 foot front yard setback (pavilion)
- Required – 25 foot rear yard setback
Proposed – 12 foot rear yard setback (pavilion)
Proposed – 14 foot rear yard setback (deck) (existing) *

*A variance was previously granted under Application #06-ZB-41V.

Action to be taken prior to August 19, 2023

Neville Indar, the applicant, is sworn in to testify on his own behalf. Mr. Indar states that he has a patio that he gets a lot of light on from 8 am to 5-6 pm. He has one big tree that is leaning and about to fall so he needs to remove it. He would like to put up a pavilion so they can enjoy the weather outside. Mr. Hinterstein states that this can't be enclosed; applicant agrees. Mr. Hinterstein asks what size the shed is on the property; the survey said 4' x 8' but it looks like an 8' x 8' shed. Mr. Indar states that it's 8 x 8, it was a typo.

Mr. Hinterstein would like an updated survey showing the existing conditions which include a deck and the new addition; applicant agrees. If the revised survey shows that the addition or deck were not built as per the prior approvals, he would have to come back to the Board for approvals. Mr. Indar states that there was not a variance needed for the deck. Mr. Hinterstein states that he needs to make sure everything is where it needs to be. Vice-Chairman Weisman states that they can approve the application with the conditions Mr. Hinterstein stated. Public portion open/closed.

MOTION was made by Vice-Chairman Steve Weisman 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, Waqar Ali and Vice-Chairman Weisman. **NO ON THE MOTION:** None.

- 10. 23-ZB-41V Raul Alarcon**
Bulk Variance
Block 809, Lot 24.01; Zone: R-7.5
97 11th Street
Applicant would like to install a 6' privacy fence on a corner lot.

VARIANCES REQUIRED:

- 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 line (Washington Avenue)

Action to be taken prior to August 16, 2023

Raul Alarcon, the applicant, is sworn in to testify on his own behalf. Mr. Alarcon states that he would like to install a 6' fence within the front yard setback. Mr. Hinterstein states asks if

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- (c) **23-ZB-30V, Jayesh & Rina Patel; Approved.**
- (d) **18-ZB-37V, 500 New Market Road, LLC; Approved.**

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

11. ADOPTION OF MINUTES FROM THE REGULAR MEETING OF APRIL 27, 2023.

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

12. ADJOURNMENT: MOTION was made by Vice-Chairman Weisman to Adjourn the meeting; second by Mr. Hayducka. **ALL IN FAVOR: Aye**

NEXT SCHEDULED MEETING IS MAY 25, 2023 AT 7:30 P.M.

The meeting was adjourned at 8:09 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 May 11, 2023 same having been fully adopted by the Zoning Board of Adjustment of Piscataway on May 25, 2023.



SHAWN CAHILL, SECRETARY
PISCATAWAY ZONING BOARD OF ADJUSTMENT