

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, MAY 27, 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, Rodney Blount, William Mitterando, Waqar Ali and Chairman Shawn Cahill, **ABSENT:** Steven Weisman

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. Both Solops applications, 21-ZB-17/18V and 21-ZB-19/20V, have been postponed until June 24, 2021 with no further notice required by the applicant.

- 5. 21-ZB-12V Javendra Patel**
Bulk Variance
Block 8301, Lot 6.07; Zone: R-10
23 Johanna Court
Applicant proposes to install a 6 foot privacy fence on an easement and also in the front yard setback of a corner lot.

VARIANCES REQUIRED:

- 21-501** Required – 25 foot rear yard setback
Proposed – 18.5 foot rear yard setback (deck) (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 a sanitary sewer easement
Proposed – a shed located over a sanitary sewer easement (existing)
- 21-619.1** Required – in a residential district, a fence located within the front yard setback line shall not be over 4 feet in height and/or consist of no more than 50 percent solid material
Proposed – a 6-foot high, vinyl fence located 1.5 feet from the property line (Fuller Avenue)
- 21-621** Required – no shed shall be constructed within 3 feet of any property line
Proposed – a shed located 2.5 feet from the rear yard property line (existing)

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, MAY 27, 2021.

Action to be taken prior to August 5, 2021

Neel Patel, the applicant's son, is here to testify on behalf of his Father. Mr. Patel states that he is authorized from his father to testify. He states that they have a sewer easement on their property and they would like to build a fence in their backyard and require a variance. They have received a copy of Mr. Hinterstein's staff memorandum and will agree to move the fence 20 feet from the curb. Mr. Hinterstein states that the applicant must be aware that if they Town needs to gain access within the easement, the applicant is responsible for removing and replacing the fence; they agree. Public portion open/closed.

MOTION was made by Chairman Cahill to approve the application; seconded by Mr. Patel. **YES ON THE MOTION:** Warren Zimmerman, Roy O'Reggio, William Mitterando, Kalpesh Patel, Waqar Ali and Chairman Cahill. **NO ON THE MOTION:** None

6. **21-ZB-13V** **Megha Patel**
 Bulk Variance
 Block 2006, Lot 11.01; Zone: R-10
 14 Linden Avenue
 Applicant would like to install a 6 foot privacy fence within the front yard setback on a corner lot.

VARIANCES REQUIRED:

- 21-619.2** Required – in a residential district, a fence located within the front yard setback line shall not be over 4 feet in height and/or consist of no more than 50 percent solid material
 Proposed – a 6-foot high, privacy fence located along the Richmond Street property line

Action to be taken prior to August 10, 2021

Megha Patel, the applicant, is sworn in to testify. Ms. Patel states that they would like to put up a fence on their property on the corner lot. She states that it's on the Richmond Street side and it'll be 10 feet from the curb but on the property line. Mr. Kinneally asks if they received a copy of Mr. Hinterstein's report stating that the fence should be moved 10 feet back from the property line. They have received it but still want the fence on the property line. Mrs. Patel states that the way she sees the property line it will not obstruct any traffic. She said there are Township trees and a parking lot towards the back so it will not obstruct anything.

Mr. Hinterstein states that it has to be 10 feet off of the property line, not the curb line. He states that the ordinance states that it should be 35 feet from the location and he is giving them 10 feet. He thinks that this is a reasonable compromise to move it back 10 feet from the property line and 20 feet from the curb line. Mrs. Patel states that there is a park back there and it wouldn't be an issue. Mr. Hinterstein states that it's a site corridor issue and the ordinance states 35 feet and the Board is willing to give her 10 feet. Chairman Cahill agrees with Mr. Hinterstein. The applicants agree. Public portion open/closed.

MOTION was made by Chairman Cahill to approve the application; seconded by Mr. Patel. **YES ON THE MOTION:** Warren Zimmerman, Roy O'Reggio, William Mitterando, Kalpesh Patel, Waqar Ali and Chairman Cahill. **NO ON THE MOTION:** None

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, MAY 27, 2021.

- 8. 20-ZB-64V Michal Murray**
Bifurcated Use & Bulk Variances
Block 3101, Lot 26.02; Zone: R-10A
611 & 616 William Street
Applicant proposes to construct a 21-unit, 3 story apartment building.

VARIANCES REQUIRED:

- 21-501** Required – use permitted in the R-10A zone
Proposed – use not permitted in the zone (apartments) *
- Required – maximum building height 35 feet
Proposed – a building, 44 feet in height *
- Required – maximum building coverage 20 percent
Proposed – 23.2 percent building coverage
- Required – maximum density, 3.36 dwelling units per acre
Proposed - 21 units per acre *

* A use variance is required – N.J.S.A. 40:55D-70d(1), d(5) and d(6) of the New Jersey Municipal land Use Law.

Action to be taken prior to May 30, 2021
Attorney: Aravind Aithal

Aravind Aithal, Attorney, is here to represent the applicant. 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: Warren Zimmerman, Roy O’Reggio, William Mitterando, Kalpesh Patel, Waqar Ali and Chairman Cahill. **NO ON THE MOTION:** None

11. ADOPTION OF RESOLUTIONS FROM THE REGULAR MEETING OF MAY 13, 2021:

- (a) **20-ZB-49V, Wael O. Hamed;** Application was Approved as revised.
- (b) **21-ZB-14V, Alexey Braginskiy;** Application was Approved.
- (c) **21-ZB-15V, Raymond & Lucille Harcar;** Application was approved.

All in Favor: Zimmerman, Kalpesh Patel, Roy O’Reggio, William Mitterando and Chairman Cahill.

12. ADOPTION OF MINUTES FROM THE REGULAR MEETING OF MAY 13, 2021

MOTION was made by Mr. Zimmerman to adopt the minutes; second by Mr. Tillery.
ALL IN FAVOR: Jeff Tillery, Steve Weisman, Mr. O’Reggio, Mr. Mitterando, Rodney Blount, Mr. Zimmerman and Chairman Cahill.

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, MAY 27, 2021.

13. ADJOURNMENT

MOTION was made by Mr. Zimmerman to Adjourn the meeting; second by Mr. Tillery.

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

NEXT SCHEDULED MEETING IS JUNE 10, 2021 AT 7:30 P.M.

The meeting was adjourned at 8:28 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 27, 2021 same having been fully adopted by the Zoning Board of Adjustment of Piscataway on June 10, 2021.



SHAWN CAHILL, SECRETARY & CHAIRMAN
PISCATAWAY ZONING BOARD OF ADJUSTMENT