

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, SEPTEMBER 10, 2020.

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 Bleich.

Chairman Bleich 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, Roy O’Reggio, Steven Weisman, Kalpesh Patel, Warren Zimmerman and Chairman Bleich. **ABSENT:** Jeff Tillery

Also present: James Kinneally, Esq., Henry Hinterstein and Laura Buckley, Recording Secretary. It was determined that a quorum was present by roll call.

4. PLEDGE OF ALLEGIANCE

Mr. Kinneally states that the following applications have been postponed:

- # 5 20-ZB-06V, Noor Kakur, has been postponed until October 8, 2020-Must notice.
- #9 20-ZB-46V, Dane Reeves, has been postponed to September 24, 2020. Newspaper Only.
- #10 20-ZB-43V, Kevin Uherek, has been postponed until September 24, 2020-No further notice.

- 6. **20-ZB-23V** **Aileen Soriano**
Bulk Variance
Block 11102, Lot 5; Zone: RR-1
989 Sunset Road
Applicant proposes to install a 20 foot by 21 foot metal carport.

VARIANCES REQUIRED:

- 21-501** Required – minimum lot area 43,000 square feet
Proposed – lot area 18,623 square feet (existing)
- Required – 200 foot lot depth
Proposed – 131 foot lot depth (existing)
- Required – 75 foot front yard setback for an accessory structure
Proposed – 54 foot front yard setback for an accessory structure (carport)
- Required – 50 foot front yard setback
Proposed – 48.5 foot front yard setback (existing)
- Required – 50 foot rear yard setback
Proposed – 35 foot rear yard setback (existing)
- Required – 25 foot side yard setback
Proposed – 20 foot side yard setback (existing)

Action to be taken prior to September 25, 2020

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, SEPTEMBER 10, 2020.

Aileen Soriano, the applicant, is sworn in to testify. Ms. Soriano states that she would like to have a variance to has a metal carport built near her house to protect her cars. Mr. Kinneally asks if she received a copy of Mr. Hinterstein’s report dated September 9, 2020; no she has not. Mr. Hinterstein states that the majority of the variances that are being sought are existing conditions. The only variances that aren’t are the proposed setback of an accessory structure which in this case is a carport. He states that it shows on the site plan drawing that the setback is 54 feet but when he took a look at the drawing, the other side of the garage was closer and it is 50 feet away from the front yard right-of-way.

Mr. Hinterstein states that his report recommends that they move the carport back just slightly so it is in line with the edge of their driveway. That would give them a setback of 53’ which is close to where they want that. He believes that will be an acceptable setback. Mr. Kinneally asks Ms. Soriano if she understands what Mr. Hinterstein is recommending. Ms. Soriano states that it is her understanding that they move it back from the front property line 53 feet. It is from the right side, that is where it was originally 50 feet. Mr. Hinterstein states that it will be in line with her pavement.

Mr. Hinterstein asks what she will be putting under the carport as a base. Ms. Soriano states that she will be putting a concrete pad underneath. Mr. Hinterstein states that is perfect. Ms. Soriano asks if she should call the Township to ask what is the proper way to build the concrete pad, if there are any regulations or rules. Mr. Hinterstein states that for a driveway there really is not, but he would recommend at a minimum for a vehicle she should use a 6 inch thick concrete pad; 4000 psi. A building permit would be required for the carport. Ms. Soriano would need to provide an updated survey showing a revised plan with the new setback at 53 feet and even with the driveway. Public portion open/closed.

MOTION was made by Mr. Weisman to approve the application; seconded by Mr. Zimmerman.
ALL IN FAVOR; ROLL CALL: Mr. Cahill, Roy O’Reggio, Steve Weisman, Kalpesh Patel, Warren Zimmerman and Chairman Bleich.

- 7. 20-ZB-36V Yun Wu**
Bulk Variance
Block 10101, Lot 2.71; Zone: R-20
61 Colson Court
Applicant proposes to install a fence within an easement.

VARIANCES REQUIRED:

- 21-501** Required – minimum lot area 20,000 square feet
Proposed – lot area 16,832 square feet (existing)
- Required – 100 foot lot width
Proposed – 60 foot lot width (existing)
- Required – 40 foot front yard setback
Proposed – 31 foot front 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
Proposed – additional structures located over the easement (existing)

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, SEPTEMBER 10, 2020.

21-613 Required – 100 foot lot frontage
Proposed – 60 foot lot frontage (existing)

Action to be taken prior to November 13, 2020

Yun Wu, the applicant, is sworn in to testify on his own behalf. Mr. Wu states that the current property has a fence and has been there for almost 30 years. Now it is broken and they would like to replace it with the same fence in the same location. Mr. Wu understands that the fence is over an easement. Mr. Kinneally states that if the Township ever needs access to that easement, the removal and replacement of that fence will be his responsibility. Mr. Wu agrees.

Mr. Hinterstein asks the applicant if he realizes that the playhouse is located within the stream encroachment area. Mr. Wu states that he did not know but they will take it down; it was put there by the previous owner. Mr. Hinterstein states that he can keep it, just move it out of that area. Mr. Wu states that they will take it down. Public portion open/closed.

MOTION was made by Mr. Cahill to approve the application; seconded by Mr. Patel.

ALL IN FAVOR; ROLL CALL: Mr. Cahill, Roy O'Reggio, Steve Weisman, Kalpesh Patel, Warren Zimmerman and Chairman Bleich.

**8. 20-ZB-40V Dawn & James Genteel
Bulk Variance
Block 7001, Lot 20: Zone: R-10
14 Runyon Avenue**
Applicant proposes to install a 6 foot privacy fence within an easement.

VARIANCES REQUIRED:

21-602 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 November 14, 2020

James Genteel, the applicant, is sworn in to testify. He states that they would like get a variance to put a fence in their yard. Mr. Kinneally asks the applicant if he is aware that part of that fence is across a sanitary easement; he is aware. Mr. Genteel states that if it needs to be taken down at any time they have no problems doing so. Mr. Kinneally states that it will be his responsibility to remove it and replace it; Mr. Genteel agrees. Public portion open/closed.

MOTION was made by Mr. Cahill to approve the application; seconded by Mr. Weisman.

ALL IN FAVOR; ROLL CALL: Mr. Cahill, Roy O'Reggio, Steve Weisman, Kalpesh Patel, Warren Zimmerman and Chairman Bleich.

***The next application, AAA Budget, is having technical issues and will be heard last.**

**12. 20-ZB-51V T-Mobile Northeast, LLC
Interpretation
Block 5301, Lot 14.04; Zone: LI-5
1551 South Washington Avenue**

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, SEPTEMBER 10, 2020.

T-Mobile Northeast (con't)

Applicant proposes and interpretation from the Zoning Officer's decision to upgrade the existing wireless telecommunication facility.

Action to be taken prior to December 28, 2020

Attorney: Frank Ferraro

Frank Ferraro, Attorney is here to represent the applicant. Court stenographer present; transcripts are on file in the Community Development Office.

MOTION was made by Mr. Cahill to approve the application; seconded by Mr. Patel;
ALL IN FAVOR; ROLL CALL: Mr. Cahill, Roy O'Reggio, Steve Weisman, Kalpesh Patel, Warren Zimmerman and Chairman Bleich.

- 11. 19-ZB-45V AAA Budget Self Storage, Inc.
 Extension of Approval
 Block 8801, Lot 57.01; Zone: GB
 1635 Stelton Road**

Applicant would like a ninety (90) day extension of time to finalize the terms of the reciprocal access, utilities easement and County approvals.

Attorney: Aiyana A. Gallardo

Aiyana Gallardo, Attorney, is here to represent the applicant. Ms. Gallardo states that they were in front of the Board in October. They are doing a subdivision on the property based on a ground lease that is going to eventually be terminated. Her client received approval for this subdivision and was memorialized on November 14, 2019 for Block 8801, Lot 57.01. In the approval there was a requirement for a reciprocal parking easement which they came back in front of the Board in February to remove that requirement.

Since then, her client who is the tenant on the ground lease and the property owner have been negotiating the reciprocal access and utility easements. Those have since been finalized and the subdivision deed has also, but the 180 day approval period has expired so they are back in front of the Board for a 90 day extension to just finalize all of those documents. Mr. Kinneally asks Ms. Gallardo if she feels that the 90 days is sufficient; she states yes. Mr. Kinneally states that if the Board feels that they have diligently pursuing all of the approvals that they need, then they should approve the application for an extension. Mr. Hinterstein does not see any issues granting the 90 day extension.

MOTION was made by Mr. Weisman to approve the application; seconded by Mr. Cahill.
ALL IN FAVOR; ROLL CALL: Mr. Cahill, Roy O'Reggio, Steve Weisman, Kalpesh Patel, Warren Zimmerman and Chairman Bleich.

13. ADOPTION OF RESOLUTIONS FROM THE REGULAR MEETING OF AUGUST 13, 2020:

- (a) **20-ZB-26V, Jody Gill;** application was approved.
- (b) **20-ZB-29V, Danyel Hutchinson;** application was approved.
- (c) **20-ZB-16V; Madhusudhan Soni & Archana Mohta;** application was approved.
- (d) **20-ZB-28V, Adam Penfield;** application was approved.

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, SEPTEMBER 10, 2020.

- (e) **20-ZB-27V, Eugene Bozzo;** application was approved.
- (f) **20-ZB-31V, Dan & Sarah Jackson;** application was approved.
- (g) **20-ZB-35V, Anton Frazier;** application was approved.
- (h) **20-ZB-24/25V, Alexander L. Bell;** application was approved.

ALL IN FAVOR: Mr. Cahill, Mr. Patel, O'Reggio, Weisman, Mr. Zimmerman and Chairman Bleich.

14. ADOPTION OF AMENDED RESOLUTION FROM THE REGULAR MEETING OF JULY 9, 2020:

- (a) **19-ZB-03/04V, 135 Fleming Street, LLC;** application was approved.

ALL IN FAVOR: Mr. Cahill, Mr. Patel, O'Reggio, Weisman, Mr. Zimmerman and Chairman Bleich.

15. ADOPTION OF MINUTES FROM THE REGULAR MEETING OF AUG. 13, 2020

MOTION was made by Mr. Cahill to adopt the minutes; second by Mr. Weisman.

ALL IN FAVOR; ROLL CALL: Mr. Cahill, Roy O'Reggio, Mr. Tillery, Steve Weisman, Kalpesh Patel and Chairman Bleich.

Chairman Bleich states that this will be his last meeting and it has been an honor and privilege to serve on this Board for all of these years.

16. ADJOURNMENT

MOTION was made by Chairman Bleich to Adjourn the meeting; second by Mr. Weisman.

ALL IN FAVOR: Mr. Cahill, Roy O'Reggio, Steve Weisman, Mr. Patel, Mr. Zimmerman and Chairman Bleich.

NEXT SCHEDULED MEETING IS SEPTEMBER 24, 2020 AT 7:30 P.M.

The meeting was adjourned at 8:08 P.M.

Respectfully Submitted,

Laura A. Buckley

Zoning Board Recording Secretary for Shawn Cahill, Secretary

I certify that the foregoing is a true and correct copy of the Minutes from the Regular Meeting of September 10, 2020 same having been fully adopted by the Zoning Board of Adjustment of Piscataway on September 24, 2020.

Shawn Cahill, SECRETARY