

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, SEPTEMBER 22, 2022.

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

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; #10, 22-ZB-74V, Sadaf Ayub Khalid has been postponed until October 13, 2022; no further notice. #13, 22-ZB-41V, 100 Lakeview Avenue Rear; postponed until October 13, 2022; applicant must notice.

5. 22-ZB-62V

Michael D. Coffelt

Bulk Variance

Block 10102, Lot 2.97; Zone: R-20

6 Gemma Court

Applicant would like to replace fence within an easement.

VARIANCES REQUIRED:

21-619.1

Required – no open space, municipal drainage way, right-of-way or easement shall be encroached upon or reduced in any manner

Proposed – a fence located over a sanitary sewer easement

Action to be taken prior to November 25, 2022

Michael and Natalia Coffelt, the applicants, are sworn in to testify on their own behalf. Mr. Coffelt states that the fence they have is starting to rot and they would like to replace it. The fence has been there a long time and they just want to replace what is there, in the easement. Mr. Kinneally states that if the Township needs to gain access to that easement it is up to the homeowner to remove and replace the fence; they agree. Public 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, Kalpesh Patel, Artie Hayduck, Rodney Blount and Chairman Cahill. **NO ON THE MOTION:** None.

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6. 22-ZB-63V Anton & Nikesha Sinckler
Bulk Variance
Block 7103, Lot 10; Zone: R-10
526 Willow Street
Applicant would like to construct an attached garage.

VARIANCES REQUIRED:

- 21-501** Required – 10 foot side yard setback
Proposed – 7.82 foot side yard setback

Action to be taken prior to December 1, 2022

Nikesha Sinckler, the applicant, is sworn in to testify on her own behalf. Ms. Sinckler states that they would like to convert the existing garage into living space and construct an attached garage. Mr. Hinterstein states that he has no concerns 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:** Steve Weisman, Jeff Tillery, Roy O'Reggio, Kalpesh Patel, Artie Hayduck, Rodney Blount and Chairman Cahill. **NO ON THE MOTION:** None.

7. 22-ZB-71V Ashok Azhagiri
Bulk Variance
Block 8207, Lot 33; Zone: R-10
40 Fuller Avenue
Applicant would like to retain existing in-ground pool.

VARIANCES REQUIRED:

- 21-501** Required – 25 foot rear yard setback
Proposed – 15.5 foot rear yard setback (steps) (existing)
- Required – maximum building coverage 20 percent
Proposed – 21.4 percent building coverage (existing)

- 21-617** Required – a pool shall not be installed within 10 feet of any side or rear yard property line
Proposed – a pool located 6.5 feet from the rear yard property line (existing)

Action to be taken prior to December 11, 2022

Ashok Azhagiri, the applicant, is sworn in to testify on his own behalf. Mr. Azhagiri states that they are selling the home and were told that the pool is too close to the property line. He states that the pool was there when they purchased the home in 2005. Mr. Hinterstein asks about the shed on the survey; it has been removed. Mr. Hinterstein states that there were no permits applied for for the pool at time of construction. If approved, they need to obtain all permits from the Town. Chairman Cahill asks if anyone else from the Board has any questions or comment; none. 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, Kalpesh Patel, Artie Hayduck, Rodney Blount and Chairman Cahill. **NO ON THE MOTION:** None.

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8. **22-ZB- 66V** **Manvinder Jangi**
 Bulk Variance
 Block 3603, Lot1; Zone: R-10
 3 Wisteria Court
 Applicant would like to construct a roof over existing deck.

VARIANCES REQUIRED:

- 21-501** Required – 25 foot rear yard setback
 Proposed – 20 foot rear yard setback (deck/roof)
- 21-601** Required – no open space, municipal drainage way, right-of-way or easement shall be encroached upon or reduced in any manner
 Proposed – stone pillar located within the right-of-way (existing)

Action to be taken prior to December 12, 2022

Manvinder Jangi, the applicant, is sworn in to testify on her own behalf. She states that they would like to put a 16' x 16' roof over the existing deck. Mr. Hinterstein states that if the Board does approve the roof, it can never be enclosed; she agrees. Mr. Hinterstein states that there are pillars in the right-of-way in the front yard. He does not see an issue with their location. 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, Kalpesh Patel, Artie Hayduck, Rodney Blount and Chairman Cahill. **NO ON THE MOTION:** None.

9. **22-ZB-70V** **Richard & Elizabeth Snyder**
 Bulk Variance
 Block 7916, Lot 16.01; Zone: R-10
 324 Metlars Lane
 Applicant would like to convert part of existing garage into a bathroom and mudroom.

VARIANCES REQUIRED:

- 21-501** Required – 35 foot front yard setback
 Proposed – 30 foot front yard setback (Metlars Lane) (existing)
 Proposed – 29.5 foot front yard setback (Chester Way) (existing)
- Required – 25 foot rear yard setback
 Proposed – 15.3 foot side yard setback (existing)
 Proposed – 20 foot rear yard setback (deck) (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, solid fence located partially within the front yard setback line (Chester Way) (existing)
- 21-621** Required – no shed shall be constructed within 3 feet from the property line
 Proposed – a shed located 1.2 feet from the property line (existing)

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24-702.3 Required -- a garage must measure at least 12 feet in width by 20 feet in length with no obstructions
Proposed -- a garage 13.62 feet in width by 13.41 feet in length

*The property is a corner lot. The opposite of the shortest street frontages is considered the rear yard.

Action to be taken prior to December 14, 2022
Attorney: John Wiley

John Wiley, Attorney, is here to represent the applicant. He states that the applicants are here because they would like to convert part of the garage into living space; a bathroom and mudroom. They are required to have 12' x 20' for the garage and will only have 13.62' x 13.4'. There is a small shed that is too close to the property line and a few existing conditions. Elizabeth Snyder, applicant, is sworn in to testify. She states that she closed on the home June 30, 2021. They are in need of a second bathroom, the current home only has one bathroom and three bedrooms. There was a fence that was installed, by permit, a 4' fence. The shed is where it was when they purchased the property. They do not want to change the footprint, they just need another bathroom. There is not a basement in the home.

The driveway can hold up to six (6) vehicles. Mr. Wiley asks where the front door is located; it is on Metlars Lane. Ms. Snyder states that the only thing missing from her home was a second bathroom; she hired an architect and here they are. She only uses the garage for storage, has enough parking for the cars. Mr. Hinterstein states that he doesn't have any issues with this application, the only concern he had were pre-existing. The driveway being able to handle the cars was his main concern. No further questions or comments. 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, Kalpesh Patel, Artie Hayduck, Rodney Blount and Chairman Cahill. **NO ON THE MOTION:** None.

11. 22-ZB-35/36V JR Ventures, LLC
Preliminary & Final Site Plan; Bulk & Use Variances
Block 813, Lot 1.05; Zone: LI-1
136 11th Street
Applicant would like to have outside storage containers and setbacks for accessory structures.

VARIANCES REQUIRED:

21-501 Required -- use permitted in zone
Proposed -- use not permitted in zone (trailers/containers for long-term use) *

Required -- 25 foot side yard setback
Proposed -- 24.62 foot side yard setback (existing)

Required -- 25 foot rear yard setback for an accessory structure
Proposed -- 8.9 foot rear yard setback for an accessory structure

Required -- 25 foot side yard setback for an accessory structure
Proposed -- 4.4 foot side yard setback for an accessory structure

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21-1102 Required – 68 parking spaces
Proposed – 42 parking spaces

*A use variance is required.

**The applicant must comply with the State’s Municipal Electric Vehicle Ordinance.

Action to be taken prior to September 24, 2022
Attorney: Tim Arch

Tim Arch, 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. Blount. **YES ON THE MOTION:** Steve Weisman, Jeff Tillery, Roy O’Reggio, Kalpesh Patel, Artie Hayduck, Rodney Blount and Chairman Cahill. **NO ON THE MOTION:** None.

12. 22-ZB-40V Christopher Armato
Certificate of Non-Conformity; Use Variance
Block 6914, Lot 9; Zone: R-10
416 Plainfield Avenue
Applicant would like to continue the use of a multi-family home.

VARIANCES REQUIRED:

21-501 Required – single-family residential use
Proposed – multi-family use *

*The applicant is seeking a certification of non-conforming use or in the alternative, a use variance.

Action to be taken prior to September 24, 2022
Attorney: Tim Arch

Tim Arch, 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. Hayducka. **YES ON THE MOTION:** Steve Weisman, Jeff Tillery, Roy O’Reggio, Kalpesh Patel, Artie Hayduck, Rodney Blount and Chairman Cahill. **NO ON THE MOTION:** None.

14. ADOPTION OF RESOLUTIONS FROM THE REGULAR MEETING OF SEPT. 8, 2022:

- (a) 22-ZB-56V, Jim Mosier; Approved.
- (b) 22-ZB-51V, Aminah Lassiter; Approved.
- (c) 22-ZB-59V, Jon Fritz; Approved.
- (d) 22-ZB-58V, Ramesh Mehta; Approved.
- (e) 22-ZB-57V, Viren Patel; Approved.

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- (f) 22-ZB-67V, Richard Jones & Cynthia Magno-Jones; Approved.
- (g) 22-ZB-14V, Murkoth & Mini Mijaya-Sankar; Approved.
- (h) 22-ZB-11/12V, D. F. Osborne Construction; Amended.

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

15. ADOPTION OF MINUTES FROM THE REGULAR MEETING OF SEPT. 8, 2022.

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

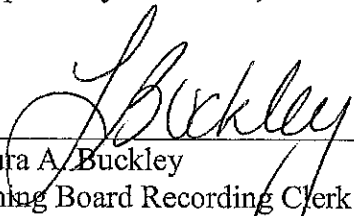
16. ADJOURNMENT

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

NEXT SCHEDULED MEETING IS SEPTEMBER 22, 2022 AT 7:30 P.M.

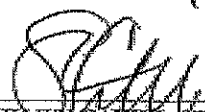
The meeting was adjourned at 8:41 P.M.

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 September 22, 2022 same having been fully adopted by the Zoning Board of Adjustment of Piscataway on October 13, 2022.



SHAWN CAHILL, SECRETARY
PISCATAWAY ZONING BOARD OF ADJUSTMENT