

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, NOVEMBER 12, 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 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: Steven Weisman, Roy O'Reggio Kalpesh Patel, Warren Zimmerman and Chairman Shawn Cahill, **ABSENT:** Jeff Tillery

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. Fusan Li, 1795 Oliver Street, has been postponed until December 10, 2020; applicant must notice. Also, Lynn Scala, 26 Seward Avenue has been postponed to December 10, 2020; no further notice is required by the applicant.

**5. 20-ZB-47V Ibrahim Abdelsayed
Bulk Variance
Block 1214, Lot 27.01; Zone: R-10
161 Johnson Avenue**

Applicant proposes to construct a two-story side and rear yard addition to an existing single family home; 6' fence on a corner lot.

VARIANCES REQUIRED:

- 21-501** Required – minimum lot area 10,000 square feet
Proposed – lot area 9,539 square feet (existing)
- Required – 100 foot lot width
Proposed – 85.53 foot lot width (existing)
- Required – 35 foot front yard setback
Proposed – 25.15 foot front yard setback (William Street)
Proposed - 28 foot front yard setback (steps - Johnson Avenue) (existing)
- Required – 25 foot rear yard setback
Proposed – 21.4 foot rear yard setback
- Required – maximum building coverage 20 percent
Proposed – 22.6 percent building coverage
- 21-613** Required – 100 foot lot frontage
Proposed – 85.53 foot lot frontage (existing)

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- 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 wooden fence located along the William Street frontage

Action to be taken prior to December 10, 2020

Ibrahim Abdelsayed, the applicant, is here. He was sworn in at the prior hearing, him and his wife, so they are still sworn in. Mr. Abdelsayed would like to introduce his architect, Souleymane Dembele, who is still sworn in from the prior hearing. Mr. Dembele states that there have been some changes to the plan and shares his screen with the Board. He states that previously the setback had been 25 feet where 35 feet is required, they have pushed the addition back to 30 feet and made it even with the other home. The building coverage has increased since they went out a little further in the rear yard. The fence will be moved back 10 feet from the property line as requested on the William Street side.

Mrs. Abdelsayed states that she needs the space. They are all working from home; remote learning for the four children and they need the space. They were thinking about moving, but their children like the school system and don't want to leave. Mr. Hinterstein states that the coverage is still large. He understands the need for space but there needs to be a compromise to reduce the coverage. They reduced the setback but made the building coverage higher. He hasn't seen any planning proofs that there is a hardship. Mr. Dembele states that they need the room. The building coverage was originally 22.6% and they have increased it slightly to 23%. He was under the assumption from the last meeting that if they moved the setback back, there wouldn't be an issue.

Mr. Abdelsayed states that he wants a clear description from the Board as to what exactly they are looking for. They were told to move the addition back and they did. The percentage of coverage really wasn't discussed to much at the last meeting. Mr. Hinterstein states that in reducing the setback he thought that the coverage would have been reduced, not increased. They will reconfigure the plan and resubmit the plans at a reduced building coverage. The application will be heard at the next meeting, December 10, 2020 at 7:30 pm; no further notice will be required from the applicant.

- 6. 20-ZVB-65V Ilia Scriven**
Bulk Variance
Block 7507, Lot 16; Zone: R-15
952 E. Lincoln Avenue
Applicant proposes to install a 6 foot privacy fence within an easement.

VARIANCES REQUIRED:

- 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 municipal easement

- 21-501** Required – minimum lot area 15,000 square feet
Proposed – lot area 11,830 square feet (existing)

Required – 100 foot lot width
Proposed – 91 foot lot width (existing)

Required – 40 foot front yard setback
Proposed – 38 foot front yard setback (existing)

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21-613 Required – 100 foot lot frontage
Proposed – 91 foot lot frontage (existing)

Action to be taken prior to January 23, 2021

Ilia Scriven and Cheryl Scriven, the applicants, are sworn in to testify on their own behalf. Mr. Scriven states that they would like to put up a 6 foot fence in their yard. The fence is within a 30 foot easement on the property. Mr. Kinneally asks if they have seen Mr. Hinterstein’s report; they have and will comply. If access to the easement is ever necessary, it is up to the applicant to remove and replace the fence. Public portion open/closed.

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

7. **20-ZB-66V** **Dennis & Shana Johnson**
Bulk Variance
Block 8208, Lot 24. Zone: R-10
51 Gramercy Drive
Applicant proposes to install a 6 foot 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 a municipal easement

Action to be taken prior to February 5, 2021

Dennis & Shana Johnson, the applicants, are sworn in to testify on their own behalf. Mr. Johnson states that they would like to change the chain link fence that is currently there and put up a 6’ privacy fence in the back over the 10’ easement. Mr. Kinneally asks if they have received a copy of Mr. Hinterstein’s report; they have and will comply. If access to the easement is ever necessary, it is up to the homeowner to remove and replace the fence. Public portion open/closed.

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

10. **20-ZB-48V** **2 Miller Realty, LLC**
Certificate of Non-Conformity; Use Variance
Block 104, Lot 51.01; R-7.5 Zone
2 Miller Street
Applicant would like to continue the use of the home as a four family house.

VARIANCES REQUIRED:

21-501 Required – use permitted in zone
Proposed – use not permitted in zone (four-family use) *

Attorney: Richard Mongelli
Action to be taken prior to January 1, 2021

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Richard Mongelli, 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.

ROLL CALL: Steve Weisman, Kalpesh Patel, Roy O’Reggio, Warren Zimmerman and Chairman Cahill.

- 11. 20-ZB-41/42V M & M Partners at Piscataway, LLC
Preliminary & Final Site Plan; Bulk & Use Variance
Block 5701, Lot 2; Zone: RR-1
1690 S. Washington Avenue**
Applicant proposes to construct two warehouse buildings.

VARIANCES REQUIRED:

21-501 Required – use permitted in a residential zone
Proposed – use not permitted in the zone (warehouse) *

Required – maximum building coverage 20 percent
Proposed – 33.6 percent building coverage

Required – maximum building height 35 feet
Proposed – building height, 49.55 feet *

21-1102 Required – 738 parking spaces
Proposed – 363 parking spaces

21-1201 Required – no free-standing signs in a residential zone
Proposed – two free-standing signs (48 square feet in area, 6 feet high and located 10 feet and 13.5 feet from the property line)

* A variance is required pursuant to N.J.S. 40:55D-70d(1) and 40:55D-70d(6).

**Attorney: Douglas Wolfson
Action to be taken prior to January 12, 2021**

Douglas Wolfson, Attorney, is here to represent the applicant. Court Stenographer present; transcripts are on file in the Community Development Office. No vote; the application will be continued with no further notice on December 10, 2020.

12. Discussion and possible adoption of the 2021 Zoning Board Calendar.

MOTION was made by Chairman Cahill to Approve the 2021 Zoning Board Calendar; seconded by Mr. Patel. **ROLL CALL:** Steve Weisman, Kalpesh Patel, Roy O’Reggio, Warren Zimmerman and Chairman Cahill.

13. ADOPTION OF RESOLUTION FROM THE REGULAR MEETING OF SEPT. 24, 2020:

- (a) **20-ZB-09/10V; Equity Land Group;** application was approved. N/A
Resolution will be adopted at the next meeting of December 10, 2020

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14. ADOPTION OF RESOLUTIONS FROM THE REGULAR MEETING OF OCT. 22, 2020:

- (a) **20-ZB-67V, Star Hotels, LLC;** application was approved.
- (b) **20-ZB-38/39V, Francis Parker Memorial Home;** application was approved.
- (c) **19-ZB-69V, James Livingston;** application was denied.

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

15. ADOPTION OF MINUTES FROM THE REGULAR MEETING OF OCT. 22, 2020

MOTION was made by Mr. Zimmerman to adopt the minutes; second by Mr. Patel.

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

16. ADJOURNMENT

MOTION was made by Mr. Zimmerman to Adjourn the meeting; second by Mr. O'Reggio.

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

NEXT SCHEDULED MEETING IS DECEMBER 10, 2020 AT 7:30 P.M.

The meeting was adjourned at 11:10 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 November 12, 2020 same having been fully adopted by the Zoning Board of Adjustment of Piscataway on December 10, 2020.

Shawn Cahill, Secretary & Chairman