

**MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, DECEMBER 8, 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, William Mitterando, Jeff Tillery, Kalpesh Patel Steven Weisman, Waqar Ali, Rodney Blount & Artie Hayducka. **ABSENT:** Roy O'Reggio

**Also present:** James Kinneally, Esq., John Chadwick, PP, 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 some changes to tonight's agenda; #6, 22-ZB-78V, Kenneth Mazariegos, postponed to January 12, 2023 with no further notice. #7, 22-ZB-91V, NYSMSA, postponed until January 12, 2023-will re-notice. # 8, 22-ZB-41V, 100 Lakeview, postponed until January 26, 2023-no further notice. # 11, 22-ZB-92V, Jonathan Stuhl, postponed until January 12, 2023-No further notice. #12, 22-ZB-84V, Frank Barber, Postponed until January 12, 2023; no further notice is required.

- 5. 22-ZB-86V Kevin P. Wilson**  
**Bulk Variance**  
**Block 6911, Lot 26; Zone: R-10**  
**707 Sunbrite Lane**  
Applicant would like to construct a front porch with roof and retain existing covered deck in rear yard.

**VARIANCES REQUIRED:**

- 21-501** Required – 35 foot front yard setback  
Proposed – 28 foot front yard setback (porch)  
Proposed – 24.33 foot front yard setback (steps)
- Required – 25 foot rear yard setback  
Proposed – 11.45 foot rear yard setback (existing)
- Required – maximum building coverage 20 percent  
Proposed – 25.2 percent building coverage

**Action to be taken prior to February 16, 2023**

Kevin Wilson, the applicant, is sworn in to testify on his own behalf. Mr. Wilson would like to construct a covered front porch but with the zoning issues, they will just do a platform with a set of steps going down; they would like to keep the back patio cover.

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Mr. Hinterstein states that when the applicant was here last time, he was here for a pretty large covered porch that protruded into the front yard setback quite substantially. With the existing rear patio cover (roof) the building coverage was over 25%. He spoke to Mr. Wilson and went over some of the issues with the application and they agreed to a front porch with the landing at 33 feet and the steps are at 29 feet; they will keep the roof in the rear. Mr. Hinterstein states that the coverage will now be 23.5% and there are no other issues with the application.

Chairman Cahill asks if any of the Board members have any questions; none. Public portion open: #1, Joanna Drennan, neighbor, is sworn in to testify. They are very lucky to have them in the neighborhood and has no issues with the application. Public closed.

**MOTION** was made by Chairman Cahill to approve the application; seconded by Mr. Patel. **YES ON THE MOTION:** Steve Weisman, Jeff Tillery, Rodney Blount, Artie Hayduck, Kalpesh Patel, Bill Mitterando and Chairman Cahill. **NO ON THE MOTION:** None.

9.      **22-ZB-90V**                      **Michael Kearns**  
                                                 **Bulk Variance**  
                                                 **Block 2607, Lot 6.02; Zone: R-10**  
                                                 **191 Dunellen Avenue**  
                                                 Applicant would like to retain fence and shed within an  
                                                 easement; setback for shed.

**VARIANCES REQUIRED:**

- |                        |                                                                                                                                                                                      |
|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><u>21-501</u></b>   | Required – 100 foot lot width<br>Proposed – 95.24 foot lot width (existing)                                                                                                          |
| <b><u>21-613</u></b>   | Required – 100 foot lot frontage<br>Proposed – 95.24 foot lot frontage (existing)                                                                                                    |
| <b><u>21-619.1</u></b> | Required – no open space, municipal drainage way, right-of-way or easement shall be encroached upon or reduced in any manner<br>Proposed – a fence and shed located over an easement |
| <b><u>21-621</u></b>   | Required – no shed shall be constructed within 3 feet from the property line<br>Proposed – a shed located 2.5 feet from each property line (existing)                                |

**Action to be taken prior to March 1, 2023**

Michael Kearns, the applicant, is sworn in to testify on his own behalf. He states that he has a fence and shed that are in the easement that was installed 33 years ago and didn't know that he was in violation. 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 the shed or fence; he agrees. Mr. Hinterstein has no issues 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, Rodney Blount, Artie Hayduck, Kalpesh Patel, Bill Mitterando and Chairman Cahill. **NO ON THE MOTION:** None.

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- 10. 22-ZB-21V Calvin Somrah  
Bulk Variance  
Block 303, Lot 50.01; Zone: R-7.5  
1807 W. 5<sup>th</sup> Street**  
Applicant would like to construct a two-story addition, roof over front porch and 6' fence in the front yard.

**VARIANCES REQUIRED:**

- 21-501** Required – minimum lot area 7,500 square feet  
Proposed – lot area 5,549 square feet (existing)
- Required – 75 foot lot width  
Proposed – 61.65 foot lot width (existing)
- Required – 25 foot front yard setback  
Proposed – 15.3 foot front yard setback (covered porch/steps)
- Required – 25 foot rear yard setback  
Proposed – 20 foot rear yard setback  
Proposed – 16 foot rear yard setback (steps) (existing)
- Required – 8 foot rear yard setback for an accessory structure  
Proposed – 6 foot rear yard setback for an accessory structure
- Required – maximum building coverage 20 percent  
Proposed – 28.15 percent building coverage
- 21-613** Required – 75 foot lot frontage  
Proposed – 61.65 foot lot frontage (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 within the front yard setback line (existing)
- 21-621** Required – no shed shall be constructed within 3 feet from any property line  
Proposed – a shed located 1 ½ feet from the side yard property line (existing)

**Action to be taken prior to December 22, 2022**

Kalvin Somrah, the applicant, is sworn in to testify on his own behalf. He states that he is here for an addition on his home; he has revised the plans since the last meeting. He moved it in three feet and spoke to Henry about it over the phone. Mr. Hinterstein states that the revised plans did scale down the addition; approximately two feet. The coverage went to 26.15% which is 2 percent less than originally proposed. He would like him to get rid of the canopy in the back, but he can keep the shed but has to be limited to just the shed, to adding and roofs to extend it.

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Mr. Hinterstein states that he needs to agree to remove the canopy and move the fence back 8 feet; he would have no other issues. By removing the canopy, the coverage will now be at 24.35% which is better than the 28.15% they started with. Mr. Somrah states that he already moved the fence but does want to keep the canopy for the summertime. He would like to make the addition smaller and keep the canopy. Applicant will come back on January 26, 2023 with new plans. No further notice is required.

- 13. 22-ZB-85                      Macedonia Freewill Baptist Church  
Final Major Subdivision  
Block 10514, Lots 15.05, 15.08, 31.03; R-7.5  
Ludlow/Highland/Roosevelt  
Final Major Subdivision.  
Action to be taken prior to March 9, 2023  
Attorney: Diane Dabulas**

Diane Dabulas, Attorney, is here to represent the applicant. Ms. Dabulas states that they are here for final major subdivision approval. They were in front of the Board in April of 2021 and the Board granted preliminary final approval. Chairman Cahill asks the Board if they have any questions. Mr. Hinterstein states that for final major all the conditions of the resolution of the approval have been met. Public portion open/closed.

**MOTION** was made by Chairman Cahill to approve the application; seconded by Mr. Hayducka. **YES ON THE MOTION:** Steve Weisman, Jeff Tillery, Rodney Blount, Artie Hayduck, Kalpesh Patel, Bill Mitterando and Chairman Cahill. **NO ON THE MOTION:** None.

- 14. 22-ZB-93V                      Infinity Biologix, LLC d/b/a Sampled  
Use Variance  
Block 6201, Lot 4.02; Zones: LI-5 & BP-1  
30 Knightsbridge Road**

**VARIANCES REQUIRED:**

**21-501**                      Required – maximum building height 50 feet  
Proposed – a building 50 feet in height with mechanical equipment 14 feet 10 inches for a total height of 64 feet 10 inches \*

\*A use variance is required per N.J.S.A. 40:55D-70(D)(6).  
\*\*Variances were previously granted under Application #21-PB-38/39V

**Action to be taken prior to March 16, 2023  
Attorney: Michael Butler**

Michael Butler, 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:** Steve Weisman, Jeff Tillery, Rodney Blount, Artie Hayduck, Kalpesh Patel, Bill Mitterando and Chairman Cahill. **NO ON THE MOTION:** None.

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**15. ADOPTION OF RESOLUTIONS FROM THE REGULAR MEETING OF NOVEMBER 10, 2022:**

- (a) 22-ZB-65V, Ann Miloscia; Approved.
- (b) 22-ZB-88V, New Cingular, Ethel Road; Approved.
- (c) 22-ZB-89V, New Cingular, Centennial Avenue; Approved.
- (d) 22-ZB-77V, Safillah Faizullah; Approved.
- (e) 22-ZB-61V, Chetna Bakshi; Approved.
- (f) 20-ZB-38/39V, Francis Parker Memorial Home; Extension, Approved.

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

**16. ADOPTION OF MINUTES FROM THE REGULAR MEETING OF NOV. 10, 2022.**

**MOTION** was made by Chairman Cahill to adopt the minutes; second by Blount.

**All in Favor:** Mr. Weisman, Mr. Tillery, Mr. Blount, Mr. Hayducka, Waqar Ali and Chairman Cahill.

**17. ADJOURNMENT**

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

**ALL IN FAVOR: Aye**

**NEXT SCHEDULED MEETING IS JANUARY 12, 2023 AT 7:30 P.M.**

The meeting was adjourned at 8:40 P.M.

Respectfully Submitted,

  
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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 December 8, 2022 same having been fully adopted by the Zoning Board of Adjustment of Piscataway on January 12, 2023.**

  
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SHAWN CAHILL, SECRETARY  
PISCATAWAY ZONING BOARD OF ADJUSTMENT