

MINUTES OF THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF PISCATAWAY TOWNSHIP HELD ON THURSDAY, DECEMBER 9, 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: Chairman Shawn Cahill, Warren Zimmerman, Roy O'Reggio, Waqar Ali, Steven Weisman, Kalpesh Patel, Rodney Blount, William Mitterando. **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; # #8 on the agenda, 21-ZB-22V, AWAD Construction, has been postponed until January 13, 2022 with no further notice required. # 7, 21-ZB-43V, Bala Subramanian, postponed until Feb. 10, 2022; no further notice required.

5. 21-ZB-70V

**NYSMSA d/b/a Verizon Wireless
Appeal of Zoning Officer's Decision; Interpretation
Block 813, Lot 6.01; Zone: LI-1
180 12th Street**
Verizon seeks to add certain antennas and related equipment to an existing facility.

**Action to be taken prior to February 18, 2022
Attorney: Edward Purcell**

Edward Purcell, Attorney, is here to represent the applicant. Mr. Purcell states that they are here for Verizon Wireless to update the existing equipment located at 180 12th Street. Mr. Kinneally states that the Board has had many of these applications in the past two years. The Board does not even need to hear witness testimony. Can he represent that there are no variances necessary or created by the new equipment. Mr. Purcell states that is correct; it is not any wider or any taller and must be approved. There are no new variances and not extending the height of the tower over 140 feet; correct. Nothing is being expanded on the floor.

Chairman Cahill asks if there are any questions from the Board; none. Mr. Kinneally states that they have a resolution drawn up for adoption if the Board approves this matter. The applicant must comply with any prior conditions in the previous approved resolutions for the property; Mr. Purcell agrees.

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

6. **21-ZB-71V** **Daniel Mucisko**
 Bulk Variance
 Block 6411, Lot 26; Zone: R-20
 164 Buttonwood Drive
 Applicant proposes to construct a rear yard addition with deck and patio and also to reconstruct an accessory building on an undersized lot.

VARIANCES REQUIRED:

- 21-501** Required – minimum lot area 20,000 square feet
 Proposed – lot area 13,454 square feet (existing)
- Required – 100 foot lot width
 Proposed – 61.46 foot lot width (existing)
- Required – 150 foot lot depth
 Proposed – 110.24 foot lot depth (existing)
- Required – 40 foot front yard setback
 Proposed – 26.95 foot front yard setback (existing)
- Required – 15 foot side yard setback
 Proposed – 11.92 foot side yard setback (existing)
- 21-613** Required – 100 foot lot frontage
 Proposed – 61.46 foot lot frontage (existing)

Action to be taken prior to February 5, 2021

Daniel Mucisko, the applicant, is sworn in to testify on his own behalf. Mr. Mucisko states that he would like to replace an existing deck and replace the existing shed with a larger shed. Mr. Kinneally states that he is here because he has an undersized lot. All of the variances are existing due to the undersized nature of the lot. Mr. Hinterstein agrees. Chairman Cahill asks if there are any questions from the Board; none. 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 Rodney Blount, Steven Weisman, William Mitterando, Kalpesh Patel and Chairman Cahill. **NO ON THE MOTION:** None.

9. **21-ZB-16V** **28 Howard Street, LLC**
 Ext. of Time Request
 Block 1102, Lot 51.01; Zone: M-1 & R-7.5
 28 Howard Street
 Applicant requests an addition six (6) month extension of time.
- Attorney: Jason Hawrylak**

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Jason Hawrylak, Attorney, is here on behalf of the applicant. Mr. Kinneally states that the applicant is here because they have previously received a temporary use permit. They are running out of time for their temporary use and are still in process of preparing their site plan and would like an extension. Mr. Hawrylak asks for a six (6) month extension of time for their temporary use. Chairman Cahill asks if there are any questions or comments from the Board; none. Public portion open/closed.

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

- 10. 21-ZB-40V Leonardo & Margarita Fitipaldi
Use & Bulk Variances
Block 2701, Lot 22; Zone: R-20
510 William Street
Applicant would like to legalize a non-conforming, existing three family home.**

VARIANCES REQUIRED:

- 21-501** Required – use permitted in zone
Proposed – use not permitted in zone (three-family use) *
- Required – minimum lot area 20,000 square feet
Proposed – lot area 19,514 square feet (existing)
- Required – 100 foot lot width
Proposed – 39.63 foot lot width (Wagner Avenue) (existing)
- 21-613** Required – 100 foot lot frontage
Proposed – 39.63 foot lot frontage (Wagner Avenue) (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, stockade 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 partially located over the property line (existing)

*A use variance is required.

**The home was constructed in 1919; therefore a garage is not required as per 21-1102 of the Zoning Ordinance.

**Action to be taken prior to January 26, 2022
Attorney: Richard Kaplan**

Richard Kaplan, Attorney, is here to represent the applicant. Court Stenographer present; transcripts are on file in the Community Development Office.

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

- 11. 21-ZB-50/51V 225 Old New Brunswick Road, LLC**
Preliminary & Final Site Plan, Use & Bulk Variances
Block 4701, Lot 1; Zone: LI-5
225 Old New Brunswick Road
Applicant proposes to renovate existing building and construct two additional buildings which will be one story self-storage facilities.

VARIANCES REQUIRED:

- 21-501** Required – use permitted in a LI-5 (industrial) zone
Proposed – use not permitted in the zone (self-storage) *
- Required – 300 foot lot width
Proposed – 242.52 foot lot width (New England Ave) (existing)
- Required – maximum building height 50 feet
Proposed – a building 51 feet in height (existing)
- Required – 80 foot front yard setback
Proposed – 79.97 foot front yard setback (Old New Brunswick Rd) (existing)
- 21-1101.2** Required – parking may be located in the front yard area but not closer than 25 feet to the street line in industrial zones
Proposed – parking located less than 25 feet to the street line
- 21-1102** Required – 327 parking spaces
Proposed – 141 parking spaces
- 21-1103(d)** Required – four electric vehicle charging stations
Proposed – no electric vehicle charging stations

*A use variance is required.

**There is no signage proposed. Any signage must comply with 21-1203 of the zoning ordinance.

Action to be taken prior to March 15, 2022
Attorney: Peter Lanfrit

Peter Lanfrit, Attorney, is here to represent the application. 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. Zimmerman. **YES ON THE MOTION:** Warren Zimmerman, Roy O’Reggio Rodney Blount, Steven Weisman, William Mitterando, Kalpesh Patel and Chairman Cahill. **NO ON THE MOTION:** None.

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12. ADOPTION OF RESOLUTIONS FROM THE REGULAR MEETING OF NOV. 4, 2021:

- (a) **21-ZB-64V, Abdul Karim Dawan & Hadiyah Finney; Approved.**
- (b) **21-ZB-66V, Arturo Jubido; Approved.**

All in Favor: Warren Zimmerman, Steve Weisman, Roy O'Reggio, William Mitterando, Waqar Ali, Chairman Cahill.

13. ADOPTION OF MINUTES FROM THE REGULAR MEETING OF NOV. 4, 2021

MOTION was made by Mr. Weisman to adopt the minutes; second by Mr. Zimmerman.
All in Favor: Zimmerman, Steve Weisman, Roy O'Reggio, William Mitterando, Rodney Blount and Chairman Cahill.

14. ADJOURNMENT

MOTION was made by Mr. Zimmerman to Adjourn the meeting; second by Mr. Patel.
ALL IN FAVOR: Rodney Blount, Kalpesh Patel, Mr. O'Reggio, Mr. Mitterando, Steven Weisman, Mr. Zimmerman and Chairman Cahill.


REORGANIZATION MEETIN IS JANUARY 13, 2022 AT 7:15 P.M.

NEXT SCHEDULED MEETING IS JANUARY 13, 2022 AT 7:30 P.M.

The meeting was adjourned at 9:01 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 December 9, 2021 same having been fully adopted by the Zoning Board of Adjustment of Piscataway on January 13, 2022.



SHAWN CAHILL, SECRETARY
PISCATAWAY ZONING BOARD OF ADJUSTMENT