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**PLANNING BOARD**

375 New Brunswick Ave.  
Perth Amboy, New Jersey 08861

Mr. Clifford Gibbons, Esq.  
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**MINUTES OF THE MEETING  
CITY OF PERTH AMBOY  
PLANNING BOARD**

**WEDNESDAY, MAY 5, 2010**

The regular meeting was called to order at 7:00 P.M. by Vice Chairperson Karen Kubulak.

Salute to the flag (Pledge of Allegiance was said).

Vice Chairperson of the Perth Amboy Planning Board, Karen Kubulak, advised the audience that notice of this meeting has been published in The Home News & Tribune and listed on the City of Perth Amboy's web page at [www.ci.perthamboy.nj.us](http://www.ci.perthamboy.nj.us). Notice has been posted on the bulletin board in the City Clerk's office, indicating that tonight's meeting is being held at the Council Chambers, City Hall, 260 High Street, at 7:00 p.m.

**ROLL CALL:**

**Those present:** Vice Chairperson Karen Kubulak, Mrs. Geri Barcheski, Ms. Christine Dispenziere, Mr. Kurt Rebovich Jr., Mr. David Szilagyi, and Mr. Thomas Ward.

**Those absent:** Chairperson Maria Garcia, Mrs. Sharon Nagy-Johnson - Secretary, Mr. Fernando Gonzalez - Councilman, and Mayor Wilda Diaz; Mr. Edward T. Higgins - resigned.

**Planning Board Staff present at the meeting:**

Clifford Gibbons, Esq.  
Ernest W. Feist, P.E., P.P.  
Iwona H. Cwiek, Recording Secretary

Mr. Rebovich made a motion and was seconded by Mr. Szilagyi to appoint Ms. Barcheski as an acting Board's Secretary for today's meeting. All members present were in favor.

**TOPICS FOR DISCUSSION:** none

**APPLICATIONS:**

**Docket No. 2921**                      **Clear Wireless, LLC** – has been carried to the next meeting; no further notice required.

Mr. Szilagyi made a motion to approve to carry the application to the next meeting and the motion was so moved and seconded by Mr. Ward. The motion was voted on and approved by the vote of 6 (Ms. Kubulak, Ms. Barcheski, Ms. Dispenziere, Mr. Rebovich, Mr. Szilagyi and Mr. Ward).

**Docket No. 2922**                      **Housing Authority of the City of Perth Amboy**  
618 New Brunswick Avenue  
Block 192; Lot 1; Zone S-2B

This applicant is requesting for preliminary and final major site plan approval. The applicant is proposing to construct eighty four (84) dwelling units.

This application was approved on January 2, 2008, Docket No. 2875 C.I.R.

Vice Chairperson Kubulak stated that present application was approved by the Perth Amboy Redevelopment Agency on May 4, 2010.

Mr. Edward Testino, Esq. is representing the applicant. He submitted an affidavit of publication and affidavit of service prior to the meeting. Mr. Testino also submitted Exhibit A1 – Copy of the resolution of the PARA approving the project.

Mr. Testino calls his first witness Mr. Douglas Dzema, Executive Director of Housing Authority of the City of Perth Amboy. He is sworn-in by Mr. Gibbons, Esq. Mr. Dzema gave a general overview on the proposed Housing Authority project, which will contain 84 affordable housing units for the senior citizens age 62 and up: (80) 1-bedroom and (4) 2-bedroom apartments; 12 units will be handicap accessible; 34 units will be ACC Public Housing. They were granted 1 million dollars from Middlesex Freeholders and 6 million tax credits – stimulus money of which 30% they need to spend this year. They also have funds from the sale of the Delaney Housing project. There will be a total of thirty-one (31) off-street parking spaces.

Mr. Testino calls his second witness Mr. George Hibbs, an architect. He is sworn-in by Mr. Gibbons, Esq. Mr. Hibbs submitted the following exhibits:  
Exhibit A2 – Drawing of the Landscape Plan – Street Elevations  
Exhibit A3 – Rendering of the four story building  
Exhibit A4 – Interior courtyard

Mr. Hibbs stated that all submitted plans are in compliance with City Code. He described in details the proposed building, parking lot and landscaping. Mr. Hibbs stated that the difference between this application and the 2008 approved application are: lower height of the building, reducing bldg. coverage to 36.5%, bigger landscape area.

Mr. Testino calls his third witness Mr. Giuliano Giudici, PE, PP. He is sworn-in by Mr. Gibbons, Esq. Mr. Giudici stated that the proposed application is located at 618 New Brunswick Avenue at the site of the former Middlesex County Vocational Technical High School, which was recently demolished, located on the westerly side of Lee Street bounded on the north by Western Parkway and on the south by New Brunswick Avenue. Mr. Giudici described in details: the proposed setback of the building (10 ft front, 5.41 ft Lee Str., 10 ft Western Pkwy., 13 ft on church side), drainage system, lighting, utility lines, etc. He also submitted Exhibit A5 – a letter from the City of Perth Amboy Fire Department accepting the changes to the fire lines. The applicant is asking for the waiver to the height of the fence atop of the proposed retaining wall on church side to 6 ft instead of 4 ft. Another waiver they are seeking is to the 2 building signs, 1 is permitted. The applicant will fully comply with Mr. Feist report dated April 30, 2010, and agrees to add lighting on New Brunswick Ave. sidewalk between building and the wall.

Mr. Testino calls his fourth witness Ms. Edna Dorothy Carty-Daniel, Chairperson of the Housing Authority. She is sworn-in by Mr. Gibbons, Esq. Ms. Carty-Daniel asked the Board to approve this application as this project will provide the affordable housing for the Perth Amboy senior citizens.

**Public portion:**

- Mr. Richard Piatkowski, 142 Gordon Street, asked questions regarding age restriction and usage of the office.
- Peter Jimenez, Councilman, in his opinion what was presented today is not what it was presented to the Government body. He did not provide any details.

Mr. Szilagyi made a motion to approve the application with the conditions set forth and the motion was so moved and seconded by Ms. Dispenziere. The motion was voted on and approved by the vote of 6 (Ms. Kubulak, Ms. Barcheski, Ms. Dispenziere, Mr. Rebovich, Mr. Szilagyi and Mr. Ward).

Ms. Dispenziere made a motion to recess the meeting for 10 minutes to review the resolution for Docket 2922 and the motion was so move and seconded by Mr. Rebovich. All members present were in favor.

Mr. Szilagyi made a motion to approve the resolution for Docket 2922 and the motion was so moved and seconded by Ms. Barcheski. The motion was voted on and approved by the vote of 6 (Ms. Kubulak, Ms. Barcheski, Ms. Dispenziere, Mr. Rebovich, Mr. Szilagyi and Mr. Ward).

**Docket No. 2920**

**PSE&G**

1000 & 1050 Amboy Avenue  
Block 468; Lots 1.02 & 1.03; Zone S-3B

This applicant is requesting for conditional use and minor site plan approval. The applicant is proposing to erect 2.25 MW AC Solar PV System. The panel will be on the roof of the two (2) warehouse buildings.

Mr. David Richter, Esq. is representing the applicant. He submitted an affidavit of publication and affidavit of service prior to the meeting. Mr. Richter calls his first witness Ms. Susana Chiu, Director of Business Development with PSE&G. She is sworn-in by Mr. Gibbons, Esq. Ms. Chiu described in details the solar power program. She stated that solar power energy provides cleaner energy for the community. This particular project will provide energy to about 200 houses. PSE&G has a lease with Matrix for 20 years.

Mr. Richter calls his second witness Mr. John Moran, with Enxco solar developer. He is sworn-in by Mr. Gibbons, Esq. Mr. Moran stated that his company is selling the solar panels to PSE&G. He submitted Exhibit A1 – picture of South Plainfield ballasted solar panels system similar to present application and Exhibit A2 – picture of South Plainfield in close up. Also he stated that: there is 25 years warranty on the panels, they do not produce any toxins, and there is no emission, no noise, no glare, and no radiation. The system is UL listed and requires routine monthly inspections; it will take about 3 months to construct it.

Mr. Richter calls his third witness Mr. Mark Reme, PE. He is sworn-in by Mr. Gibbons, Esq. Mr. Reme submitted Exhibit A3 – Sheets 1 to 3 from “Conditional Use Plan Matrix Rooftop Solar Facilities”. Mr. Reme stated that this application seeks conditional use approval with variances to mount solar modules on the rooftops of existing adjacent buildings. Ground mounted electrical gear, transformers and other appurtenant equipment will be located within the front or sideyard setbacks of the proposed lots. The applicant is in agreement to conform to Mr. Feist report dated April 30, 2010.

Mr. Richter calls his fourth witness Ms. Scarlet Doyle, PP. She is sworn-in by Mr. Gibbons, Esq. Ms. Doyle stated that the subject property is located in Area 3 of the S3B Zone as described in Focus 2000 Volume 4 – Redevelopment Plan and both lots front on Amboy Avenue. She addressed in details the requirements for this conditional use, variance for the set back coverage, and the benefit of the solar power energy. Ms. Doyle submitted Exhibit A4 – picture of the inverters (transformers).

**Public portion:**

- Raul Simons, 433 Inslee Street, spoke in favor of the application.
- Debbie Wiser, 389 Inslee Street, asked question about transformers' noise and safety of the project in whole.
- Carmen Lopez, 386 Inslee Street, asked question about safety and noise pollution.

Mr. Szilagyi made a motion to approve the application with the conditions set forth and the motion was so moved and seconded by Mr. Rebovich. The motion was voted on and approved by the vote of 6 (Ms. Kubulak, Ms. Barcheski, Ms. Dispenziere, Mr. Rebovich, Mr. Szilagyi and Mr. Ward).

**CLOSED SESSION:**

Mr. Szilagyi made a motion to open closed session and the motion was so moved and seconded by Mr. Rebovich. All members present were in favor.

**NEW BUSINESS:** none

**OLD BUSINESS:** none

**APPROVAL OF THE MINUTES:** April 7, 2010

Mr. Rebovich made a motion to approve the minutes with amendment to reflect that Ms. Dispenziere excused herself from the portion of the meeting due to conflict of interest, and the motion was so moved and seconded by Ms. Barcheski. The motion was voted on and approved.

**MEMORIALIZATIONS:**

**Docket No. 2919      New York SMSA, LLC      Approved      4/7/10**

Mr. Szilagyi made a motion to approve the resolution and the motion was so moved and seconded by Ms. Dispenziere. The resolution was voted on and approved by the vote of 4 (Ms. Kubulak, Ms. Dispenziere, Mr. Rebovich, and Mr. Szilagyi – eligible voters).

**PAYMENT OF BILLS:**

**Signed Iwona Cwiek's memo for payment of secretarial service for this meeting.**

Ms. Dispenziere made a motion to approve the payment and the motion was so moved and seconded by Mr. Rebovich. All Members present were in favor.

**ROLL CALL FOR UPCOMING MEETING:**

Next scheduled regular meeting June 2, 2010 at 7:00 P.M.

**ADJOURNMENT:**

Vice Chairperson Kubulak asked for a motion to adjourn the meeting. Ms. Dispenziere made a motion and was seconded by Mr. Rebovich. Motion to adjourn the meeting of May 5, 2010 was so moved.

Meeting was adjourned at 10:30 P.M.

Respectfully submitted,



Iwona Cwiek  
Recording Secretary