



**CITY OF PERTH AMBOY
BOARD OF ADJUSTMENT**

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Wilda Diaz, Mayor

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Jamie Rios, Administrative Officer

**CITY OF PERTH AMBOY
BOARD OF ADJUSTMENT**

MINUTES OF THE MEETING

THURSDAY, MAY 13, 2010

2010 JUN 11 AM 9:50
RECEIVED
CITY CLERK'S OFFICE
PERTH AMBOY

The meeting was called to order at 7:00 P.M. by Chairman Ward.

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

The Chairman of the Perth Amboy Board of Adjustment, Thomas Ward advised the audience that notice of this meeting has been filed with the Home News Tribune, The Star Ledger, City of Perth Amboy's web page at www.ci.perthamboy.nj.us and 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: Chairman Thomas Ward, Ms. Susan Batista, Mr. P. Roman, and Ms. Karen Kubulak

Those absent: Vice Chairman Michael Savoia, Mrs. Leslie Dominguez Rodriguez, Mrs. Yvonne Everett (all excused), Dr. Craig R. Mattoon, and Mr. Stanley Progacky

Zoning Board Staff: Alfred J. Petit-Clair, Jr., Esq.
Ernest W. Feist, P.E., P.P.
Iwona H. Cwiek, Recording Secretary

APPLICATIONS:

The following application has been carried to the next meeting:

- Docket No. 2912 Tarlochan Grewal – new notices required

xc: Mayor W. Diaz
Council
J. Feigenbaum, BA
M. Blundo, Esq.
E. Scala, Dir. Code Enf. ✓
E. Feist, Eng.
H. van Eckert, Ex. Dir. PARA

May 13, 2010

Docket No. 2913

Vincenzo Castronovo

473-477 Miller Street

Block 250; Lots 1, 2, & 15.01

This applicant is requesting minor subdivision and use variance approval. Applicant proposes to subdivide the lot to create two lots. The first lot will remain the same with the existing seven (7) family dwelling units and the new crated lot will have a newly constructed single-family dwelling unit for a combine total of eight (8) dwelling units. The Board heard this applicant on August 14, 2009 with a denial (Docket No.2886).

Mr. George Otlowski, Jr., Esq. is representing the applicant. He submitted an affidavit of publication and service prior to the meeting. Mr. Otlowski stated that due to lack of Board's members he would like to carry the application to the next meeting. At this time he asked to proceed with res judicata issue.

Mr. Petit-Clair, Esq. explained that the Board needs to decide if res judicata applies to this application. Res judicata is a doctrine that declares that once a matter has been fully litigated and resolved, it cannot be relitigated.

Mr. Feist stated that the present application's plans have been revised and substantially changed comparing to the previous application, Docket No.2886. In his opinion the res judicata does not apply to Docket No.2913.

Chairman Ward made a motion, based on Engineer's statement, to deny res judicata and the motion was so moved and seconded by Ms. Batista. All Members present voted to deny res judicata.

NEW BUSINESS: none

MEMORIALIZATIONS:

**Docket No. 2917 Spring Cove Estates, LLC - dismissed without prejudice
March 11, 2010**

Ms. Batista made a motion to approve the resolution and the motion was so moved and seconded by Mr. Roman. The resolution was voted on and approved; Ms. Kubulak abstained.

Docket No. 2874 JMP Holding Approved 12/5/2007

The applicant is asking for extension of time retroactively.

Mr. Feist stated that he needs more time to review the files.

The application has been carried to the next meeting.

May 13, 2010

APPROVAL OF MINUTES: March 11, 2010

Chairman Ward made a motion to approve the minutes and the motion was so moved and seconded by Ms. Batista.

The motion was voted on and approved; Ms. Kubulak abstained.

ROLL CALL FOR UPCOMING MEETING:

Regular meeting is scheduled on June 10, 2010, at 7:00 P.M.

ADJOURNMENT:

Chairman Ward asked for a motion to adjourn the meeting. Ms. Batista made a motion and was seconded by Ms. Kubulak.

Motion to adjourn the meeting of May 13, 2010 was so moved.

Meeting was adjourned at 7:30 P.M.

Respectfully submitted,



Iwona Cwiek
Recording Secretary

NOTE: MEETING OF APRIL 8, 2010 WAS CANCELLED DUE TO LACK OF BOARD'S QUORUM.