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**BOARD OF ADJUSTMENT**  
375 New Brunswick Ave.  
Perth Amboy, New Jersey 08861

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**CITY OF PERTH AMBOY  
BOARD OF ADJUSTMENT**

**MINUTES OF THE MEETING**

**THURSDAY, SEPTEMBER 8, 2011**

The meeting was called to order at 7:00 P.M. by Chairman Thomas 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](http://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, Vice Chairman Michael Savoia, Mrs. Leslie Dominguez Rodriguez, Mr. P. Roman, Mrs. Lisa Nanton, and Mrs. Linda Cruz

Those absent: Ms. Susan Batista and Mrs. Yvonne Everett (both excused)

Zoning Board Staff: Alfred J. Petit-Clair, Jr., Esq.  
Iwona H. Cwiek, Recording Secretary

**CLOSED SESSION:** none

**APPLICATIONS:**

**Docket No. 2942** Valentin Huamani - carry to November 10, 2011 meeting without new notices

**Docket No. 2945      Robin Gurin & Emanuel Kallins**  
185 Front Street  
Block 27; Lot 23.01

This applicant is requesting bulk variances approval. The applicant is proposing to increase the one family residence from one story to a two stories. The residence will remain a single-dwelling.

John P. Michalski, Esq., is representing the applicant. He submitted an affidavit of publication and affidavit of service prior to the meeting. Mr. Michalski gave a brief introduction on the application which was heard before the Board for the first time and approved on March 8, 2007. The resolution was memorialized the next month and the applicant started the work on the house. In May 2007 the objector, William Pawlowski, appealed the application in Court, by this time some work was already done on the house and additional work was permitted to weatherize the structure. The application was reversed because of the jurisdiction (notice of hearing). The Court directed the applicant to present new application to follow the proper notice. The application was heard on December 2010, which ultimately Board denied. The applicant appealed that decision and in process of that appeal they work out the resolution with the objector with what kind of structure they will be happy with and now they are back with presentation of the settlement for which they are seeking approval.

Mr. Michalski submitted Exhibit A1 – Picture of the original structure. He stated that the both parties have agreed to the plans that will be introduced. The first change is: the gable roof will be replaced with the lower style roof. The second change is: the portion of the rear wall will be removed from the property line. Certain limitation will be put on as the part of the approval if the Board will approve the application: the applicant and successor owner will be prohibited from ever increasing the height of the structure; moving the rear wall to west or south corner; installing the rooftop deck; removing or changing the decorative louver dormer against the rear wall; installing the roof over the second story of the porch; changing the roof style to any other style.

Mr. Michalski calls his first witness Mr. Mark Marcille, an architect. He is sworn-in by Mr. Petit-Clair. Mr. Marcille testified that the roof will be reduced by about 3.2 feet. In the back they will pull back second floor end by 7 to 10 inches and one of the corners. In further testimony Mr. Marcille described and justified the bulk variances.

Mr. Michalski calls his second witness Mr. Edward Colling, PP. He is sworn-in by Mr. Petit-Clair. Mr. Colling submitted Exhibit A2 – Photo of the building as exists today. He gave the Board brief overview of the application from planning prospective. Mr. Colling justified the C-1 and C-2 variances and stated that there is a hardship with this application because the lot as is unbuildable according the City Ordinance requirements. In his opinion the application can be granted without substantial detriment to the public good.

Mr. Marcille submitted Exhibit A3 - Stipulation of Settlement

**Public portion:      none**

Chairman Ward made a motion to approve the application based on the testimony and the motion was so moved and seconded by Vice Chairman Savoia.

The motion was voted on and approved by the vote of 6 (Ward, Savoia, Dominguez Rodriguez, Roman, Nanton, and Cruz).

**NEW BUSINESS: none**

**APPROVAL OF MINUTES: none**

**MEMORIALIZATIONS:**

**Docket No. 2944    Acelero Learning Center    Approved    8/11/11**

**Contract No. C1-00327 – Approval for the Attorney’s Fee**

Chairman Ward made a motion to approve the resolutions and the motion was so moved and seconded by Mrs. Cruz. The motion was voted on and approved

**ROLL CALL FOR UPCOMING MEETING:**

Regular meeting is scheduled on October 13, 2011, at 7:00 P.M.

**ADJOURNMENT:**

Vice Chairman Savoia made a motion to adjourn the meeting and was seconded by Mr. Roman. Motion to adjourn the meeting of September 8, 2011 was so moved.

Meeting was adjourned at 7:45 P.M.

Respectfully submitted,



Iwona Cwiek  
Recording Secretary