



Wilda Diaz, Mayor

**CITY OF PERTH AMBOY
PLANNING BOARD**
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**CITY OF PERTH AMBOY
PLANNING BOARD**

MINUTES OF THE MEETING

WEDNESDAY, FEBRUARY 4, 2009

The meeting was called to order at 7:00 P.M. by Mrs. Nagy-Johnson, Board's Secretary.

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

The Secretary of the Perth Amboy Planning Board, Mrs. Nagy-Johnson, 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. 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: Mrs. Sharon Nagy-Johnson, Secretary, Mrs. Joann Jimenez, Tax Assessor, Mr. F. Gonzalez, Councilman, Mrs. Maria Garcia, Miss Karen Kubulak, Ms. C. Dispenziere, and Mayor Wilda Diaz

Those absent: Chairman William Gadek and Vice Chairman Raymond Geneske

Planning Board Staff present at the meeting:

Michael Carr, P.E., P.P.
George Szetela, Esq.
Iwona H. Cwiek, Recording Secretary

NEW BUSINESS:

The reorganization of the Planning Board:

Mr. George Szetela, Esq. announced that Chairman Gadek is unable to appear because of his illness and Vice Chairman Geneske has resigned therefore, the Board should elect a Chairperson pro tem to preside and officiate tonight's meeting.

Mrs. Nagy-Johnson asked for a motion to appoint a Chairperson pro tem for tonight's meeting. Mayor Diaz made a motion to appoint Mrs. Maria Garcia and the motion was so moved and seconded by Councilman Gonzalez. All members present were in favor.

Chairperson pro tem Maria Garcia asked for a motion to elect a Chairperson of the Planning Board. Councilman Gonzalez made a motion to nominate Mrs. Maria Garcia and the motion was so moved and seconded by Miss Kubulak. All members present were in favor.

Chairperson Maria Garcia asked for a motion to elect a Vice Chairperson of the Planning Board. Mayor Diaz made a motion to nominate Miss Karen Kubulak and the motion was so moved and seconded by Councilman Gonzalez. All members present were in favor.

Chairperson Maria Garcia asked for a motion to elect a Secretary of the Planning Board. Mayor Diaz made a motion to nominate Mrs. Sharon Nagy-Johnson and the motion was so moved and seconded by Councilman Gonzalez. All members present were in favor.

Chairperson Maria Garcia asked for a motion to elect the Planning Board Consultant and Engineer. Mayor Diaz made a motion to nominate Mr. Ernest W. Feist, P.E., P.P. and the motion was so moved and seconded by Councilman Gonzalez. The motion was voted on and approved with one abstention.

Chairperson Maria Garcia asked for a motion to elect a Counsel of the Planning Board. Councilman Gonzalez made a motion to nominate Mr. George Szetela, Esq. and the motion was so moved and seconded by Mayor Diaz. All members present were in favor.

APPLICATIONS:

Docket No. 2900

**Barclay Street Associates, LLC
400 Barclay Street
Block 206; Lots 3 thru 9**

This applicant is requesting for major subdivision approval. Also, preliminary and final site plan approval. Applicant is proposing to divide five (5) lots into eleven (11) lots. (Carry from 8/6/08, 12/3/08, & 1/7/09). All material requested has been sent to the Board members on 1/7/09.

Mr. Kevin Morse, Esq. is representing the applicant. He made opening statement on the application and asked to approve the application as a conforming project.

Public portion:

- Mr. Valera, 210 Lewis Street, opposed to the application.
- Diane Krocki, Barclay Street, opposed to the application.
- Tom Ward, Madison Avenue, asked who gave them authority to build so many units.
- John ..., 233 Barclay Street, opposed to the application.
- Gary ..., opposed to the application.

Members of the Board discussed findings of the fact.

Mayor Diaz stated that she appreciates that the developer wants to build in Perth Amboy, but there is an outcry from the neighbors at this particular site.

Councilman Gonzalez stated that his major concern is that the developer wants to make a profit.

Mr. Szetela, Esq. summarized all findings of the fact such as: shortage of parking in the area, the area is already densely developed, quality of life in the area - this project will create dangerous conditions of the site because of increased density of the properties, and increased congestion in the area will decrease neighbors' quality of life.

Chairperson Garcia made a motion to approve findings of the fact and the motion was so moved and seconded by Vice Chairperson Kubulak. All members were in favor.

Chairperson Garcia made a motion to deny the application based on the findings of the fact and the motion was so moved and seconded by Mayor Diaz.

The motion was voted on and approved denial by the vote of 6 to 1.

Docket No. 2249E

**Harbortown Terrace, LLC
Water & High Street
Block 240; Lots 1 & 1.01**

This applicant is requesting for preliminary and final subdivision and site plan approval. Applicant proposes to construct 112 dwelling units, as follow: 91 terrace homes, 21 court terrace homes, at northern end a 2,545 square foot warehouse and recreation area, to include a clubhouse and pool. (Carried from 1/7/09).

Mr. Stephen Barcan, Esq. is representing the applicant. He submitted an affidavit of publication and affidavit of service. Mr. Barcan gave a brief overview on the history of the development which consists of 135 acres. The General Redevelopment Plan for this project was approved by the Planning Board on July 2, 2008. The redevelopment plan basically followed the original redevelopment plan approved by the City Planning Board on August 15, 1995 consists of a total of 1,654 dwelling units to be built in four (4) phases. The phase which is presently before the Planning Board is in following with the revised July 2, 2008 General Development Plan approved by the Board.

Mr. Barcan calls his first witness Mr. Michael Pucci, PE. He is sworn-in by Chairperson Garcia. Mr. Pucci submitted the following exhibits (drawings) as part of this application:

- Exhibit A1 – General Concept Plan 1995 Approved
- Exhibit A2 – Overall Development Plan dated January 7, 2009
- Exhibit A3 – Proposed Harbortown Heights Terrace and Maintenance Building dated January 7, 2009
- Exhibit A4 – Recreation Area dated January 7, 2009
- Exhibit A5 – Final Plat dated November 12, 2008
- Exhibit A6 – Final Plat Phase 3 dated November 12, 2008
- Exhibit A7 – Final Plat Sheet 3 of 4 dated November 12, 2008
- Exhibit A8 – Final Plat Phase 3 Sheet 4 of 4 dated November 12, 2008
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Mr. Pucci described the overall General Development Plan which includes all the phases and the proposed Phase III-A and will consist of the following phases:

- 1 & 2 – 831 dwelling units;
- Waterfront Terrace Units – 406 dwelling units;
- High Street Terrace Units – 91 dwelling units;
- Northeast Terrace Units – 110 dwelling units;
- Court Terrace Units – 100 dwelling units;
- Upper Terrace Home Units – 40 dwelling units;
- Harbortown Crossing Units (Phase I) – 76 dwelling units.

Mr. Pucci stated that as a part of the Phase III-A Component the applicant is proposing the following 12 dwelling units at High Street, 91 terrace homes (2 story units over flats), at the center of the site 21 Terrace Court – court Terrace Homes (Waterfront Terrace Homes) along the lake (retention pond); a total of 112 dwelling units. At the northern end of the site a 2,545 sf warehouse will be built for the Harbortown maintenance equipment use. The recreation area will include the club house and pool adjacent to the lake (retention pond).

Mr. Pucci stated that the applicant agrees to conform to Mr. Carr's reports dated December 19, 2008 and January 5, 2009.

Mr. Barcan calls his second witness Mr. Jack Halpern, Managing Member of Harbortown Terrace, LLC. He is sworn-in by Chairperson Garcia. Mr. Halpern responded to the Board's concern on lack of recreation areas for the children in this project.

Mr. Barcan calls his third witness Mr. John Nemergut, Project Manager of the Harbortown Terrace, LLC. He is sworn-in by Chairperson Garcia. Mr. Nemergut addressed the maintenance issues.

Mr. Barcan calls his fourth witness Mr. Robert Larson, PA. He is sworn-in by Chairperson Garcia. Mr. Larson submitted the following exhibits as part of this application and his presentation:

- Exhibit A9 – Elevation of the Proposed Recreation Center and Maintenance Bldg.
- Exhibit A10 – Recreation Center Floor Plan
- Exhibit A11 – Front and Rear Elevation of Harbortown Heights
- Exhibit A12 – Waterfront Terrace Building Townhouse

Mr. Larson described each plan in details.

At 11:00 P.M. Councilman Gonzalez made a motion to carry the application without further notice to March 4, 2009, meeting and the motion was so moved and seconded by Mrs. Nagy-Johnson. All members present were in favor.

APPROVAL OF THE MINUTES: January 7, 2009

Chairperson Garcia made a motion to approve the minutes and the motion was so moved and seconded by Councilman Gonzalez.

The motion was voted on and carried.