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**BOARD OF ADJUSTMENT**  
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Perth Amboy, New Jersey 08861

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**CITY OF PERTH AMBOY  
BOARD OF ADJUSTMENT**

**MINUTES OF THE MEETING**

**THURSDAY, SEPTEMBER 12, 2013**

The meeting was called to order at 7:35 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, Ms. Susan Batista, Secretary, Mrs. Leslie Dominguez Rodriguez, Mrs. Linda Cruz, Mr. Elias Rivera, Mr. Ronald Ray, and Reinaldo Aviles

Those absent: Mrs. Yvonne Everett (excused)

Zoning Board Staff: Jamie Rios, Administrative Officer  
Alfred J. Petit-Clair, Jr., Esq.  
Jeffrey Rauch, P.E., P.P.  
Iwona H. Cwiek, Recording Secretary

**APPLICATIONS:**

**Docket No. 2975      Zhang's Property, LLC**

The application has been carried to the next meeting.

**Docket No. 2979      Academy for Urban Leadership Charter High School  
612 Amboy Avenue  
Block 270; Lots 49-50**

Applicant is requesting for a conditional use variance approval. Applicant is proposing to convert the existing rectory into a school with three (3) classrooms.

***Mrs. Cruz excused herself from this part of the meeting.***

George Otlowski, Jr., Esq. is representing the applicant. He submitted an affidavit of publication and affidavit of service prior to the meeting. All witnesses are sworn-in by Mr. Petit-Clair.

Mr. Otlowski stated that this application was before the Board on August 8, 2013, and it was rejected. Now the applicant is proposing a new application with substantial changes to the first application. Mr. Otlowski calls his first witness Mr. Marc Tarett, PA. He submitted Exhibit A1 – Drawings of the Proposed Conversion. They are showing previous plans and proposed plans. Mr. Tarett stated that there are 3 floors in the existing rectory; the ground floor will have 1 classroom and 2 work rooms and an office, in the rear utility room, storage area and a restroom. On the first floor there are no classrooms, it's entirely office space. There will be 4 offices, main entry vestibule and students restrooms. The applicant is proposing 2 classrooms on the second floor, small instruction room area, and restrooms. They are adding 6 new parking spaces with 2 ADA spaces to the existing 6 parking spaces, a total of 12 parking spaces.

Mr. Otlowski calls his second witness Dr. Deborah Eagan, Principal of the school. She stated that she has been working for the school for 3 years, which is significantly growing since they opened it 3 years ago, presently there are 296 students. There are 15 classes in the building and 4 classes in the cafeteria. There are 100 more students coming in the fall and 5 teachers so, the space is very challenging. Dr. Eagan described the traffic flow of the students during dismissal time. If the application will be granted she will have ability to bringing 100 more students.

Mr. Otlowski calls his third witness Mr. Luis Vargas, President of the Board of Trustees for the school. It is nonprofit organization. He stated that the Board consists of 10 members. The Board is in favor of this application.

Mr. Otlowski calls his fourth witness Mr. George Bishop-Mbachu, current student, who spoke in favor of the application.

Mr. Otlowski calls his fifth witness Mr. Angelo J. Valetutto, PP, PE. He stated that he reviewed Feist Engineering report dated July 26, 2013, and will comply to it. Mr. Valetutto testified that this application seeks a use variance to convert an existing church rectory into classrooms for their charter high school. The subject tract of land contains Lots 1 and 40 through 50 in Block 270 and has a frontage on Jeffries Street, Amboy Avenue and Hall Avenue. The subject tract contains the St. Michael's Catholic Church, an existing Academy for Urban Leadership Charter High School, the church rectory and a convent along with parking facilities. The rectory is located with frontage on Hall Avenue. As a Conditional Use in the R-25 Residential Zone, a private institution for education no operated for profit is permitted. Mr. Valetutto explained which requirements are not in conformance with the requirements of the Conditional Use; the applicant is seeking a waiver. Mr. Valetutto doesn't see any negative criteria.

Mr. Otlowski calls his sixth witness Mr. John Caga, former student of St. Michael's School, stated that when he attended this school there was about 300 students. He spoke in favor of this application.

**Executive Session:**

Mr. Aviles was associated with the school in the past therefore, he will not vote on this application.

**Public portion:**

There was a majority support of the application from the public.

Mrs. Dominguez Rodriguez made a motion to approve the application with the conditions set forth and the motion was so moved and seconded by Ms. Batista. The motion was voted on and approved by the vote of 6 "yes" with 2 abstained.

**Docket No. 2978      Copa Construction Corp.**  
**656 Cortland Street**  
**Block 346; Lot 23**

Applicant is requesting for a conditional use variance. Applicant proposes to rebuild a two family residential dwelling. Original building was lost by fire.

***Chairman Ward excused himself from this portion of the meeting.***

George Otlowski, Jr., Esq. is representing the applicant. He submitted an affidavit of publication and affidavit of service prior to the meeting.

Mr. Otlowski calls his first witness Mr. Angelo J. Valetutto, PP, PE. He is sworn-in by Mr. Petit-Clair. He stated that he reviewed Feist Engineering report dated September 7, 2013, and the applicant will conform to it. Mr. Valetutto stated that this application seeks approval to construct two-family detached dwellings at that location in the R-25 Residential Zone. The property is currently vacant. The previous use of the property was residential. Applicant is proposing 4 off street parking spaces. Mr. Valetutto addressed the bulk variances and provided justification for each of the required variances.

Mr. Otlowski calls his second witness Mr. Frank Valentine of Copa Construction. He is sworn-in by Mr. Petit-Clair. He stated that Mr. Juan Nunez is the property owner and he personally will live in this house.

**Public portion:      none**

Mrs. Cruz made a motion to approve the application with the conditions set forth and the motion was so moved and seconded by Mrs. Dominguez Rodriguez. The motion was voted on and approved by the vote of 7.

**CLOSED SESSION:** none

**MEMORIALIZATIONS:**

**Docket No. 2973      Walter & Mary Holuta      Approved 8/8/13**

**Docket No. 2974      Rui Santos      Approved 8/8/13**

**Docket No. 2976      Academy for Urban Leadership Charter HS      Denied 8/8/13**

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

**APPROVAL OF MINUTES:      August 8, 2013**

Chairman Ward made a motion to approve the minutes and the motion was so moved and seconded by Vice Chairman Savoia. All members present were in favor.

**NEW BUSINESS:** none

**ROLL CALL FOR UPCOMING MEETING:**      October 10, 2013 at 7:00 PM

**ADJOURNMENT:**

Vice Chairman Savoia made a motion to adjourn the meeting and was seconded by Ms. Batista. Motion to adjourn the meeting of September 12, 2013 was so moved.

Meeting was adjourned at 9:10 P.M.

Respectfully submitted,

Iwona Cwiek  
Recording Secretary