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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, JULY 9, 2015**

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 and 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. Linda Cruz, Mr. Reinaldo Aviles, Ms. Wilma Matey, Mr. Andrew G. Toth

Those absent: Mr. Scott Farber

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. 3004 Raritan Yacht Club – carried to the next meeting**

**Docket No. 3014 ETC Tower, LLC  
313 State Street  
Block: 126; Lot: 14**

The applicant is requesting for a use variance approval. Applicant proposes to maintain existing office uses for floor one thru five. The upper five floors will have ten units per floor for a total of fifty apartments (20 efficiency and 30 one-bedroom apartments total).

***Continuation from last meeting:***

Mr. George Otlowski, Esq. is representing the applicant.

Mr. Otlowski calls his fourth witness Mr. Michael Gimony, Real Estate Appraiser. He is sworn-in by Mr. Petit-Clair. Mr. Gimony stated that the building was built in 1929, originally there were bank offices. In his opinion, the proposed configuration to reuse the vacant floors is the best use for this particular commercial use. He submitted Exhibit A8 – his own written qualifications.

Mr. Otlowski calls his fifth witness, Mr. Steve Brossok, an architect. He is sworn-in by Mr. Petit-Clair. Mr. Brossok addressed a letter sent to Perth Amboy Fire Chief Abraham Pitre, dated July 07, 2015, regarding the NJ Uniform Code Chapter 6. He stated that the applicant will comply with all issues listed by Chief Pitre. He explained how each chute and ventilation system throughout the hallways will work in case of smoke. A complete fire suppression system installed in compliance with 903.3.1 and NFPA 13 will not leave any areas unprotected. All chases and ducts will be fully enclosed and rated with fire dampers or approved fire stopping. Also Fire Exit Plan drawing was submitted with the above mentioned letter. Mr. Brossok stated that the applicant's concern is also public safety and they will be working with the City of Perth Amboy on the renovation of the existing tower structure to assure that it is safe for occupancy and safe for firefighters to operate in the event of an emergency.

Mr. Otlowski calls again his witness Mr. Eddie Trujillo, the owner. He stated that some of the Board Members visited the units he owns in other buildings to see the size and layout of the apartments. The purpose of the visit was to show the difference of the apartments. Mr. Trujillo stated that he will rent the subject apartments in two months because there is a need for this kind of units. In his opinion to bring this building up to the Code is the most important thing for him to do.

Board called Mr. Abraham Pitre, Perth Amboy Fire Chief; he is sworn-in by Mr. Petit-Clair. Chief Pitre responded to the question if all his concerns have been addressed by the applicant. He stated that the applicant replied to his concerns and the entire building will be up to the NJ Uniform Fire Code. Chief Pitre also explained, in case of a fire, the procedure with the smoke evacuation.

Discussion between Board's members and the applicant on safety issues.

**Public portion:        none**

Ms. Batista made a motion to approve the application subject to conditions set forth and the motion was so moved and seconded by Mrs. Cruz.

The motion was voted on and approved by the vote of 6 to 1 (Mrs. Matey).

**NEW BUSINESS: Board of Adjustment reorganization for upcoming business year**

Ms. Batista made a motion to nominate Mr. Thomas Ward as Chairman of the Board and the motion was so moved and seconded by Mr. Savoia. All Members present were in favor.

Chairman Ward made a motion to nominate Mr. Michael Savoia as Vice Chairman of the Board and the motion was so moved and seconded by Mrs. Cruz. All Members present were in favor.

Vice Chairman Savoia made a motion to nominate Ms. Susan Batista as Secretary of the Board and the motion was so moved and seconded by Chairman Ward. All Members were in favor.

Chairman Ward made a motion to nominate Mrs. Iwona Cwiek as Recording Secretary of the Board and the motion was so moved and seconded by Vice Chairman Savoia. All Members present were in favor.

Chairman Ward made a motion to nominate Mr. Alfred J. Petit-Clair, Esq. as Board's Attorney and the motion was so moved and seconded by Vice Chairman Savoia. All Members present were in favor.

Chairman Ward made a motion to nominate Mr. Jeffrey Rauch, PE, PP (Center State Engineering) as Board's Engineer and Planner and the motion was so moved and seconded by Vice Chairman Savoia. All Members present were in favor.

***Mrs. Matey excused herself from this portion of the meeting.***

**Docket No. 3015      Quito, LLC  
                                 477 Brace Avenue  
                                 Block: 281; Lots: 3, 4, & 5**

The applicant is requesting for a use variance approval. Applicant is adding a second story to the existing masonry building. The second floor will be a two bedroom apartment.

Mr. Allen N. Papp, Esq. is representing the applicant. He submitted an affidavit of publication and affidavit of service prior to the meeting. Mr. Papp gave a brief introduction on the subject application and calls his first witness Mr. Angelo J. Valetutto, PE, PP. He is sworn-in by Mr. Petit-Clair, Esq.

Mr. Valetutto stated that the applicant seeks Use Variance approval to renovate an existing one-story building on Lot 5 by constructing a second story addition to be used as a 2-bedroom apartment. The subject tract includes Lot 3, currently used for pharmacy parking and access to an existing masonry garage which is attached frame structure, Lot 4, currently containing an existing two-story masonry structure with a pharmacy on the ground floor and an apartment on the second floor and Lot 5, which contains an existing one-story masonry building. The subject tract is located in the R-25 Residential Zone with frontage on Brace Avenue and Groom Street. The site was the subject of an application before the Zoning Board of Adjustment in 2009 to enlarge the first floor and construct a second floor on the existing masonry building on Lot 5. The application requested a variance to expand an existing non-conforming use which was denied.

Mr. Valetutto stated that the applicant will comply with Center State Engineering report dated

July 6, 2015. The applicant will designate 2 parking spaces for tenants.

Chairman Ward made a motion to approve the application subject to conditions set forth and the motion was so moved and seconded by Vice Chairman Savoia.

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

**CLOSED SESSION: none**

**APPROVAL OF MINUTES: May 14 and June 11, 2015**

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

**OLD BUSINESS: none**

**MEMORIALIZATIONS:**

**Docket No. 3013 Alfredo Hernandez Approved June 11, 2015**

Vice Chairman Savoia 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.

**NEW BUSINESS: none**

**ROLL CALL FOR UPCOMING MEETING: August 13, 2015 at 7:00 PM**

**ADJOURNMENT:**

Chairman Ward asked for a motion to adjourn the meeting. Vice Chairman Savoia made a motion to adjourn the meeting and was seconded by Mr. Aviles. Motion to adjourn the meeting of July 9, 2015, was so moved.

Meeting was adjourned at 9:15 P.M.

Respectfully submitted,

Iwona Cwiek  
Recording Secretary