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

Mr. Alfred Petit-Clair, Esq.
Lance Nelson, Acting Administrative Official
(732) 826-0183; Fax (732) 826-1361

**CITY OF PERTH AMBOY
BOARD OF ADJUSTMENT**

MINUTES OF THE MEETING

THURSDAY, AUGUST 11, 2016

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

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

The Chairman of the Perth Amboy Board of Adjustment, Michael Savoia 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 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 Michael Savoia, Vice Chairman Ronald Ray, Mrs. Linda Cruz - Secretary, Mr. Reinaldo Aviles, Ms. Wilma Matey, Mrs. Ana Maria Mascenik, and Jose Amarante

Those absent: Mr. Scott Farber (no excuse)

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

APPLICATIONS:

The following applications have been carried to the next meeting:

Docket No. 3030 Bienvenido Marte and Docket No. 3024 Angelo & Chriselidays Roman

Docket No. 3027 CAPA Construction LLC
371 Meredith Street
Block 326; Lot 21

The applicant wants to construct a single family dwelling on a non-conforming 25 x 100 lot. The application was originally denied.

Chairman Savoia explained that this particular lot is referred as an “orphan lot”, there is nothing particular to be build there except to put this type of building. Therefore, when the application was denied at the first hearing, the Board violated this particular person’s right to build because of the fact that he is paying a tax on it and there is really no other use.

Mr. Petit-Clair gave further explanation. He stated that one of the power to hear and grant variances where there is a hardship. As the applicant’s planner testified at the hearing this particular application was when he considered to be the classic hardship case, because the lot is 25 x 100 lot, 8 such lots exist in the surrounding 200 ft. area and they have one family dwelling as this one. The Zoning Ordinance permits single family homes in R-50 Zone as such. It exists as a free standing lot not created by any subdivision. The Board’s action was Inverse Condemnation according to the courts of the State of New Jersey. The Board did not memorialized the resolution denying the application and decided to permit the applicant to return to present his legal view and explained why the variance should be granted.

Mrs. Mascenik recused herself from this portion of the meeting.

Mr. Noemio Vellozzi, Esq., is representing the applicant. He stated that this particular lot has no other use than conforming one family dwelling. This use will improve the value of the neighborhood and will be esthetically pleasing.

Public portion:

- Able Gomes, 374 Arnold Ave., right behind the applicant’s lot. He is against the application stating that it will impose to the neighborhood.
- Sharon Haverment, 529 Elm Str. is speaking on behalf of St. John Lutheran Church and strongly opposing on the application.

Vice Chairman Ray made a motion to approve the application and the motion was so moved and seconded by Mrs. Matey. The motion was voted and approved by the vote of 6.

CLOSED SESSION: none

NEW BUSINESS: none

OLD BUSINESS: none

APPROVAL OF MINUTES: July 14, 2016

Vice Chairman Ray made a motion to approve the minutes and the motion was so moved and seconded by Mrs. Matey. The motion was voted on and approved.

MEMORIALIZATIONS:

Docket No. 3032	Luis A. Perez-Jimenez	Approved
Docket No. 3028	P.I.L. Real Estate LLC	Approved
Docket No. 3031	Mr. Ali Rada	Approved
Resolution to appoint Mrs. Cruz as Secretary of the Board		

Mr. Aviles made a motion to approve the memorializations and the motion was so moved and seconded by Chairman Savoia. The motion was voted on and approved.

ROLL CALL FOR UPCOMING MEETING: September 8, 2016, at 7:00 PM

ADJOURNMENT:

Chairman Savoia asked for a motion to adjourn the meeting. Mrs. Cruz made a motion to adjourn the meeting and was seconded by Mrs. Mascenik. Motion to adjourn the meeting of August 11, 2016, was so moved.

Meeting was adjourned at 7:25 P.M.

Respectfully submitted,

Iwona Cwiek
Recording Secretary