



CITY OF PERTH AMBOY
BOARD OF ADJUSTMENT

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Wilda Diaz, Mayor

CITY OF PERTH AMBOY
BOARD OF ADJUSTMENT

MINUTES OF THE MEETING

THURSDAY, JUNE 9, 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 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, Ms. Susan Batista, Mrs. Leslie Dominguez Rodriguez, Mrs. Yvonne Everett, and Mrs. Linda Cruz

Those absent: Vice Chairman Michael Savoia, Mrs. Lisa Nanton (both excused) and Mr. P. Roman

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

CLOSED SESSION:

To discuss litigation as needed.

xc: Mayor W. Diaz
Council
H. Fehrenbach, BA
M. Blunda, Esq.
E. Feist, Eng.
E. Scala, Dir Code Enf.
H. van Eckert, PARA

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RECEIVED
CITY CLERK'S OFFICE
PERTH AMBOY

June 9, 2011

APPLICATIONS:

Docket No. 2942 Gregorio Morel
188 Sheridan Street
Block 85; Lot 7

This applicant is requesting for a certification of pre-existing non-conforming use. Applicant proposes to certify that the two family dwelling use pre-existed.

Jose Cameron, Esq., is representing the applicant. He submitted an affidavit of publication and affidavit of service prior to the meeting. Mr. Cameron stated that the applicant is requesting for a certification of pre-existing non-conforming use of the property which certified that the two family dwelling use pre existed the adoption of the ordinance that rendering the two family illegal prohibited.

Mr. Jamie Rios stated that he reviewed the history of the subject property which, is back to 1962 to present. In 1962 the house was asset in tax records as one family, in 1972 as one family, 1992 as one family. Based on that information he reviewed the selling of the house. The house was sold three times in the past ten years as one family house. The property is in R-25 Residential Zone. That was changed in 2005. Prior 2005, from 1960 to 2005, the use in R-25 zone was one family and two family residential dwelling that was permitted at that time. In 2005 it was changed to conditional use.

Mr. Cameron calls his first witness Clearance Williams of 208 Meade Street. He is sworn-in by Mr. Petit-Clair. Mr. Williams testified that he lives at this address for the past 47 years. He described the surrounding neighborhood. In his opinion the subject property always appeared as two family house since 1964.

Mr. Rios stated that the pipe configuration suggest for two kitchens. The property from real estate agency is listed as two family house.

Public portion:

Neil Kenneth, 401-405 Gordon Street. He stated that his family owns the house on Gordon Street for over 100 years. As far as he knows, the subject property has been two family house. He also stated that most of the houses in this area are two family properties.

Discussion on the application.

Mrs. Cruz made a motion to approve the application based on the testimony and the motion was so moved and seconded by Mrs. Dominguez Rodriguez.

The motion was voted on and approved by the vote of 5 (Ward, Batista, Dominguez Rodriguez, and Cruz).

NEW BUSINESS: none

APPROVAL OF MINUTES: May 12, 2011

Ms. Batista made a motion to approve the minutes and the motion was so moved and seconded by Chairman Ward. The motion was voted on and approved.

MEMORIALIZATIONS:

| | | | |
|-----------------|-------------------------|-----------|---------|
| Docket No. 2928 | T-Mobile Northeast, LLC | Approved | 5/12/11 |
| Docket No. 2940 | Dr. William McAllister | Dismissed | 5/12/11 |

Ms. Batista 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 July 14, 2011, at 7:00 P.M.

ADJOURNMENT:

Mrs. Cruz made a motion to adjourn the meeting and was seconded by Ms. Batista. Motion to adjourn the meeting of June 9, 2011 was so moved.

Meeting was adjourned at 7:55 P.M.

Respectfully submitted,



Iwona Cwiek
Recording Secretary