

**CLAYTON PLANNING BOARD
REORGANIZATION MEETING MINUTES
JANUARY 24, 2022**

John Alice swore in new and reappointed members:

Sue Miller, Darlene Vondran, Barbara Saban, Michael Moorhouse and Jessica Chapes

The reorganization meeting of the Clayton Planning Board was called to order at 7:00 PM. Invocation was given and we had a Salute to the Flag.

Absent Members: Rachel Wise was not sworn in as she was not in attendance.

SUNSHINE LAW

The public notice of this meeting pursuant to the Open Public Meeting Act of 1975 has been properly given in the following manner:

- A. Posting written notice on the Official Bulletin Board in the Municipal Building.
- B. Mailing written notice to the South Jersey Times and the Franklinville Sentinel.
- C. Filing written notices with the Clerk of the Borough of Clayton.

ROLL CALL

Ayes: Abate, Bianco, Culver, Miller, B. Saban, T. Saban, Thomas, Vondran, Moorhouse, Chapes

Absent: Wise

APPOINTMENT OF PLANNING BOARD SOLICITOR

M/ Vondran, S/ T. Saban motioned to appoint John Alice, Esquire as Planning Board Solicitor

Ayes: Abate, Culver, Miller, B. Saban, T. Saban, Thomas, Vondran, Moorhouse, Chapes

ELECTION OF PLANNING BOARD CHAIRPERSON

M/ Vondran, S/ B. Saban motioned to appoint Joe Abate as Planning Board Chairperson.

Ayes: Abate, Culver, Miller, B. Saban, T. Saban, Thomas, Vondran, Moorhouse, Chapes

APPOINTMENT OF PLANNING BOARD SECRETARY

M/ Miller, S/ Vondran motioned to appoint Debbie Schlosser as Planning Board Secretary

Ayes: Abate, Culver, Miller, B. Saban, T. Saban, Thomas, Vondran, Moorhouse, Chapes

APPOINTMENT OF PLANNING BOARD ENGINEER

M/ Miller, S/ B. Saban motioned to appoint Bryson & Yates as Planning Board Engineer

Ayes: Abate, Culver, Miller, B. Saban, T. Saban, Thomas, Vondran, Moorhouse, Chapes

APPOINTMENT OF PLANNING BOARD PLANNER

M/ Abate, S/ T. Saban motioned to appoint Bryson & Yates as Planning Board Planner

Ayes: Abate, Culver, Miller, B. Saban, T. Saban, Thomas, Vondran, Moorhouse, Chapes

APPOINTMENT OF VICE CHAIRPERSON

M/ Abate, S/ Thomas motioned to appoint Barbara Saban as the Vice Chairperson
Ayes: Abate, Culver, Miller, B. Saban, Thomas, Vondran, Moorhouse, Chapes
Abstain: T. Saban

APPOINTMENT OF PLANNING BOARD NEWSPAPER

M/ Vondran, S/ Thomas motioned to appoint South Jersey News, The Sentinel of Gloucester County
Ayes: Abate, Culver, Miller, B. Saban, T. Saban, Thomas, Vondran, Moorhouse, Chapes

APPROVAL OF THE DESIGNATION OF THE 2022 PLANNING BOARD MEETING DATES AND TIMES

M/ T. Saban, S/ B. Saban motioned to appoint the dates listed in the packet. Conflict date is December meeting which has been changed to the second Monday of the month, December 12, 2022
Ayes: Abate, Culver, Miller, B. Saban, T. Saban, Thomas, Vondran, Moorhouse, Chapes

APPROVAL OF THE DESIGNATION OF THE 2022 DEVELOPMENT REVIEW COMMITTEE (DRC) MEETING DATES AND TIMES

M/ Vondran, S/ T. Saban motioned to appoint the dates listed in the packet.
Ayes: Abate, Culver, Miller, B. Saban, T. Saban, Thomas, Vondran, Moorhouse, Chapes

APPROVAL OF MINUTES

M/ B. Saban, S/ Miller - Approve the Minutes of the regular meeting of the Clayton Planning Board/Zoning Board held on November 22, 2021
Ayes: Abate, Miller, B. Saban, T. Saban, Thomas, Vondran
Abstain: Culver, Moorhouse, Chapes

OLD BUSINESS:

None.

NEW BUSINESS:

Clayton Healthcare, LLC – Block 710, Lots 7, 8 & 9 – Bulk Variance & Site Plan – Preliminary & Final

Dale Taylor, Esquire represents the applicant, Clayton Healthcare, LLC. They got approval for a use variance in June 2021 to permit a pharmacy and retail use. The application will act as a zoning board.

John Alice, Solicitor, swore in Samir Talati, owner, and Greg Simonds, P.E., along with Stan Bitgood, P.E., and Paul Breier, P.P., the Borough's professionals. Mr. Taylor presented an aerial review of the property with an overlay marked as Exhibit A-1. The combination of the proposed floor plan, traffic, and elevations of the building, are marked as Exhibit A-2.

Greg Simonds of GS Engineering on behalf of Clayton Healthcare, LLC. The property is known as Block 710, Lots 7, 8 & 9 formerly known as a hardware store which is rundown and vacant for some time. They are looking to renovate the single family dwelling on lot 9. They will be combining lots 7 and 8 to convert the existing hardware store into three units. There will be two medical units. One is 2,934 sq. ft. and the other 1,280 sq. ft. and then a pharmacy/retail in the front area at 2,050 sq. ft. with a drive-thru. Twenty-seven parking spaces are proposed along with new lighting, landscaping, curbing, and stormwater management proposed along the rear. The existing garage will be removed. The sidewalk and curbing is broken and non-compliant and will be replaced. Landscaping is proposed along the rear of the site adjacent to lots 2 and 10. Circulation on the property is one way access off of North Delsea Drive. There is two way access on High Street restricted to a right turn only and two way access further down on High Street. On-street parking is provided. There will be ten parking spaces along the frontage of the property. Joe Abate questioned if it was medical or retail. Dale Taylor answered yes it could be a small medical office or small retail. It will be something that will be permitted.

Dale Taylor, Esquire spoke briefly about the fireman's letter that was received. The fire chief had both applications for this evening on the memo. However, the one block and lot referenced was not related to this application at all. They agree to address any remarks that the fire company has. Mr. Taylor addressed the Public Works letter and they agree to address these comments.

Stan Bitgood, P.E. reviewed his letter dated January 5, 2022. Mr. Bitgood addressed the bulk requirements chart addressed in his letter. They are asking for impervious coverage of 44.1 as 40 is the maximum allowed. They need to provide for parking for the mixed use of the lot especially for lots 7 and 8 in the front. Plan will be corrected accordingly regarding red values. In regards to the architectural plans, the exterior building is in need of significant improvement and repairs. It is going to be completely renovated. They are proposing three signs one along the side and one on Delsea Drive. The signs will have to be checked.

The rear door may be relocated and the plans will be revised to make it more accessible. The final plans will have to demonstrate ADA compliance for the entrance. The plan shall be revised to show that the deteriorated curb shall be replaced. Brief discussion took place about the runoff and curbs. No new fencing is proposed. They are going to ask for a waiver of a curb where it drains more in the grass area and a trench in the rear. Mr. Bitgood suggested that if the area is difficult to drain to put curbing in the front on half of the site and curbing the side of the west exit. In regards to the existing deteriorated fencing it needs to be replaced and shown on the revised plan. The board asked that it be PVC and be complimentary. They will propose something to the board's professionals.

In regards to the grading comments, they agree to comply. They agree to provide the buffering. Brief discussion took place about the lighting and they agree to comply. Hours will be approximately 9 a.m. to 7 p.m. Monday – Friday, Saturday 9 a.m. to 4 p.m. and closed on Sunday.

The applicant, Mr. Talati, spoke in regards to the loading space which he believes is not necessary. Delivery is twice a week either UPS, Federal Express, or a small van/truck. Delivery now is approximately 9/9:30 a.m. or 4 p.m. It's not left outside. Delivery is during business hours. They can possibly park on High Street and then run in the door. Brief discussion took place between both engineers regarding the two ADA parking spaces.

The engineer asked the applicant how this site will be operated as a whole. The applicant will run the pharmacy and the other two spaces will be leased.

Mr. Bitgood stated that the plans show the anticipated number of peak hour drive through vehicles but it doesn't address the drive-thru being relatively close to Delsea Dr. It isn't adequate as some customers may end up out on Delsea Drive waiting in line. It will obstruct on the parking lot. Mr. Simonds agrees to work on that.

Mr. Taylor addressed a concern for some of the wording regarding the approval of the plans and the operation and use of the site being conditioned upon the traffic causing no interference and that he will have to stop his business. The language concerns him. Mr. Taylor indicated that he will work on it with the engineer.

Pedestrian sidewalks has been discussed between both engineers. Façade signs are not shown and will have to be shown on the plan. Mr. Taylor advised that he will make sure they either comply or come back before the board for a bulk variance. A free standing sign, if needed or wanted, has to be proposed. He doesn't have a problem with the board accepting it at final only. Brief discussion took place about exit signs. They will be provided.

A brief discussion took place about stormwater management. Documentation has to be provided that the project does not meet the threshold for a full stormwater management plan. Their engineer agreed. A dumpster area is included on the plan. Details are needed and will be provided at final. Mr. Bitgood agreed that it could be deferred to final. Medical waste will not be discarded in the dumpster. A service will pick medical waste up.

Brief discussion took place in regards to the HVAC equipment that's mounted on the roof and they agree to cover it.

The plans need to be revised to address these comments. If approved, the applicant shall provide a performance guarantee, maintenance guarantee, and inspection escrow. Approval is also contingent upon Clayton Water & Sewer, Gloucester County Soil Conservation, and NJDOT. Mr. Bitgood advised the board that he believes the plans are ready for preliminary but not ready for final. Dale Taylor, Esquire agreed and said they will change the plans and address the issues and will be back.

Paul Breier, P.P. address his letter dated January 17, 2022. He indicated that lot 7 and 8 which are being consolidated needs to be done in regards to the proposed parking for the approval. Paul asked a legal question that should they be consolidated before approval. John Alice responded that they are going to be. Paul added that they should not be signing site plans until the lots have been consolidated.

Mr. Breier asked that the closest fire hydrant be shown on the plan. Mr. Simonds said he will take a look and at it. He also advised that he will speak with the Fire Chief and that the fire company is located at the opposite corner of High Street.

Mr. Breier added that 24 spaces are required for the medical office use, 11 spaces for the front retail only unit, and two spaces for the residence but only 27 parking spaces are shown on the plan. A variance is requested with the site plan application for the reduced number of spaces. He thinks the street parking should be striped and asked the applicant's attorney to speak with the Borough engineer and see if he agrees and what he requires.

In regards to the landscaping, the applicant's engineer advised that they will work with the professionals on this. He recommended that the Bradford Pear trees be replaced with another flowering tree that is suitable the proposed location and climate. Dale Taylor, Esquire added that he also agrees with the comment about the Zelkova trees being replaced since they grow really high. Recommendations were included in his review letter.

They will comply with all legally enforceable requirements regarding affordable housing.

MOTION TO OPEN TO THE PUBLIC

M/ Miller, S/ B. Saban

Ayes: Unanimous

April Durham – 36 Maple St. – She asked about them putting up a fence behind the building and asked how high. They are proposing that they are just going to put trees back there. She came up and showed where her house was on the plans and brief discussion took place. She also added that there is a fire hydrant on that side.

MOTION TO CLOSE TO THE PUBLIC

M/ Miller, S/ B. Saban

Ayes: Unanimous

MOTION TO APPROVE THE PRELIMINARY SITE PLAN APPROVAL FOR BLOCK 710, Lots 7, 8 & 9

M/ Miller, S/ B. Saban

Ayes: Abate, Culver, Miller, B. Saban, Thomas, Moorhouse, Chapes

Station Drive, LLC – Fairview Apts. – Block 905, Lots 13, 14, 15 & 29 – Major Subdivision – Preliminary & Final Approval

David DeClement, Esquire on behalf of the applicant, Station Drive, LLC – Fairview Apts. In regards to this application, we had an informal meeting with the residents to hear their comments.

An overlay was done on the plans and they went to the town engineers and planners with them. From there, it went to this board for comment and then sent back to Borough Council and was adopted under Ordinance #28-2021. We are coming before this board now and have received letters from the boards engineer, planner, fire chief, and MUA. William Gilmore, P.E. was present along with Ms. Pantalone, Traffic P.E., and Vincent Simonelli, Principle. Marie Pantalone gave her credentials since this is the first time she has come before this board. She has been licensed since 1999. John Alice, Solicitor, swore them in.

Mr. Gilmore spoke in regards to this application. There are four lots with three that front on Delsea Drive and one fronts on Novack Dr. It is a split zone. This application is being submitted under the Redevelopment Agreement and there are no variances needed. They submitted a color rendering that has some minor changes (i.e., ID sign and mailbox were added). This will be marked as A-1.

There will be five three story high buildings. They will be identical. The only difference is that the bottom floor on Building #5 will be retail offices. They probably won't get much in there. One will be sales for the development. The entrance will be off of Delsea Drive. They have an emergency access to the rear to Novack Drive. The fire company mentioned in their letter that they do not want the proposed bollards on Novack Drive. The plans will be amended to remove those bollards. To facilitate the emergency vehicles coming in and out they will have a stone base with soil and grass. It will look like a lawn but it will be able to support the emergency vehicles. They have met all of the fire departments requirements. A revised plan will be submitted back to them for their review.

Brief discussion took place about the stormwater basins. They had spoken with the Borough's engineer. They over designed this system with what is required by the DEP. The basins will have extra space and will allow for more if there are back to back storms. The sewer will come in from Novack Drive and the water from Novack will increase the pressures in the development as well as on Novack Drive. Fire hydrants are proposed in the development for fire access.

There will be 112 apartments total. There are 28 one-bedroom units and 84 two-bedroom units. The one and two bedroom units will be intermixed in the buildings. There will be a 28' wide buffer all around the property. They will have a fence and prefer the fence to blend in with trees so they will not use a white vinyl stockade fence. Benches will be kept inside the site. Dumpsters will be throughout the development. There will be a sign on both sides of the driveway, 50' back. The trash trucks will come in the development to empty the dumpsters. There will not be a lot of box truck traffic.

The commercial retail is a total of 7,700 sq. ft. which will include the management office and laundry. The mailboxes will be centralized which is preferred by the Post Office. They will comply with most of the comments from the Borough Engineer. They are asking for a waiver for loading space. They can just come in and use what's available. They're also asking for a waiver from the environmental impact study. Joe Abate added that he thinks it's more for the residents and he would like to have one. The applicant agreed.

The job will be one phase and they anticipate it will take approximately 18 months to complete. Joe Abate added that the important thing is the impact on the neighborhood while you're doing that. Mr. Gilmore indicated that's why they prefer doing it in one phase as opposed to doing it over five years. Construction hours will be Monday-Friday 8 a.m. to 5 p.m.

In regards to Mr. Breier's letter, they will comply with the 42' minimum roof height. There is also a requirement for open space which is 150 sq. ft. required for 1 bedroom and 250 sq. ft. required for 2 bedroom.

Brief discussion took place regarding the sign location. Mr. Gilmore asked if anyone had any questions. Joe Abate mentioned fencing and suggested that they have gray vinyl fencing since the buildings are going to be gray. The board advised that the residents can decide. Joe Abate also asked how they are going to stop people from using the emergency access road. They were going to use bollards but the fire company does not want them. It's going to look like a lawn. Joe Abate doesn't want it used as a cut through. Stan Bitgood, P.E., advised that they can put a chain with a gate and lock box like they use at commercial sites. They also have bollards that can break away. Tony Saban added that a small lip not a curb be installed so there is something there to deter. William Gilmore added that they could put the small curb on both ends so no one can go in or out.

Joe Abate referenced the fire chief's letter the comment at the bottom that the town needs to take into consideration three story units as their current ladder is not tall enough. Between setbacks and height they come up short as this can affect everything from fire suppression to life safety. It was suggested by Stan Bitgood that he, the applicants' professionals, and the fire department meet to discuss this issue to make sure they are not referencing this development. Stan added that he raised an issue about the amount of room behind the buildings between the buildings and the basin. The applicant will retain the basin. Brief discussion took place regarding the basin.

Ms. Pantalone advised that she has been involved in this project since 2019 and this was before the covid pandemic and the traffic bottomed out. The project has an opening year of 2022. The 2019 data was increased by 1% per year. Despite traffic bottoming out and our new normal of people working from home and activities being cancelled, etc...the data used to project the apartments and the commercial is also based on the covid pandemic data and that is also a conservative estimate.

Despite the increased traffic not only on South Delsea Dr. and on the driveway, the traffic generated from the apartment buildings is very low. It's 40 from the morning peak hour to 49 during the afternoon peak hour. From a commercial element that is present in building five and is also the closest to Delsea Drive, it was also assumed in total to utilizing the highway to be layered onto South Delsea Drive. There is already some traffic on Delsea Drive that will come into the development to access a commercial use. I didn't assume that I assumed all the traffic was new. I also assumed that all the traffic would be coming from Delsea Drive where it is likely that there will be some internalization. It is a conservative amount of traffic in the driveway and also on Delsea Drive.

Tony Saban mentioned that Gloucester County Improvement Authority is always running traffic studies. He asked if their office consults with the County. Ms. Pantalone responded that she has seen that on Delsea Drive that traffic is almost back at 90% normal conditions but she hasn't actually consulted with the County. Stan Bitgood, P.E. asked if she projected for 20 years. She responded no that she only projected to the opening year. She also added that the opportunity to make a left or right turn in and out of the site is part of the calculation of the level of service on the driveway. The delays on the driveway range between 10-12 seconds during peak hours. During other hours, it will be even less. This is not a high traffic generator. There is just a single lane into the development and a single lane out. Joe Abate asked how wide the lane is and it's 24' total. An application hasn't been submitted to NJDOT yet but will be in the next few weeks and a traffic study will be provided.

Paul Breier, P.E. referred to his letter dated January 19, 2022. He added that all items have been addressed or they agree to comply. He mentioned about the apartments being stretched out and no more than three in a row and spread out throughout the site. Buildings three, four, and five are together and the others are spread out.

Stan Bitgood, P.E. referenced his letter dated January 19, 2022. He advised that an area should be designated for loading. He also confirmed with the applicant if they are going to have the police department enforce title 39.

Brief discussion took place about the stormwater basin. Stan asked if there is a rear elevation of the building. He was advised that there is no floor access to the rear of the building. There will be adequate room with retaining walls as discussed. Stan added that it would be for effective maintenance. It's all in the front. There was discussion and it can be modified. Stan asked that it be increased to at least 4' and that there be no exit doors on the rear of any of the buildings. The applicant agrees to comply with all of the engineer's other comments.

Joe Abate asked about the apartment in the back (apartment #2) as he believes the drainage basin is awfully close. Mr. Gilmore advised that that is what Mr. Bitgood was just discussing. Additional discussion took place about test results being provided before they build any buildings.

Paul Breier, P.P. asked Mr. Gilmore how deep the basins are. Mr. Gilmore answered that they are very shallow about 2-3' deep. DEP doesn't allow more than 2'. Most are less than that. We provided more to have extra capacity.

Joe Abate asked what protection is around the basins. There is bush rail fence with wire behind it. Additional discussion took place. Mr. Gilmore believes it's a good design for this. Joe Abate then asked what protection do they have for cars. They have the fence and curbs. Joe asked that something be put there to protect it. He said they can put a beam or post there.

MOTION TO OPEN TO THE PUBLIC

Suzanne Marcheski – 165 Novack Dr. – She was at the last meeting and has a couple of comments. She was not notified properly. She did not receive the letter certified mail that had to be signed for. For the last meeting they received notice by certified mail which they had to sign for and regular mail. This time they got an envelope with a little piece of green paper on it. We were not served properly and some of the neighbors may not have been notified. Mr. DeClement advised that all notices were sent out by certified mail and all of the certified receipts were turned in along with the Notice of Publication. The mailman gave her husband, Charles Marcheski, a stack of mail. When he went through it, one envelope had a green strip on it. No one asked him to sign for anything nor were they told they had a certified letter. Mr. DeClement advised that that is not their obligation they did what they were supposed to do. Mrs. Marcheski responded that they were not served by certified mail and did not sign for anything, therefore, they were not served properly.

John Alice, Solicitor advised that you do not have to have a certified green card. The board secretary has the proof of mailing from the applicant and it is her job to go through it. They only have to have the proof of mailing which is a white piece of paper which is affixed to the letter that you are sending out certified. When you get a green card, they charge you more. Typical practice is to send it out certified mail, return receipt requested. The return receipt requested part is the green card. Why do people do that it's traditional policy but it is not the law. Technically you could comply by the statute by sending out just the white proofs of mail and not send out the green card.

I was at the first meeting for this. I notice the Mayor is not here tonight. You can go back and check your notes. The Mayor assured me that this wasn't going to be approved. He also assured other people. He said there is plenty of other property in this Borough that could house this. That's before they needed an emergency exit on Novack Drive. We are not a new development but we are a small development. People park on the street and there are school buses as there are a lot of kids in that area. They purchased one property and they are going to tear down that one property to put this in. Will the fire trucks be able to fit? How far on either side of that is that driveway going to be. There isn't going to be enough room which means they are going to be using that back driveway in our neighborhood to exit through that building.

There are drainage issues on Novack Dr. A lot of our basements have sump pumps in their because it is soft ground. I've been there close to 30 years and have water close to two feet in her basement. Those two foot basins are not going to stop the water from coming into their basements. There is also a safety issue with the back driveway, there is a flooding issue, and there is a traffic issue.

She is only three houses from where that emergency exit is going to be. How close to our properties are these fences and that building along the back going to be. According to the drawing the only thing between that fence and building are the basins for the water to go into. That's a lot higher than our properties back there.

Mr. DeClement responded that there is no traffic going onto Novack. The exit is for emergency vehicle use only for fire trucks. That piece was purchased for emergency vehicle use only since there is only one exit on Delsea Drive. The fire department already took a look at the fence and they are happy with that. The drainage is self contained as stated and the board's engineers agree with it.

Mrs. Marcheski asked how are they going to stop the traffic from going through that emergency exit. Mr. DeClement responded again that maybe she misunderstood but there is no traffic. They agreed to put a raised lift or curb that complies with the fire truck clearance on both ends. You will not see a driveway. You will only see a grassy field. This is to take the weight of a fire truck. At grade level, you will only see a mowed lawn. She indicated that it is wet ground and the fire trucks are going to sink. Mr. DeClement indicated again that there will be paving there. A type of which allows grass to go through it. You will not see the driveway but it will be there designed specifically to handle this load but it will look like a grass field. She added that it is very soft ground back there and their basements already flood. We are flooded out when it rains two inches. Mr. DeClement added that he can't speak for her drainage issues just the drainage issues of this development. Additional discussion took place. They will also be doing soil testing. She does understand but isn't convinced that they're not going to get more flooding than they already do.

While all of the construction is going on will they be using that emergency as an entrance for the work trucks. They will not be using that emergency exit. They can't use Delsea Drive either. They will put silk fence all around the project which lets the water go through but catches the soil. All of the basins have to be constructed first. You can't drive through a silk fence.

Lastly, for council to remember when they had their last meeting a comment was made by the Mayor who isn't here was that the neighbors don't seem to disagree with this. I haven't had one council member or anyone in my neighborhood except for at election time asking what we think of this. We were guaranteed and I want you to go back and look at those notes from the last meeting from Mr. Bianco and someone else from this

council that this would not go through. That this was not the proper place for this. Joe Abate indicated that we are not Mayor and Council here we are the planning/zoning board. She was also advised that there will be a Council meeting on Thursday and that she can come and voice her opinion. He added that it is a virtual meeting. She said she just wanted them to know that the neighbors are not happy with this.

Carmela Butterick - 54 Walnut St. – She can't see the map. She was told to come up and look at it but asked if the fence will be on the property line. They advised that yes it is. That there is a chain link fence there now and a vinyl fence will be placed in front of it. There is a 20' buffer that will be planted with trees. They are going to try and leave what is there now and add trees where needed. There will be some windows on the side. She has activities going on in her back yard. They added that she also has some woods back there. She added that she thinks people will find a way to use that emergency exit to go to Route 55.

She asked about the walking trail. She said when they are back their walking they will find it. They are going to do Title 39 where the police can enforce it. If you see someone accessing it, call the cops. They will be able to give out tickets. She added that she thinks there is going to be a lot of traffic.

She asked about security and lighting. Stan Bitgood asked that they lower the lighting levels. They will agree with everything that the board requires. They also have to have lighting on the buildings for safety and after hours. There are 260 parking spaces and not all will be utilized. Mrs. Butterick indicated that this isn't a senior citizen's complex so most people will have at least one car, possibly two cars. There will be school aged children living there. There are no school buses so the kids will either walk or get driven to school. She resides on Walnut St. and there is a gas station and diner there. Sometimes it takes about five minutes to get out of the street onto Delsea Drive. She was advised that the average delay is about 10 seconds. There will be three dumpsters throughout the development (shown to her on the map) with pick up during the day.

Joe Abate added that she makes some good points and asked if they could put some breakaway bollards. He was advised that's what they proposed but the fire company doesn't want them. John Alice responded that they are going to go to the spot with the fire company and work it out. They will comply with whatever the fire company wants.

Joann Clay – 1 Jerrys Avenue – The dumpsters that you pointed to is right behind her house. She already has to deal with Sicilia's Pizza which is right next to her. Mr. Gilmore told her that they are residential dumpsters. She responded that a dumpster is a dumpster and that they stink. He said it depends on how often they are picked up. She said if you walk Delsea Drive down from Kenny's Liquors down to Sicilia's Pizza onto Jerrys Ave and you can follow a trail of liquor bottles. There is a litter problem and there are a lot of liquor bottles. I have to always pick up bottles in my front yard.

Mr. DeClement advised that they were going to put picnic tables and benches but were advised not to do that. They are internal now. She was also told that the fence is going to

be 6 feet. She said with three story buildings they will be able to see right into her back yard or she will be able to see up into their apartments. They said it would be the same with a two story also. She thinks the PVC fence won't last more than a year as it will get torn down. They turn off of Delsea Drive onto Jerrys Avenue, sometimes on two wheels, and then onto Novack to cut through to get to Route 55. They don't even slow down. They will be using that emergency access as a cut through. When they see one person do it, they will all do it. The police need to enforce it there. You will need to call them when you see it. She feels they people living in the apartments are going to have two cars if they are working. All of them trying to get out onto Delsea Drive, it's going to look like Dunkin Donuts.

They added that everyone works different hours also. She also feels kids are going to be hanging out at the dumpsters. She was told it is a higher end community. This is not affordable housing. There is a certain percentage that is affordable which is NJ Law which is 10 percent. Management will also be on the property. The traffic is going to be worse. There will probably be at least one to two kids in each apartment. It will impact our schools. There are no school buses so they will have to be taken to school which is more traffic. What about our taxes as she believes they are going to go up because they will need to get more police. She was told that they are going to pay taxes. The tax assessor assessed them at \$600,000.00 a year. There is no tax abatement.

They told her that Clayton needs to grow. You have a hospital that isn't too far from here, access to Route 55, the college isn't too far.

Laura Hampton – 36 Maple St. – Is the electric underground. All utilities are underground as it is required by the State. Brief discussion took place in regards to the water/sewer. She asked if they have garages and they said no. She then asked if moving trucks could get through and they responded yes, fire trucks can get through. She wanted to know if there will be walking trails and if they can be integrated to the schools. They answered there are going to be walking trails but the Borough asked them not to connect to the schools. It was originally designed to do that but they were asked not to.

Eric Hadley – 558 S. Delsea Dr.

How far are the properties off of Jerry's Avenue. There is a 20' buffer and there will be trees which are not shown then the stormwater management. That's almost 50 feet. He approached the plans on display and brief discussion took place. The office/laundry is 1,000 sq. ft. and the other retail is 6,000 sq. ft. for a total of 7,000 sq. ft. The commercial was added on. It was part of a density issue. The developer is hoping to rent that as office space. Mr. Hadley said that there is going to be more traffic. The commercial is calculated in the traffic study. The average is 10-12 seconds, not five seconds. Five seconds was never said.

Mr. Hadley stated that there is no way you're going to have 112 apartments along with commercial and not have a traffic jam with one driveway in and out and not have a traffic jam or problems on Delsea Dr. Brief discussion took place. He asked how far off of Delsea Drive is the retention pond? It's about 5 or 10 feet off of Delsea Drive. Brief

discussion took place. He was advised that this has been a two year process even though some are seeing it for the very first time. The first building is about 60 feet off of Delsea Drive. There will be a fence.

Amanda Dodd – 42 Walnut St.

She just moved here approximately four months ago. This letter was the first time we were hearing of this. We may not have bought this house if we would have known that something would be build right behind us. She was asked to locate her property on the plan. Her and the applicant's engineer spoke briefly of the layout on the plan. She also asked about the trail and brief discussion took place.

She mentioned that it's going to take 1 ½ years to complete with construction being done between 8 a.m. to 5 p.m. She works nights. Mr. Gilmore explained the process. It's not going to be a year and half of constant construction noise. She asked if it is always going to be daytime hours as people work rotating shifts. Yes, construction works during the day. She indicated that road workers work during the night. They told her they can't do that as it would violate the town ordinance. The road workers work at night cause there is less traffic. She also mentioned about the wildlife being displaced. They agreed but that's the way it is.

Cheryl Kreiner – 127 Novack Dr.

She asked about the retention ponds and what they are going to do about mosquito control. They drain quick enough so you will not have that mosquito problem. Also, if it's not working by law it can't be anymore than 72 hours. That is DEP regulations.

She inquired about the construction phase. Are all five buildings going to be constructed at the same time. Not exactly. They will have a couple of crews on site and they will build one building and then move onto the next building and build that one. She asked if the construction traffic asked if 257 Novack will be used for egress and ingress. They said absolutely not. She also asked if there is a retention pond right behind that emergency access field. It will be maintained. She was asked to come up to the plan and brief discussion took place. She advised that there are weights behind Rustic Village at the back entrance and asked why can't they do that here. Joe Abate answered that they are going to do what the fire company wants them to do. She asked if it's different rules over there than here. John Alice said it is. He explained that it's not one size fits all and there is going to be a site visit between the board engineer, the applicant's engineer, and the fire chief. John Alice added it will be addressed and if it becomes a problem it will be re-visited. Joe Abate also mentioned that Rustic Village used to have that open and because of issues it is now closed. That could possibly happen here.

Jasmine Brown – 7 Jerrys Ave.

She as well just bought her house about 10 months ago and probably would not have bought either if she had known about this. She asked if this is definitely happening. Mr. Gilmore answered that he cannot really answer that but that they meet all of the requirements. She then asked the board if this happening no matter what the neighbors say or is it just a proposal. Joe Abate answered that they don't know yet.

You said the drains can hold water up to 72 hours. She believes she is lot 20 and backs that. The trees would help hold it but are you knocking down all of the woods. She was told they are not knocking down all of the woods and to come up to the plan. Brief discussion took place. She advised that if they want to buy her property as well to let her know as it is on the market now.

Rose Matthews – 556 S. Delsea Dr.

She said that the buildings are beautiful. She thought previously that it was a 50' buffer and not 20'. Mr. DeClement went you add everything up (green space and blue space). She approached the plan. She asked if the 50' includes the retention pond and they said yes.

She asked about the one way in and out. Is it wide enough. It's going to be 25' wide enough for two lanes. Brief discussion took place about sidewalks as she likes to walk her dog. They told her there will be sidewalks and she could walk her dog in there. She asked for the card of the person who is responsible so she can reach out to him. They said it would be Vince Simonelli.

Dave Chapes – 73 Walnut St.

My family also owns the property at 642 Lynn Dr. They asked him to approach the plan to indicate where the property is. This property is the lowest on the street. Brief discussion took place with David DeClement about the ground water and the seepage. Stan Bitgood asked that their engineer answer. John Alice intervened and asked that the resident step back to the microphone and that either the applicant's engineer or the board's engineer be addressed.

Mr. Chapes asked what assurance they could give the houses around this property are not going to have water in their basement. If they do, can we go to this gentleman to have their houses taken care of. Mr. Gilmore responded. Mr. Chapes added that it used to be swamp land years ago (Walnut, Jerrys, Lynn). He told them that if they get a chance to ride through those areas the next time it rains so they will see. John Alice advised that during the actual construction of the development that they will have actual checks that will involve the board's engineer and the applicant's engineer.

Mr. Chapes asked again will they drive around the surrounding areas to see the impact of the water if it rains. Mr. Bitgood answered that the applicant has shown in their report items that must be complied with. In addition, these basins must work as soon as they are built during construction. The State requires an operation and management plan which comes effective on day one when they are start digging. They actually do check it after a storm. There is a process to protect the residents around the site established by the State of NJ not by the Borough and the Borough has to live with it like everyone else. Mr. Bitgood added that the Borough or the developer are never out of it. Joe Abate added that the retention ponds will be built first before anything.

Mr. Chapes said that he hope it all works or there are going to be a lot of people complaining. Stan Bitgood added that the Borough has to make sure they are, in fact, doing that. If they don't, the Borough has an obligation to enforce and make them do it. Darlene Vondran indicated that they didn't have this stuff when here house was built and when it rains she gets a swimming pool in her basement. She said it probably wouldn't have been able to have been built in today's standards.

Cory Clement – 140 Novack Drive

Will the sewage drainage connect onto Novack Dr. Mr. Gilmore answered yes. He asked if there any plans to revamp that as he has issues with drainage even his washer and dryer and additional issues. Mr. Gilmore indicated that the procedure is that they have to submit an application along with the plans to the Sewer Department. They will review them along with the DEP reviewing all of the calculations. We don't know of any known issues on Novack. If there are issues, they will come up. You could have an issue with your service lateral as I'm not sure if you have had it inspected. It could be corroded. He has had public works out to his property twice due to backing up. He said they mentioned that they lost a manhole cover so he is a little concerned.

He asked about security lighting on the back of the buildings. Mr. Gilmore doesn't believe they proposed any lighting on the back of the buildings. Mr. Clement's concern is light pollution. The lights are going to be directed down. Mr. Gilmore double checked the plan and there are no lights proposed on the rear of the buildings.

In regards to a motor vehicle accident, the average tow truck time is 48 mins. You're proposing one way in and one way out. If there is an accident right out in front of the development the traffic won't be directed to the emergency access in the back they will just have to wait there? If that does occur, local law enforcement would decide.

He also asked since there are going to be more kids walking to school will there be more crossing guards. The police will address that. In regards to the environmental study, can we make sure that goes through. The applicant already agreed to do one.

Sue Miller added that one of the primary issues are the basins. The first thing built are the basins. Is there anything for the basins that can catch the water during construction since parking goes in last. Mr. Gilmore addressed this question.

Barb Saban told Mr. Gilmore that he was very good tonight addressing the questions and patient.

**MOTION TO APPROVE MAJOR SUBDIVISION – PRELIMINARY & FINAL --
STATION DRIVE, LLC/FAIRVIEW APTS. - BLOCK 905, LOTS 13, 14, 15, & 29
M/ Miller, S/ B. Saban**

Ayes: Abate, Culver, Miller, B. Saban, T. Saban, Thomas, Vondran, Moorhouse, Chapes

MOTION TO OPEN TO THE PUBLIC

M/, S/

David Cucinotta – I am not living in town right now but are anticipating building a house at 570 E. Clayton Ave. – Block 1101, Lot 6

He has a plot plan grading completed which was reviewed by the Borough. He went to the Gloucester County Soil Conservation to apply there. He can make a request for a single family exemption. If the lots were created prior to January 1, 1976 for single family dwellings, he could be exempt. His deed says final plan of property was dated December 2, 1974 and filed July 27, 1976. It wasn't filed till after January 1976 but he asking for a letter from the board saying he is exempt. He said the County Soil Conservation would probably accept that and give them his blessing as well.

Joe Abate deferred to John Alice, Solicitor. John Alice advised that he doesn't know what he is talking about. Mr. Cucinotta was told to send a letter to the Administrator identifying exactly what the basis is along with your documents. She can submit it to either John Alice, Esquire or Tim Scaffidi, Esquire. Mr. Cucinotta said he is renting an apartment right now and can't stand it. He just wants to get back here and start building. Sue asked him to get it to her as soon as possible as they are having a council meeting that week.

MOTION TO CLOSE PUBLIC

M/, S/

CORRESPONDENCE:

Resignation letter from Steve Branco dated January 17, 2022. Motion accepted with regrets.

M/ T. Saban, S/ B. Saban

DISCUSSION:

None.

RESOLUTIONS:

#01-2022 –Electing Officers (Chair, Vice Chair, and Secretary)

#02-2022 – Appointing Professionals (Solicitor, Professional Planner & Engineer)

#03-2022 – Appointing Official Newspapers

#04-2022 – Setting Forth A Schedule of Public Meetings

#05-2022 – Setting Forth a Schedule of DRC Meetings

MOTION TO APPROVE THE ABOVE RESOLUTIONS

M/ T. Saban, S/ Vondran

Ayes: Unanimous

ADJOURNMENT

M/ Vondran, S/ Miller

Ayes: Unanimous

Submitted by,

A handwritten signature in cursive script, appearing to read "Debbie Schlosser".

Debbie Schlosser

Planning Board Secretary

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