

**CLAYTON PLANNING BOARD  
MEETING MINUTES  
MARCH 28, 2022**

John Alice swore in new member, Anthony Cerone

The regular 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.

**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, Cerone, Culver, Miller, T. Saban (arrived at 7:20 p.m.), Thomas, Vondran, Wise, Moorhouse

Absent: Bianco, B. Saban, Chapes

**APPROVAL OF MINUTES**

M/ Vondran, S/ Culver

Reorganization Meeting, January 24, 2022 and the Regular Meeting, February 28, 2022

Ayes: Abate, Cerone, Culver, Miller, Vondran, Wise – February 28, 2022 Minutes only, Moorhouse

Abstain: Wise – January 24, 2022 Reorg. Minutes only

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

None.

**MOTION TO OPEN TO THE PUBLIC**

M/ Vondran, S/ Culver

Ayes: Unanimous

Howard Shinn – 20 E. Clayton Ave. – He resides behind Twin Kiss. He wants to know when it's going to be heard and when it's going to be taken down. He said it's an annoyance and its dangerous being next to it. He said he was told this matter was going to be heard tonight and that he was going to receive a letter. He never received a letter. You can't sit outside because you could get hit with something coming over the fence. Joe Abate asked the Solicitor if he should address Mayor and Council. John Alice asked what application he was speaking about. The secretary advised that they are still waiting for some stuff from Twin Kiss's attorney and they are looking to be scheduled in April. Brief discussion took place between John Alice, Solicitor, and Mr. Shinn. Mr. Alice

indicated that he spoke to the applicants' attorney last month when he came before this board on another matter. He told him he thought the application was incomplete and asked that his client get a site plan and go before the DRC before coming to the board. Mr. Shinn had some complaints about the property stating that it goes against zoning as you cannot put stuff up in trees. He said he has a net that goes across the side of his property. Who is going to buy a house with a giant net hanging over it if he tries to sell it. This has been going on for six years. He had to take them to court to get them to remove the basketball net. If he has to, he will take them back to court again. The noise is ridiculous. Sometimes kids are out there at 8 a.m. or 9 a.m. John Alice asked if the lot is being utilized now and Mr. Shinn responded yes they're out there whether they are open or not. John indicated that their attorney told him they would not be utilizing that lot until this matter was heard. He has two balls in his yard right now.

Joe Abate indicated that the Code Enforcement Officer needs to be sent there. You can't sleep because it's noisy and lights are blaring over the fence. We've tried talking to them about it and have even given them suggestions but they do nothing about it. They don't want to put up any trees or noise barriers or anything. Something needs to be done as it is getting out of hand. Kids are literally being dropped off to play their all day. Joe Abate asked that the board secretary try and get the DRC scheduled for April. John Alice advised that he told their attorney that they should come before a work group before they come before the board. Mr. Shinn indicated that he has come to this board and Mayor and Council with complaints as this has been going on since 2018.

Patrick MacNeil – 21 E. Linden St.

He believes that Twin Kiss is an asset to the town. He doesn't think it should be a hang out. A hang out in a residential area is not good. He said that the noise and light is a problem. No one wants to see anyone get hurt either.

April Durham – 36 Maple St.

The old Nicastro property which came before the board previously and was approved she wanted to know the status of it. She was told that it was approved and they will be doing something with it. She also said that council has a presentation of safe streets. Can they utilize some of that information for the apartments that are going down on Delsea Drive making sure there is enough roadway and bus stops. Who asks that a bus stop be put there. Darlene Vondran answered that it's the State of New Jersey. She also added that if a person wants it moved they have to petition the State.

#### **MOTION TO CLOSE TO THE PUBLIC**

M/ Vondran, S/ Culver

Ayes: Unanimous

#### **CORRESPONDENCE:**

None.

**DISCUSSION:**

John Alice, Solicitor went over Land Use Liability Training with the board members required by JIF on how the board needs to conduct itself

. He spoke about board member immunity, conflicts of interest, inverse condemnation, religious cases, adult bookstores/movie theaters, and selective enforcement. Brief discussion took place.

**RESOLUTIONS:**

#08-2022 – Granting Preliminary & Final Site Plan Approval With Variance Relief – St. Paul's Church – Block 604, Lot 1

M/ T. Saban, S/ Vondran

Ayes: Abate, Culver, Miller, T. Saban, Vondran, Wise, Moorhouse

Abstain: Cerone

**ADJOURNMENT**

M/ Vondran, S/ Miller

Ayes: Unanimous

Submitted by,



Debbie Schlosser

Planning Board Secretary