

**CLAYTON PLANNING BOARD  
REGULAR MEETING MINUTES  
AUGUST 19, 2019**

The regular meeting of the Clayton Planning Board was called to order at 7:30 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: Bianco, Branco, Glennon, Miller, Saban, Thomas, Vondran

Absent: Abate, Fox

**APPROVAL OF MINUTES**

M/Saban, S/Bianco - Approve the Minutes of the regular meeting of the Clayton Planning Board/Zoning Board held on February 25, 2019

Ayes: Bianco, Branco, Glennon, Miller, Saban, Thomas

Abstain: Vondran

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

Center for Family Services – Minor Site Plan Approval/Use Variances – Block 1903, Lot 3

Jeffrey Daniels, Esquire of Angelini, Viniar & Freedman, LLP represented Center for Family Services. Appearing also was Charles Ansert of Center for Family Services, James Miller, Planner, Marie Baaden, P.E. of Consulting Engineers. Jim Miller, PP, provided his experience/credentials along with Marie Baaden, PE. They were sworn in by Brian Lozuke, Esquire.

Mr. Daniels advised the board that they were here for a use variance to convert an existing two car garage located at 202 Carpenter St. They originally filed in June but per the professionals were told to include lot 2 so they amended the application. The garage on lot 3 will be converted to offices. They also included 200 Carpenter St. in this application which already exists. They are seeking minor site plan approval and various waivers. Since there was a use variance the Mayor and council person need to step down. The applicant was advised that it only leaves them with five members to vote. The applicant wished to proceed.

Stan Bitgood, P.E. went over his letter dated August 14, 2019 regarding completeness items. In regards to solid waste containers and recyclables, the applicant indicated that they currently use municipal pick up. The offices will not provide enough to need a dumpster. If the applicant wants a buffer, they will need a landscaping plan.

They are in contract under the State of NJ to help abused and neglected children. They try to create a home environment and they have offices throughout the State. There is an existing garage at this property and they would like to leave the garage to look like a garage so the children feel they live in any other house. They are not changing anything except for the door on the side. They will be working with the municipal inspectors in regards to the inside of the building. There are professionals in the house that help the children 24/7. Sometimes a child needs more of a one on one treatment and are in need of quiet and separate space. It will be used as an as needed basis not on a daily basis.

Doug Akin, P.P. asked what the building is used for now. Mr. Ansert advised that the garage is currently empty. Rose Ann Lafferty, Zoning Officer, advised the applicant to go to the board for a use variance. Doug Akin, P.P., has no objection to the waivers. Both Stan Bitgood, P.E. and Douglas Akin, P.P. have no objection to waiving for completeness.

Stan Bitgood suggested that they do a roll call to deem the application as complete  
Ayes: Branco, Glennon, Miller, Saban, Thomas  
Absent: Abate, Fox

The applicant's engineer gave an overview of the site plan for Block 1903, Lots 2 and 3. Lot 2 is 1.67 acres with frontage on Route 47 and Lot 3 is 3.41 acres and fronts Carpenter Street. There are two entrances on Carpenter Street. The driveways and parking are not connected. They are proposing a crosswalk or halfway to connect both lots. In the garage, they are looking for 1,596 sq. ft. of office space and 242 sq. ft. of storage space. The applicant also included 403 sq. ft. of an asphalt parking area which will also have ADA compliant parking space. There are also proposing ADA compliant sidewalk that will connect the parking to the proposed office space. Exhibit "A" was circulated to the board members.

Under the previous application, Lot 2 was approved for six parking spaces and under this application they are asking for eight additional spaces. Fourteen parking spaces are required, however, there will be a total of 27. The kids that reside at the home are not of driving age.

They are asking for a variance on the buffers for the street wherein 50' is required. A loading zone is not needed as they do not receive any deliveries. There is currently septic and well water. They are not proposing anything for utilities. They are not asking for any storm water management improvements either. Stan asked some questions and indicated that the well needs to be shown on the final plan for completeness if approved.

Per Stan, the board can deem the application complete and accept the waivers that have been accepted.

Steve Branco asked about the width of the driveway and emergency vehicles. A fire truck could service the property off of Carpenter St. Joe Glennon asked where the closest fire hydrant is. The engineer indicated well water is at the property but there are fire hydrants located on Delsea Drive.

Steve Branco asked how many cars are there currently. There are approximately 4 or 5 employees during the day. Office space is requiring additional spaces. Charles Ansert responded that there is a pedestrian path between the houses and they are going to make it a hard surface. The staff is going to use the front parking lot as both houses has a minimum of two people per house 24/7 taking care of the children. It made sense to use the front parking lot and not create a new one. Two-thirds of the front parking lot is empty 90% of the time. That was built on the prior use. They just think it makes most sense to connect both pieces.

Jeff Daniels, Esquire added that it be deed restricted in case the lots are ever sold they want to go back into residential use. They don't want another commercial property coming in using our approvals and putting something else in there other than a group home.

Stan asked that they provide proof of consolidation and it will be provided. NJDEP permits are not required per their engineer. Curbs are normally required but will be an issue according to their engineer. Stan agrees that it will also look too commercial and they will be getting away from their house environment.

Charles Ansert indicated that prior to purchasing the house they verified there were no existing oil tanks and they did not install any either. They had to provide proof to the lender. No grading has been proposed. If the sidewalk is raised slightly it will provide proper drainage. Buffering can change appearance and hide things. Doug added that it is the end of town and a dead end street and they are better off left alone for now without landscaping.

They proposed wall pack lights which are LED. They will work with the Borough's professionals. Our engineer doesn't have a problem with the reduced aisle width. Interior walk shown in lieu of sidewalks. This should be a waiver. There are currently no signs and they don't want one. In regards to soil erosion, the disturbance is small. They need to add it and show it on the plan.

Brief discussion took place about joint ownership of the lots. It was stipulated by their attorney that he will work with the solicitor in regards to the language in the resolution. Storm water management escrow will be required and may include County, Health, NJDEP, and construction. Jeff will work with Solicitor for language regarding parking and another use or sale down the line.

In regards to lot 3 they are proposing yellow striping and the solicitor asked if that is a handicap spot. Their attorney advised that it was not it is so no one parks there as it is a turnaround area.

Sue asked if people will occupy the upstairs and downstairs. Mr. Ansert advised that no one will actually live in that space. It depends if the client wants privacy then they will go upstairs, if necessary. Most services are held in the house. They will need to meet with the sub-code official and they do have existing alarms, etc... Steve asked who stays 24/7. They are licensed professionals and there are two of them. They stay in shifts and they are just in the homes.

Doug went over his report dated August 13, 2019 and he did speak to the applicant's planner last week briefly. The Center for Family Services are regulated by the State. They are not increasing kids. The use is for office space to support group home. The applicant was asked how many employees during the day and he indicated there will be a maximum of 4-5 people employees. Office space is requiring additional spaces.

There is a waiver on the trash. The ballards purpose is a light to light up walkway to meet ordinance requirements. There is one in front of the garage to stop vehicles.

Doug briefly discussed the various variances and waivers in regards to this application. They meet most bulk requirements. James Miller, P.P., agreed with them. It is in the HB Zone which primarily accommodates offices and professional/commercial uses. It is a non-residential usage. The relief they are seeking is a D2 variance because we have a modification of a pre-existing, non-confirming use. In addition, we have the C2 variances that your planner already went over.

Positive criteria is where the change isn't going to have a significant impact on its intensity or character. Nothing that is happening there is going to intensify or change the character. The structures are going to remain basically identical to what they are currently. There are no additional employees or clients. Any improvements are enhancements to the site basically to accommodate handicapped people and to approve the pedestrian circulation through the site.

The location is going to continue to remain appropriate for its current use which has been established in the community. It's a low impact use and contains over 72,000 sq. ft. of property (a little less than 2 acres). It has more than adequate parking. The bulk variances have to do with buffering. This site does satisfy the positive criteria.

Negative criteria there is nothing known.

#### **MOTION TO OPEN TO THE PUBLIC**

M/ Miller, S/ Glennon

Ayes: Unanimous

**MOTION TO CLOSE TO THE PUBLIC**

M/ Saban, S/ Branco

Ayes: Unanimous

**MOTION TO APPROVE MINOR SITE PLAN ALONG WITH THE  
D2 AND C2 VARIANCES**

M/ Miller, S/ Thomas

Ayes: Branco, Glennon, Miller, Saban, Thomas

**MOTION TO OPEN TO THE PUBLIC**

M/ Miller, S/ Thomas

Ayes: Unanimous

**MOTION TO CLOSE TO THE PUBLIC**

M/ Miller, S/ Thomas

Ayes: Unanimous

**CORRESPONDENCE:**

None.

**DISCUSSION:**

None.

**RESOLUTIONS:**

#07-2019 – Amending Prior Resolution Granting Minor Site Plan and Bulk Variance Relief to Candy Carousel East, LLC – Block 1902, Lot 23.01

M/ Vondran , S/ Thomas

Ayes: Bianco, Glennon, Miller, Saban, Thomas, Vondran

Abstain: Branco

#08-2019 – Confirming the Review and Adoption of the 2018 Report of the Planning Board in its Capacity as a Zoning Board of Adjustment

M/ Bianco, S/ Thomas

Ayes: Bianco, Branco, Glennon, Miller, Saban, Thomas, Vondran

Brief discussion took place about a meeting to review the UDO and if someone from planning board should be there. He was told that he cannot have a quorum which is five members. Mr. Lozuke advised that procedurally council would introduce the ordinance with affirmative changes to the UDO and then refer it to the planning board for comment. Mr. Lozuke added that it is important that members from the planning board are involved from the beginning.

The planning board members chosen were Joe Abate, Barbara Saban, Joe Glennon, and alternate Melissa Fox.

**MOTION TO APPOINT PLANNING BOARD MEMBERS**

M/ Vondran, S/ Miller

Ayes: Bianco, Branco, Glennon, Miller, Saban, Thomas, Vondran

**ADJOURNMENT**

M/ Vondran, S/ Thomas

Ayes: Unanimous

Submitted by,

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

Debbie Schlosser

Planning Board Secretary

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