

**CLAYTON PLANNING BOARD  
PLANNING BOARD MEETING MINUTES  
JULY 24, 2023**

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, Thomas, Vondran, Wise, DePoe  
Absent: Bianco, B. Saban, Wiseburn

**APPROVAL OF MINUTES**

M/ Vondran, S/ T. Saban - Approve the Minutes of the regular meeting of the Clayton Planning Board/Zoning Board held on June 26, 2023.

Ayes: Abate, Culver, Miller, T. Saban, Thomas, Vondran, Wise  
Abstain: Cerone, DePoe

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

David Cucinotta – 570 E. Academy St., a/k/a Block 1101, Lot 6

David DeClement, Esquire was sworn in by the Solicitor. He represents the applicant, David Cucinotta in regards to a variance and side yard setbacks. The current driveway is supposed to be 15 feet but is 14.8 feet and the current side yard setback is 39.6 and is required to be 40 feet. The impervious coverage is supposed to be 30 percent and he is at 37.5 percent.

David Cucinotta indicated that he realized there was an issue when they received the final survey. It is a hardship as it is 2.5 inches on each side. There is stone on the house which wraps around the side of the house. He didn't realize it until after it was built and it wasn't done intentionally.

Wayne Roorda, Jr., P.E. & P.P referenced page two of his letter dated July 6, 2023. They are asking for waivers tonight. Mr. DeClement advised that items 1-10 in his letter are all technical requirements for an application before the board. As to the technical requirements this is not a site plan application but a bulk variance application. Mr. Roorda would not object to waivers but they have to ask for them and added that they are pretty minor.

Darlene asked if they came in for a DRC about a year or so ago. Mr. Cucinotta advised he did but it had nothing to do with lot 6 which is what they are here for tonight. Joe Abate asked about the sight triangles. Wayne answered that he is not sure if the original grading plan was approved by his office or Mark Brunermer's office. It pre-dated him if it was approved by his office but he couldn't find a file. Mr. Cucinotta added that there are not obstructions and he will not be putting up any shrubs or bushes.

Doc Cerone asked about the impervious coverage and asked why this is the first time it was discovered. Mr. Cucinotta advised that when the engineers reviewed it is when he found out about it. He does own the property all around it. Hope DePoe asked the applicant put in a septic tank. Mr. Cucinotta advised that sewer was not available and it would have been really expensive.

Mr. Roorda said the applicant is good on completeness.

Wayne Roorda discussed the bulk variances. The minimum side yard setback is 15 feet and they are at 14.8 feet and the minimum aggregate side yard setback should be 40 feet and they are at 39.6 feet. You're only talking a few inches but it requires an additional variance so they need three variances. One for the impervious, one for the minimum yard setback and one for the aggregate side yard setback. Mr. Cucinotta added that they are off five inches, 2 ½ inches on each side.

Hope DePoe asked about the fill in the back yard and asked if it will force drainage into the pond. Mr. Cucinotta answered no and that he owns the pond as it is part of lot 9.

Alex Smith, Solicitor, asked for them to state on the record why it meets the positive and negative criteria. Mr. Cucinotta didn't realize that the stone that wraps around the house was going to be over. It wasn't realized until the final survey.

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

M/ Vondran, S/ Thomas

Ayes: Unanimous

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

M/, Vondran, S/ Thomas

Ayes: Unanimous

#### **MOTION TO APPROVE MINOR SUBDIVISION BULK VARIANCES AND WAIVERS**

M/ T. Saban, S/ Thomas

Ayes: Abate, Cerone, Culver, Miller, T. Saban, Thomas, Vondran, Wise, DePoe

Doc Cerone asked Wayne Roorda if the septic area is part of the impervious surface. He was advised technically no cause the bed is actually underground and gas grows on top of it.

**OPEN PUBLIC PORTION**

M/ T. Saban, S/ Wise

Ayes: Unanimous

**CLOSE PUBLIC PORTION**

M/ T. Saban, S/ Wise

Ayes: Unanimous

**CORRESPONDENCE:**

None

**DISCUSSION:**

None

**RESOLUTIONS:**

Motion to Approve Resolution #18-2023 – Confirming Master Plan Consistency of Ordinance #15-2023

M/ Thomas, S/ Vondran

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

Abstain: Cerone, DePoe

Motion to Approve Resolution #19-2023 – Approving Minor Subdivision – Joseph Cucinotta – Coyle Rd., a/k/a Block 601, Lot 23

M/ Vondran, S/ Thomas

Ayes: Abate, Miller, T. Saban, Thomas, Vondran, Wise

No: Culver

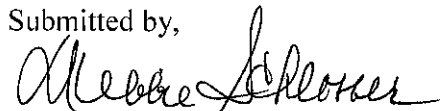
Abstain: Cerone, DePoe

**ADJOURNMENT**

M/ Vondran, S/ Thomas

Ayes: Unanimous

Submitted by,



Debbie Schlosser, PB Secretary