

**CLAYTON PLANNING BOARD  
PLANNING BOARD MEETING MINUTES  
SEPTEMBER 25, 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, B. Saban, T. Saban, Wiseburn  
Absent: Bianco, Thomas, Vondran, Wise, DePoe

**APPROVAL OF MINUTES**

M/ B. Saban, S/ Miller - Approve the Minutes of the regular meeting of the Clayton Planning Board/Zoning Board held on August 28, 2023.

Ayes: Abate, Cerone, Culver, Miller, B. Saban, T. Saban, Wiseburn  
Abstain:

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

Bruce Anderson – 110 Earl Avenue a/k/a Block 1814, Lot 15

Bruce Anderson was sworn in by Alexis Smith, Solicitor. He is looking to do a subdivision of his lot. He would like to give an opportunity for someone else to be a homeowner and hopefully someone will move in that can be a friend for his son and also bring in taxes to the community. His son just moved here from Williamstown where he was having some issues. He is now having a great experience in Clayton and support also. He grew up locally and is happy to be able to raise his son in the area. He wants to utilize the property for something positive. He is shocked that the previous owners didn't look into doing the same. He has had some neighbors ask him why he hasn't done anything with the lot. Currently, a lot of trash is thrown on the area which he cleans up. Hopefully that will stop if a house is built there. He just wants to afford someone else the opportunity to be a homeowner and use the land. It took him a while to find this property that he lives in now.

Joe Abate asked if he is going to divide it into three lots and he responded yes. He said Ewing advised him that they could do two lots and what's leftover would be his current lot. It will be two new lots and he will have the remaining lot.

Wayne Roorda, Jr. addressed his letter dated August 31, 2023. He said the application was missing some items which are basically just housekeeping items. Mr. Roorda advised Mr. Anderson that a signed and sealed copy of the survey needs to be provided to Mr. Roorda and the board from Ewing Associates. Mr. Anderson advised that he did have one done. If the application is approved, he was also advised that his surveyor will have to prepare all three legal descriptions for all three lots. A copy will be conditioned upon approval.

He also needs the surveyor to confirm impervious coverage is on the remaining lot and put it on the plan. As of now, all lots are known as by-right which is no variances or waivers are required now unless the impervious coverage changes but that doesn't really look like an issue. Confirmation from the surveyor is needed. Wayne explained that impervious coverage is rooftop, driveway, sidewalk. It's basically anything that is not grass that will not let water go into the ground. If the number is less, you're good. Joe Abate advised Mr. Anderson if he doesn't understand to make sure he asks.

Wayne added that the pavement width will need to be added to the plan as it is missing. Wayne told him he can either request a waiver for that or have his surveyor revise the plan to include it. Mr. Anderson answered that he will have the plan updated. Mr. Roorda asked if he is aware of any deed restrictions on his property and he said no. He also asked if there were any easements on the property. He is not aware of any. Everything is current. Easements are also not being proposed.

Wayne asked about sight triangle which is when you are on your driveway and you have accurate sight to see. You will have to do a grading plan which the Borough Engineer will have to review and approve which will show the sight triangles. Wayne advised that he asked for waivers at this time as he doesn't believe they are required. He is requesting a waiver for item #25. The applicant has requested a waiver for contours. Wayne doesn't have an issue with that since he is not proposing anything new.

The applicant requested a waiver for mapping the wooded areas and trees and he does not have an issue with this. There is nothing of special nature on the site. Construction details are required, however, a waiver was requested by the applicant. Wayne Roorda, Jr., does not have an issue with this. In regards to finished spot elevation at all property corners. The applicant isn't proposing to do anything at this time and it was suggested that a waiver be requested. The applicant agreed.

The subdivision is by-right. If this application is approved, the applicant will need to contact the Gloucester County Tax Assessor's Office to get the lot numbers. The plans should be updated accordingly. The sub-division plan shall be revised to include the survey plan utilized for preparation of the subdivision. Make sure that is pointed out to Ewing & Associates. Also, make sure the two new lots are by-right. There is a limit regarding the impervious coverage of how much can be on each lot. If you do go over, you may have to come back before the board and ask for a variance.

Joe Abate asked if he is going to build houses. He doesn't know but he has been looking into it. He doesn't really know the process and is starting with this first. He would have to eventually meet with an architect. Sue Miller added that she thinks it's a good plan.

**MOTION TO OPEN TO THE PUBLIC**

M/ Miller, S/ T. Saban

Ayes: Unanimous

**MOTION TO CLOSE TO THE PUBLIC**

M/ Miller, S/ T. Saban

Ayes: Unanimous

**MOTION TO APPROVE THE MINOR SUBDIVISION WITH WAIVERS**

M/ Miller, S/ Cerone

Ayes: Abate, Cerone, Culver, Miller, B. Saban, T. Saban, Wiseburn

Build More Contractors, LLC – 46 E. Center St., a/k/a

They requested to be heard last as their third-party representative is on their way.

NJ Solar Power – 709 N. Delsea Dr., a/k/a

Alexis Smith, Solicitor, asked Tony Saban to step down since he is a councilmember. Bill Hoey CEO, of NJ Solar and Leo Abrahamian, the property owner appeared for tonight's application. Alexis Smith, Solicitor, explained to them that since they are an S corporation, they must be represented by an attorney at the hearing. They did have an attorney on the application so she figured he was attending the meeting as well. Alexis stated on the record that no further notice will be required and the application will be heard at the October 23, 2023 combined zoning/planning board meeting.

Build More Contractors, LLC – 46 E. Center a/k/a Block 1303, Lot 5

Michael Ward, Esquire, Mike Avila, PE, PP, and Bill Peters appeared on behalf of this application. Mr. Ward thanked the board for waiting for Mr. Peters to arrive. He advised that this is a minor subdivision application. It is a by-right application in the RC high density zone. Mr. Peters is looking to build two houses on two lots that he is going to create. Both Mike Avila and Bill Peters were sworn in by Alexis Smith, Solicitor. Mike Avila passed out an updated subdivision plan dated 9/25/23 and asked that it be put on the record as Exhibit A-1 which shows houses and topography and driveways, etc. which are anticipated to be constructed if approved. This property is going to be split down the middle. The lots will be big enough to build a house and also have accessory buildings. They will be served by public water and sewer and that will be handled with the grading plan phase.

Mr. Avila went through Wayne Roorda's letter dated September 13, 2023 and advised that they will address some of his items. He referenced page two #1 – item #13 – they will prepare the metes and bounds and they will be submitted with their submission documents. #2 – item #19 – location and dimensions of existing or proposed streets. This information will also be submitted on condition of approval. #3 & 4 – Items 22 and

23 – regarding deed restrictions or easements. Not if it exists currently or is proposed. #5 – Item 24 – proposed easement or land reserved for or dedicated to public use – this does not apply. If need be, they will request a waiver. Item 6 sight triangles were prepared at 25 mph and there were no sight issues. They will revise the plans to show 30 mph. #7 and #8 – items 33 and 34. They are asking for a waiver since the scope of this work is small and it was provided already and they think that is sufficient. #9 they believe this information is sufficient and it will be addressed in the second leg of the phase which would be grading and that a waiver could be granted.

In regards to the general comments, they acknowledged items 1 and 2 and he went into detail. Item 3 – the water and sewer application will be made at the time of the grading application to be reviewed by the individual departments. They have made an application to the Gloucester County Soil District and they will provide same upon receipt.

The minor subdivision will be done by deed. They will prepare the legal descriptions and Deeds for review by Wayne Roorda, Jr., P.E., & P.P. and Alexis Smith, Solicitor. The lots are conforming and they are not asking for any variances at this time. They acknowledged the Public Works Director's letter dated 9/18/23. They are not requesting variances at this time. Wayne Roorda, Jr. has no objection to the waivers.

Doc Cerone asked about bulk issues and asked if the minimum requirements are met and Wayne Roorda advised yes. The lots are narrow but they are conforming lots. Joe asked if they will be installing fences and he said not at this time but it could be discussed. Joe said they may want to consider it as the houses are close together. He asked if the area was accessible for the fire department and it is. That is not an issue. They do not have a buyer at this time either. They were asked if the houses will be modular or stick frame and he responded they will be stick.

Doc asked about the minimum side yard setbacks. Wayne advised that the minimum is six feet and they have eight feet and they are in the RC zone. Joe Abate asked when they want to start building. They want to start building as soon as possible if approved and would like to start construction hopefully in December.

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

M/ Miller, S/ B. Saban

Charles King – 214 N. Main St. – He was sworn in by Alexis Smith, Solicitor. He is concerned with the flooding. They explained to him that the applicant will have to do a grading application so water doesn't flow to his property. Further discussion took place about this. Mr. King resides at block 1303, lot 9 and showed them on the map. He is at the back end of the property and they will not be doing any work back there so he should not be affected. However, if the homeowner decides to put a shed, a pool, etc., they will have to apply for permits, etc...Mr. King was advised that if his property is disturbed he can call Borough Hall to see if the homeowner pulled permits. Wayne added that in regards to the flowing of water to someone's property that it can't increase the rate it gets there.

They advised the board that the houses are going to be 1,600 – 1,800 square feet.

Sue Miller also advised them that they will have to pay COAH fees that are associates with new construction.

**MOTION TO CLOSE TO THE PUBLIC:**

M/ Miller , S/ B. Saban

**MOTION TO APPROVE THE MINOR SUBDIVISION**

M/ B. Saban S/ Abate

Ayes: Abate, Cerone, Culver, Miller, B. Saban, T. Saban, Wiseburn

**MOTION TO OPEN TO THE PUBLIC – There was no public**

**CORRESPONDENCE:**

None

**DISCUSSION:**

Joe Abate asked Wayne Roorda, Jr. if he had given the paperwork out to the members for the application fees and he said not yet. This will be discussed at a later time.

**RESOLUTIONS:**

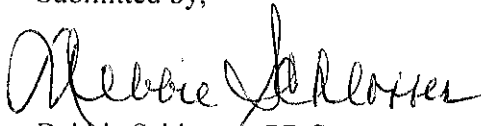
None

**ADJOURNMENT**

M/ Miller, S/ T. Saban

Ayes: Unanimous

Submitted by,



Debbie Schlosser, PB Secretary