

Resolution No.: 08-2022

**RESOLUTION OF THE BOROUGH OF CLAYTON LAND USE BOARD
GRANTING PRELIMINARY AND FINAL SITE PLAN APPROVAL WITH
VARIANCE RELIEF
FOR BLOCK 604, LOT 1**

APPLICANT - ST. PAUL'S BAPTIST CHURCH

WHEREAS, the Applicant, St. Paul's Baptist Church of 103 Aura Road, Clayton, New Jersey, 08312, submitted an application seeking a preliminary and final site plan approval and appeared for a hearing before the Clayton Land Use Board on Monday February 28, 2022; and

WHEREAS, the subject property is located on the east side of Aura Road (CR 610) between West Academy and West Clinton Streets, with approximately 513 feet of frontage on Aura Road, approximately 168 feet on West Academy and approximately 516 feet on West Clinton. The lot contains 131,037 square feet or 3.01 acres and is particularly described as Block 604, Lot 1 and is owned by St. Paul's Baptist Church; and

WHEREAS, there is presently an existing church building, 41-space parking lot, and miscellaneous outbuildings located along Aura Road. A large portion of the lot behind the church and parking lot is wooded and has been designated as Freshwater Wetlands by NJDEP. There is no access to either West Academy Street or West Clinton Street. The proposed addition to the church will be 2-story with a footprint of 1,381 square feet and connected to the north side of the existing building. A courtyard of 789 square feet is to be constructed to the east or behind the addition. The position of the addition allows a connection to the existing stairwell and exit door at the northwest corner of the church and restricted to the rear by the approved Wetlands footprint of disturbance. The addition will consist of a community room, restrooms, and utility rooms on the lower level with access to the proposed courtyard. The upper level will contain the pastor's office, administrator's office, restrooms and a cloak room. The current use is a permitted use in the R-B Zone; and

WHEREAS, the Board's engineer, Stan Bitgood, P.E., C.M.E., as well as the Board's planner, Paul D. Brier, P.P. of Bryson & Yates Consulting Engineers, LLC, appeared before the Board and were duly sworn; and

WHEREAS, appearing on behalf of the Applicant were Deacon Alfred Lee of St. Paul's Baptist Church, the Applicant's intended builder for this project, Greg Straga, as well as the Applicant's engineer, Gregory J. Simonds, P.E., and the Applicant's attorney, James Carter, Esquire. The Applicant's professionals were duly sworn; and

WHEREAS, the Applicant's engineer, Gregory J. Simonds, P.E., provided a brief overview of the project history. Mr. Simonds testified about different proposals for the property and the dedicated effort to avoid the involvement of the State of New Jersey as interaction with the State only adds cost, complexity and lost time. The addition for the church has been designed to tie into the existing building. He further added that there are multiple solutions being discussed with regards to the potential drainage issues. One such solution is to place a pump in the middle of the courtyard and slope it away from the building; and

WHEREAS, the Board's engineer, Stan Bitgood, P.E., C.M.E., stated his concern about the drainage and the Applicant's attorney, James Carter, Esquire agreed that the Applicant shall revise the plan to a corrected 98 contour and a 5% drop in 10 feet perpendicular from each side of the building. James Carter, Esquire also stated that the Applicant plans to construct a 4-foot sidewalk that goes around an existing tree in order to preserve a more significant mature tree; and

WHEREAS, there was dialogue about possibly moving the parking lot 20 feet further away from the roadway due to the Clayton Ordinance; Gregory J. Simonds, P.E. said that could not be done because of the wetlands delineation and, if done, the parking lot would lose approximately 17 spaces. As stated, it is the Applicant's intent to avoid interaction with the State of New Jersey for any additional permitting or approvals; and

WHEREAS, the Applicant's engineer and builder, Greg Straga, who holds a degree in civil engineering from Drexel University, testified that the wetlands on the property affects the location of the addition. The addition to the church will tie into the first and second floors of the existing structure and during construction, use of the sanctuary will not be disturbed. The upper level will be the first floor and will be ADA compliant with a ramp adjacent to the building. It will also have a ramp on the left side of the addition that will allow handicap access to the lower level. The addition will be connected to the courtyard by a passageway that will make this site ADA compliant; and

WHEREAS, Deacon Alfred Lee, who has been a member since 1964, stated that the church is celebrating their 112th anniversary this year. He also talked about how the church needs more space for Sunday school and how the remodeling will permit improvements such as restrooms upstairs and downstairs along with making the entire site handicap accessible; and

WHEREAS, the Board's Professional Planner, Paul D. Brier, P.P., provided an overview of his review letter of February 4, 2022 and reviewed the need for the Applicant to provide emergency and fire access as well as to discuss any proposed fire-suppression system. The Applicant agreed to work

with the Clayton Fire official to ensure access for emergency vehicles. Paul D. Brier, P.P. also reviewed the need for a landscaping plan and the Applicant agreed to work with the Board's planner on landscaping plans that will include various ornamental shrubs and trees. Paul D. Brier, P.P. also discussed the need for new lines and graphics to be installed as part of the application. The Applicant agreed to paint new lines and graphics as indicated necessary by the Planner; and

WHEREAS, the Board's Engineer, Stan Bitgood, P.E., C.M.E., reviewed his letter of January 24, 2022. Mr. Bitgood stated that the Applicant needed to provide the documents from the New Jersey Department of Environmental Protection to the Board and their professionals and the Applicant agreed to email that information out to all interested parties. Mr. Bitgood further discussed that the Architect needs to provide confirmation that each of the three egress points of the courtyard will be safe to exit if for some reason the proposed pump fails or does not work. Mr. Bitgood also discussed that the stripes should be extended to 18 feet for a total length of 57 feet and that after listening to Deacon Alfred Lee, he is satisfied that the parking lot is expected to meet the needs of the church; and

WHEREAS, after listening to the testimony provided by the Applicant and their professionals, the Board agreed that the choice of siding and other building materials will be left to the discretion of the church an effort to provide the church flexibility in managing their project. Chairman Abate discussed his concern about traffic before and after services on Sundays, especially since there is an over 55 age restricted development across the street. The Applicant agreed to address parking with an announcement to church members and will have an attendant in the parking lot for Sunday's services. The Applicant has agreed to the following: **1.** The Applicant shall meet any Growth Share and/or COAH obligation. **2.** The Applicant shall provide the any and all New Jersey Department of Environmental Protection documents to the Board and its professionals. **3.** The Applicant agrees to have the Architect provide confirmation that each of the three egress points of the courtyard will be safe to exit if the pump fails or is not working. **4.** The Applicant agrees to work with the Clayton Fire official to ensure emergency and fire access. and **5.** The Applicant agrees to work with the Board planner on a landscaping plan; and

WHEREAS, members of the public were permitted to speak on the application at the regularly scheduled Planning Board Meeting held on February 28, 2022 and Jeffrey Scholz of 272 West Academy Street and Laura Hampton of 36 Maple Street were present; and

WHEREAS, resident Jeffrey Scholz expressed what a great neighbor the church is and offered his support of the application; and

WHEREAS, resident Laura Hampton had questions about handicap accessibility to the building but had no experience with the site and learned that the proposed expansion enhances accessibility; and

WHEREAS, the Board has considered and incorporates herein at length the review letters of Stan Bitgood, P.E., C.M.E., dated January 24, 2022 and Paul D. Breier, P.P., dated February 4, 2022; and

WHEREAS, the Board has carefully considered all the documents submitted and the testimony of the witnesses and members of the public; and

WHEREAS, the application for the grant of preliminary and final site plan with bulk variance relief by the Borough of Clayton Combined Planning and Zoning Board of Adjustment sitting as a Zoning Board of Adjustment, by a **7** yes to **0** no vote.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Clayton Planning Board constituted as a Zoning Board of Adjustment, that it does hereby **Approve** the preliminary site plan contingent upon the following:

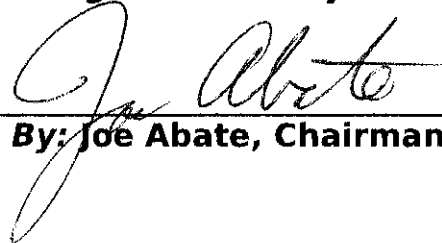
1. Compliance with all requirements as hereinbefore stated.
2. Applicant must secure any and all outside approvals for the project.

BE IT FURTHER RESOLVED, that certified copies of this Resolution shall be forwarded to the applicant, Borough Clerk, Borough Construction Official, Borough Tax Assessor, and the Borough Zoning Officer.

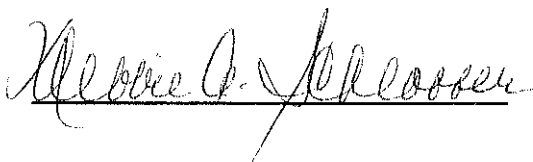
THIS RESOLUTION DULY ADOPTED at a regular meeting of the Borough of Clayton Planning Board held on Monday, March 28, 2022.

Board

**Borough of Clayton Combined Planning
and Zoning Board of Adjustment**


By: Joe Abate, Chairman

Attest:



Debbie A. Schlosser, Secretary

ROLL CALL VOTE

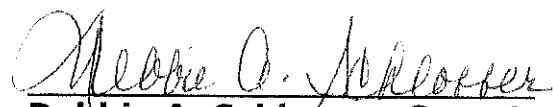
THOSE IN FAVOR 7

THOSE OPPOSED 0

THOSE ABSTAINED 1

CERTIFICATION

I hereby certify that the foregoing Resolution is a true copy of a Resolution adopted by the Borough of Clayton Combined Planning Board and Zoning Board of Adjustment at a regularly scheduled meeting of the Board held on March 28, 2022 at the Borough of Clayton Municipal Building, 125 Delsea Drive, Clayton, New Jersey 08312 at 7:00 p.m. and memorializes the decision reached by said Board on the herein application at the Board's February 28, 2022 meeting and public hearing.


Debbie A. Schlosser, Secretary