

**Resolution No.: 10 – 15**

**RESOLUTION OF THE BOROUGH OF CLAYTON PLANNING BOARD  
GRANTING MINOR SITE PLAN APPROVAL TO STEVEN LAFLAMME  
FOR  
BLOCK 1104, LOT 24  
(511 South Delsea Drive)**

**WHEREAS**, the Applicant, Steven LaFlamme, of 781 Washington Street, Williamstown, New Jersey, submitted an application seeking minor site plan Approval; and

**WHEREAS**, the subject property is Block 1104, Lot 24 known as 511 South Delsea Drive and is owned by New Age Property Solutions, Inc. which consents to the filing of the instant application; and

**WHEREAS**, the Applicant is proposing to convert an existing vacant building to a retail use for the sale of kitchen and restaurant equipment and goods in the front section and a animal grooming and training use for the rear of the building; and

**WHEREAS**, the subject tract is approximately 25,951 square feet zoned CO (Commercial Office) the the proposed use has been determined to be a proposed use; and

**WHEREAS**, Steven La Flamme, a principal in New Age Property Solutions, Inc., appeared before the Board on November 16, 2015 and was represented by Leonard Schwartz, Esquire of Slotnick & Schwartz; and

**WHEREAS**, William P. Gilmore, P.E., appeared before the Board as the project engineer; and

**WHEREAS**, the Applicant has submitted a Minor Site Plan consisting of one (1) page dated October 14, 2015 and revised November 4, 2015 as signed and sealed by William P. Gilmore, P.E. of Site Civil Engineering; and

**WHEREAS**, in support of this application the Applicant relied on the colorized Minor Site Plan as submitted; and

**WHEREAS**, the Board in reviewing the application and submissions and questioning the Applicant and as a result the Applicant has adduced and/or agreed to the following: **1.** The proposed utilization will reduce the site impervious coverage by approximately 13.5%, **2.** The Applicant proposes 29 parking spaces where 28 spaces are required, **3.** There is no need to make provisions for an enhanced loading zone as the proposed businesses do not require tractor trailers and will utilize 24 foot box trucks, **4.** The Applicant stated that the rear site access shall be closed, **5.** The Applicant shall work with the Board professionals to develop a landscaping plan, **6.** The Applicant expects to employ 5 or 6 employees including himself, **7.** The public phone located on site shall be removed, **8.** The building shall be apportioned with approximately 2,600 square feet in the front of the building dedicated to the kitchen/restaurant sales use and approximately 3,000 square feet in the rear of the building dedicated to animal grooming and training with no overnight stays for animals, i.e. no boarding of animals, **9.** The Applicant represented that he expects sales to be split evenly between the internet and walk-in or telephone, **10.** Discussion regarding parking lead to a decision to ghost seven (7) parking spaces to create an enhanced, contiguous green space which may be re-installed at the request of the Borough of Clayton or by the Applicant upon notice to and consent of the Borough, **11.** The Applicant stated that the businesses will utilize a cleaning service and trash generation should be minimal eliminating the need for an outside trash enclosure or a private trash contract. However, the Applicant shall work with the Board professionals to ensure this is the case and he is not mistaken, **12.** The Applicant and the Board agreed that the existing signage may be used with the business names changed to the new businesses, i.e. two (2) wall signs and one (1) façade sign including the freestanding sign if located on the subject property, **13.** The kitchen/restaurant sales business shall be opened 8:00 a.m. to 5:00 p.m. Monday through Friday and 8:00 a.m. through 3:00 p.m. on Saturday with the animal grooming/training business opened 10:00 a.m. through 8:00 p.m., **14.** The Applicant

agrees to work with the Board professionals to develop a lighting plan, **15.** The Applicant shall work with the Board professionals to relocate the handicapped parking spaces and have a small landscaped area, and **16.** The Board agreed to authorize to the fullest extent possible a ninety (90) day temporary Certificate of Occupancy; and

**WHEREAS**, members of the public were permitted to speak on the application at the regularly scheduled Planning Board Meeting held on November 16, 2015 and no one appeared; and

**WHEREAS**, the Board has considered the report dated November 12, 2015 from Remington & Vernick as prepared by George R. Stevenson, Jr., P.P., AICP, the Board's professional planner, said professional review letter is incorporated and made a part herein; and

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

**WHEREAS**, the application for Minor Site Plan approval was granted by the Borough of Clayton Land Use Board, by a 8 yes to 0 no vote.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Clayton Land Use Board, that it does hereby **Approve** the Minor Site Plan to permit the conversion of an existing vacant building to a restaurant/kitchen sales business and animal grooming/training business as hereinbefore more specifically stated, together with all necessary and requested variances and waivers, and grants this Use Variance and site plan waiver as set forth herein, subject to and contingent upon the following:

1. Compliance with the Planner's report, Remington & Vernick, dated November 12, 2015, all of which is incorporated herein by reference; and

2. The Applicant agrees to comply with and perform all obligations as stated above herein in the body of this Resolution.
3. The Applicant obtaining all required approvals/waivers from all outside agencies.
4. The Land Use Board recommends and supports the grant of a ninety (90) day temporary Certificate of Occupancy as of the date of the hearing, November 16, 2015.
5. Applicant and owner are reminded that site safety is their responsibility. It should be noted on the plan that “The owner or his representative shall designate an individual responsible for construction site safety during the course of site improvements pursuant to N.J.A.C. 5:23-2.21(e) of the N. J. Uniform Construction Code and CFR 1926:32(f) (OSHA Competent Person)”.
6. Applicant shall meet any and all COAH and/or Fair Share Growth Obligations.
7. Applicant shall post and provide all Performance and Maintenance Guarantees and Bonds together with Inspection Escrows.
8. Final approval shall be subject to the following (if required):
  - (A) Documentation of final approvals by: (1) Gloucester County Planning Board; (2) Gloucester County Soil Conservation District; (3) Borough of Clayton Township Fire Code and Police Officials (as to approved emergency vehicle access plan); (4) NJDEP wetlands permit; and (5) Stream Encroachment permit; and (6) any other required Local, County and State approvals, if applicable.

(B) Any and all provisions as required by previous resolution shall be satisfied and incorporated into this resolution as if fully set forth herein.

(C) Engineering, planning and testaments as submitted by the Applicant have been accepted, and any changes set forth by the Applicant shall be subject to review by the Borough of Clayton Combined Planning and Zoning Board of Adjustment and its professionals, with subsequent approval being required and as a condition of final approval.

(D) Any landscaping to be provided and any amendments thereto shall be approved by the Township's Engineer/Planner.

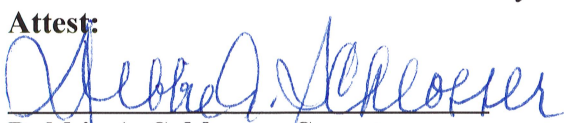
(E) Any on-site hazardous conditions shall be eliminated in accordance with NJDEP regulations and requirements.

**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, December 21, 2015.

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

  
By: Kevin Nesko, Chairman

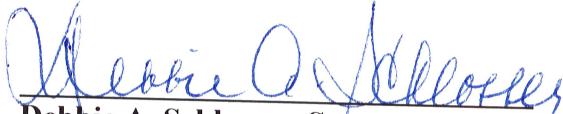
Attest:  
  
Debbie A. Schlosser, Secretary

### ROLL CALL VOTE

THOSE IN FAVOR	<u>7</u>
THOSE OPPOSED	<u>0</u>
THOSE ABSTAINED	<u>0</u>

### 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 December 21, 2015 at the Borough of Clayton Municipal Building, 125 Delsea Drive, Clayton, New Jersey 08312 at 7:30 p.m. and memorializes the decision reached by said Board on the herein application at the Board's November 16, 2015 meeting and public hearing.

  
Debbie A. Schlosser, Secretary