

**Resolution No.: 13 – 16**

**RESOLUTION OF THE BOROUGH OF CLAYTON PLANNING BOARD  
GRANTING A SITE PLAN WAIVER  
FOR BLOCK 1512, LOT 22  
(609 North Delsea Drive)  
APPLICANT – CORE 3 BREWERY, LLC**

**WHEREAS**, the Applicant, Core 3 Brewery, LLC, of 3171 Coles Mill Road, Franklinville, New Jersey, submitted an application seeking a site plan waiver to permit the repurposing of an existing site to a craft brewery; and

**WHEREAS**, the subject property located at 609 North Delsea Drive known as Block 1512, Lot 22 is a formerly long vacant automobile service station owned by 609 N. Delsea, LLC of 1519 Spruce Street, Philadelphia, Pennsylvania which consents to the filing of the instant application; and

**WHEREAS**, the Clayton Land Use Board had approved a tire repair and sales business for that site in 2013 at Resolution 6 – 13, but that business experienced difficulty unrelated to the site or its Clayton location; and

**WHEREAS**, the Applicant, Core 3 Brewery, LLC, now wishes to repurpose this site for use a craft brewery which would utilize a State of New Jersey license for such a business; and

**WHEREAS**, the Applicant is represented by Angela Hartman, Esquire; and

**WHEREAS**, Alexsandros Skriapas, Managing Member of Core 3 and Lawrence E. Price, Member of Core 3 appeared to offer testimony in support of their application; and

**WHEREAS**, in support of his application the Applicant proffered a survey of the subject site dated October 3, 2016 as prepared by Bruce A. Ewing, P.L.S. of Ewing Associates; and

**WHEREAS**, Block 1512, Lot 22 is 33,524 square feet; and

**WHEREAS**, Block 1512, Lot 22 is zoned CO (Commercial-Office District) and is located in an area designated as an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. and the Applicant's proposed use as craft brewery comports with the zone's permitted uses; and

**WHEREAS**, the Board acknowledged the regrettable long term vacancy at this former Amoco Service Station causing it to become an unsightly distraction on the Delsea Drive and the short lived Moon's Tire and looks forward to the Applicant's representations of refurbishing the building for utilization of a craft brewery; and

**WHEREAS**, public comment was sought and Tony Saban testified he supports the application and is encouraged to see the site repurposed; and

**WHEREAS**, the Board in reviewing the application and submissions and questioning the Applicant and their representatives and as a result the Applicant has adduced and/or agreed to the following: **1.** The Applicant shall only operate a craft brewery in accordance with State of New Jersey laws and statutes, **2.** The hours of operation for the business were not finally agreed upon but it is expected that the brewery will be open to the public approximately three (3) days per week although brewing of beer will likely occur throughout the week, **3.** The Applicant shall ensure that there is a clearly marked handicapped parking space and shall work with the Board's engineer to ensure that the parking lot and lighting functions properly for an establishment opened to the public located on Clayton's busiest road, **4.** The Applicant shall secure any and all permits necessary to refurbish the building and site improvements, **5.** The Applicant shall not disturb or interfere with any of the monitoring wells located on site, **6.** The Applicant shall comply with the requirements of the Board engineer's November 16, 2016 letter as developed during the public hearing on this matter, **7.** The Applicant shall ensure that the parking lot is in good repair and clearly marked and shall work with the Board engineer to ensure that the parking lot and circulation "works" and is safe for use by the public; and

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

**WHEREAS**, the application for a site plan waiver is Granted by the Borough of Clayton Land Use Board, by a 9 yes to 0 no vote.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Clayton Planning Board does hereby **Approve** the grant of a site plan waiver to permit the hereinbefore detailed craft brewery use for Block 1512, Lot 22 with all necessary and requested variances and waivers, and grants this site plan waiver approval as set forth herein, subject to and contingent upon the following:

1. Working with the Board's engineer as hereinbefore stated; and
2. The Applicant obtaining all required approvals/waivers from all outside agencies.
3. 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)".
4. Applicant shall meet any and all COAH and/or Fair Share Growth Obligations.
5. Applicant shall post and provide all Performance and Maintenance Guarantees and Bonds together with Inspection Escrows.
6. 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.

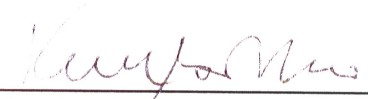
(D) Any landscaping to be provided and any amendments thereto shall be approved by the Township's Engineer/Planner.

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

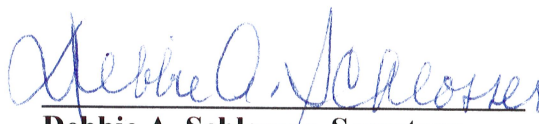
**BE IT FURTHER RESOLVED**, that certified copies of this Resolution shall be forwarded to the applicant, Borough Clerk, Borough Construction Official, Borough Tax Assessor, and the Borough Zoning Officer.

**THIS RESOLUTION DULY ADOPTED** at a regular meeting of the Borough of Clayton Planning Board held on Monday, December 19, 2016.

**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>9</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 19, 2016 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 21, 2016 meeting and public hearing.

  
**Debbie A. Schlosser, Secretary**