

**BOROUGH OF RIVERTON PLANNING BOARD
AGENDA
JANUARY 17, 2006**

1. Meeting called to order at 7:00 PM
2. Open public meetings notice act and roll call
3. Administer oath of office to new and reappointed members
4. 2006 Reorganization:
 - Nominations for Chair and Vice Chair
 - Appointments for 2006
 - Resolution P2006-01 Setting dates and times for board meetings 2/2006 – 1/2007
 - Resolution P2006-02 Appointing Professionals for 2/2006 – 1/2007
5. Adopt minutes of the regular and executive meetings of December 20, 2006.
6. Review correspondence and announcements
7. HEARINGS
 - Site Plan Application for Preliminary and Final Site Plan Approval by Brandenburger/Sheridan, Inc. to redevelop Block 1501, Lots 20, 21, 22, and 23
8. Old Business:
 - Resolution P2006-03 Adopt and memorialize resolution regarding preliminary site plan approval and related variance approvals granted 12/20/2005 to Brandenburger/Sheridan, Inc. to redevelop Block 1501, Lots 20, 21, 22, and 23
 - Status Report on Petition to COAH for third round certification – mayor
 - Reexamination of the Master Plan – subcommittee, chair, mayor, and Tom Coleman
 - Environmental Commission report – Chris Halt
 - ARC report – Chris Halt
 - Draft Fence Ordinance – status and board review/comment – chair and board
 - 2006 budget
 - Other old business
9. New Business:
 - New vouchers/invoices – chair and secretary
 - T-Mobile Cell Tower – Bob Smyth
10. Public comment on general Planning Board matters
11. Adjourn

**BOROUGH OF RIVERTON PLANNING BOARD
AGENDA
FEBRUARY 21, 2006**

1. Meeting called to order at 7:00 PM
2. Open public meetings notice act and roll call
3. Adopt minutes of the January 17, 2006 regular meeting
4. Review correspondence and announcements
5. HEARINGS
 - Concept review for proposed addition to Zena's Patisserie
6. Old Business:
 - Resolution P2006-03 Adopt and memorialize resolution regarding preliminary and final site plan approval and related variance approvals granted 12/20/2005 and 1/17/2006 to Brandenburger/ Sheridan, Inc. to redevelop Block 1501, Lots 20, 21, 22, and 23
 - Stormwater Plan status as part of Master Plan – Bob Smyth
 - T-Mobile Cell Tower – Bob Smyth
 - Council matters of importance to board – Bob Smyth
 - Reexamination of the Master Plan – subcommittee, chair, mayor, and Tom Coleman
 - Environmental Commission report – Chris Halt
 - COAH activity – Muriel Alls-Moffat
 - ARC report – Chris Halt
 - Draft Fence Ordinance – status and board review/comment – chair and board
 - 2006 budget
 - Other old business
7. New Business:
 - New vouchers/invoices – chair and secretary
 - 2006 Goals and Objectives
8. Public comment on general Planning Board matters
9. Adjourn

**BOROUGH OF RIVERTON PLANNING BOARD
AGENDA
MARCH 21, 2006**

1. Meeting called to order at 7:00 PM
2. Open public meetings notice act and roll call
3. Adopt minutes of the February 21, 2006 regular meeting
4. Review correspondence and announcements
5. HEARINGS
 - Minor Subdivision – Hudak, Linden Street
 - Demolition permit – James Brandenburger
6. Old Business:
 - Site Specific Redevelopment Plan – Bob Smyth, Tom Coleman, mayor
 - Stormwater Plan status and impact on Master Plan – Bob Smyth, Tom Coleman, mayor
 - T-Mobile Telecommunications Tower and ordinance – Bob Smyth, mayor
 - Council matters of importance to board, Smart Growth Grant, etc. – Bob Smyth, mayor
 - Reexamination of the Master Plan – subcommittee, chair, Tom Coleman
 - Environmental Commission report – Chris Halt
 - COAH activity issues – Muriel Alls-Moffat
 - ARC report – Chris Halt
 - Draft Fence Ordinance – status and board review/comment – chair and board
 - 2006 Goals and Objectives – Joe Katella and Bob Smyth
 - Budget issues and reprint Master Plan – chair
 - Other old business
7. New Business:
 - New vouchers/invoices – chair and secretary
 - Burlington County River Route Regional Planning Advisory Committee meeting – Bob Smyth
 - Other new business
8. Public comment on general Planning Board matters
9. Adjourn

**BOROUGH OF RIVERTON PLANNING BOARD
AGENDA
APRIL 18, 2006**

1. Meeting called to order at 7:00 PM
2. Open public meetings notice act and roll call
3. Adopt minutes of the March 21, 2006 regular meeting
4. Review correspondence and announcements
5. HEARINGS
 - Amended Site Plan Application for the Broad Street “Nu-Way/Riverton Motors” Redevelopment – Brandenburger/Sheridan
 - Amend the Master Plan to include a Stormwater Management Plan
 - Demolition permit – James Brandenburger
6. Old Business:
 - Adopt and memorialize resolution approving the Hudak Minor Subdivision – chair, Tom Coleman
 - Site Specific Redevelopment Plan board to recommend to Council – chair, Tom Coleman
 - T-Mobile Telecommunications Tower and ordinance changes – Bob Smyth, mayor
 - Council matters of importance to board, Smart Growth Grant, etc. – Bob Smyth, mayor
 - Reexamination of the Master Plan – subcommittee, chair, Tom Coleman
 - Environmental Commission report – Chris Halt
 - COAH activity issues – Muriel Alls-Moffat
 - ARC report – Chris Halt
 - 2006 Goals and Objectives – Joe Katella and Bob Smyth
 - Budget issues and reprint Master Plan – chair
 - Other old business
7. New Business:
 - New vouchers/invoices – chair and secretary
 - Other new business
8. Public comment on general Planning Board matters
9. Adjourn

BOROUGH OF RIVERTON PLANNING BOARD
AGENDA
May 16, 2006

1. Meeting called to order at 7:00 PM
2. Open public meetings notice act and roll call
3. Adopt minutes of the April 18, 2006 regular meeting
4. Review correspondence and announcements
5. HEARINGS
 - Amended Site Plan Application for the Broad Street “Nu-Way/Riverton Motors” Redevelopment – Brandenburger/Sheridan
 - Site Plan Application by Zena’s Patisserie for an Addition
 - Site Plan Application by T-Mobile for Conditional Use Approval to Erect a Telecommunications Tower on Borough Property
6. Old Business:
 - Adopt and memorialize resolution approving amended preliminary and final site plan approval to Brandenburger/Sheridan to redevelop the Nu-Way and Riverton Motors sites on Broad Street
 - Site Specific Redevelopment Plan developments – Bob Smyth
 - Council matters of importance to board, Smart Growth Grant, etc. – Bob Smyth, mayor
 - Reexamination of the Master Plan – subcommittee, chair, Tom Coleman
 - Environmental Commission report – Chris Halt
 - COAH activity issues – Muriel Alls-Moffat
 - ARC report – Chris Halt
 - 2006 Goals and Objectives – Joe Katella and Bob Smyth
 - Budget issues and reprint Master Plan – chair
 - Other old business
7. New Business:
 - New vouchers/invoices – chair and secretary
 - Date conflicts June 20, 2006 meeting
 - Other new business
8. Public comment on general Planning Board matters
9. Adjourn

BOROUGH OF RIVERTON PLANNING BOARD
AGENDA
JUNE 13, 2006

1. Meeting called to order at 7:00 PM
2. Open public meetings notice act and roll call
3. Adopt minutes of the May 16, 2006 regular meeting
4. Review correspondence and announcements
5. HEARINGS
 - Site Plan Application by Zena's Patisserie for an Addition – request for continuation
 - Amended Site Plan Application for the Broad Street “Nu-Way/Riverton Motors” Redevelopment – Brandenburger/Sheridan
 - Site Plan Application by T-Mobile for Conditional Use Approval to Erect a Telecommunications Tower on Borough Property
 - Demolition Permit request for 4 Thomas Avenue by Brandenburger/Sheridan
6. Old Business:
 - Update on Stormwater Management Plan Amendment to the Master Plan – Tom Coleman
 - Site Specific Redevelopment Plan developments – Bob Smyth
 - Council matters of importance to board, Smart Growth Grant, etc. – Bob Smyth, mayor
 - Reexamination of the Master Plan – subcommittee, chair, Tom Coleman
 - Environmental Commission report – Chris Halt
 - COAH activity issues – Muriel Alls-Moffat
 - ARC report – Chris Halt
 - Draft Fence Ordinance Revisions
 - 2006 Goals and Objectives – Joe Katella
 - Other old business
7. New Business:
 - New vouchers/invoices – chair and secretary
 - Possible Minor Subdivision – Homewood Drive
 - Other new business
8. Public comment on general Planning Board matters
9. Adjourn

**BOROUGH OF RIVERTON PLANNING BOARD
AGENDA
JULY 18, 2006**

1. Meeting called to order at 7:00 PM
2. Open public meetings notice act and roll call
3. Adopt minutes of the June 13, 2006 regular meeting
4. Review correspondence and announcements
5. HEARINGS
 - Site Plan Application by Zena's Patisserie – request for continuation
 - Site Plan Application for 519 Howard Street
6. Old Business:
 - Adopt and Memorialize Resolutions for Brandenburger/Sheridan and T-Mobile
 - Redevelopment Authority developments – Bob Smyth
 - Council matters of importance to board, Smart Growth Grant, etc. – Bob Smyth, mayor
 - Reexamination of the Master Plan – subcommittee, chair, Tom Coleman
 - Environmental Commission report – Chris Halt
 - COAH issues – Muriel Alls-Moffat
 - ARC report – Chris Halt
 - Other old business
7. New Business:
 - New vouchers/invoices – chair and secretary
 - Other new business
8. Public comment on general Planning Board matters
9. Adjourn

**BOROUGH OF RIVERTON PLANNING BOARD
AGENDA
AUGUST 15, 2006**

1. Meeting called to order at 7:00 PM
2. Open public meetings notice act and roll call
3. Adopt minutes of the July 18, 2006 regular meeting
4. Review correspondence and announcements
5. HEARINGS
 - Site Plan Application by Zena's Patisserie – withdrawn
 - Site Plan Application for 519 Howard Street – continued and adjacent property owner re-notice required.
6. Old Business:
 - Council matters of importance to board – Councilman Smyth and mayor
 - Master Plan Reexamination – committee and chair
 - Review of Draft Stream Corridor Protection Ordinance from Environmental Commission – chair
 - Smart Growth & ERI study comments by board – chair
 - Environmental Commission report – Chris Halt
 - COAH issues – Muriel Alls-Moffat
 - ARC report – Chris Halt
 - Other old business
7. New Business:
 - New vouchers/invoices – chair and secretary
 - Other new business
8. Public comment on general Planning Board matters
9. Adjourn

**BOROUGH OF RIVERTON PLANNING BOARD
AGENDA
SEPTEMBER 19, 2006**

1. Meeting called to order at 7:00 PM
2. Open public meetings notice act and roll call
3. Adopt minutes of the August 15, 2006 regular meeting
4. Review correspondence and announcements
5. HEARINGS
 - Site Plan Application for 519 Howard Street
 - Amend Master Plan with Revised Stormwater Management Plan
6. Old Business:
 - Council matters of importance to board – Councilman Smyth and mayor
 - Master Plan Reexamination – committee and chair
 - Environmental Commission report – Chris Halt
 - COAH issues – Muriel Alls-Moffat
 - ARC report – Chris Halt
 - Other old business
7. New Business:
 - New vouchers/invoices – chair and secretary
 - Other new business
8. Public comment on general Planning Board matters
9. Adjourn

**BOROUGH OF RIVERTON PLANNING BOARD
AGENDA
OCTOBER 17, 2006**

1. Meeting called to order at 7:00 PM
2. Open public meetings notice act and roll call
3. Adopt minutes of the September 19, 2006 regular meeting
4. Review correspondence and announcements
5. HEARING
 - Site Plan Application for 515 Main Street
6. Old Business:
 - Report and explanation on scope of work required for Smart Growth Grant ERI project – Tamara Lee
 - Adopt and Memorialize Resolution for 519 Howard Street Site Plan – board
 - Council matters of importance to board – Councilman Smyth and mayor
 - Master Plan Reexamination – committee and chair
 - Environmental Commission report – Chris Halt
 - COAH issues – Muriel Alls-Moffat
 - ARC report – Chris Halt
 - Other old business
7. New Business:
 - New vouchers/invoices – chair and secretary
 - Other new business
8. Public comment on general Planning Board matters
9. Adjourn

**BOROUGH OF RIVERTON PLANNING BOARD
AGENDA
NOVEMBER 21, 2006**

1. Meeting called to order at 7:00 PM
2. Open public meetings notice act and roll call
3. Adopt minutes of the October 17, 2006 regular meeting
4. Review correspondence and announcements
5. Minor Site Plan Reviews
 - Cynthia Brooks Designs, 304 Broad Street
 - Zena Demirceviren, 304 Broad Street
 - Joseph DiLeo, Unit B, 531 Main Street
6. Old Business:
 - Petition for Third Round Certification, COAH Report – Tamara Lee
 - Master Plan Reexamination Draft Report – Tamara Lee, chair, committee
 - Smart Growth Grant ERI project – Suzanne Wells, Councilman Smyth
 - NJLM Conference, Education Requirements and NJPO Membership – Councilman Smyth, chair and secretary
 - Council matters of importance to board – Councilman Smyth and mayor
 - Environmental Commission report – Chris Halt
 - COAH issues – Muriel Alls-Moffat
 - ARC report – Chris Halt
 - Other old business
7. New Business:
 - New vouchers/invoices – chair and secretary
 - Other New Business
8. Public comment on general Planning Board matters
9. Adjourn

**BOROUGH OF RIVERTON PLANNING BOARD
AGENDA
DECEMBER 19, 2006**

1. Meeting called to order at 7:00 PM
2. Open public meetings notice act and roll call
3. Adopt minutes of the November 21, 2006 regular meeting
4. Review correspondence and announcements
5. Minor Subdivision, 815 Homewood Drive
6. Old Business:
 - Request for additional continuation by Joe Rainer for the 515 Main Street Site Plan Application
 - Response to COAH's request for revisions to the Petition for Third Round Certification, consideration and discussion and possible action on two memos from Tamara Lee – chair
 - Master Plan Reexamination Draft Report – chair
 - Smart Growth Grant ERI project – Suzanne Wells, Councilman Smyth
 - Council matters of importance to board – Councilman Smyth and mayor
 - Environmental Commission report – Chris Halt
 - COAH issues – Muriel Alls-Moffat
 - ARC report – Chris Halt
 - Other old business
7. New Business:
 - New vouchers/invoices – chair and secretary
 - Sign Ordinance, allow portable business signs – Councilman Smyth, chair
 - Other New Business
8. Public comment on general Planning Board matters
9. Adjourn

**RIVERTON BOROUGH PLANNING BOARD
MINUTES
January 17, 2006**

The Public Session of the Planning Board was called to order at 7:05 PM by Chairman Frank Siefert.

Public Notice of this meeting pursuant to the Open Public Meetings Act has been given in the following manner:

1. Posting notice on the official bulletin board in the Borough Office on January 21, 2005.
2. Required Service of notice and publication in the Burlington County Times on January 23, 2005.

REORGANIZATION - 2006

Solicitor Coleman swore in new full members Joseph Katella and Muriel Alls-Moffat, Class III member Councilman Robert E. Smyth, and Keith Wenig as a new alternate member.

The roll was called

PRESENT: Frank Siefert, Christopher Halt, Joseph Katella, Muriel Alls-Moffat, Mayor Robert Martin, Councilman Robert E. Smyth, Suzanne Wells and Keith Wenig.

Also Present: Secretary Ken Palmer, Solicitors Tom Coleman and Charles Petrone, Board Planner Tamara Lee, and Board Engineer Mark Malinowski.

ABSENT: None – The chair announced that Alan Adams had resigned from the board effective January 1, 2006.

The secretary conducted the annual reorganization of the board.

Chairman: Frank Siefert was nominated by the mayor and seconded by Councilman Smyth. The nominations were closed. A voice vote was taken and the vote was unanimous.

Vice Chairman: Joseph Katella was nominated by the mayor and seconded by Councilman Smyth. The nominations were closed. A voice vote was taken and was unanimous.

Secretary: Kenny Palmer was nominated by Muriel Alls-Moffat and seconded by Suzanne Wells to serve as the Board Secretary for 2006. The nominations were closed. A voice vote was taken and the vote was unanimous.

Solicitor: Thomas Coleman, Esq. was nominated by Muriel Alls-Moffat and seconded by the mayor to serve as the Planning Board Solicitor for 2006. The nominations were closed. A voice vote was taken and the vote was unanimous.

Planner: Tamara Lee, of Tamara Lee Consulting LLC was nominated by Muriel Alls-Moffat and seconded by Suzanne Wells to serve as the board's Planner for 2006. The nominations were closed. A voice vote was taken and the vote was unanimous.

Engineer: Mark Malinowski of Lord, Worrell & Richter, Inc. was nominated by Suzanne Wells and seconded by Muriel Alls-Moffat to serve as the board's primary engineer for subdivision, site plan and referrals, and general planning issues for 2006. The nominations were closed. A voice vote was taken and the vote was unanimous.

Administrative Officer: Mary Longbottom was nominated by Suzanne Wells and seconded by Muriel Alls-Moffat to serve as the Administrative Officer pursuant to N.J.S.A. 40:55D-3 for the Planning Board for 2006. The secretary reviewed that the position dovetails with Mary's position as Borough Clerk, is normally considered part of her duties, is required by the Municipal Land Use Law, and that Mary is the only qualified person in the Borough. The nominations were closed. A voice vote was taken and the vote was unanimous.

Environmental Commission Representative: It is the mayor's appointment and the mayor announced that Chris Halt would continue as the board's representative.

Borough COAH Official: It was announced that Muriel Alls-Moffat would continue as the Borough's COAH Official for 2006.

Board Meetings for 2006 – Resolution P2006-01, the calendar of meetings for February 2006 through January 2007 was reviewed. A motion was made by Suzanne Wells and seconded by Joseph Katella to adopt the resolution that meetings will be held on the third Tuesday of the month at 7:00 PM. The board unanimously approved that the resolution: be adopted, published in the Burlington County Times and posted in the Borough Hall.

Appointment of Solicitor, Planner and Engineer – Resolution P2006-02 announcing the appointment of a solicitor, planner and engineer was reviewed. A motion was made by Muriel Alls-Moffat and seconded by the mayor to adopt the resolution. The board unanimously approved that the resolution: be adopted, published in the Burlington County Times and the appointed parties formally notified and requested to submit contracts.

Frank Siefert resumed chairing the meeting.

Councilman Smyth reviewed the Council committee appointments with the board.

MINUTES: A motion was made by Suzanne Wells and seconded by the mayor to adopt the minutes of the December 20, 2005 regular meeting as distributed. The voice vote was unanimous. A motion was made by Suzanne Wells and seconded by Muriel Alls-Moffat to adopt the minutes of the December 20, 2005 closed session as distributed. The voice vote was unanimous.

PUBLIC HEARING

Continued from 12/20/2005: Application by Brandenburger/Sheridan, Inc. for Preliminary and Final Site Plan Approval and All Required Variances As Needed to Redevelop the "Nu-Way" and "Riverton Motors" Properties on Broad Street (Block 1501, Lots 20, 21, 22, & 23)

Introduction and Housekeeping: The chair introduced the topic and introduced David Oberlander, counsel for the applicant. The secretary attested that the applicant had properly re-noticed and that all jurisdictional requirements had been met and the board solicitor concurred that the hearing could proceed. Board counsel reviewed that Keith Wenig has recused himself because he has a business relationship with the applicant. Since Chris Halt was not present during prior testimony, he can comment on the entire matter but may be restricted on voting. Counsel will advise if and when voting is appropriate.

The secretary with counsel's approval listed the following new exhibits:

- C1 – revised site plans
- C2 – revised survey and topography plan
- C3 – impervious area calculations
- C4 – exterior elevations of the CVS store
- C5 – revised hydrological report and drawings
- C6 – 1/6/06, Affidavit of Service and Publication with proofs of publication and mailing from applicants attorney

Testimony and Board Questions: Mr. Oberlander reviewed the application and plans and progress to date. He explained that it was hoped the minor amendment to the previously granted preliminary approvals could be approved and that they planned to seek approval on the outstanding signage variances and to hopefully obtain final site plan approval. Returning witnesses are Andrew Ott, the applicant's engineer; Robert Oelenschlager, National Sign Services; and Jim Brandenburger, the applicant.

Mr. Brandenburger used an enlarged colorized rendition of the landscape plan marked as exhibit C7 to explain the changes to the plan. Jim explained the purpose of adding ten additional parking spaces at the side of the site abutting Martha's Lane. This allows for relocation of spaces to improve traffic flow and also to add some additional parking capacity for the Borough. Jim reviewed other changes made in conjunction with recommendations of the board's professionals to improve traffic flow, pedestrian access and safety, and to comply with agreed to changes from the review letters. Andy Ott, reviewed changes specifically in conjunction to Mark's and Tamara's review letters. The applicant fully concurs with all points made except as discussed below.

Item 6 under Site Plan in Mark's letter concerning the location and utilization of the loading pad at the CVS store and traffic impact was discussed and the reasons the applicant feels it is not necessary to make the drive aisle in the area one-way as recommended in Mark's letter. Items 9 and 13 in the same section regarding the trash enclosures were discussed with consensus reached with agreement that the Fire Marshal's approval will dictate final placement. Under Grading in Mark's letter the need for a split rail fence around the basin perimeter was discussed. The applicant concurs it is not needed and would like it clarified that it is not required. Muriel Alls-Moffat wanted it on the record that she feels the fence is needed for safety reasons. Jim stated that the basin area will be landscaped, maintained and should not present a possible play area. Further he feels it is more desirable to have the area clearly visible from the site to discourage children using it as a secluded area to gather. The back of the property adjoining the residential properties will have a board-on-board fence along the entire property line. The other board members understand Muriel's concerns but the consensus was to not require additional fencing within the site unless it is later determined it is necessary. The applicant had no problem with such an agreement. The issue under Drainage in Mark's letter concerning the elevation of the basin spillway was clarified and the applicant has no problem lowering it further towards the calculated 100 year storm level.

Under the topic of site lighting fixtures, Jim discussed the rationale for using the proposed light fixture. He had a sample of the proposed fixture at the meeting. There was discussion that the fixtures along Fulton Street would be shielded to prevent spillage. The rationale for having some up-lighting was discussed. Jim also provided copies of the lighting manufacture's brochure marked as exhibit C8 that provided details on the light fixture. Tamara stated she would continue to address any concerns the board might have concerning lighting.

Mr. Robert Oelenschlager was introduced to present the continued discussion regarding the CVS and free standing site signage. There are no outstanding issues regarding the retail strip signage. All needed variances were granted as part of the preliminary approval. A large board presenting colorized building elevations was entered as C9 and a large board presenting colorized examples of the proposed signage was entered as C10. The size and number of the signs represent revisions discussed and approved at the December hearing. The placement of each sign was fully discussed. There is only one sign facing Fulton Street. Mr. Petrone reviewed what sign issues were resolved and variances granted in December. It was noted that only six of the approved seven façade signs were now proposed. Of the building mounted signs, only the two "CVS" building signs will be externally lit and that lighting will be extinguished after the store closes for the night. A complete discussion of the placement and details of the other building mounted and window signage occurred. The five ground directional signs were discussed. Exhibit C11 which provided greater detail of the free standing center sign was distributed to the members. The details for the main free standing center sign were reviewed and thoroughly discussed. The revised design retains much of the styling features of the original proposal yet is much reduced in scale and mass. It is less than 12feet high and under five feet in width. The board appreciated the revisions. Final colors can be resolved as needed to the satisfaction of the board and town.

Jim introduced exhibits C12, C13, and C14 as possible exterior design renderings for the CVS building. Jim reviewed the various proposals and stated that he, as well as CVS, were amenable to some additional tweaking if needed. Jim discussed how the design had also been modified to incorporate the comments given at the December meeting. The window awnings had been extended and were standing seam metal. As to the suggestion that there be a single roof line, Jim and the CVS architect feel that makes the store look too much like a warehouse. The brick would be of the darker weathered style with white grout. There will be wall washer lights along the walls instead of the row of florescent lights more common on the other CVS stores. While not required, Jim stated he would appreciate coming away from the meeting with some preference from the board for the styles presented. After discussion, the board concurred that it prefers the all-brick design of C13 but with red metal for the awnings and roofing. Jim also introduced exhibit C15 which presented photos of a building similar in style to

the proposed retail strip stores which showed the side and rear elevation. This had been requested at the last meeting.

Public Comment: The hearing was opened to public comment:

- Joe Augustyn, 634 Elm Terrace, complimented everyone on the board and the applicant for working together to resolve issues and move the process forward. He thinks the site lights are top notch and the specification sheets show that the emphasis is on down-lighting with up-lighting minimized. He thinks the applicant should consider dimming the pole lights after operating hours at the site. He also suggested where some of the State Center's of Place Grant monies could be spent in conjunction with the site. The secretary reviewed that the applicant had already previously agreed to work with the town over any streetscape related initiatives undertaken by the town.
- Eric Saia, 401 Martha's Lane, asked about possible stormwater runoff from the site onto the National Casein site. Andy Ott discussed the calculations used and stated the entire report was included in their submissions. Mr. Saia was informed that the survey was on file in the Borough office as part of the submissions for the application. Mr. Saia also asked if the impact of snow plowing operations had been taken into consideration when calculating the area needed for traffic flow at the rear of the site.
- Roy Vollmer, 303 8th Street, complemented the effort shown in the design considerations. He inquired about the parapet height and the ability to screen the mechanicals on the roofs. Jim stated he was not certain but he understood that one had to be quite some distance from the store before they might be able to see "over" the parapets. Jim volunteered to provide Roy or anyone with directions to a CVS store which is representative of the proposed store size and proposed terrain contour so they can observe for themselves. Roy asked about the material of the rain water conductors, their location and whether they will be surface discharge or connected to the site drainage. Jim is not certain of the material, and he thinks there is probably too much drainage or other issues that place restrictions on locating all the drains to the rear of the building. Andy Ott stated he believed the drains would directly connect to the site drainage lines. Mr. Vollmer feels the free standing sign as proposed is too small, too low, and that the stucco base will require excessive maintenance compared to using brick as a base. Roy also wanted to know if the existing bus stop would be impacted and Jim stated he did not plan any impact.

There being no further comment, the hearing was closed to public comment.

Board Deliberation and Voting: Prior to beginning its deliberation, Tamara asked to comment on the proposed site lights. She is concerned that the lighting decisions made here tonight could also impact Jim's Main Street site. Tamara remarked that the minutes reflect that testimony was given last month that all lighting would be down lighting whereas tonight's testimony states there will be some up lighting. Jim replied that there is full cutoff and cutoff lights and that the lights he is proposing would be cutoff. The resulting up lighting that occurs, helps to meet the site lighting requirements and if not used would require additional light fixtures. Tamara feels that there is already too much light pollution in the area and she feels up lighting is definitely not recommended at the Main Street site. Jim discussed the types of shielding that can be used and the effects of each. Jim stated that having to use lower height lights also increases the impact of cutoffs on the effective lighting produced per fixture. If using full cutoffs means he has to install additional lighting, Jim feels he may not be able to remain with this upscale selection but would have to decide on a more economical fixture. He would rather use the fixture presented. Board members are also concerned about spillage and effect on the area. Jim does not feel there will be a "stadium" glow effect from the lights. Jim stated he would continue to work with Tamara to resolve the lighting issue to everyone's satisfaction at both sites. Jim also stated that he was agreeable to turning the lights off or dimming them after hours as long as there were no reasons presented why he could or should not.

There being no further questions from the board the chair asked for direction on how to properly act on the changes to the preliminary approval and tonight's testimony. Chuck stated that the board does not have to keep them separate since the changes to the preliminary approval granted in December are not substantive. If they were substantive, a new preliminary approval would be needed. Regarding Chris' voting eligibility, there is no problem with him voting on the amended preliminary and the final approval. The board can, if it chooses, handle the matter as one resolution combining the amended preliminary approval with final approval as well as action on all new variances requested this evening. The chair stated he would like to handle things as one vote. It was

noted that all approvals and variances were acted on in a single motion last month.

Chuck Petrone guided the board in crafting the motion. He reviewed that the applicant is seeking a resolution granting amended preliminary approval and final site plan approval.

Additional variances are being requested:

- variance for the number of permitted façade signs and the square footage of the CVS building signage – the ground directional signage was approved in December and the free standing sign is a separate variance
- variance for a free standing sign as presented in exhibit C11 to include the sizes of the CVS and tenant signs
- variance to permit the impervious coverage to increase to 67.6% from the 66.3% granted in December;

There are several conditions that the board may consider and can be made part of any resolution:

- that fencing of the basin is not currently required but may be required if future conditions warrant
- trash pickup times may be mandated if needed
- delivery times may be further restricted from general Borough requirements if noise or traffic issues warrant
- all points in the review letters will be satisfied as agreed to and/or as amended in December or tonight
- appearance of the future bank or free standing retail site must comply with Borough design guidelines
- site lighting if left on after all operations in the center cease should be dimmed to security levels
- the applicant will continue to work informally with Tamara Lee to resolve outstanding lighting issues
- the exterior elevations of the CVS building will be substantially similar to the example presented in exhibit C13 except the metal roofing and awnings will be red
- the landscaped area at the CVS loading area will be added to the plan

The mayor so moved that the board approve the motion as delineated by Mr. Petrone and the members. The motion was seconded by Joseph Katella. Muriel Alls-Moffat wanted it noted that she feels that it may be a mistake for the board to act on everything with one vote. There being no further discussion, a roll call vote was conducted with aye signifying approval and nay denial. The board approved the motion granting the approvals and variances sought subject to the conditions in the motion by a unanimous vote of 7 to 0 as follows:

Mr. Siefert	aye	Mr. Halt	aye
Mr. Katella	aye	Mrs. Alls-Moffat	aye
Mayor Martin	aye	Councilman Smyth	aye
Mrs. Wells	aye		

CORRESPONDENCE/ANNOUNCEMENTS

1. **December 2005 January 2006 edition of “The New Jersey Planner,” NJPO newsletter which includes first agenda of 2006 training programs that will qualify for mandatory training.**
2. **1/6/06, revised submissions for Brandenburger/Sheridan Site Plan Application distributed to all board members and others as required.**
3. **1/6/06, Affidavit of Service and Publication with proofs of publication and mailing from Flaster Greenberg for Brandenburger Site Plan Application.**
4. **1/10/06, copy of Tamara Lee’s review of new/revised materials which was distributed directly to the board.**
5. **1/17/06, copy of Mark Malinowski’s review of new/revised materials which was distributed to the board.**
6. **1/15/06, copy of letter from the Shade Tree Commission to board and professionals and applicant regarding tree selections for the Nu-Way site. Tamara stated much has already been done and she will work with the applicant and commission.**
7. **1/16/06, copy of “Mayor’s Fax Advisory” newsletter from NJLM urging a resolution (sample attached) from communities opposing S-457 which seeks to revise the “Time of Decision” rule restricting the ability to technically correct ordinances.**
8. **1/13/06, copy of letter to Muriel from COAH regarding annual monitoring requirements.**
9. **1/17/06, brochure from NJPO with registration form for their Winter/Spring course offerings for planning and zoning officials which can be used to satisfy the new state requirements.**
10. **1/16/06, letter and application from ANJEC for 2006 Smart Growth Planning Grants for Municipalities.**
11. **1/17/06, letter from Fred Hardt’s office concerning old invoices claimed to be outstanding.**
12. **Six vouchers/invoices as presented under New Business.**

OLD BUSINESS

Table Old Business – Due to the late hour (after 10:00 PM), the chair stated that unless there was anything critical to discuss under old business he would entertain a motion to table old business until the next meeting. There was no objection and a motion was made by Suzanne Wells, seconded by the mayor and passed unanimously to table all old business.

NEW BUSINESS

Vouchers and Invoices:

1. 12/22/05, Lord Worrell & Richter, \$2,238.00, for work related to the Brandenburger/Sheridan application in November (PAY FROM ESCROW)
2. 12/22/05, Lord Worrell & Richter, \$150.00, for November meeting attendance for Brandenburger/Sheridan application (PAY FROM ESCROW)
3. 1/3/06, Tamara Lee, \$850.00, for work on the Brandenburger/Sheridan application in December (PAY FROM ESCROW).
4. 1/3/06, Tamara Lee, \$388.75, for third round COAH certification petition work in December.
5. 1/17/06, Raymond and Coleman, \$400.00, for general business advice, COAH matters, and meeting attendance at the December meeting.
6. 1/17/06, Raymond and Coleman, \$1,274.00, for work on the Brandenburger/Sheridan application in December (PAY FROM ESCROW).

A motion was made by Muriel Alls-Moffat, seconded by the mayor, and passed unanimously to pay the items as presented. The secretary will have them signed and submitted for payment.

T-Mobile Presentation – Councilman Smyth reviewed a proposal from T-Mobile to erect a telecommunications tower on Borough property. Bob is chair of the committee appointed by Council to look into the matter. T-Mobile has determined that the location should be along the Delaware River and near the mouth of the Pompeston Creek in Riverton or Cinnaminson Township. In Riverton, that would be on Borough property occupied by the sewer plant. In Cinnaminson Township, it would be on private property. There will be only one tower and T-Mobile wants it at one of the locations. Bob reviewed the two contract proposals where T-Mobile erects the tower and initially controls access to the tower. Bob also discussed a third alternative where a community undertakes to erect a facility on its own and controls all leases. Bob used Medford Lakes as an example and stated he was meeting with them later in the week to gather all the pertinent information on this alternative. It was discussed that the Master Plan suggests that such facilities be permitted as a conditional use. Currently there is no provision in the Borough Code providing for the use of such a facility anywhere in the town. Without the provision in the code, currently any application submitted would require a use variance. If an alternate location did not require this kind of variance, an applicant would probably pursue an application where the use is already provided for in a town's code. There was extensive general discussion among the board and the consensus was that while the need exists, the members don't want to leave it that an applicant be permitted to place a tower any place it wants in the town. The board as well as Council feel it is preferable to limit any approval to the General Business district of the town. It was noted that it is the telecommunications company that usually determines the best actual location and it so happens in this instance that T-Mobile's selection falls in the General Business district. What is being discussed and asked of the board tonight does not involve any form of endorsement or approval of T-Mobile's proposal. Council is asking that the board consider crafting an ordinance allowing the erection of a telecommunications tower in the Borough. The board's planner and counsel had discussed the matter prior to the meeting and their recommendation to the board is that such facilities be allowed as a conditional use in areas the town feels appropriate. This allows the maximum reasonable control by the Borough over possible placement. With the advancements and changes in the industry, it is also recommended that the town not restrict the ordinance to just cellular communications but to telecommunications in general to permit maximum future utilization as industry changes allow. Given the consensus of the board's feelings as presented as well as the seeming consensus from other Borough officials, the planner and counsel recommended that the board might wish to consider amending the zoning code, specifically Chapter 128, Article VIII, General Business GB District, Section 128-27 Conditional Uses, to add telecommunications towers to the list of permitted conditional uses in the

district. A motion was made by Chris Halt and seconded by Muriel Alls-Moffat that the board have its solicitor craft an ordinance that would amend the stated section of the code to allow telecommunications towers as a permitted conditional use in the GB District. There was discussion of the timing and procedural steps that need to be followed to get the ordinance to Council. Chuck Petrone stated they would make sure all such issues were resolved and that such a draft ordinance would be available no later than the board's next meeting if not sooner. There being no further discussion the motion was approved by a unanimous voice vote.

PUBLIC COMMENT

The meeting was opened to public comment.

- Eric Saia, 401 Martha's Lane, asked if the Reexamination of the Master Plan was still ongoing and that he still wished to offer his assistance. Bob Smyth answered that work was resuming and that Eric's assistance would be welcome and the committee will contact him. Eric asked if all proper procedures would be followed surrounding any actual plans to construct a tower. He was assured that this will be done.

There was no further comment and the meeting was closed to public comment.

Meeting adjourned at 10:45 PM.

Next meeting:

- **Regular Meeting is on 2/21/2006 at 7:00 pm in the Borough Hall.**

Tape is on file.

**Kenny C. Palmer, Jr., Secretary
RIVERTON PLANNING BOARD**

**RIVERTON BOROUGH PLANNING BOARD
MINUTES
February 21, 2006**

The Public Session of the Planning Board was called to order at 7:05 PM by Chairman Frank Siefert.

Public Notice of this meeting pursuant to the Open Public Meetings Act has been given in the following manner:

1. Posting notice on the official bulletin board in the Borough Office on January 23, 2006.
2. Required Service of notice and publication in the Burlington County Times on January 25, 2006.

PRESENT: Frank Siefert, Christopher Halt, Joseph Katella, Mayor Robert Martin, Councilman Robert E. Smyth, Suzanne Wells and Keith Wenig.

Also Present: Secretary Ken Palmer and Solicitor Tom Coleman.

ABSENT: Muriel Alls-Moffat.

MINUTES: A motion was made by the mayor and seconded by Councilman Smyth to adopt the minutes of the January 17, 2006 regular meeting as distributed. The voice vote was unanimous.

CORRESPONDENCE/ANNOUNCEMENTS

1. 2/8/06, Copy of letter to mayor from COAH advising that no comments had been received on the Borough's 3rd Round COAH submission and that it is now under review.
2. 2/6/06, Announcement from Burlington County Chamber of Commerce, of Brownfields Redevelopment Forum on 2/23/06.
3. 2/9/06, copy of Borough Ordinance 2-06 introduced by Council to amend Borough Code to permit conditional use of telecommunications towers in the GB District.
4. 2/7/06, Copy of Draft Stormwater Management Ordinance introduced by Council and letter from Terry Vogt, PE; Director, Environmental Division; Remington Vernick & Arango Engineers.
5. Four vouchers/invoices as presented under New Business.

PUBLIC HEARING

Application by Zena G. Demirciviren and Grace Scheffler for Concept Review of Proposed Expansion to Zena's Patisserie & Café Inc., 308 Broad Street, Block 801, Lot 40

Introduction: The chair introduced the topic. Board solicitor Tom Coleman explained that since this is an informal concept review and that no rulings will be rendered from this proceeding, no one is required to be sworn and the stricter rules of testimony do not apply. Mr. Vollmer, EAIA, the applicant's architect was introduced and reviewed the proposed addition and referred to the existing survey and the proposed plan which also includes elements of the Borough's proposed streetscape improvement plans for the area. Mr. Vollmer discussed the exterior architectural plans. They plan to preserve the five existing parking spaces and hopefully provide a more suitable outside seating area. It is proposed to add 12 additional inside seats and additional ADA compliant restroom facilities. The exterior façade will be maintained or improved. There is no room or plans to increase the number of parking spaces. The applicant would like to see the existing town bulletin board relocated to Borough property to facilitate the parking once the Broad and Main Street improvements are made. The bulletin board is currently on the applicant's property and they are not aware that permission to locate it there was ever obtained. The applicant feels that, like other businesses in the area, the existing lack of parking should not be held against them and is a recognized hardship on businesses in the area. There are also various bulk and setback variances that will be needed since the site is already non-conforming and will remain so and be extended under the proposed improvements. The informal comments provided by the board's planner and engineer were referred to and the board agreed to provide copies to the applicant. Board members are also concerned with impact on the traffic flow since the location is proximate to the intersection. There is also concern as to the County's opinion. The general consensus of the board is that while the proposed addition may be beneficial; there are real concerns about the parking and impact on traffic circulation. The location of the planned new entrance and the details of

the façade were discussed. The chair asked Mr. Vollmer and the applicant if they had additional comments or questions and what they were hoping to come away with from the meeting. Mr. Vollmer stated hoped to know if the plan was deemed to have sufficient merits upon which they might proceed to a full site plan review. The chair asked about timing and the applicant stated they were looking at within two years if possible. There is no firm knowledge yet of the timing on the street improvements since the Borough is still seeking acceptable bids.

Public Comment: The hearing was opened to public comment:

- Gene Bandine, 522B Main Street, is familiar with the area and feels the business can and should be allowed to use the Borough lot and street parking as do other businesses in the area. Other businesses have been giving a variance for having no off street parking and feels similar treatment should be extended to this applicant. He favors expansion of what appears to be a very successful business.
- James Moffat, 202 Fulton Street, discussed the ongoing efforts of getting an acceptable bid for the streetscape improvement project.
- Charles Carusso, 500 Fulton Street, feels the board needs to support successful businesses in the area, since it will only help the entire downtown business area.
- Anne Matlack, feels more on-site parking is needed to encourage pedestrian friendly conditions in the area; however, she also supports the expansion.
- Joe Augustyn, 634 Elm Terrace, would like to see provisions for a bike rack.
- Don Deitz, 304 Seventh Street supports the plan. He wanted to know if the streetscape plan to eliminate the existing “acceleration” lane was a done deal. It was explained that this was a County request as part of the traffic calming initiatives and the lane was very non-standard in such an area. He feels all efforts to help the business to continue to prosper should be made where possible.
- Gerry Meiner, 636 Linden Avenue, supports the business and the application.
- Sue (last name not clear on tape), represents Moccia Properties and stated Mr. Moccia is very much in favor of the proposed plan.
- Dolores DeFreitas, 415 Thomas Avenue, supports the plan; but, she also understands the need for a thorough examination of the proposal. She likes the plan and feels that proposals which help preserve the character of the town and facilitate growth should be supported whenever possible.

There being no further comment, the hearing was closed to public comment.

Board Comments: Joe Katella thinks the biggest issues are parking and impact/coordination with the streetscape project. The applicant stated they would be glad to work with the Borough. The chair stated he is concerned as an architect how the proposed structure will look and its impact on the impression visitors get when arriving in the center of town. He would like to see proposed elevations as part of any site plan application. The secretary reviewed with Mr. Vollmer that only a site plan application which includes the variances being requested is needed. A separate variance application is not needed. The checklist on the application provides guidance. The board’s solicitor provided some guidance as to what it appears the board’s planner and engineer feel is needed.

OLD BUSINESS

Resolutions:

Application by Brandenburger/Sheridan, Inc. for Preliminary and Final Site Plan Approval and All Required Variances As Needed to Redevelop the “Nu-Way” and “Riverton Motors” Properties on Broad Street (Block 1501, Lots 20, 21, 22, & 23): The chair asked if the members had received and read the resolutions. All present stated they had. Tom Coleman reviewed that the resolutions had also been forwarded to the applicant and applicant’s attorney. Mr. Brandenburger stated that changes have occurred since the hearings concerning the tax situation. He concurred the resolutions represented the conditions at the time of the hearings, the proceedings themselves, and the approvals granted. There are two resolutions to be adopted: Resolution P2006-03A memorializes the approvals and preliminary site plan approval granted at the December 2005 hearing; and, Resolution P2006-03B memorializes the amended preliminary approval, additional approvals, and final site plan approval granted at the January 2006 hearing. Tom advised that each resolution requires separate adoption.

The chair asked if there were any comments or questions on Resolution P2006-03A and there were none.

Suzanne Wells motioned and the mayor seconded that Resolution P2006-03A as referenced by title be adopted and memorialized. A poll vote of the members eligible to vote unanimously adopted the resolution by a vote of 5 to 0 as follows, (Mr. Halt and Mr. Wenig did not vote):

Mr. Siefert	aye	Mr. Katella	aye
Mr. Martin	aye	Mr. Smyth	aye
Mrs. Wells	aye		

The chair asked if there were any comments or questions on Resolution P2006-03B and there were none. Suzanne Wells motioned and the mayor seconded that Resolution P2006-03B as referenced by title be adopted and memorialized. A poll vote of the members eligible to vote unanimously adopted the resolution by a vote of 6 to 0 as follows, (Mr. Wenig did not vote):

Mr. Siefert	aye	Mr. Halt	aye
Mr. Katella	aye	Mr. Martin	aye
Mr. Smyth	aye	Mrs. Wells	aye

The secretary stated the resolutions will be signed, proper notice published and copies distributed as required. Members of the board congratulated Mr. Brandenburger and wished him luck. Asked about timing, Mr. Brandenburger stated he would like to begin demolition in June if possible. He stated that they are working with the County to obtain their approvals on site access and they may need to make revisions including use of Martha's Lane. Tom Coleman stated that he hopes it would not require another perhaps minor amendment to the site plan approvals.

Stormwater Management Plan: Councilman Smyth reviewed the progress of the draft ordinance of the plan introduced before Council and how it related to the draft approval the board has previously provided. The first reading occurred in February and the second reading and hearing will occur at Council's meetings in March. There is a need that the Borough's site plan codes need to comply with the provisions. The board needs to endorse the ordinance and then revise the code(s) as needed. There is an additional issue that the stormwater management plans need to be part of a community's master plan. Review of the board's previous meetings shows that while the original draft was endorsed by the board, the master plan has not been amended. There is a question of what and in which order things need to be done to amend the master plan. This action has nothing to do with the current ongoing reexamination of the master plan. It is the need to comply with the requirement that the stormwater management be a part of the master plan. There is a process that must be followed to amend the master plan. Tom Coleman reviewed that the Borough needs to meet the deadline for adopting the plan and submitting it by the April deadline. Tom stated that procedurally Council cannot adopt the plan unless the board endorses the plan and recommends that Council adopt it. What is needed tonight is for the board, if it is prepared to do so, to endorse the plan. The mayor stated he feels that Council is prepared to adopt the plan at it the March meeting. Chris Halt reported that the Environmental Commission has endorsed the plan based on input from the County's Board of Chosen Freeholders and its efforts to review and adopt a regional plan. Tom Coleman stated that he feels the board should have amended the master plan to incorporate the plan by the submission date for plan. Tom is not certain what exactly the board must include in its amendment to the master plan but will research the matter and assist and direct the board. The chair entertained a motion to endorse the plan and recommend Council adopt it. The mayor motioned and Councilman Smyth seconded that the board endorse the Stormwater Management Plan and recommend that Council adopt the plan. There being no further discussion, a poll vote was taken and the motion was unanimously approved by a vote of 7 to 0 as follows:

Mr. Siefert	aye	Mr. Halt	aye
Mr. Katella	aye	Mr. Martin	aye
Mr. Smyth	aye	Mrs. Wells	aye
Mr. Wenig	aye		

Telecommunications Tower: Councilman Smyth reviewed the progress of Borough Ordinance 2-06 which amends the Borough's zoning code to permit the conditional use of telecommunications towers within the General Business District. Bob again provided an overview of T-Mobile's proposal and his meeting with Medford Lakes on the possibility of the Borough erecting its own tower. Bob is meeting with T-Mobile on the 22nd. Tom Coleman discussed his concerns with the proposed ordinance. He thinks the ordinance needs to be tightened up to eliminate possible spot zoning criticism. Tom stated that he would be glad to work with the Borough solicitor and the mayor requested he please address his concerns with Mr. Gunn.

Redevelopment: Councilman Smyth reported on the two efforts to move redevelopment plans forward. There are grants available if a redevelopment plan is in place. Since there has not been any agreement on the current draft plan, the possibility of creating a "site specific" redevelopment plan, which is permitted, was discussed. Since the properties for which Mr. Brandenburger has recently received site plan approval are among the identified properties in the redevelopment zone, Bob feels that a site specific plan could be drawn up which essentially defines that the proposed redevelopment use is the same as the site plans already approved for Mr. Brandenburger. Having an adopted plan makes funds available to the Borough and to the developer which can be used for needed improvements by the Borough and to possibly ensure that Mr. Brandenburger's plans meet the Borough's highest expectations. Council needs to agree to proceed in this direction and the developer who is already on board needs to be willing to work with the Borough. The board also needs to endorse the concept. Tom Coleman explained that this is a unique situation. Council has been unable to reach agreement the current draft plan before it since it is very encompassing in its scope. It so happens that two major parcels have already received approval for redevelopment. If Council sees fit to proceed with the site specific approach and can agree that the already approved applications represent what is best for the sites, a site specific redevelopment plan can be crafted that incorporates the approved site plans. If adopted, the Borough and the developer can then pursue funds and benefits available under the law. Mr. Brandenburger stated that while he would certainly welcome any possible benefits it does not immediately impact his current plans. With or without any possible benefits, he intends to continue forward with the approvals he has been granted. Suzanne Wells asked if this means that such a plan has to be done for every parcel in the redevelopment zone. The answer is no. Tom also reminded the board that it does not do anything with out direction from Council. Endorsing the site specific approach presented tonight does not limit any future direction nor does it impose any burden on the board at this time. Joe Katella asked if there is a risk in pursuing this new direction. Tom stated that there is no risk except missing out on the benefits available when towns have an approved redevelopment plan. Council needs board endorsement to pursue the site specific approach presented tonight.

Public Comment: The discussion was opened to public comment:

- Joe Augustyn stated that the site specific approach has been done in other communities. It permits the Borough to develop a plan hopefully Council can agree on. It benefits the Borough and the developer. In this case crafting the plan is very straight forward since the essential criteria for an approvable plan already exist. The state lends money and assists communities and developers in redevelopment areas. The state is very interested in assisting towns within state designated areas. Sam Leone, Assistant Director State Economic Development Authority will come down and talk to town officials. The mayor feels this is the best way to go. Joe also reviewed other pros and cons.
- Garry Ford, stated that the Riverton Business and Civic Association had voted to recommend to Council that it adopt a site specific redevelopment plan and pursue smart growth grants that might assist in the process..
- Jim Brandenburger, commented that he had been at a seminar on redevelopment along the River Line. He is concerned about timing. He is proceeding with his plans to bring his plans to fruition and hopes the plans being discussed will not delay or hinder his efforts. He supports the proposal as long as it does not jeopardize his negotiations. He is confident he can accomplish everything in his plans; but he agrees that possible benefits from the proposal could allow him to do more for the community. He would be glad to meet with Sam Leone and other town officials. It was discussed that meetings with Sam Leone can be on a subcommittee level.
- Frank Ciocci, from the Economic Development Committee, wished to know if the benefits available to the properties being considered in the site specific proposal would be available to other properties in the redevelopment area. Tom Coleman replied that there would need to be site specific plans for those properties as well. Joe Katella commented that right now there is no plan in place and it is not moving forward as

currently before Council. The site specific approach being discussed may allow the Borough to adopt a plan and start the process.

- James Moffat, asked for clarification on Sam Leone and it was provided.

There being no further comment, the hearing was closed to public comment.

The chair entertained a motion on the matter, and Suzanne Wells motioned and the mayor seconded that the planning board endorse the concept of a site specific redevelopment plan. There was no further discussion and a unanimous voice vote approved the motion.

The second item was the recent communication from Joe Donald, Deputy Executive Director Office of Smart Growth Planning on use of the Smart Growth Grant awarded the Borough. He feels the funds should not be used for a traffic study as proposed since funds for that are available through the Transportation Enhancement Grant. Mr. Donald proposes that the Smart Growth Grant funds be used for work that, in short, facilitates a feasibility study in how to coordinate the redevelopment plans with the overall planning goals of the town as well as the County and State goals for the Route 130 Strategic Revitalization Plan endorsed by the state in 1999. He feels the concepts presented by Mr. Donald are worthy of consideration. Mr. Smyth would like Mr. Donald's e-mail distributed to the board for consideration. Tom Coleman reviewed the status of the grant.

Reexamination of the Master Plan – Bob Smyth and Joe Katella reported on the status of the subcommittee's efforts. Joe Katella is assuming chair of the subcommittee. Copies of the Palmyra and Cinnaminson master plans have been received and are being reviewed. The subcommittee feels it is on target to present at least preliminary drafts hopefully in April. Other town associations have been invited to participate. The subcommittee feels it is about ready to meet with Tamara to review their progress and the work needed to be done to complete the project.

Environmental Commission – Chris halt reported that Mike Robinson continues work on a draft of the wetland setback ordinance. The commission wants to be involved with the work on master plan reexamination and redevelopment since it feels it may have meaningful input. The commission has concerns about the location of the telecommunication tower which may be moot given the proposed location at the sewer plant. Bob Smyth stated that he had talked to Mike Robinson on the matter.

COAH Activity – Discussion was tabled due to Muriel's absence.

Architectural Review Committee – Chris halt reported on reviews of the plans for Zena's, Cindy Vee's plans for a hanging sign at her bed and breakfast, and Mr. Brandenburger's seeking a demolition permit for 4 Thomas Avenue. The ARC has concerns about the demolition and the steps needed to proceed. The secretary commented on what the code appears to say on the process. The ARC has concerns regarding the historical nature of the property.

Draft Fence Ordinance Revisions – The chair commented that he would make sure that the members had copies of the draft revisions and hopes discussion can begin next month. The mayor asked if the ARC was involved with the revisions and it was stated that both zoning and ARC members of the subcommittee were the principal guiding elements in the revisions. There are concerns about the proposal for front yard fences.

2006 Budget – The chair asked if there was any input and Councilman Smyth asked if a budget had been submitted. The chair stated he thought he had submitted a budget. The matter will be looked into. The secretary commented that the planning and zoning boards should make sure that funding for mandatory education is included.

Reprinting the Master Plan – The secretary reviewed the need to have copies available and that Chris Halt had prepared an estimate as requested by Mary Longbottom. Chris reviewed his estimate. The contents of the book were discussed. The chair stated he would discuss the matter with Mary.

NEW BUSINESS

Vouchers and Invoices:

1. 1/20/06, Lord Worrell & Richter, \$1,963.50, for work related to the Brandenburger/Sheridan application in December (FROM ESCROW).
2. 2/1/06, Tamara Lee, \$765.00, for work related to the Brandenburger/Sheridan application in January (FROM ESCROW).
3. 2/2/06, Raymond and Coleman, \$1,351.00, for work related to the Brandenburger/Sheridan application in January (FROM ESCROW).
4. 2/2/06, Raymond and Coleman, \$428.00, for general business advice and meeting attendance at January meeting.

A motion was made by Suzanne Wells, seconded by the mayor, and passed unanimously to pay the items as presented. The secretary will have them signed and submitted for payment.

2006 Goals and Objectives – The consensus of the board was it may have a full plate already. It was suggested that last year's goals and objectives be reviewed and that recent developments be included. Joe Katella and Bob Smyth agreed to review items and come back with a recommendation for the board.

Demolition at Four Thomas Avenue – It was reviewed that the site encompasses two separate lots that contain nonconforming structures. Mr. Brandenburger wants to or has purchased the site and wishes to demolish the structures and erect two homes. The mayor has concerns about the proposed demolition and feels that the input of the Historical Society should be sought. It was agreed that the board would seek input from the Historical Society.

Minor Subdivision by the Hudaks – The secretary briefed the board on a possible minor subdivision application request.

PUBLIC COMMENT

The meeting was opened to public comment. There was none and the meeting was closed to public comment.

Meeting adjourned at 9:25 PM.

Next meeting:

- **Regular Meeting 3/21/2006 at 7:00 pm in the Borough Hall.**

Tape is on file.

**Kenny C. Palmer, Jr., Secretary
RIVERTON PLANNING BOARD**

**RIVERTON BOROUGH PLANNING BOARD
MINUTES
March 21, 2006**

The Public Session of the Planning Board was called to order at 7:00 PM by Chairman Frank Siefert.

Public Notice of this meeting pursuant to the Open Public Meetings Act has been given in the following manner:

1. Posting notice on the official bulletin board in the Borough Office on January 23, 2006.
2. Required Service of notice and publication in the Burlington County Times on January 25, 2006.

PRESENT: Frank Siefert, Christopher Halt, Muriel Alls-Moffat, Mayor Robert Martin, Councilman Robert E. Smyth, Suzanne Wells, and Keith Wenig.

Also Present: Secretary Ken Palmer and Solicitor Chuck Petrone.

ABSENT: Joseph Katella

MINUTES: A motion was made by Suzanne Wells and seconded by Councilman Smyth to adopt the minutes of the February 21, 2006 regular meeting as distributed. The voice vote was unanimous.

CORRESPONDENCE/ANNOUNCEMENTS

1. Copy of 3/6/2006 letter to mayor and Council from Robert J. Bednarek, President Historical Society of Riverton commenting on the proposed demolition of the house at Four Thomas Avenue. Copied for board and counsel.
2. Copy of letter to mayor, Council, and planning board chair, from Walter Croft, Chair ARC, regarding demolitions and attaching an article from the National Historic Trust for Historic Preservation. Copied for board and counsel.
3. Copies of letter from Office of Smart Growth providing update on progress of mandatory education training program rules and article by Stuart Mack, Rutgers University on same topic. Copied for board and counsel.
4. Copy of letter to Bob Smyth from T-Mobile regarding their proposal to erect a telecommunications facility at the sewer plant site. Copied for board and counsel.
5. Copies of adopted Council Resolutions: 2-06, Telecommunications Towers in GB District; 3-06, Adopt Stormwater Management Plan; and 4-06, Authorizing Planning Board Draft Site Specific Redevelopment Plan for the sites encompassed by: Block 1501, Lots 20, 21, 22, & 23 (Nu-Way/Riverton Motors); and Block 904, Lots 2 & 3, Block 905, Lot 6, and Block 906, Lot 1 (Sitzler). Copied for board and counsel.
6. Draft of Site Specific Redevelopment Plan distributed to board and counsel under separate cover.
7. Packet of information regarding the Burlington County River Route Regional Planning Advisory Committee. Copied for board and counsel.
8. Seven vouchers/invoices as presented under New Business.

PUBLIC HEARINGS

Minor Subdivision Application by Charles and Kelly Hudak, 209 Linden Avenue, Block 500, Lot12:

Introduction and testimony: The chair introduced the topic. The secretary and Mr. Petrone reviewed that the application fulfilled jurisdictional requirements and the hearing could be held. No board members had any conflict of interest and the hearing commenced. Mr. Hudak explained why they wished to subdivide the lot. The applicants wish to subdivide the lot and construct a new home for themselves that will meet the needs for their growing family. They have made many improvements to the existing home but feel to meet their needs it is more cost efficient to build a new home. The site is in the R8 district. An existing survey was presented as well as a new survey showing the proposed subdivision. The subdivision as proposed would create two fully conforming lots each exceeding the minimum 8,000 square foot size. The new lot will meet all lot size and front footage requirements and the remaining improved lot will meet all bulk and set back requirements. The surveys were prepared by a licensed professional. The proposed location and shape of the subdivision line was explained that it was needed to provide a conforming lot due to the location of the garage. There was no further testimony and the chair entertained questions and comments from the board. There were none. The hearing was opened to public

comment and there was none. The hearing was closed to public comment. The chair asked if there were any additional comments or questions from the board and if there were none he would entertain a motion to approve or deny the application. Suzanne Wells motioned that the application be approved as presented and the motion was seconded by Keith Wenig. There was no discussion on the motion and a poll vote of the members approved the application by a vote of 6 to 0 as follows:

Mr. Siefert	aye	Mr. Halt	aye
Mr. Martin	aye	Mr. Smyth	aye
Mrs. Wells	aye	Mr. Wenig	aye

Mr. Petrone reviewed that a resolution would be prepared and he reviewed the filing requirements with the applicants.

Demolition Permit for Four Thomas Avenue – Jim Brandenburger of Brandenburger/Sheridan is requesting a demolition permit for a home located at Four Thomas Avenue. For the record it is noted that Mrs. Alls-Moffat who was absent for the Hudak hearing had arrived and was present for the rest of the meeting. Per code requirements Jim has appeared before the ARC and as required is seeking board approval. The ARC has reviewed the request and has approved the request stating that there were no significant architectural qualities to the structure. Mr. Brandenburger explained that the property had been purchased last week. The property as purchased is two fully conforming lots and no subdivision is required. The existing house and improvements are currently non-conforming as to their location on the lots. The home is on Four Thomas Avenue and an in-ground swimming pool is on the adjoining lot. Mr. Brandenburger discussed the areas where there was non-compliance. Most significant was the location of the improvements which do not come close to meeting the set back requirements. Mr. Brandenburger prefers to demolish the existing house and erect two new homes that will fully conform to all the code requirements in the R8 district. Mr. Brandenburger provided examples of renderings of the type of homes he would like to erect. The two homes will complement each other, will fit in with the neighborhood, and he plans to locate the two homes so as to provide as much of the views of the river as possible. Mr. Brandenburger feels his plans for the lots are the best use for them. He testified it is not economically feasible to bring the existing structure up to current standards architecturally or to meet building code requirements. The existing home as it exists is poorly laid out and would require significant alteration and renovation to meet today’s market. He had discussed his plans with the former owner who had no objections to the proposed plan. The former owner had requested to remove portions of the structure if demolition was approved. Mr. Brandenburger stated that realizing that there may be some historical significance and/or a desire to own such a home, he has currently re-listed the property as one lot and he will sell it if the buyer meets his price. He has also listed the proposed new homes. He stated he purchased the property with the idea of demolishing the home and constructing two homes. Mr. Brandenburger stated he would donate the structure if someone wished to relocate the structure. The Historical Society has made its feeling known regarding the structure; however, it has neither the funds available to purchase the property nor does it have the funds or a location to relocate the home. Jim stated that if the property is sold, it would be sold as one property with a deed restriction that the property cannot be subdivided. He does not wish to be perceived as someone who buys properties just to tear them down. That is another reason he has re-listed the property to ascertain if there is a genuine interest in purchasing the property as it exists. Jim is seeking some mandate from the board if it is inclined to grant the permit as to how long the board feels it is reasonable to keep the property on the market. It was discussed that under the Borough Code the board may postpone consideration on the demolition request for up to six months in order to further research the matter.

Board members discussed the details with Jim. The mayor asked if Jim thought keeping the property on the market until Memorial Day was agreeable and Jim stated yes. Asked if the property had been sold by Mrs. Ruff as two lots, Jim stated yes and he had bought the property as two lots. Chuck Petrone reviewed with the board the governing ordinance, Jim’s actions, and the options available to the board. Asked by the board what he would do if the request was denied, Mr. Brandenburger respectfully replied that he would most likely appeal the decision since he feels he has solid grounds for his proposed use of the site. Asked what he planned to do to prevent some other buyer from doing what he plans, Jim stated and that it would be deed restricted to prevent future subdivision. Asked by the board if that was possible, Chuck stated yes unless a buyer wished to take the matter to court and try to overturn the restriction. Chuck’s opinion is that as long as the restriction was clearly known prior

to the purchase, it would probably be very difficult to overturn the restriction. The board sought and received an explanation as to the rationale for the ARC's approval of the request. Muriel feels it would be hard for the board to reasonably deny the request given that past precedence in the town has permitted historically significant structures to be demolished. She also feels it is not proper to deny an owner permission to do what he has the legal right to do with his property. The logistics involved with moving a structure was discussed and the board eventually concurred that while physically possible to move it; it was probably not actually feasible that it would be moved. The mayor feels that the property should be listed until Memorial Day at the lowest price that allows Jim to come away financially whole and that if not sold by then the board would revisit the request to approve the demolition permit. Jim stated that he feels he needs some type of firm commitment that if he agrees to a delay of approval and complies with the board's suggestions, that the board will not reverse its decision when the time period has expired. Asked by the mayor if the proposal was sound, Mr. Petrone replied that he feels that if the same evidence provided tonight is still relevant in May, it is reasonable for the board to postpone an approval until May. However, Chuck feels Jim is seeking assurances that if conditions are unchanged, the board will still be willing to abide by its decision. It was discussed that the board might want some additional time to better ascertain the historically value of the property and that Jim could further assess market interest in the property. Jim stated that he only wants some guarantee that by agreeing to the list the property for a reasonable period of time and if conditions are unchanged, he can expect to receive approval of the permit. Suzanne stated she feels Jim is being more than reasonable and if there is no agreement of sale by the end of May, Jim should be allowed to demolish the house. She feels the Historical Society has not provided very relevant comment as to why the structure is of true historic importance. Suzanne stated she will follow up with the Historical Society to try and obtain more information relevant to the board's decision. The mayor proposed that perhaps the board should agree that the board wishes to continue the matter to next month so additional research could be done; and, if at the April meeting conditions warrant approval, then approval might be granted to allow demolition if there is no agreement of sale by June 1st. Asked the condition of any sale, Jim stated the listing is as a single property being sold strictly "as is," and with the property deed restricted against future subdivision. After further discussion and agreement by Jim, it was motioned by Suzanne Wells and seconded by Muriel Alls-Moffat that the matter be continued until the April 18th meeting and at that time the board will approve or deny the request. There was no further discussion and Mr. Wenig and Mr. Halt stated they would recuse themselves from voting. The motion was approved by a poll vote of 5 to 0 as follows:

Mr. Siefert	aye	Mr. Halt	recused
Mrs. Moffat	aye	Mr. Martin	aye
Mr. Smyth	aye	Mrs. Wells	aye
Mr. Wenig	recused		

OLD BUSINESS

Site Specific Redevelopment Plan – Councilman Smyth reported that since the original redevelopment plan prepared for the entire redevelopment area had not been able to be approved, a subcommittee had researched and that site specific redevelopment plans can be proposed. The subcommittee has prepared a draft site specific plan that includes two of the primary sites identified in the original redevelopment area definition process as needing redevelopment. This approach is entirely legal and upon presentation to Council has met with support that it could receive favorable consideration. Having a redevelopment plan in place is beneficial to the town and redevelopers. Plans for the other identified parcels can be considered later jointly or separately as warranted. Council has passed a motion that the board prepare a site specific plan for the two areas included in the draft plan. It is hoped the board will review the draft plan and be prepared to render a decision at the April meeting. There was discussion whether a formal public hearing notice of the board's review was required. Chuck stated he did not think there was since the plan is subject to a public hearing before Council. Chuck stated that he would review the matter and inform the secretary in time to publish any notice if it was required. He suggested the board could adopt a motion to review the plan at next month's meeting and, if required, legal notice be given. A motion was made by Councilman Smyth, seconded by the mayor, that the board review the draft for consideration in April and, as needed, hold any formal hearings on the matter. The motion passed unanimously.

Stormwater Management Plan – Councilman Smyth reviewed the progress of the draft ordinance before Council. The matter of complying with the requirement of including the plan in the master plan was discussed. No one was sure of what parts of the draft plan previously approved by the board in 2005 needed to become part of the master plan; but, since the draft ordinance are close to being forwarded to the County for review, the board needs to complete the process of amending the master plan. Chuck Petrone stated he would research the matter and advise the secretary of what is needed. The secretary also stated he would, with board approval, review the matter with Tamara. Chuck recommended the board consider holding the public hearing next month and that the secretary should publish the required notice of same. Chuck and the secretary will make sure that the required amendment is provided for public and board review prior to the April meeting. The board concurred.

Telecommunications Tower – Councilman Smyth reviewed the progress of T-Mobile’s proposal to erect a tower at the sewer plant site. Public Notice has been given by the Borough soliciting bids to erect a tower at the sewer plant site. Once the bid process is complete, any applicant will need to come before the board for a site plan hearing. This may occur as soon as the board’s May meeting. If Riverton is not chosen by T-Mobile, they still plan to pursue putting the tower in Cinnaminson Township near the site of Riverton’s sewer plant.

At the end of old business, Muriel discussed the concerns raised by the zoning board and its counsel that the revision to the code establishing towers as a conditional use within the business district did not also include revisions that define the conditions under which the conditional use is warranted. Councilman Smyth reported that Bruce Gunn has stated that he will be discussing the matter with the zoning board’s attorney and other professionals who have voiced concerns. Bob also reviewed that any request to erect a tower is subject to a thorough site plan review and that conditions are part of that review.

Smart Growth Grant – Councilman Smyth reviewed for the board the request along with recommendations from the State that the grant not be used for a traffic study but for efforts directed towards other areas that will benefit the town. The Borough’s revised plans will be discussed with Tamara Lee so the project scope can be suitably modified to meet the State’s suggested scope that will meet with State approval.

Reexamination of the Master Plan – In Joe Katella’s absence Councilman Smyth reported on activity and the plans to have a meeting with Tamara Lee on March 29th. There is interest from the town’s economic and business interests.

Environmental Commission – Chris Halt reported that the commission is working on finalizing a draft of the stream corridor protection ordinance that will then be forward to Borough’s counsel for review and revision prior to presenting to Council. Several Borough residents have volunteered to spear head an effort to clean up the river bank area and were looking for assistance. The commission will research if there is help available through the Center’s of Place Grant. There has been discussion of making sure the local Boy Scout organizations are aware that the Borough is amenable to scouts looking for Eagle Scout projects approaching the Borough to help in the clean up efforts. There was discussion as to clean up efforts being conducted on private vs. Borough property.

COAH Activity – Muriel reported on activity and contacts by agencies looking into the availability of suitable properties.

Architectural Review Committee – Chris Halt reported on activity the prior month. All involved residential properties. Joe Augustyn also met to discuss grant possibilities and their use especially regarding side walks and related pedestrian friendly uses. Joe feels that efforts be coordinated throughout the Borough.

Draft Fence Ordinance Revisions – The chair distributed copies of the proposed revisions that had been dropped off by Kerry Brandt who is chair of the fence ordinance revision subcommittee. The mayor reviewed that there may be sentiment to table the matter indefinitely. The secretary reviewed why the zoning board feels the current code should be revised. The chair requested that the members review the proposed changes and be prepared to discuss next month whether the revisions should be considered.

2006 Goals and Objectives – The topic was tabled due to Joe Katella’s absence.

Reprinting the Master Plan – The chair reviewed that a decision is still needed on whether to reprint the master plan and how many copies are needed. Chris Halt reviewed some of the details that go into reprinting the plan. The impact of the re-examination was discussed. The chair stated he would discuss the matter with Mary.

NEW BUSINESS

Vouchers and Invoices:

1. 2/24/06, Lord Worrell & Richter, \$1,795.00, for work related to the Brandenburger/Sheridan application in January (FROM ESCROW).
2. 2/24/06, Lord Worrell & Richter, \$150.00, for attending the January hearing for the Brandenburger/Sheridan application (FROM ESCROW).
3. 3/2/06, Tamara Lee, \$63.75, for work related to lighting at the Brandenburger/Sheridan application (FROM ESCROW).
4. 3/2/06, Tamara Lee, \$106.25, for work related to the Zena’s Patisserie Concept Review application (FROM ESCROW).
5. 3/3/06, Raymond and Coleman, \$665.00, for general business advice and meeting attendance at the February meeting.
6. 3/3/06, Raymond and Coleman, \$896.00, for work related to the Brandenburger/Sheridan application in February (FROM ESCROW).
7. 3/3/06, Raymond and Coleman, \$63.00, for work related to the Zena’s Patisserie Concept Review application (FROM ESCROW).

A motion was made by Muriel Alls-Moffat, seconded by the mayor, and passed unanimously to pay the items as presented. The secretary will have them signed and submitted for payment.

Burlington County River Route Regional Planning Advisory Committee Meeting – Councilman Smyth reported that he is on the advisory committee of the organization that used to be called the Route 130 Corridor Committee. It comprises of twelve towns. Bob reported on the meeting and how he would keep the board informed of developments and also solicit input to his report on Borough activity at future meetings. He stated that favorable comments were received on the developments at the Nu-Way site.

PUBLIC COMMENT

The meeting was opened to public comment.

- Eric Saia, 401 Martha’s Lane, appreciates the offer to place the master plan online. He also appreciates and wishes to be kept informed on efforts to seek input to the master plan from the Economic Development Committee and Business Community Committee. Bob Smyth stated he would advise the chairs of the committees of Mr. Saia’s interest in participating in their meetings.

There was no further comment and the meeting was closed to public comment.

Meeting adjourned at 9:35 PM.

Next meeting is on 4/18/2006 at 7:00 pm in the Borough Hall.

Tape is on file.

Kenny C. Palmer, Jr., Secretary
RIVERTON PLANNING BOARD

**RIVERTON BOROUGH PLANNING BOARD
MINUTES
April 18, 2006**

The Public Session of the Planning Board was called to order at 7:05 PM by Chairman Frank Siefert.

Public Notice of this meeting pursuant to the Open Public Meetings Act has been given in the following manner:

1. Posting notice on the official bulletin board in the Borough Office on January 23, 2006.
2. Required Service of notice and publication in the Burlington County Times on January 25, 2006.

PRESENT: Frank Siefert, Christopher Halt, Muriel Alls-Moffat, Mayor Robert Martin, Councilman Robert E. Smyth, Mary Lodato, and Suzanne Wells.

Also Present: Secretary Ken Palmer, Solicitor Tom Coleman, Planner Tamara Lee, and Engineer Raymond Worrell for Patrick Ennis.

ABSENT: Joseph Katella and Keith Wenig.

MINUTES: A motion was made by Mayor Martin and seconded by Councilman Smyth to adopt the minutes of the March 21, 2006 regular meeting as distributed. The voice vote was unanimous.

CORRESPONDENCE/ANNOUNCEMENTS

1. **Bulletin from ANJEC regarding Municipal Wastewater Management Plans and their relation to the Regional Water Quality Plans.**
2. **Brochure from ANJEC on a workshop being held 4/29 or 5/6 on the State Transfer of Development Rights (TDR) program.**
3. **Letter via fax and regular mail from Mark Malinowski notifying the board he had left Lord Worrell & Richter and resigning as the appointed engineer from that firm.**
4. **Copy of the latest proposed site lease agreement from T-Mobile from Councilman Smyth asking for comments from chair among other Borough officials and personnel.**
5. **4/5/2006 from Mary to the board, copy of Ordinance 5-06 establishing conditions for the conditional use of telecommunications towers which passed first reading in Council.**
6. **Copy of Overview of the State Redevelopment and Housing Law from Councilman Smyth for the board.**
7. **Three vouchers/invoices as presented under New Business.**

PUBLIC HEARINGS

Application by Brandenburger/Sheridan, Inc. for Amended Preliminary and Final Site Plan Approval and All Required Variances As Needed to Redevelop the “Nu-Way” and “Riverton Motors” Properties on Broad Street (Block 1501, Lots 20, 21, 22, & 23)

Introduction and Housekeeping: The chair introduced the topic and introduced David Oberlander, counsel for the applicant. The secretary attested that the applicant had properly noticed and that all jurisdictional requirements had been met and the board solicitor concurred that the hearing could proceed. Chris Halt stated that he needed to recuse himself from voting on the matter.

The secretary with counsel’s approval listed the following exhibits:

- A1 – Amended site plan application
- A2 – Amended site plans package and related submissions
- A3 – Proofs of publication and mailings
- A4 – County Engineer’s letter
- A5 – Board Planner’s review letter
- A6 – Board Engineer’s review letter

Testimony and Board Questions: Mr. Oberlander reviewed that the board had previously granted final approval contingent on the all other required approvals be obtained. The county has conditioned their approvals on the applicant revising access to the site to comply with county requirements regarding access from local vs. county roads. To comply, several changes impacting circulation on the site as well as access to the site have been made necessitating amending the previously approved site plan. In addition ongoing discussions have warranted a change in the exterior plans for the strip stores. Jim Brandenburger, principal of Brandenburger/Sheridan was sworn in. Mr. Brandenburger used a colorized rendition of the amended site plan marked as exhibit A7 to explain the changes to the plan. The county will not allow full access to the site from the main entrance on Broad Street. The plan being presented tonight has been conditionally approved by the county. The county will only permit a right turn into the site and right turn from the site at this entrance. The applicant will restructure the entrance to discourage making a left turn into or out of the site at this entrance. To provide left turn access from Broad Street and facilitate the flow of delivery vehicles, the applicant will develop a portion of Martha's Lane, the "paper street" between applicant's site and the National Casein property. The street will be constructed to fully meet all local codes and capable of being dedicated to the town. The street will be developed to the where the stormwater basin and buffering area begins which is the end of the paved area at the rear of the site. The applicant will properly stripe Broad Street to indicate a left turn into Martha's Lane. Broad Street will be properly striped. Aside from the striping on Broad Street providing for a left turn at Martha's Lane, no other signage is planned for either entrance. Traffic flow on the site has been revised for the use of Martha's Lane.

Jim replied to each of the review letters. In Tamara's review letter, she had suggested that a landscape buffer could be required along Martha's Lane. Tamara offered that the board may wish to consider a variance which one, permits a buffer similar to the buffer granted along Fulton Street and two, the board may wish to "bank" the buffering requirement until such time that the property across Martha's Lane is developed. Jim stated that he is requesting such a variance regarding the buffering along Martha's Lane. Jim is also requesting relief from the previously agreed to on-site sidewalk design and paving requirements since he is being asked to construct the sidewalk along Broad Street to match the Borough's streetscape program. The Borough has revised its plans to no longer include the sidewalk along Jim's property in its grant project and is requesting his construction match the town's plans. Councilman Smyth stated that he had hopes that the site specific redevelopment plans, if adopted, might avail the town and/or the developer of just those kinds of funding that helps ameliorate these kinds of trade offs. Jim also discussed that through ongoing discussions with other developers and paving contractors the mix of different types paving materials is prone to early failure. Tamara feels that pressed concrete paving when done with a good contractor will hold up well and goes to the agreed need to make the site pedestrian friendly. Asked if the county had any input on the sidewalk issues, Jim replied there was none. Jim stated he had always planned to put in new sidewalks but not necessarily to meet the Borough's decorative plans. In order to allow for as much time as possible to pursue possible grant assistance, Jim stated that he would try and stage his construction to delay the new sidewalks as long as possible. Jim agreed that the location of bike rack(s) and additional/relocated light poles will be updated on the plans per Tamara's review comments. The need for the loading dock area grading pad and relocation of some of the dumpsters was also discussed and there were no additional concerns by the engineer or planner. Jim stated that most of the comments in the engineer's review were or have been complied with and any required revisions to the plans will be made. However, Jim feels they do not have to meet the engineer's comment regarding a fence along the rear catch basin/buffering area since that issue had been resolved in prior granted approvals. The board concurred. Jim stated that he had no other issues with the engineer's letter and would comply as needed regarding obtaining all Borough required reviews and approvals. The engineer's issue of allowing two-way traffic along the rear of the site was discussed especially when a truck is docked. Jim feels that the use of Martha's Lane will lessen any traffic problems on the main parking area. Since the issue had been discussed previously it was decided it would be okay to leave this issue as a wait and see if a problem exists before requiring additional signage/direction requirements. This concluded testimony regarding the amended site plans.

Regarding the redesign of the strip stores, Jim provided a photograph, entered as exhibit A8, which shows an example of a flat-roofed structure with brick on three sides. He proposes that the style of the brick will match the style of the CVS building. The flat roof will slope to the rear and be shielded by a two-foot parapet which will shield the mechanicals located on the roof. The redesigned stores reduce the massive roof appearance of the original design, is much better in keeping with the style of the CVS store and other larger business structures in the town. Removing the large mass of gabled roof allows the depth of the building to be approximately four feet

shorter without adversely impacting the usage of the building stores. Renderings are in progress but pending at least a preliminary approval of the board for the new design. The ARC has reviewed and approved the redesign. The plans now call for five larger stores instead of the original six stores; but, will still be approximately the same total square footage. Tom Coleman feels the redesign is significantly different than previously approved and the board is warranted in delaying a final opinion on the design until suitable renderings are produced. Jim stated that the redesign eliminates the need for the previously granted “main” sign on the building. The new design will only have gooseneck lit individual store signs that comply with the Borough’s sign ordinance. The consensus of the board was that the new design is better. However, it was the consensus of the board that it wished to see renderings of the new design. Tom stated that the board could proceed with the amended approval of the site plan as long as the footprint of the strip stores is not being substantially changed. Jim wanted to know if he could proceed to “signed plans” without the new architectural renderings. Jim stated he was aware that he could not obtain permits without fully designed construction plans. Tom stated that continuing the drawings issue would not impact proceeding to signed site plans if the board grants the amended approval tonight. The new design will only improve drainage and allows for better use of the impervious coverage of the original footprint area.

Public Comment: The hearing was opened to public comment:

- Eric Saia, 401 Martha’s Lane, asked about the impact on National Casein of developing Martha’s Lane and the zoning and planning impact on its interests. It was explained that the easement always existed and that Mr. Brandenburger proposes to develop a portion that is a fully compliant street to allow access to his site. Mr. Saia asked what are the planning and zoning issues if in the future National Casein developed that portion of their property. It was explained that there is no impact except positive by the street being developed. It is basically the same if the Borough decided it would undertake putting in the street. Except for possibly reconfiguring their side of the street, they benefit that a dedicated street already exists. There were no conclusions reached as to whether Mr. Brandenburger could recoup any costs from other property owners for putting in the street, except probably not since he has to build a properly compliant street even if it only initially serves as a principal access to his site.

There being no further comment, the hearing was closed to public comment.

Board Deliberation and Voting: There were no further comments or questions from the board and the chair asked Tom Coleman what the board could reasonably consider tonight. Tom stated the board may wish to consider granting preliminary and final amended site plan approval based on the plans submitted and subject to compliance to the planner’s 4/17 review and the engineer’s 4/18 review. Compliance with the review letters is subject to the two-way access and fence requirements of the engineer’s letter remaining as previously approved. The only new variance being requested is that the buffering requirements along Martha’s Lane will be “banked” until such time adjacent development warrants that a landscape buffer similar to that approved along Fulton Street needs to be provided. Approval can also granted to continue any final approvals of the changed strip store building until the applicant can provide the renderings requested by the board; however that is a separate issue from the possible approval of the site plans. Following discussion as to what was being approved, Suzanne Wells asked the secretary to read back what the motion being discussed was. The secretary reviewed that the board was being asked to grant preliminary and final amended site plan approval to the plans as presented subject to compliance with the planner’s and engineer’s review letters except that the engineer’s comments regarding two-way ingress/egress at the back of the site as well as providing a split rail fence along the basin area are excluded since related approvals were already granted. Further, a variance to provide a buffer along Martha’s Lane similar to the buffer approved along Fulton Street will be “banked” unless and until development along the other side of Martha’s Lane warrants the need for the buffer. Suzanne Wells made a motion that the board grant approval as stated and the mayor seconded the motion. There was no further discussion and the motion was approved by a poll vote of 6 to 0 as follows:

Mr. Siefert	aye	Mr. Katella	absent
Mr. Halt	recused	Mrs. Alls-Moffat	aye
Mayor Martin	aye	Councilman Smyth	aye
Mrs. Lodato	aye	Mrs. Wells	aye

Continuance: The applicant agreed to and requested a continuance to provide the additional information regarding the revised foot print and architectural changes to the strip store building. A motion was made by Suzanne Wells, seconded by the mayor, and unanimously approved to continue the matter at the applicant's request.

The Planning Board of the Borough of Riverton approved the following resolution at its regular meeting on April 18, 2006:

Be it resolved by the Planning Board of the Borough of Riverton, County of Burlington, and State of New Jersey that consideration on the application by Brandenburger/Sheridan, Inc. for approvals and all related variances as needed to redevelop the "Nu-Way" and "Riverton Motors" Properties on Broad Street (Block 1501, Lots 20, 21, 22, &23) is continued, applicant having requested an extension of time for consideration of the matter until the next regular meeting of the Board on May 16, 2006.

This notice provides the only official notification required of this continuance granted by the applicant unless subsequent amendments to the application require that formal notification be made. The secretary will have the notice posted as required.

Note: Mrs. Wells was excused from the rest of the meeting due to personal matters.

Amend the Master Plan of the Borough of Riverton To Include a Stormwater Management Plan as Required by Statute:

The secretary attested that all required notices were mailed and published as required. The chair asked and received assurances from the members that they had received and reviewed the plan. The secretary reviewed the history and prior actions taken by the board on the matter. The chair asked Board Planner Tamara Lee if she had any comments and she had none. The chair asked if there were any questions or comments from the board. Mary Lodato asked and Councilman Smyth responded about any related action taken with the Delaware River Basin Commission and PCB contaminants. It was further discussed that the board was acting on the requirement that the master plan be amended to include the plan recommended to Council last year. There was discussion whether the recently adopted ordinances implementing the plan were based on a substantially revised plan. This was not known at this time; but if the plan is or has been changed a subsequent amendment can be made.

The board was asked if it had any further questions. There were none and the hearing was opened to questions from the public. There were none and the hearing was closed to public input. There was no further board discussion. The mayor motioned and Muriel Alls-Moffat seconded that the master plan be amended to include the stormwater management plan. The voice vote was unanimous. The secretary read the resolution by title: Borough of Riverton Planning Board Resolution Adopting the Stormwater Management Plan Element which is amending the master plan and adopting the element. The secretary also read the required notice to be published and the requirement that copies be sent to the County Planning Board. A motion was so made by the mayor and seconded by Muriel Alls-Moffat to the above requirements and passed by a poll vote of 6 to 0 as follows:

Mr. Siefert	aye	Mr. Katella	absent
Mr. Halt	aye	Mrs. Alls-Moffat	aye
Mayor Martin	aye	Councilman Smyth	aye
Mrs. Lodato	aye	Mrs. Wells	absent
Mr. Wenig	absent		

The secretary will have the resolution signed and properly published and mailed as required. Tamara Lee will further research that the version of the plan adopted is the current version and advise the board if other action is required.

Demolition Permit for Four Thomas Avenue (Continued) – Jim Brandenburger of Brandenburger/Sheridan is requesting a demolition permit for a home located at Four Thomas Avenue. Final decision was continued until this month. Jim testified that the house had not been sold and the price has been reduced several times as of April 11. Only negative interest had been received to date. He did not have any new information on the Historical Society’s interest in the property. Jim feels he has done everything the board has asked and feels issuance of the permit is warranted. Councilman Smyth confirmed that Jim was still willing to donate the structure if the society wanted to move it. Councilman Smyth asked if the building was uninhabitable. The answer is no. Asked if the structure could be moved to a suitable place on the property, Jim replied it would be cost prohibitive. It was also restated that the ARC feels there is nothing architecturally significant about the structure and it appeared to be the significance was more sentimental than factual. Jim stated he is still willing to keep the property listed for sale through Memorial Day. The chair reviewed that the board could approve/deny issuance of the demolition permit, continue to defer a decision for up to six months, or approve with conditions. The matter was opened to the public for comment:

- Pat Bruner, 105 Thomas Avenue, is V.P. of the Historical Society and she stated that the house is listed in the survey for the historic district as circa 1920. Jim has met with the society and affirmed his willingness to donate the home to the society and to possibly donate a location for the structure near the proposed CVS store. Members of the society have met with State Historic Trust officials who feel the house is worth saving. Grants from the state are not available, only loans.
- Priscilla Taylor, 402 Lippincott Avenue, is a board member of the society and she commented on the meeting she had with a house mover and the logistics and possible costs involved with moving the house. The costs of tree trimming, utility wire movement and the move itself are prohibitive. She is also looking into the possibility of dismantling and reconstructing the structure at another site, but does not yet have an estimate for that option. She stated the society is looking for a home for its records and archives. Asked about the possibility of locating the building on the “Nu-Way” site, Jim Brandenburger stated that would probably involve action by the planning or zoning board regarding use of the site as well as other variances that are probably involved. It was noted there may be state issues since the location is outside the historic district. It was commented that the home is listed as a “contributing” structure in the survey.
- Dolores DeFreitas, 415 Thomas Avenue, is the realtor for the property and commented that the majority consensus of people who have looked at the property is that it is not possible to do anything to upgrade the existing structure and several have also expressed that they would only purchase the property to rebuild a new home on it.
- Eric Saia, 401 Martha’s Lane, asked what exists to determine if the residence is habitable and Tom Coleman replied that there were local and county ordinances that address that issue. Councilman Smyth remarked that the residence is habitable and other criteria needed to be considered. Mr. Saia, commented there had been no effort to help preserve the property until it changed ownership and the new owner wishes to demolish it. Mr. Smyth stated that he was reviewing the requirements of the ordinance.
- Dolores DeFreitas commented on related donation issues such as the loss of a tax ratable and who was going to maintain the structure if it was donated. Asked about what elements had been removed from the building, Jim replied he had removed nothing and that Mrs. Ruff had asked to take some elements. Some smaller items have been removed and more may be taken once the house is no longer on the market.
- Townsend Wentz, 201 Bank Avenue, stated he felt the decision tonight was whether to issue the permit now or after the sale period expires. He feels the house holds great significance. He feels it is the responsibility of the board and the Borough to speak for preservation not demolition. He feels the board should hold decision on the permit until after the sale period expires.
- Dolores DeFreitas acknowledged that the property has generated much sentimentality, but it was the owner Mrs. Ruff rather than the building that generated the character. She also stated Jim is not rushing to demolition and that the request for the permit would not be effective until after the agreed upon sale period had expired.
- Michelle Daniel, 204 Lippincott Avenue, asked and received some details regarding the price of the purchase and listing. She feels the responsibility is to preserve. She also feels that granting a demolition permit sets precedence. Muriel Alls-Moffat stated that the precedence was set awhile ago when permission to demolish a large home for the Baptist Home expansion was granted. Further each property must be considered individually. She feels Jim has been very generous in his offers and willingness to wait for a possible offer.

The chair asked Jim if Mrs. Ruff had objected to his plan. Jim replied that various possibilities had been discussed and Mrs. Ruff came to the conclusion that the best method was to sell the property as two separate parcels. Jim has no problem waiting for a decision if something positive is going to come from waiting regarding preserving the building; but he has not heard that anything is forthcoming other than what has already been determined.

- Steve Moore, 103 Thomas Avenue, inquired as to ordinance requirements for ARC surveys of historic buildings in the Borough. Chris Halt stated he was not aware that there was a survey requirement in the ordinance. It was concluded that survey may mean a records survey. The ARC while not finding any architectural significance was still not easy with granting approval and was glad it could refer the matter to the planning board. Mr. Moore commented about subdivision and it was stated that subdivision was not an issue since the site was already two lots. He agrees with Mr. Wentz that the board should hold off on any decision.
- Pat Brunner commented she was not aware that anyone had contacted the society regarding the house. Chris Halt commented that he understood Mr. Croft, chair of the ARC was going to do so and was not aware that had not occurred. Mrs. Brunner commented that the society wished to submit an amendment to the ordinance to strengthen the role of the society in preserving the town's heritage.
- Townsend Wentz reiterated his feeling that there is no need to rush the decision.

There was no further comment and the matter was closed to public comment.

The chair asked for additional comment from the board. The mayor stated he felt this was one of the most difficult matters he has had to deal with and wished to hear what others, including the public, feel should guide a decision. The hearing was reopened to public comment on the mayor's request for input:

- Dolores DeFreitas feels that it is good that the society wants to revisit their role in preservation. However, she is concerned there may be no legal basis for delaying the issue any longer and may be overriding an individual's rights regarding private property.
- Eric Saia agrees it is a difficult decision; but, Jim has been more than accommodating with working with the town. He also feels the society has not provided the historical rationale for preserving the house.
- Pat Brunner reviewed the information the society has about the house aside from Mrs. Ruff's long ownership and personal contributions to the character surrounding the property.
- Townsend Wentz feels there is long record of maintaining the natural character of the site and there is no benefit to rushing a decision which conveys the feeling the house has already gone.
- Michelle Daniel is concerned the soul of the town is being sold off for the highest dollar and that the line needs to be drawn somewhere. She feels changes are needed to be made that it cannot happen again.
- Priscilla Taylor stated that she does not intend nor does she feel anyone else is prepared to stand in front of the bulldozers; however, she wishes the society be given time to fully review and exercise their options regarding the property. She stated there was a pressing need to find a home for the society's collection of materials.

There was no further comment to the mayor's request. Councilman Smyth asked and received clarification on what was meant by a "contributing" property. He disagrees with the precedence comments since the code provides for a case by case review process. He feels the June 1st cut off is valid. Chris Halt commented the issue is basically the same if someone buys the property and totally changes the character. It cannot be stopped. He agrees there may be a need to change the code to better protect the town's historically significant housing stock. There being no further debate on the issue, Councilman Smyth made a motion seconded by the mayor that the board continue to defer a decision until the regular June meeting. Mr. Halt recused himself from voting and the motion passed by a 5 to 0 poll vote as follows:

Mr. Siefert	aye	Mr. Katella	absent
Mr. Halt	recused	Mrs. Alls-Moffat	aye
Mayor Martin	aye	Councilman Smyth	aye
Mrs. Lodato	aye	Mrs. Wells	absent
Mr. Wenig	absent		

OLD BUSINESS

Adopt and Memorialize Resolution P2006-04 on the Approval of a Minor Subdivision Application by Charles and Kelly Hudak, 209 Linden Avenue, Block 500, Lot12 – Tom Coleman read the motion by title and asked if the members had received a copy. The chair asked if the members had reviewed the resolution and had any comments or questions. There were none. Members Siefert, Halt, Martin, Smyth, Wells and Wenig are eligible to vote on the resolution. A motion to adopt and memorialize the resolution was made by Mayor Martin, seconded by Muriel Alls-Moffat and passed by a poll vote of 4 to 0 of the members eligible to vote as follows:

Mr. Siefert	aye	Mr. Halt	aye
Mr. Martin	aye	Mr. Smyth	aye
Mrs. Wells	absent	Mr. Wenig	absent

Site Specific Redevelopment Plan – Councilman Smyth reviewed actions by Council and the board and actions still to be taken. The secretary reported that he had received a legal opinion that a public hearing by the board on the plan was not required since Council would conduct a hearing. Councilman Smyth reported that the Burlington County Bridge Commission was very interested in the progress of the plan specifically as related to possible grants. The chair asked if the board had any comment on the draft plan and was prepared to move on it. Concern that members were not present tonight was calmed by the fact they as well as anyone would be able to comment at Council’s hearing. A motion was made by Muriel Alls-Moffat and seconded by the mayor that the board recommend that Council consider the draft plan as presented. The motion passed unanimously.

Telecommunications Tower – Councilman Smyth reviewed that the tower had been put out for bid, that one bid had been submitted by T-Mobile, and that Council had passed a resolution to award the project to T-Mobile subject to an acceptable agreement and obtaining all necessary approvals including site plan approval from the planning board. An ordinance has also been introduced to establish the conditional uses for towers and add them to the Borough’s zoning code. This addressed specific concerns from both the planning and zoning boards and their counsels that the code needed these conditions in order to establish on what conditions a conditional use can be granted. Otherwise it would be a use variance that must be heard by the zoning board and the use variance would be required before considering the site plan. Copies of the ordinance have been provided to the board. T-Mobile has stated they are in the process of submitting the site plan application and hoped to be on the board’s agenda at the June meeting. The secretary commented that he had just received the application for Zena’s. Mr. Coleman commented that the board should prepare for a lengthy presentation that has been well prepared to address all questions and is and has been used to present their case. The applicant will probably also provide for the transcription of the matter. The chair and members concurred that the application should be accepted and scheduled if it is made. The reasons for going with T-Mobile’s approach rather trying to erect, own and maintain a tower by the Borough were reviewed.

Smart Growth Grant – Councilman Smyth reported that he wants to meet with Tamara to try and go through the revisions to the scope; and, that he, Tamara, and Muriel would possibly meet together with officials in Trenton to resolve any impacts on the Borough’s current plans as well as any effects on COAH.

Reexamination of the Master Plan – Discussion was tabled due to the absence of Joe Katella.

Environmental Commission – Chris Halt reported that the commission is working on finalizing a draft of the stream corridor protection ordinance. The commission is interested in being involved in the redevelopment plan efforts and Councilman Smyth addressed Chris’ concerns.

COAH Activity – Muriel reported that COAH has claimed they never received last year’s reports. Muriel will follow up with COAH since she knows they were filed.

Architectural Review Committee – Chris Halt reported on activity the prior month including review of the Nu-Way changes and the plans for Zena’s which is receiving input from the county which severely impacts their plans especially parking. Input by the town and board to the county may be warranted to support Zena’s plans.

2006 Goals and Objectives – The topic was tabled due to Joe Katella’s absence.

Budget Issues and Reprinting the Master Plan – The chair commented that two additional copies of the plan would probably suffice at this time and he would talk to Mary Longbottom.

NEW BUSINESS

Vouchers and Invoices:

1. 3/21/06, Lord Worrell & Richter, \$187.50, for work related to the Zena’s Patisserie concept review in February (PAY FROM ESCROW).
2. 3/13/06, Remington Vernick & Arango, \$1,550.00, for work related to Sanitary Sewer Review – Site Plan Approval for the Brandenburger/Sheridan (NuWay) application from January 16, 2006 through February 15, 2006 (PAY FROM ESCROW).
3. 4/13/06, Remington Vernick & Arango, \$930.00, for work related to Sanitary Sewer Review – Site Plan Approval for the Brandenburger/Sheridan (NuWay) application from February 16, 2006 through March 15, 2006 (PAY FROM ESCROW).

It was discussed that the RVA invoices were submitted as the Borough’s engineer and considered part of the applicant’s process of obtaining required approvals. A motion was made by Muriel Alls-Moffat, seconded by the mayor, and passed unanimously to pay the items as presented. The secretary will have them signed and submitted for payment.

New Engineer – Mr. Coleman discussed that with Mark Malinowski’s resignation the board needed to appoint a new engineer. Mr. Raymond Worrell, of Lord Worrell & Richter who was present this evening to represent his firm, stated that they would like to continue to serve the board and that he recommends the board consider appointing Patrick Ennis who has worked with Mark on the board’s applications as well as the review presented tonight for the Brandenburger application. Following discussion that the board needed to appoint a specific engineer and hearing no objections to having Patrick Ennis of Lord, Worrell & Richter, Inc. serve in that capacity; a motion was made by Muriel Alls-Moffat and seconded by Councilman Smyth that Patrick Ennis be appointed to serve as the board’s primary engineer for subdivision, site plan and referrals, and general planning issues for 2006. There was no additional comment and the appointment was approved by a unanimous voice vote. The secretary stated that a resolution similar to the original resolution appointing the engineer would be published as required in the Burlington County Times and the appointed party formally notified and requested to submit a contract.

PUBLIC COMMENT

The meeting was opened to public comment. There was none and the meeting was closed to public comment.

Meeting adjourned at 10:35 PM.

Next meeting is on 5/16/2006 at 7:00 pm in the Borough Hall.

Tape is on file.

**Kenny C. Palmer, Jr., Secretary
RIVERTON PLANNING BOARD**

**RIVERTON BOROUGH PLANNING BOARD
MINUTES
May 16, 2006**

The Public Session of the Planning Board was called to order at 7:00 PM by Chairman Frank Siefert.

Public Notice of this meeting pursuant to the Open Public Meetings Act has been given in the following manner:

1. Posting notice on the official bulletin board in the Borough Office on January 23, 2006.
2. Required Service of notice and publication in the Burlington County Times on January 25, 2006.

PRESENT: Frank Siefert, Joseph Katella, Muriel Alls-Moffat, Mayor Robert Martin, Councilman Robert E. Smyth, Mary Lodato, Suzanne Wells, and Keith Wenig.

Also Present: Secretary Ken Palmer, Solicitor Tom Coleman, Planner Tamara Lee, and Engineer Patrick Ennis.

ABSENT: Christopher Halt.

MINUTES: A motion was made by Suzanne Wells and seconded by Mayor Martin to adopt the minutes of the April 18, 2006 regular meeting as distributed. The voice vote was unanimous.

CORRESPONDENCE/ANNOUNCEMENTS

1. **Announcement from DVRPC of Audio Conference on “The Housing Plan” to be held May 24, 4:00 pm – 5:30 pm in Philadelphia.**
2. **Announcement from DVRPC of the Draft FY 2007 Transportation Improvement Program (TIP) along with the Transportation Conformity Finding and a related open house and information session on May 23, 4:00 pm -7:00 pm in Philadelphia.**
3. **4/18/06, letter to secretary from Tom Jaggard, County Engineer’s office, Chairman of the County Stormwater Management Committee regarding County Planning Board Review of Municipal Stormwater Management Plan Ordinances and procedures for adopting plans and ordinances. Item previously faxed to chair, Tom and Tamara.**
4. **4/21/06, copy of application by James J. and Rita O’Brien, 2 Linden Avenue, to the State DEP for a State Construction Permit to erect a bulkhead on the riverbank. State law requires they file a copy of the application and permit with the planning board, environmental commission, and Borough Construction Official.**
5. **5/5/06, copy of e-mail to mayor from Mary Lodato, Code Enforcement Official, suggesting a possible amendment may be needed to the zoning code to include provisions regarding gazebos since there have been permit requests for them and there are no standards or provisions for them in the code.**
6. **4/20/06, copies for the chair and board of the draft Stream Corridor Protection Ordinance and accompanying notes prepared by the Environmental Commission with request that: the board consider have legally reviewed and revised; the board review the ordinance; and the board hopefully forward to Council with recommendation to consider adopting. Copies for members provided.**
7. **Copies provided by Keith Wenig of the renderings for the strip center at the Brandenburger Broad Street project. Copies for board members provided for use during continued hearing.**
8. **Copies provided by Mary Longbottom of agreements between former owners of Zena’s regarding the bulletin board placement and the Broad Street Enhancement. Copies for board members for inclusion in Zena’s materials were provided.**
9. **Copy provided by Mary Longbottom of the adopted ordinance establishing conditional uses for telecommunication towers. Copies for board members provided for use in conjunction with T-Mobile hearing.**
10. **Seven vouchers/invoices as presented under New Business.**

PUBLIC HEARINGS

Application by Brandenburger/Sheridan, Inc. for Amended Preliminary and Final Site Plan Approval and All Required Variances As Needed to Redevelop the “Nu-Way” and “Riverton Motors” Properties on Broad Street (Block 1501, Lots 20, 21, 22, & 23) – Continued from April 18, 2006

Introduction and Housekeeping: The chair introduced the topic and introduced Jim Brandenburger. Keith Wenig stated that he needed to recuse himself from voting on the matter and stepped down during the hearing.

Testimony and Board Questions: Mr. Coleman reminded Jim that he was still under oath having been previously sworn in. Jim reviewed that he understood the renderings for the floor plan and elevations of the strip store had been sent as well as revised site plans to reflect the changed strip store building. He understands that he is seeking approval that the revised building does not exceed the previously granted approvals. The board's engineer and planner stated that they had not received the renderings until tonight and that no revised site plans had been received. The chair asked if the board could act on the matter tonight. The professionals stated they could not render an opinion on the plans since they had not received them. Mr. Coleman stated that last month testimony was provided that the building was smaller. Jim reviewed that the foot print of the building is smaller and that the area between the building and the curb is larger. The net result is that the impervious coverage is unchanged. The new area of the building is smaller than previously approved. Jim also reviewed the changed design of the building. Tom Coleman asked Jim that since he is scheduled to appear next month on another matter if Jim had any objection to the matter being continued until a review could be completed. Jim asked and received assurances that this delay would not hold up his other matter or the resolution up for adoption tonight. In a related matter, Jim handed out a table showing rent rates for comparable sites. He provided this information to present his research since there had been discussion that the rates for the new stores would probably preclude some of the existing tenants returning. Councilman Smyth asked if the recently introduced redevelopment plans might aid in the rent decisions. Jim replied that he couldn't make a definitive statement on that since he had no idea what might result from adoption of the plans and/or because of the time frames needed to apply for any possible forthcoming benefits. If there are other programs available that would help in this situation, Jim stated he would be glad to pass along any savings to the small businesses involved. Councilman Smyth stated he would look into the matter.

Continuance: The applicant agreed to and requested a continuance for the proper review of the revised foot print and architectural changes to the strip store building. A motion was made by Muriel Alls-Moffat, seconded by Councilman Smyth, and unanimously approved to continue the matter at the applicant's request.

The Planning Board of the Borough of Riverton approved the following resolution at its regular meeting on May 16, 2006:

Be it resolved by the Planning Board of the Borough of Riverton, County of Burlington, and State of New Jersey that consideration on the application by Brandenburger/Sheridan, Inc. for approvals and all related variances as needed to redevelop the "Nu-Way" and "Riverton Motors" Properties on Broad Street (Block 1501, Lots 20, 21, 22, &23) is continued, applicant having requested an extension of time for consideration of the matter until the next regular meeting of the Board on June 13, 2006.

This notice provides the only official notification required of this continuance granted by the applicant unless subsequent amendments to the application require that formal notification be made. The secretary will have the notice posted as required. Mr. Wenig rejoined the board.

Application by Zena's Patisserie, for Preliminary and Final Site Plan Approval and All Required Variances As Needed to Construct an Addition to the Property at 308 Broad Street (Block 801, Lot 40)

Introduction and Housekeeping: The chair introduced the topic. The secretary attested that the applicant had properly noticed and that all jurisdictional requirements had been met except for proof of current taxes paid. The applicant stated the taxes have been paid she had not been able to obtain that yet and was trying to do so. The board solicitor stated that the hearing could proceed as long as the board was okay that the outstanding item would be provided. The board concurred. The applicant, Zena Demirciviren, and Mr. Roy Vollmer, architect for the applicant were sworn in.

Testimony and Board Questions: Mr. Vollmer reviewed that the applicant has been seeking at least preliminary county approvals for the project and was still meeting with significant objections. The county will not approve a new building entrance from Broad Street. The applicant proposes to retain the existing location of the entrance but moving it outward to accommodate the addition. The applicant is proposing that a temporary entrance off Broad Street be in place during construction and that it would become an emergency exit after completion to meet fire code requirements for exits. It appears this may meet approval. The county also does not want to see any backing out from the parking lot onto Main Street, a county road, and they want the applicant to adhere to the previously agreed to revised curb cut proposed in the Broad and Main Enhancement project. Mr. Coleman asked Roy to present the application. The applicant proposes to erect a 672 square foot addition and an outdoor seating terrace which will reduce the depth of the current parking area. The proposed outdoor seating area has been revised from the concept review and the submitted plans to be entirely on the applicant's property and not extend into the new plaza area proposed in the street enhancement project. Applicant proposes a 50 foot driveway entrance to allow access and egress from the five existing and proposed spaces. There are approximately 24 or 25 existing seats and 12 additional are proposed. Applicant is seeking a variance from the number of parking spaces required as well as variances for all other bulk requirements and setbacks that otherwise currently exist and will be extended/revised by the proposed addition. The applicant feels the benefits to the town from the success of the business and additional services provided outweigh the possible additional impact of the current insufficient parking and that sufficient municipal parking exists to accommodate the business. The applicant feels the conditions surrounding the existing entrance and exit from the parking area will not be sufficiently worsened as long as the proposed width of the entrance can receive approval from the county. The previously proposed and approved redesign of the parking lot by the previous owner of the property is not possible with the proposed addition. The applicant feels they should not be made to suffer because the current acceleration lane that allows an additional egress from the parking lot is being removed as part of the street enhancement project. Applicant feels pedestrian safety will be improved since the current five spaces will be clearly defined and the removal of the acceleration lane will lessen traffic flow near the entrance of the building and surrounding pedestrian walkways. The planner's and engineer's review letters were discussed. Several technical deficiencies were noted and it was agreed to make them as needed. Missing items concerning drainage were considered important enough that they need to be provided to properly review impact on neighboring properties. Mr. Vollmer testified that the existing 100% coverage was not changing and the addition would not change the grading. It was discussed that there should be calculations provided so as to allow proper review. While a formal traffic study or report may not be needed, testimony needs to be provided concerning the impact of the changes. Signage provisions should also be provided. Mr. Vollmer feels that the requirements of the process are onerous for small projects and should not be applicable to a project such as this one. There was both agreement and disagreement among the board as to the applicability of the application requirements to projects such as this one and perhaps the ordinances should be changed. It was concluded that the regulations need to exist so that all legitimate impacts are recognized, considered, and addressed. In addition the process permits an applicant to request waivers or variances and upon presentation of proper evidence, waivers and/or variances can be granted. Finally, Tom reminded the board that discussion about changing the ordinances is a Council matter and outside the scope of the board's duties concerning this application. Mr. Vollmer commented that he was unsure of how to comply with some of the requirements or what they meant. He received informal guidance and answers. Tamara reviewed that she understood the street enhancement project was a done deal and about to commence and that to change things now would only further delay the process. Former Councilman Ed Gilmore was recognized by the chair and provided some background as to the progress of the enhancement project. There was discussion as to who owned the new proposed plaza area. It was discussed as to how the applicant might adhere to the agreed to parking changes under the enhancement project which provided means to eliminate backing out into Main Street. It was reviewed that the proposed redesign of the existing parking area was part of the street enhancement project. There was discussion around who approves things first, the county or town. Mr. Vollmer stated that the proposed 18-foot wide entrance shown on the street enhancement project is not workable if the addition is approved. There was continued discussion as to the applicability of the current parking regulations and it was concluded that the process of granting variances is the proper means of addressing this issue on a case by case basis. Mr. Vollmer referred to the list of variances that was included with the application. The board discussed them and for the most part concluded that the lot is already non-conforming and that the proposed project does not appear to significantly change the impact of the existing non-conformities. It was discussed that waivers need to be considered first. If waivers are granted, then variances can be considered. The impact of the county approval was also discussed. Since the project abuts two county roads, any approvals granted by the board are subject to

county approval and non-approval by the county may render any board approvals moot. Mr. Coleman reminded Mr. Vollmer that many of the requirements made by the board will also be required by the county and the board would be remiss if it didn't make sure they were addressed prior to the project going to the county. Mr. Vollmer again voiced his opinion that the process appears designed to thwart the small business owner. Asked if the applicant had already sought county approval, Mr. Vollmer stated he was informed he had to receive local approval first. The board feels that it would be worthwhile if the town and county can reach some form of understanding as to what is needed to facilitate approval for the project. Tamara stated she would be glad to facilitate meetings with the county and to try and move the process forward. Councilman Smyth stated that as a Council member on the board and also on the related Council committees that he would like to participate in any meetings. He was informed that was okay and would be helpful. The board thanked Tamara for offering her assistance. Mr. Coleman reviewed with Mr. Vollmer that the applicant was not being asked to go back to square one. They are being asked to provide additional information needed to reach a valid conclusion. The matter will be continued and will take up from where things are left now. All existing testimony and presentations remain and do not have to be re-presented. The board requested if a continuance was amenable to the applicant.

Continuance: The applicant agreed to and requested a continuance until the next meeting. A motion was made by Suzanne Wells, seconded by Muriel Alls-Moffat, and unanimously approved to continue the matter at the applicant's request.

The Planning Board of the Borough of Riverton approved the following resolution at its regular meeting on May 16, 2006:

Be it resolved by the Planning Board of the Borough of Riverton, County of Burlington, and State of New Jersey that consideration on the application by Zena's Patisserie for approvals and all related variances as needed to construct an addition to the property at 308 Broad Street (Block 801, Lot 40) is continued, applicant having requested an extension of time for consideration of the matter until the next regular meeting of the Board on June 13, 2006.

This notice provides the only official notification required of this continuance granted by the applicant unless subsequent amendments to the application require that formal notification be made. The secretary will have the notice posted as required. Mr. Gilmore provide the board some additional history on the enhancement project.

Application by T-Mobile Northeast, LLC (a successor in interest to Omnipoint Communications Enterprises, L.P.) for Conditional Use Approval to Erect a Telecommunications Tower and Related Base Station Equipment on Borough Property at the Public Works Facility at Third Street (Block 1500, Lots 1 and 4)

Introduction and Housekeeping: The chair introduced the topic. It was noted that the applicant has provided a professional transcription service and will submit a professional transcript of the matter. The secretary requested that if the board, board counsel, and applicant concurred, the tape would be run but no additional minutes of the proceedings would be prepared and that the official transcript of the matter would be appended to the minutes as the official public record of the hearing. The latter was agreed to by all parties.

Suspension of hearing: During the initial testimony and following a review of the jurisdictional requirements for filing a complete application, it was noted by Board counsel that noticing for the matter was incomplete. Since the site is within 200 feet of property in Cinnaminson Township, state law requires that property owners in the township as well as the township need to be noticed. Proof of such notices were not submitted. The attorney for the applicant confirmed that those notices were not sent, that this was an oversight by the applicant's professionals, and that proper noticing needed to occur. The attorney for the applicant stated that if the board concurred, the matter would be properly re-noticed and published as required by statute for the board's next regular meeting on June 13, 2006. The board concurred and the hearing was adjourned.

OLD BUSINESS

Adopt and Memorialize Resolution P2006-05 Granting Variance and Amended Preliminary and Final Site Plan Approval for the Redevelopment by Brandenburger/Sheridan Properties, Inc. of Property Located at the Intersection of Broad and Fulton Streets, Block 1501, Lots 20, 21, 22, & 23 – Tom Coleman read the motion by title and asked if the members had received a copy. Upon assurance that the resolution accurately reflected the hearing, the chair asked if the members had reviewed the resolution and had any comments or questions. There were none. Members Siefert, Alls-Moffat, Martin, Smyth, Lodato, and Wells are eligible to vote on the resolution. A motion to adopt and memorialize the resolution by title was made by Suzanne Wells, seconded by the mayor, and passed by a poll vote of 6 to 0 of the members eligible to vote as follows:

Mr. Siefert	aye	Mrs. Alls-Moffat	aye
Mr. Martin	aye	Mr. Smyth	aye
Mrs. Lodato	aye	Mrs. Wells	aye

Site Specific Redevelopment Plan – Councilman Smyth provided a status report of the actions by Council and the board and actions still to be taken. First reading has occurred and second reading and public hearing will occur at Council’s June meeting. If approved, the plan will be submitted to the county and others as required by statute.

Smart Growth Grant – Councilman Smyth reported that Tamara has contacted the state and is attempting to set up a meeting with Mr. Donnelly and COAH to discuss the matter. Tamara will keep Councilman Smyth and Muriel advised. Bob reported on a meeting with the Bridge Commission on June 1st regarding grant assistance.

Broad Street Enhancement Project – Councilman Smyth updated the board that the state has awarded an increase in funding for the project. A successful bid for the project has been received and the project should finally be moving forward.

Reexamination of the Master Plan – Joe Katella reported that while behind in the timetable, the process is progressing and may be nearing conclusion. Joe reviewed the next steps the committee intends to pursue with Tamara. Tamara provided some guidance and the process of presenting the reexamination at a public hearing.

Environmental Commission – The report on activity was tabled due to the absence of Chris Halt.

NOTE: At approximately this point in the meeting it was noticed that the tape recorder was malfunctioning (it was smoking). There is no tape of the balance of the meeting and the following portions of the meeting are based on the notes of the secretary only. The secretary attests that he feels the following is an accurate representation of the proceedings reported on below.

COAH Activity – Muriel reported on providing the materials previously provided to the state and now apparently missing. Muriel reported that the state had also sent incorrect forms to her and will send the correct forms. Muriel discussed a new program similar to the Farmland Preservation program whereby funding is provided to permit purchasing property to be used for CAOH development. The funds are subject to zero percent interest for five years and seven percent thereafter. She also reported that she had been approached by a gentleman interested in acquiring old large homes and placing CAOH qualified people in them in a condominium like arrangement. Muriel shared a letter from a manufacturer of modular homes that would be suitable for erecting COAH housing. Finally she reported that perhaps the condominium situation warranted further review.

Architectural Review Committee – The report on activity was tabled due to the absence of Chris Halt.

2006 Goals and Objectives – Joe Katella reported that he had reviewed last year’s goals and objectives and feels that several are still valid and are being pursued as reported elsewhere. He feels that the current board provides a much improved environment for working together. He feels in addition to matters mandated for board, that efforts be made to increase focus on economic development/redevelopment and that the board should make it an objective to make it easier for businesses to grow and thrive in the town while still assuring the town’s interests are preserved and protected. He will commit these thoughts to writing and present them to the board.

Councilman Smyth stated that the reexamination of the Master Plan and other ongoing matters should also be included. Joe agreed.

Budget Issues and Reprinting the Master Plan – The chair commented that he has requested three additional copies of the plan be printed and that efforts to place the plan on the Borough's website be pursued. The latter will be pursued with Chris Halt and his wife since they are the company that maintains the website for the Borough.

NEW BUSINESS

Vouchers and Invoices:

1. 4/4/06, Raymond and Coleman, \$428.00, for general business advice and attendance at March meeting.
2. 4/4/06, Raymond and Coleman, \$21.00, for work related to the Brandenburger/Sheridan application in March (FROM ESCROW).
3. 4/26/06, Raymond and Coleman, \$84.00, for general business advice during March and early April.
4. 5/2/06, Raymond and Coleman, \$876.00, for general business advice and attendance at April meeting.
5. 5/2/06, Raymond and Coleman, \$56.00, for work related to the Brandenburger/Sheridan application in April (FROM ESCROW).
6. 5/1/06, Tamara Lee, \$255.00, for work related to the stormwater management plan and ordinance and master plan amendment.
7. 5/1/06, Tamara Lee, \$510.00, for work related to the Brandenburger/Sheridan application in April (FROM ESCROW).

A motion was made by Muriel Alls-Moffat, seconded by Suzanne Wells, and passed unanimously to pay the items as presented. The secretary will have them signed and submitted for payment.

Change June Meeting Date – (This item was discussed during the public hearings portion of the meeting and is on the tape – secretary note.) The chair brought up the fact that he and at least one other member and the secretary had a conflict with the regularly scheduled June 20th date of the next meeting. Following discussion it was decided it was best to change the date of the June meeting to Tuesday, June 13, 2006. A motion was made by Suzanne Wells, seconded by Muriel Alls-Moffat, and unanimously passed by voice vote to change the date of the June meeting to Tuesday, June 13, 2006, at 7:00 PM and to have the secretary publish the required notice and post same on the bulletin board. The secretary stated he would also advise any potential new applicants of the changed date.

PUBLIC COMMENT

The meeting was opened to public comment.

- Eric Saia, 401 Martha's Lane, asked if the portion of Martha's Lane being constructed by Jim Brandenburger would be a named street. No one knew the answer for certain. Mr. Saia strongly recommended that it not be named until such time it actually connects to National Casein's plant, otherwise the center will have large trucks turning into the site attempting to get to the plant. He stated that they often receive calls from people trying to locate Martha's Lane and he felt having the partial street entrance so named would only cause more inconvenience than good to the center. The board thanked Eric and will keep his advice in mind as well as making sure that Council is aware of his concern.

There was no further comment and the meeting was closed to public comment.

Meeting adjourned at 10:15 PM.

**Next meeting is on 6/13/2006 at 7:00 pm in the Borough Hall.
REMEMBER THE CHANGED DATE!**

Tape is on file.

**Kenny C. Palmer, Jr., Secretary
RIVERTON PLANNING BOARD**

**RIVERTON BOROUGH PLANNING BOARD
MINUTES
June 13, 2006**

The Public Session of the Planning Board was called to order at 7:03 PM by Chairman Frank Siefert.

Public Notice of this meeting pursuant to the Open Public Meetings Act has been given in the following manner:

1. Posting notice on the official bulletin board in the Borough Office on May 18, 2006.
2. Required Service of notice and publication in the Burlington County Times on May 20, 2006.

PRESENT: Frank Siefert, Muriel Alls-Moffat, Mayor Robert Martin, Councilman Robert E. Smyth, Mary Lodato, and Suzanne Wells.

Also Present: Secretary Ken Palmer, Solicitor Chuck Petrone, Planner Tamara Lee, and Engineer Patrick Ennis.

ABSENT: Joseph Katella, Christopher Halt, and, Keith Wenig.

MINUTES: A motion was made by Suzanne Wells and seconded by Muiel Alls-Moffat to approve the minutes of the May 16, 2006 regular meeting as distributed. The voice vote was unanimous.

CORRESPONDENCE/ANNOUNCEMENTS

1. 6/1/06, Letter from Roy Vollmer that applicant is requesting additional continuation to July 18, 2006, of the hearing on their application.
2. 6/12/06, via e-mail attachment to me and all board members, Tamara Lee's review memo on Brandenburger/Sheridan.
3. 6/12/06, via e-mail attachment to me and all board members, Tamara Lee's review letter for T-Mobile application.
4. 6/12/06, Patrick Ennis' review letter for Brandenburger/Sheridan application. (copies made for board)
5. 6/12/06, Patrick Ennis' review letter for T-Mobile application. (copies made for board)
6. Three vouchers/invoices as presented under New Business.

PUBLIC HEARINGS

Application by Zena's Patisserie, for Preliminary and Final Site Plan Approval and All Required Variances As Needed to Construct an Addition to the Property at 308 Broad Street (Block 801, Lot 40)

Request for Continuation: The chair introduced the topic. The secretary read the letter from the applicant's architect requesting a further continuation until the July meeting of the board. Tamara Lee and Councilman Smyth reported that the applicant had cancelled out on the meeting set up with the county. Tamara also reported she had informed Mr. Vollmer that the triangle area was being released back to the Borough. Comments were made that it was hoped that the applicant still wished to pursue the application if things could be resolved with the county issues. A motion was made by Suzanne Wells, seconded by Muriel Alls-Moffat, and unanimously approved to continue the matter at the applicant's request.

The Planning Board of the Borough of Riverton approved the following resolution at its regular meeting on June 13, 2006:

Be it resolved by the Planning Board of the Borough of Riverton, County of Burlington, and State of New Jersey that consideration on the application by Zena's Patisserie for approvals and all related variances as needed to construct an addition to the property at 308 Broad Street (Block 801, Lot 40) is continued, applicant having requested an extension of time for consideration of the matter until the next regular meeting of the Board on July 18, 2006.

This notice provides the only official notification required of this continuance granted by the applicant unless subsequent amendments to the application require that formal notification be made. The secretary will have the notice posted as required.

Application by Brandenburger/Sheridan, Inc. for Amended Preliminary and Final Site Plan Approval and All Required Variances As Needed to Redevelop the “Nu-Way” and “Riverton Motors” Properties on Broad Street (Block 1501, Lots 20, 21, 22, & 23) – Continued from May 16, 2006

Introduction and Testimony: The chair introduced the topic and introduced David Oberlander attorney for the applicant Jim Brandenburger. Dave reviewed the progress of the amended application and the approvals granted so far. Tonight, they hope to conclude the discussion and obtain approval of the revised strip stores building. Chuck Petrone reminded Jim Brandenburger that he was still under oath. Jim reviewed the changes and the impact on the original approved plans. He handed out a marketing brochure which was marked as Exhibit A1. Jim provided detail on the revised floor plans for the revised stores. He explained the bad points of the original design that necessitated the revised size of the proposed stores. Color renderings of the new design were handed out and marked as exhibit A2. Jim defined in detail the new design and how it complements the architecture of the town and complements the design of the CVS store. The reduced signage was discussed. The design and lighting of the signs were discussed. The possible tenants were discussed including the possibility that a possible tenant for the proposed stand alone bank site had been obtained. The chair asked how the stores at this site compared with the proposed Main Street building. Jim provided a marketing brochure for the Main Street site and it was marked as exhibit A3. The review comments of the board’s professionals were discussed. Tamara’s review did not necessitate any changes. The minor changes based on Patrick Ennis’ review have been made and three sets of the revised plans have been delivered to Lord Worrell & Richter for review and sign off. Councilman Smyth asked about the positive aspects of the approved redevelopment plan for both areas and possible low interest loans being made available to the applicant and/or primarily existing tenants. Jim stated that he had reached out to the existing tenants and has also offered to work with the tenants to help them return. The chair asked about timing and Jim explained that the final plans are almost complete for both sites; approvals have been obtained; and, he hopes to be underway with both areas by mid-summer. Tamara Lee stated she is working with the Borough to set up the proper COAH related accounts. The chair asked Chuck what the process was for tonight and Chuck replied that it would be proper if the board concurs to be granting amended preliminary and final site plan approval.

Public Comment: The hearing was opened to public comment.

- Ed Gilmore, 103 Main Street, asked about the lighting of the sites and Jim explained the lights that have been previously approved.
- Richard Wagner, 802 Cedar Street, asked about the existing water and sewer impacts. Jim explained the plans and improvements that have already been reviewed by the municipality’s officials.

There was no further comment and the hearing was closed to public comment.

Deliberation and Voting: The chair asked if the board had any further comment. There was none and a motion was made by the mayor to grant amended preliminary and final site plan approval to the plans as presented. The motion was seconded by Muriel Alls-Moffat. Chuck Petrone suggested the board may wish to consider a few conditions such as that approval is subject to: the approvals granted by the previous resolutions except as modified by the amended plans, and that the brick of the strip store building will match that of the CVS store as presented in the photographic exhibits. The mayor amended his motion as suggested and Muriel seconded the amended motion. There being no further discussion a poll vote was called and the motion passed by a unanimous vote of 6 to 0 as follows:

Mr. Siefert	aye	Mrs. Alls-Moffat	aye
Mr. Martin	aye	Mr. Smyth	aye
Mrs. Lodato	aye	Mrs. Wells	aye

Application by Brandenburger/Sheridan Inc. For a Demolition Permit For Four Thomas Avenue

Introduction, Housekeeping, and Testimony: The chair asked the applicants for T-Mobile if there was any objection to hearing this matter ahead of them instead as listed on the agenda. There was none and this matter was heard. Councilman Smyth and the mayor announced that they felt it was best if they recuse themselves from the matter and they stepped down. The chair asked and received a positive response from the applicant that he wished to proceed even though there were only four members of the board participating. Dave Oberlander reviewed the progress on the request to date and that it was hoped the board would render a decision tonight. Jim Brandenburger was sworn in. Jim reviewed the history of the request, his work with the Historical Society and the results of placing the property on the market for the time between the original hearing in March and now. The Historical Society does not feel it is possible to move the structure. Dolores DeFreitas, 415 Thomas Avenue, the realtor for the property was sworn in and testified to the attempts to sell the property. She testified that while there was interest, the economics of renovating and refurbishing the structure were not feasible and to date there had not been a firm offer to purchase the property. Other realtors after looking at the property did not feel they could sell the property. Jim testified that the only interest was if the property could be purchased as two buildable lots and the existing home demolished. Jim had listed the property as two sites but it would be deed restricted to remaining as a single building site. Mary Lodato asked about Jim's intentions and he reviewed them for her. He still intends to erect two single family homes that complement the town. He would have liked to save the existing house but its location on the site and the renovations needed did not make that possible. Suzanne Wells commented that given the sensitive nature of the issue and the feelings aroused over it, she felt Jim had handled the issue very diplomatically. Suzanne also reviewed that the Historical Society had not been able to document any truly historic qualities of the house. There was agreement that renovation was needed and renovation would destroy the character of the house. Muriel seconded Suzanne's comments. Asked by the chair, Jim testified that the former owner had been aware of his intentions and she had agreed to the sale as two buildable lots that would have new homes erected on them.

Public Comment: The chair opened the matter to public comment.

- Michael Robinson, Six Second Street, asked and received from the chair clarification on the board's duties as provided in the Borough Code. Chuck Petrone quoted the applicable sections for Michael and the public. Michael asked and received a response as to the board's preference to preserve properties wherever feasible and he encouraged the board to work with the town to strengthen preservation efforts. Jim was asked and explained that while he had offered the possibility of re-locating the structure somewhere on the Nu-Way site, he thought with the status and pending sign off of the plans for the Nu-Way site, that it was not possible, warranted, or fair to his prospective tenants to revisit the entire process again at this time. Mike asked if Jim might donate part of the site in the future and Jim stated he didn't think that it would be possible given the major revisions need to the site plan and possible major variances needed. Dave asked that since the discussion was digressing if the board wished to move on.
- Ed Gilmore, 103 Main Street, feels there is no historic architectural significance to the structure and that two well designed homes would look nice.

There was no further comment and the matter was closed to public comment.

Board Decision: The chair asked if there were additional questions or discussion by the board or if a motion was forthcoming. Muriel All-Moffat motioned that the issuance of a demolition permit be approved and the Construction Official be properly notified. The motion was seconded by Suzanne Wells and without further discussion was approved by a poll vote of 4 to 0 as follows:

Mr. Seifert	aye	Mrs. Alls-Moffat	aye
Mary Lodato	aye	Mrs. Wells	aye

Chuck Petrone concurred that a written notice to the Construction Official was sufficient to inform him that it was okay to issue the permit. The secretary stated he would prepare and deliver that notice.

Application by T-Mobile Northeast, LLC (a successor in interest to Omnipoint Communications Enterprises, L.P.) for Conditional Use Approval to Erect a Telecommunications Tower and Related Base Station Equipment on Borough Property at the Public Works Facility at Third Street (Block 1500, Lots 1 and 4)

Introduction and Housekeeping: The chair introduced the topic. It was noted that the applicant has provided a professional transcription service and will submit a professional transcript of the matter. The secretary requested that if the board, board counsel, and applicant concurred, the tape would be run but no additional minutes of the proceedings would be prepared and that the official transcript of the matter would be appended to the minutes as the official public record of the hearing. The latter was agreed to by all parties.

Summary of the hearing: Following verification that all jurisdictional requirements had been satisfied the hearing commenced. The mayor and Councilman Smyth recused themselves from the matter. The applicants and their professionals presented their testimony, public comment was allowed, and the board deliberated and voted 4 to 0 by poll vote to approve the application. A copy of the transcript, when received, will become part of the official minutes of the meeting.

OLD BUSINESS

T-Mobile – The chair took a moment to thank Councilman Smyth and the members of Council on their efforts to secure the agreement with T-Mobile and the tax revenues that will result for the town.

Stormwater Management Plan – The secretary stated he placed this item on the agenda based on correspondence received from the county. Copies had been forwarded to Tom Coleman and Tamara Lee for review. Chuck Petrone stated that as far as he knew, everything was proceeding according to process.

Site Specific Redevelopment Plan – Councilman Smyth reported that Council gave final approval to the plan at the last meeting and it was being forwarded to the County and State agencies. The Redevelopment Authority is now fully authorized and can move forward on redevelopment activity.

Smart Growth Grant and other Grant Sources – Councilman Smyth reported that he, the mayor and Tamara had met today with the State Office of Smart Growth. The purpose of the meeting was to see how to save the grant. Council has to request an extension which should be granted. Options for proposing a revised scope have been suggested and are being researched. Bob is involved with the County and Bridge Commission advisory boards. He has been informed that the town can go before the Bridge Commission's Improvement Authority and utilize the services of their grant writer Dave Gerkins. The Commission's Improvement authority is tasked with seeking out and helping local communities to seek grants and loans which go to improve the community. This service is provided to the town at no cost.

Reexamination of the Master Plan – Councilman Smyth reported in Joe Katella's absence that the committee plans to meet next week. Eric Saia of National Casein has provided several review comments that he would like the committee to consider primarily based on a review of the economic plan element.

Environmental Commission – Councilman Smyth reported in Joe Katella's absence that the commission wishes to move forward on the draft Stream Corridor Protection Ordinance and hopes the board will review and provide the expert review and revision needed to put it in a condition to hopefully recommend to Council for consideration. Michael Robinson as a member of the commission was recognized and commented that the commission feels the proposed ordinance is strongly needed and he hopes the board will utilize its professionals such as Tamara to review and revise the ordinance. Councilman Smyth stated that he has hopes that the revised scope of the Smart Growth Grant may provide funds for just that type of work. Michael Robinson stated the commission wishes to be involved in the review of the master plan especially the environmental element. Councilman Smyth stated the committee welcomes the help and input.

COAH Activity – Muriel reported that the missing materials had been found and submitted to COAH. She also reported on the Governor’s proposal that a set number of COAH units will be created in the next five years. The figure of 100,000 units was mentioned.

Architectural Review Committee – The report on activity was tabled due to the absence of Chris Halt.

Draft Fence Ordinance – The board reviewed that they wished to table discussion of this item indefinitely. The secretary stated that since the board does not currently have a member on the fence ordinance review committee, that he would report this decision to the committee chair Kerry Brandt.

2006 Goals and Objectives – An official update was tabled due to Joe Katella’s absence. Councilman Smyth stated that with the items currently on the board’s plate he feels it is doing a good job and has a full agenda.

NEW BUSINESS

Vouchers and Invoices:

1. 5/12/06, Lord Worrell & Richter, \$150.00, for attendance at the April meeting.
2. 6/1/06, Tamara Lee, \$340.00, for work related to the T-Mobile application in May (FROM ESCROW).
3. 6/1/06, Tamara Lee, \$510.00, for work related to the Zena’s Patisserie application in May (FROM ESCROW).

A motion was made by Muriel Alls-Moffat, seconded by the mayor, and passed unanimously to pay the items as presented. The secretary will have them signed and submitted for payment.

Possible Upcoming Applications – The secretary reported that a homeowner on Homewood Drive is preparing to submit a minor subdivision application. Mr. Rainer, owner of the property at the point of Main and Howard Streets has inquired about an addition to the building.

Regional Planning Meeting – Councilman Smyth reported that he and the mayor have been invited to meet with the Freeholders and the River Route Advisory Group which is about economic development and regional planning among the communities in the river front corridor area.

PUBLIC COMMENT

The meeting was opened to public comment.

- Courtney Ellrich, 800 Cedar Street, wanted to know what the board’s duties were concerning the possible subdivision on Homewood Drive. The chair and Chuck Petrone reviewed the process and assured Mr. Ellrich that public comment is part of the process. The mayor asked a question regarding the board’s ability to deny a minor subdivision and it was answered that when the subdivision completely conforms to the codes, it is very difficult for the board to reasonably deny the application without almost certain appeal.
- Richard Wagner, 802 Cedar Street, asked what happens when a subdivision is approved and the owner then plans to build on the lot. The process was explained including the need for a Zoning Variance Application if the code requirements cannot be met.

There was no further comment and the meeting was closed to public comment.

Meeting adjourned at 9:45 PM.

Next meeting is on 7/18/2006 at 7:00 pm in the Borough Hall.

Tape is on file.

**Kenny C. Palmer, Jr., Secretary
RIVERTON PLANNING BOARD**

**RIVERTON BOROUGH PLANNING BOARD
MINUTES
July 18, 2006**

The Public Session of the Planning Board was called to order at 7:00 PM by Chairman Frank Siefert.

Public Notice of this meeting pursuant to the Open Public Meetings Act has been given in the following manner:

1. Posting notice on the official bulletin board in the Borough Office on January 23, 2006.
2. Required Service of notice and publication in the Burlington County Times on January 25, 2006.

PRESENT: Frank Siefert, Joseph Katella, Christopher Halt, Muriel Alls-Moffat, Mayor Robert Martin, Councilman Robert E. Smyth, Mary Lodato, and Suzanne Wells.

Also Present: Secretary Ken Palmer, Solicitor Tom Coleman, Planner Tamara Lee, and Engineer Patrick Ennis.

ABSENT: Keith Wenig.

MINUTES: A motion was made by Suzanne Wells and seconded by Muiel Alls-Moffat to approve the minutes of the June 13, 2006 regular meeting as distributed. The voice vote was unanimous.

CORRESPONDENCE/ANNOUNCEMENTS

1. 6/14/06, Letter from COAH regarding 6/14 hearing on failure to file COAH forms – ignored since forms had been sent.
2. 6/21/06, brochure from DVRPC concerning “Implementation Tool #9: Inclusionary Zoning.”
3. 6/28/06, e-mail from Roy Vollmer that Zena’s is requesting an additional continuation until the August meeting on the hearing of their application.
4. 6/27/06, copy of Tamara Lee’s proposal to Borough on how to handle COAH and Development Fee payments – copies made for the board.
5. 7/6/06, copy of “Environmental Resource Inventory: ERI” Resource Paper from ANJEC, from Councilman Smyth for the board’s information – copies made for the board.
6. 7/18/06 via e-mail to me and all board members, Tamara Lee’s review memo on 519 Howard Street.
7. 7/18/06, via fax, Pat Ennis’ review letter for 519 Howard Street. (copies made for board)
8. Eight vouchers/invoices as presented under New Business.

PUBLIC HEARINGS

Application by Zena’s Patisserie, for Preliminary and Final Site Plan Approval and All Required Variances As Needed to Construct an Addition to the Property at 308 Broad Street (Block 801, Lot 40)

Request for Continuation: The chair introduced the topic. The secretary read the e-mail from the applicant’s architect requesting a further continuation until the August meeting of the board. There was no additional discussion and a motion was made by Mayor Martin, seconded by Muriel Alls-Moffat, and unanimously approved to continue the matter at the applicant’s request.

The Planning Board of the Borough of Riverton approved the following resolution at its regular meeting on July 18, 2006:

Be it resolved by the Planning Board of the Borough of Riverton, County of Burlington, and State of New Jersey that consideration on the application by Zena’s Patisserie for approvals and all related variances as needed to construct an addition to the property at 308 Broad Street (Block 801, Lot 40) is continued, applicant having requested an extension of time for consideration of the matter until the next regular meeting of the Board on August 15, 2006.

This notice provides the only official notification required of this continuance granted by the applicant unless subsequent amendments to the application require that formal notification be made. The secretary will have the notice posted as required.

Swearing of Board Professionals – Mr. Coleman asked the board’s indulgence to at this time swear in the board’s planner and engineer. Recent court decisions warrant that this be done and once sworn the testimony of the professionals is considered sworn testimony for all matters for the calendar year of their appointment. At this time, Tamara Lee, Tamara Lee Consulting LLC and Patrick Ennis, Lord Worrell & Richter Inc. were sworn in.

Application by Oakhurst LLC, Preliminary and Final Site Plan Approval and All Required Variances and Waivers and Other Relief As Needed to Rehabilitate 519 Howard Street (Block 903, Lot 23)

Introduction and Testimony: The chair introduced the topic and introduced partners Peter Sciortino and Steven M. Grello and they were sworn in. Under jurisdictional compliance, it was noted that the receipt for payment of fees and escrow deposit as well as the statement of paid up taxes were not submitted. Mr. Coleman stated that if the board so desired that did not need to hold up the matter as long as the applicants supplied the missing items. The chair reviewed that the professionals had reviewed the submitted plans and that both deemed them incomplete pending approval of the numerous waivers requested. Both Tamara and Pat in their reviews suggested that some of the items not be waived as they were essential to a proper review and recommendation to the board. The chair stated the applicants could proceed with the waiver portion of the hearing tonight but would need to re-present their matter at the time the application was deemed complete and could properly be heard. Mr. Coleman reviewed with the applicants that they would not need to re-publish or re-notice and that if they so requested the board could grant a continuance similar to that which had just been granted to Zena’s Patisserie. Among the critical items needed were detailed plans for parking and trash enclosures. Tom deferred to Tamara and Pat to elaborate. Both Tamara and Pat made sure the applicants had copies of their review letters. Tamara had concerns that there were discrepancies on the plans and the survey which need to be rectified. Both felt that topography and drainage calculations were needed to assure the changes to the site would not adversely impact the neighboring properties. The reason the waivers should be granted needs to be supplied. The number of proposed seats needs to be better defined as it directly impacts the scope of the parking variance being requested. Both of the applicants were urged to reach out to the board’s professionals on an ongoing basis if they had questions as to what they were being asked to provide. Tamara and Pat agreed to make themselves available if so needed. The applicants decided that they would rather work on completing the identified deficiencies in their application rather than continue tonight and requested that the board grant a continuance at least until the August meeting.

Request for Continuation: There was no further discussion and a motion was made by Suzanne Wells, seconded by Muriel Alls-Moffat, and unanimously approved to continue the matter at the applicant’s request until August or further if needed.

The Planning Board of the Borough of Riverton approved the following resolution at its regular meeting on July 18, 2006:

Be it resolved by the Planning Board of the Borough of Riverton, County of Burlington, and State of New Jersey that consideration on the application by Oakhurst LLC for preliminary and final site plan approval and all related waivers, variances and other as needed to rehabilitate the property at 519 Howard Street (Block 903, Lot 23) is continued, applicant having requested an extension of time for consideration of the matter until the next regular meeting of the Board on August 15, 2006.

This notice provides the only official notification required of this continuance granted by the applicant unless subsequent amendments to the application require that formal notification be made. The secretary will have the notice posted as required.

Note: During public comment at the end of the meeting, it was discussed that the notice provided to the

adjacent property owners may have had incomplete or missing information to constitute a proper notification. Upon reviewing the notice sent to the property owners, Mr. Coleman determined the notice was clearly deficient in detail to constitute the time and place of the hearing. Mr. Coleman stated that was not the case with the notice published in the newspaper – it is okay. Mr. Coleman stated that the applicant needed to re-notice the property owners and that he would communicate this information to the applicant.

OLD BUSINESS

Adopt and Memorialize Resolution P2006-07 Concerning the Application of Brandenburger/Sheridan Properties, Inc. for Amended Preliminary Site Plan and Amended Final Site Plan Approvals – Copies were distributed to the board. Tom Coleman read the motion by title and asked if the members had received a copy. Upon assurance that the resolution accurately reflected the hearing, the chair asked if the members had reviewed the resolution and had any comments or questions. There were none. Members Siefert, Alls-Moffat, Martin, Smyth, Lodato, and Wells are eligible to vote on the resolution. A motion to adopt and memorialize the resolution by title was made by Mayor Martin, seconded by Suzanne Wells, and passed by a poll vote of 6 to 0 of the members eligible to vote as follows:

Mr. Siefert	aye	Mrs. Alls-Moffat	aye
Mr. Martin	aye	Mr. Smyth	aye
Mrs. Lodato	aye	Mrs. Wells	aye

Adopt and Memorialize Resolution P2006-08 Concerning the Application of Omnipoint Communications Enterprises, L.P for Conditional Use and Preliminary and Final Site Plan Approvals – Copies were distributed to the board. Tom Coleman read the motion by title and asked if the members had received a copy. Upon assurance that the resolution accurately reflected the hearing, the chair asked if the members had reviewed the resolution and had any comments or questions. There were none. Members Siefert, Alls-Moffat, Lodato, and Wells are eligible to vote on the resolution. A motion to adopt and memorialize the resolution by title was made by Muriel Alls-Moffat, seconded by Suzanne Wells, and passed by a poll vote of 4 to 0 of the members eligible to vote as follows:

Mr. Siefert	aye	Mrs. Alls-Moffat	aye
Mrs. Lodato	aye	Mrs. Wells	aye

Councilman Smyth asked what the process was now that the resolution was adopted. Tom Coleman and the secretary reviewed the process and timing of things.

T-Mobile – The chair took a moment to thank Councilman Smyth and the members of Council on their efforts to secure the agreement with T-Mobile and the tax revenues that will result for the town.

Site Specific Redevelopment Plan – Councilman Smyth reviewed that the plan has been sent to Mark Remsa of the County and when notified would be sent to the State DCA.

Council Matters of Importance to the Board:

- **Smart Growth Grant and other Grant Sources** – Councilman Smyth reported that the state has granted a 1-year extension pending submission of a revised scope. Bob referred to the Environmental Resource Inventory document that the state had supplied to him. It is an approved study and was recommended by the state as a suitable study for which the funds can be used. Bob requested that the board would review the material and get back to him. He stated he was to understand the town’s options were limited as to a suitable use of the funds. Tamara Lee agreed with Bob that options were limited and to the possible usefulness of this type of study. The chair asked the members to review the material.
- **Drive 25 Campaign** – Councilman Smyth described the program and the related state grant programs related to traffic safety.

- **DVRPC Study** – Councilman Smyth stated he had received a study from the DVRPC related to train stations that includes the Riverton Light Rail station and details pedestrian and bike traffic impact.
- **Budget Restraints** – The mayor reviewed that the Borough is required to remain within a cap on any budget increases and that every department and board was being asked to stay within their approved budget or even reduce expenditures where possible.

Reexamination of the Master Plan – Joe Katella reported on efforts to date and stated that he and the committee needs help to finish the effort. Muriel Alls-Moffat concurred that as a committee member she feels additional input is needed to finish the matter. The chair stated he would assist where possible. It was discussed that the open items need to be concluded and that the sooner the better. A meeting was set up for the 27th. Joe Katella reviewed efforts needed to wrap up open items related to worksheet C, supplied by Tamara, and outstanding items from outreach activities. Joe also said that the committee also needs to bring Tamara into the process to assist in preparing the final report. Bob Smyth reviewed that there is money in the board’s budget for this effort.

Environmental Commission – Chris Halt reported that there was not much new. He asked if there was anything new on the draft ordinance. Councilman Smyth stated he had asked for distribution to the board, and the secretary stated that copies had been distributed to the members at a previous meeting.

COAH Activity – Muriel reported that COAH had again claimed that they did not have Riverton’s forms for 2005. New forms have been requested and received and by the end of the week Riverton will have resubmitted all forms and current forms now due. Tamara stated she has taken to hand delivering documents since the problem of missing or never received document claims by COAH is not limited to Riverton. Muriel stated that perhaps she would use the hand delivery method since it is short ride to Trenton using the River Line.

Architectural Review Committee – Chris Halt reported on recent activity and items reviewed by the committee.

Draft Fence Ordinance – The secretary reported that Kerry Brandt, chair of the committee to revise the ordinance, was concerned about the board’s decision to table review the draft and would like to discuss the matter further with Frank. Frank stated he would talk to Kerry.

Possible Minor Subdivision on Homewood Drive – The secretary reported that he had talked with the attorney representing the homeowner and that he did not have a time frame on when the application would be submitted.

NEW BUSINESS

Vouchers and Invoices:

1. 7/5/06, Tamara Lee, \$302.50, for work related to the Smart Growth Grant for the period of 6/1-6/30/06.
2. 7/5/06, Tamara Lee, \$191.25, for work related to establishing the procedures for handling COAH Housing Funds for the period of 6/1-6/30/06.
3. 7/5/06, Tamara Lee, \$297.50, for work related to the Brandenburger/Sheridan “Nu-Way” site plan application in June 2006 (PAY FROM ESCROW).
4. 7/5/06, Tamara Lee, \$233.75, for work related to the T-Mobile application in June 2006 (PAY FROM ESCROW).
5. 6/6/06 (received 6/21/06), Raymond and Coleman, \$477.00, for general business advice and meeting attendance at 5/16 meeting.
6. 6/6/06 (received 6/21/06), Raymond and Coleman, \$735.00, for work related to the Brandenburger/Sheridan “Nu-Way” site plan application in May 2006 (PAY FROM ESCROW).
7. 6/6/06 (received 6/21/06), Raymond and Coleman, \$126.00, for work related to the Zena’s Patisserie site plan application in May 2006 (PAY FROM ESCROW).
8. 6/6/06 (received 6/21/06), Raymond and Coleman, \$266.00, for work related to the T-Mobile site plan application in May 2006 (PAY FROM ESCROW).

A motion was made by Suzanne Wells, seconded by the mayor, and passed unanimously to pay the items as presented. The secretary will have them signed and submitted for payment.

Recent Board Actions – The chair wished to comment on the two resolutions adopted tonight. He feels the board and Council are to be commended in their efforts to bring positive results to the town. The adoption of the redevelopment plans, the T-Mobile contract, and the board's diligent efforts in hearing and approving the Nu-Way site redevelopment application and conditional use telecommunications tower application all prove how the Council and the board can accomplish worthwhile goals.

PUBLIC COMMENT

The meeting was opened to public comment.

- Several people, unidentified, stated they had attended the meeting to hear the 519 Howard Street matter but had arrived after it was concluded for the night. They had incorrectly read the time of the board's meetings in the Borough Directory and produced a copy of the notice to property owners that did not provide the information. Mr. Coleman reviewed the notice and noted the deficiency. He stated the applicant would need to re-notice the property owners and that he would advise the applicants of this need. It was noted this development should be included in the minutes as part of the hearing.

There was no further comment and the meeting was closed to public comment.

Meeting adjourned at 7:55 PM.

Next meeting is on 8/15/2006 at 7:00 pm in the Borough Hall.

Tape is on file.

**Kenny C. Palmer, Jr., Secretary
RIVERTON PLANNING BOARD**

**RIVERTON BOROUGH PLANNING BOARD
MINUTES
August 15, 2006**

The Public Session of the Planning Board was called to order at 7:00 PM by Chairman Frank Siefert.

Public Notice of this meeting pursuant to the Open Public Meetings Act has been given in the following manner:

1. Posting notice on the official bulletin board in the Borough Office on January 23, 2006.
2. Required Service of notice and publication in the Burlington County Times on January 25, 2006.

PRESENT: Frank Siefert, Christopher Halt, Muriel Alls-Moffat, Mayor Robert Martin, Councilman Robert E. Smyth, Mary Lodato, Suzanne Wells, and Keith Wenig.
Also Present: Secretary Ken Palmer and Solicitor Tom Coleman.

ABSENT: Joseph Katella.

MINUTES: A motion was made by Muriel Alls-Moffat and seconded by Mayor Martin to approve the minutes of the July 18, 2006 regular meeting as distributed. The voice vote was unanimous.

CORRESPONDENCE/ANNOUNCEMENTS

1. 8/1/06, E-mail, forwarded to board, from Zena Demirciviren stating that they are withdrawing their site plan application and asking for help in dealing with the county regarding the parking situation.
2. 8/2/06, memo to board from Ed Schaefer, Borough Construction Official, regarding issuance of a demolition permit to demolish a garage facing Howard Street belonging to the property at 505 Main Street which was in imminent danger of collapse and represented a potential hazard to the public. Copies provided for the board.
3. 8/7/06, E-mail from Robert E. Smyth to the board regarding one year extension for use of the Smart Growth Grant and requesting the board review and recommend to Council that the grant be used to conduct an Environmental Resource Inventory (ERI).
4. 8/9/06, E-mail from Doug Cowen, T-Mobile, providing copy of transcript of hearing – information e-mailed to members.
5. 8/9/06, copy of Conference Proceedings from “Building From Strength II: More Strategies for Older Suburbs and Boroughs” conference hosted by the DVRPC, 5/18/06.
6. Fourteen vouchers/invoices as presented under New Business.

PUBLIC HEARINGS

Application by Zena’s Patisserie, for Preliminary and Final Site Plan Approval and All Required Variances As Needed to Construct an Addition to the Property at 308 Broad Street (Block 801, Lot 40)

Withdrawn: The chair reviewed the e-mail received from the applicant and distributed to the board from the applicant stating they were withdrawing their application and seeking help in work with the county to preserve their parking at the site.

Application by Oakhurst LLC, Preliminary and Final Site Plan Approval and All Required Variances and Waivers and Other Relief As Needed to Rehabilitate 519 Howard Street (Block 903, Lot 23)

Request for Continuation: Since no updates had been supplied, the matter was deemed to be continued if the board wishes to grant the continuance. Mr. Coleman reviewed that there were significant differences in the notice published in the paper and the notice sent to the property owners. The notice to the property owners was deficient in detail and the applicant needs to re-notice the property owner list. Mr. Coleman had apprised them of this and will follow up that the new notice should be for the September meeting. There was no further discussion and a motion was made by Muriel Alls-Moffat, seconded by Suzanne Wells, and unanimously approved to continue the matter at the applicant’s request until September or further if needed.

The Planning Board of the Borough of Riverton approved the following resolution at its regular meeting on August 15, 2006:

Be it resolved by the Planning Board of the Borough of Riverton, County of Burlington, and State of New Jersey that consideration on the application by Oakhurst LLC for preliminary and final site plan approval and all related waivers, variances and other as needed to rehabilitate the property at 519 Howard Street (Block 903, Lot 23) is continued, applicant having requested an extension of time for consideration of the matter until the next regular meeting of the Board on September 19, 2006.

This notice provides the only official notification required of this continuance granted by the applicant unless subsequent amendments to the application require that formal notification be made. The secretary will have the notice posted as required.

OLD BUSINESS

Council Matters of Importance to the Board – Councilman Smyth reported on the following:

- **Nu-Way** – Councilman Smyth reported that demolition has started and should be complete within the next few weeks.
- **DOT Centers of Place Grant** – Councilman Smyth reported that the scope of the \$72,000 grant is being revisited and will be revamped to fit better with what can be done with the funds available.
- **Drive 25 Campaign** – Councilman Smyth reported that he has received the application for the pedestrian and bicycle study and how it may tie into the master plan.
- **Broad Street Enhancement (\$364,000 Federal Grant)** – Work is scheduled to commence next Tuesday. The bulletin board will be relocated from Zena’s property to Borough property. The area can again be paved and may help alleviate some of the parking concerns caused by the county traffic requirements for the construction of the improvements. It appears that the county imposed driveway opening for Zena’s may be able to be widened. The final plans for the area will provide seating that patrons of the stores can use for seating.
- **T-Mobile** – Construction is scheduled to begin the first week of September.

Reexamination of the Master Plan – Frank Siefert reported that the planned meeting had not been held and he has not received any update from Joe Katella. Muriel is concerned that the recent immigration issues in Riverside are of concern to the Borough and need to be addressed in the master plan as pertaining to property maintenance and enforcement issues of the existing codes. Chris Halt and others concurred that it is more an issue of code enforcement than need for more laws. There was discussion that perhaps the other subcommittee members could sit down and pull the remaining items together. It was reminded that the subcommittee can only have a maximum of three board members. However, the subcommittee can have members from other civic groups or the general as needed. Chris Halt raised the issue of strengthening the historic district codes. It was agreed to have a meeting on September 5, at Suzanne’s home.

Draft Stream Corridor Protection Ordinance – The chair stated that nothing has commenced on the board review or professional review of the draft supplied by the Environmental Commission. There was discussion that perhaps this work could be considered as part of the work being contemplated for the changed scope of the Smart Growth Grant.

Smart Growth Grant and other Grant Sources – Councilman Smyth reviewed that the state has granted a 1-year extension pending submission of a revised scope. Bob referenced the proposed Environmental Resource Inventory document that the state. It is an approved study and was strongly recommended by the state as a suitable study for which the funds can be used. The scope needs to be finalized and submitted to the state sooner rather than later. There was discussion of the type of study being considered. The mayor stated that the state strongly recommended that grant be used for the ERI and he feels there may not be another option as far as the state is concerned. Chris Halt commented that the Environmental Commission has reviewed the material and is fully on board with it, feels it is similar to the types of things it has helped on before and hopes that the stream

corridor protection ordinance can be included in the revised scope. The board needs to make a recommendation to Council on how it feels the revised scope should proceed. The chair asked if there was further discussion or if there was a motion on the board's recommendation. Councilman Smyth motioned and Muriel Alls-Moffat seconded that the board recommend to Council that the Office of Smart Growth Grant of be utilized to undertake an Environmental Resource/Natural Resource Inventory of the Borough as recommended by the State Office of Smart Growth and to pursue, if possible, that the scope includes the review of the draft Stream Corridor Protection Ordinance. The motion was approved by a unanimous voice vote.

Environmental Commission – Chris Halt reported that there was not much in addition to the discussion under the Smart Growth Grant above. He reported that he understands the owners of apartments on Cedar Lane were going to sell the property including the recently subdivided portions. The Commission hopes that the good dialog that exists between the current owners and potential new owners can continue.

COAH Activity – Muriel reported that she had sent via certified mail/return receipt all forms for COAH. She has received via fax acknowledgement from COAH that they have all the material requested. Copies of all forms including the narrative and the acknowledgement are on file in the Borough.

Architectural Review Committee – Chris Halt reported on recent activity and items reviewed by the committee.

NEW BUSINESS

Vouchers and Invoices:

1. 6/26/06 (7/19/06), Lord Worrell & Richter, \$150.00, meeting attendance for T-Mobile hearing at 5/16/06 meeting. (FROM ESCROW)
2. 6/26/06 (7/19/06), Lord Worrell & Richter, \$754.00, services through 6/4/06 for work on T-Mobile site plan. (FROM ESCROW).
3. 6/26/06 (7/19/06), Lord Worrell & Richter, \$642.50, services through 6/4/06 for work on Brandenburger "Nu-Way" site plan. (FROM ESCROW).
4. 6/26/06 (7/19/06), Lord Worrell & Richter, \$822.00, services through 6/4/06 for work on Zena's Patisserie site plan. (FROM ESCROW).
5. 7/3/06 (7/31/06), Raymond & Coleman, \$428.00, general services and meeting attendance during June.
6. 7/3/06 (7/31/06), Raymond & Coleman, \$168.00, services during June on Brandenburger "Nu-Way" site plan and 4 Thomas demolition permit. (\$112.00 from planning & \$56.00 from Nu-Way escrow).
7. 7/3/06 (7/31/06), Raymond & Coleman, \$42.00, services during June on Zena's Patisserie site plan. (FROM ESCROW).
8. 7/3/06 (7/31/06), Raymond & Coleman, \$35.00, services during June on T-Mobile site plan. (FROM ESCROW).
9. 7/3/06 (7/31/06), Raymond & Coleman, \$14.00, general services and legal advice to the board secretary during June regarding Hudak minor subdivision.
10. 7/31/06, Raymond & Coleman, \$440.00, general services and meeting attendance during July.
11. 7/31/06, Raymond & Coleman, \$420.00, services during July on Brandenburger "Nu-Way" site plan. (FROM ESCROW).
12. 7/31/06, Raymond & Coleman, \$385.00, services during July on T-Mobile site plan. (FROM ESCROW).
13. 7/31/06, Raymond & Coleman, \$42.00, services during July on 519 Howard St., Oakhurst LLC site plan. (FROM ESCROW).
14. 8/1/06, Tamara Lee, \$382.50, for work related to the 519 Howard St., Oakhurst LLC application in July (FROM ESCROW).

A motion was made by Muriel Alls-Moffat, seconded by Councilman Smyth, and passed unanimously to pay the items as presented. The secretary will have them signed and submitted for payment.

Site Plan Approval Process – Chris Halt raised the point if the board was following the correct process when reviewing site plans. He wondered if there was a need to make sure that the applicants were aware of the process. Mr. Coleman stated the process is correct. Mr. Coleman stated that he feels the board, its secretary, and other Borough officials have done more than is reasonably required to guide applicants. When dealing with the county when it is involved, the board and the town cannot short cut the process. It was concluded that the process is correct, the checklist is complete and that the board and town cannot help if the potential applicant cannot understand or refuses to seek professional help with the process when it is needed. Mr. Coleman stated case law is grey on the requirement that professional representation be used. He feels that the current position of strongly recommending professional assistance is correct and the board will need to deal with things on a case by case basis. While there is legal precedence for requiring that all applicants other than individuals need representation, Mr. Coleman feels that leaving things the way they are now gives the perception that the process is proactive and friendly. However, it is a fine line and there is only so much that can be done. The board concluded that while there may be differences real and perceived among the types of applications, the process has to be applicable to all to ensure the laws are followed. It is the responsibility of the applicant to be familiar with the process and to know where waivers may be applicable or portions not applicable to a particular case. If the applicant is not sure, then it is up to them to seek professional assistance.

County Report – Councilman Smyth reported on the report
River Line Committee – reported on an upcoming meeting
State Regional Planning Meeting

Howard Street Demolition – The chair asked if there was any follow up needed on the part of the board. Mr. Coleman stated that the building official was way in his right to issue the permit when there was a public danger is presented. This would apply no matter the age or historic

PUBLIC COMMENT

The meeting was opened to public comment.

- Eric Saia, 401 Martha's Lane, asked about construction notification for the Broad Street Enhancement and to whom it was sent. Councilman Smyth stated the seven-day notice was only required to be sent to those properties directly affected by the construction. He asked about the last COAH agenda where the Borough was on the agenda to appear and for which National Casein had also received a copy of the notice. It was explained that this matter had been resolved prior to the hearing and the Borough did not have to appear. Eric asked and received a reply as to when the next meeting of the Economic Development Committee would occur and that he would be kept informed of the meetings. Eric also commented that he feels it is the responsibility of applicants to be familiar with the codes of the Borough and if they cannot understand the code it is incumbent on the applicant to seek professional guidance. He feels the Borough and its officials and boards can only be expected to go so far to be helpful and are not only justified but are required to make sure that all applicants fully comply with the provisions of the codes.

There was no further comment and the meeting was closed to public comment.

Meeting adjourned at 8:35 PM.

Next meeting is on 9/19/2006 at 7:00 pm in the Borough Hall.

Tape is on file.

**Kenny C. Palmer, Jr., Secretary
RIVERTON PLANNING BOARD**

**RIVERTON BOROUGH PLANNING BOARD
MINUTES
September 19, 2006**

The Public Session of the Planning Board was called to order at 7:00 PM by Chairman Frank Siefert.

Public Notice of this meeting pursuant to the Open Public Meetings Act has been given in the following manner:

1. Posting notice on the official bulletin board in the Borough Office on January 23, 2006.
2. Required Service of notice and publication in the Burlington County Times on January 25, 2006.

PRESENT: Frank Siefert, Muriel Alls-Moffat, Mayor Robert Martin, Councilman Robert E. Smyth, Mary Lodato, Suzanne Wells, and Keith Wenig.

Also Present: Secretary Ken Palmer, Solicitor Tom Coleman, and Engineer Patrick Ennis.

ABSENT: Joseph Katella and Christopher Halt.

MINUTES: A motion was made by Suzanne Wells and seconded by Muiel Alls-Moffat to approve the minutes of the June 13, 2006 regular meeting as distributed. The voice vote was unanimous.

CORRESPONDENCE/ANNOUNCEMENTS

1. **Copies of memos and letters received 8/21, 8/24, and 8/31/06, regarding materials needed to support a Centers Status Report for the NJDCA with request to copy board. Copies provided in one packet in date order.**
2. **8/21/06, Copy of update regarding educational requirements for board members from Mary Longbottom.**
3. **8/21/06, Copy of announcements and registration forms for the sessions of the new mandatory education classes provided by NJPO that they have petitioned the state to be approved for that purpose.**
4. **9/5/06, Copy of Destination 2030, the long range plan for the Delaware Valley from the DVRPC.**
5. **8/14/06, Copy of Application for Coastal General Permit to the NJDEP Land Use Regulation Program for a Development-Single Family Home by Walter Croft for an addition to his home on 2 Woodside Lane. Filed by Secy.**
6. **One voucher/two invoices as presented under New Business.**

PUBLIC HEARINGS

Amend the Master Plan of the Borough of Riverton To Include a Revised Stormwater Management Plan as Required by Statute:

The secretary attested that all required notices were mailed and published as required. The secretary reviewed why the matter was again before the board due to revisions following county review of the plan and ordinance and that the plan must be readopted before the ordinance could be revised. Mr. Coleman explained the details of and what the board needed to do. Since the plan is being readopted in its entirety it will replace the plan that is currently an amendment to the master plan. The chair asked and received assurances from the members that they had received and reviewed the plan. Mr. Coleman suggested that the hearing be opened to public comment first so the board could take those comments into consideration during their discussion and deliberation.

Public Comment – The chair opened the hearing to public comment.

- Eric Saia, 401 Martha's Lane, asked several questions regarding the ordinance and was informed that the plan needs to be approved before the ordinance can be adopted. The ordinance will be discussed at the October Council meetings. Councilman Smyth discussed Council action on the ordinance and explained that the revisions are minor in scope and doesn't change the impact of the ordinance adopted earlier this year. It was explained that a copy of the revised ordinance was available for public review.

There was no other comment and the hearing was closed to public comment.

Muriel Alls-Moffat commented that based on what she has observed along Fulton Street after the drainage improvements that the plan is not working or worth the costs. It was explained that the regulations are much more encompassing than the types of issues Mrs. Alls-Moffat was discussing. It could also be an issue that needs to be worked out between Public Works and the Borough Engineer. Councilman Smyth explained that while the drains are built to handle the runoff, debris clogging the grates is the problem. Actually the trapping of the debris is part of the plan and ordinance to prevent it getting into the river. The plan does not control the problems discussed and the board is mandated to readopt the revised plan and Council needs to reconsider the revised ordinance. The chair asked if someone from the county or from the Borough's engineer office could come and address the board. Mr. Coleman stated that while that would be possible, it would not change the things mandated by the plan. How the plan is implemented by ordinance is another matter which is under control of Council and the engineers. The chair asked if there was further discussion or if the board was prepared to adopt the revised plan. A motion was made by Keith Wenig and seconded by the mayor to adopt the revised plan and pass the information to Council. There was no further discussion and the motion passed by a poll vote of six to one as follows:

Mr. Siefert	aye	Mr. Katella	absent
Mr. Halt	absent	Mrs. Alls-Moffat	nay
Mayor Martin	aye	Councilman Smyth	aye
Mrs. Lodato	aye	Mrs. Wells	aye
Mr. Wenig	aye		

The secretary read the resolution memorializing the action by title: Borough of Riverton Planning Board Resolution Adopting the Revised Stormwater Management Plan Element which is amending the master plan and adopting the element. The secretary also read the required notice to be published and the requirement that copies be sent to the County Planning Board. A motion was so made by the Suzanne Wells and seconded by the mayor to adopt the resolution and comply with the above requirements and passed by a unanimous voice vote. The secretary will have the resolution signed and properly published and mailed as required.

Application by Oakhurst LLC, for Preliminary and Final Site Plan Approval and All Required Variances and Waivers and Other Relief As Needed to Rehabilitate 519 Howard Street (Block 903, Lot 23)

Introduction and Testimony: The chair introduced the topic and explained that this was the continuation of a matter introduced in July. The secretary attested and Mr. Coleman concurred that all jurisdictional requirements had been satisfied. Robert Kingsbury, attorney for the applicants was introduced and proceeded to explain the matter to the board. The partners Peter Sciortino and Steven M. Grello were introduced and they were re-sworn. The following were presented as exhibits:

- A1 Photo of front of building
- A2 Elevations and construction details
- A3 Notice of approval from ARC
- A4 Sign detail drawing
- A5 Light detail
- A6 Notice to property owners
- A7 Site Survey
- A8 Site Plan
- A9 Photo of back of building
- A10 Photo of side yard access

The tenants of the prospective business, a pizza business, Al Palait of Cinnaminson and Ray Skorny of Delran were introduced and sworn in. They formerly operated Milanese Pizza in the Nu-Way Plaza for 17 years and feel they have a firm idea on the type of business that will result in the new location. They provided details including the proposed hours of operation and what they thought would be the percentages of delivery, walk in/pick-up, and eat in business. They feel that, as before, the majority of their business will continue to be 70% delivery, 20% pick up and 10% eat-in. The busiest time is early evening and Friday is the busiest day. Hours would be 11-10 Monday-Friday, 11-11 Saturday, and 1-9 Sunday. Councilman Smyth commented that being more in the center of town may increase their walk-in traffic versus drive-up. As to how long the business might remain, the applicants

and Mr. Palait stated that they have a proposed four-year lease with a four-year option. Mr. Palait reiterated that he was in operation for 17 years at the former site and hoped to be in business for a long time. Testimony was presented on the type and times of deliveries to the business. The number of proposed seats was discussed. Twenty seats are planned. The two-level apartment was discussed. David Singer, the architect, was sworn in and testified to details of the renovated structure. Muriel commented she would like to see the plain style store-front windows rather than the proposed divided light windows. She feels the plain glass is more in character with the tradition of the buildings in the area. The ARC has reviewed and approved the design; however, the applicants will work with the town. The existing siding needs to be replaced. The siding will be a composite material with the look of wood. Because no parking in the rear is proposed, excess lighting should not be a problem. The plan proposes no on-site parking. The lot is 35½ feet wide. One side yard is only 1 to 1½ feet wide. The other side yard is less than 9½ wide and will not provide enough room for drive way access and a sidewalk access for handicapped access to the business. The narrowness of the lot would make parking and turning in the rear of the lot almost impossible. Tenant and customer parking would utilize the street or municipal lot. Additional hardscape coverage of the lot for a driveway and/or handicapped space was considered detrimental. Proper driveway access could only be obtained by seeking an easement with the neighboring property which is not recommended. Finally the only location of the driveway would be very close to the intersection of Howard and Main Streets which would make for a possibly hazardous pedestrian and vehicle situation. Access via a driveway at the rear of the site was discussed; but, it is privately owned and would again require an easement which is not recommended. Also, access to that driveway will be closed off by repaired fencing at the rear of the property. Handicapped access is proposed through the rear of the building and there was concern that access through the kitchen area is not advisable or possibly not allowed. There is insufficient space to provide handicapped access at the front entrance. There was discussion of providing an access on the side; but the ramp could not be built if a driveway access is required. Trash receptacles and removal was discussed as well as the need to provide for private cartage if the amount exceeded the municipal allowance. Landscaping will be wood fencing. With no parking in the rear, it is hoped that fencing and a grassed rear yard will be sufficient. Additional planting along the rear fence would be done if required. The Board's Engineer, Pat Ennis reviewed his report. Any changes to the plan agreed to as being needed will be made. As to the grading and details of the handicapped ramp, the applicant's professional testified the ramp, wherever it is constructed on the site will meet all ADA requirements for slope and turning access. The sign for the business will be externally lit and located in the same location as the current sign. The board concurred and applicant agreed that the sidewalk along the side of the building should be four-feet wide. Tamara's review letter was reviewed. There were no additional points that had not already been discussed or were also in Pat's review. Light levels will be provided where needed. Venting for the cooking equipment is proposed to be located at the rear of the building, rise along the rear wall and exit above the roof, similar to the equipment on the restaurant next door. The mechanicals for the apartment air conditioning will be located in the attic. The mechanicals for the business will be at the rear and will be shielded as applicable for both aesthetics and safety. The air conditioning compressors will be residential sized. While none have been observed, any site drainage issues that are noted from reconstruction will be corrected. It was agreed that if there are problems with the proposed ramp and entrance through the kitchen, they would relocate it to the side since there should be room if the variance for no onsite parking is granted. The chair asked about fire suppression and it was testified that the fire suppression system will fully comply with all codes. As to odors, it was realized there is no standard for odor measurement. Service deliveries will be through the front entrance. There was no further testimony or questions/comments from the board.

Public Comment – The chair opened the hearing to public comment.

- Ed Gilmore, 103 Main Street, commented on the architectural style of this and other buildings in the area and encouraged that the styling be maintained as much as possible. He prefers restoration instead of replacement of materials and the signage should fit in with the style of the building. Mr. Sciortino stated they had met with Betty Hahle and she had no comments on the styling or signage. Suzanne Wells stated she thinks it would be preferable to have the windows be similar to the other buildings and be plain with no grids. The applicants agreed again they would use plain glass with no divided lights.
- James Moffat, 202 Fulton Street, is concerned about increased traffic congestion.
- John Laverty, 616 Main Street, asked why better visuals were not provided. He asked if any parking was possible since every bit helps. He is concerned that exhaust fumes and/or noise do not present problems. He asked about grease disposal, storage, and recycling. He is concerned about the timing of deliveries and

impact on school traffic. The chair commented on parking. Pat Ennis stated that with the only access along the side and the location of the buildings, sight lines will be very poor. To properly allow for handicapped access and a driveway, an easement would be needed with the adjacent property. Mr. Palait stated the grease would be stored in a sealed barrel. The applicant's architect stated the storage area location will be added to the plan. Muriel Alls-Moffat feels the lack of parking is a concern. Keith Wenig feels the applicants deserve appreciation for being willing to provide residential space with no parking available on the premises. He also feels Mr. Palait should be commended for being willing to locate his business where parking presents such a problem. Muriel also has concerns with the number of waivers and variances being requested. Suzanne Wells commented that she had also strongly wanted parking on site but had backed down since she had been shown that it does not appear feasible.

- Suzanne Vollmer, 303 Eighth Street, feels the property is not wide enough to allow for parking access. She is concerned that the downspouts and runoff impact the adjacent property. Mr. Ennis stated that any approvals can be conditioned that any drainage problems must be corrected if they arise. She asked if there would be applicable insurance for construction and business operations. The reply was yes.
- Joe Rainer, owner of 515 Main Street, is concerned about parking impact and that perhaps a form of restricted/limited time parking can be provided for much of the street. It was stated that on-street parking issues are a Borough and police matter that cannot be resolved by the board. Councilman Smyth stated that perhaps Council can look into the matter. It was stated that perhaps posted daytime parking limits at the municipal lot use can be better enforced. However, there is the issue of where the business owner and employees will park.
- Herman Schuetz, 506 Broad Street, commented that the small lots in back of the applicant's site were once a single lot but had been split off into the smaller lots to provide parking for the occupants of the residences along Broad Street. The lots are accessed by the driveway off Cinnaminson Street. He is glad to see that the fence at the back of the property will be replaced.
- John Laverty still disagrees that parking is not feasible. He is also concerned about possible ground contamination due to the vehicles and equipment that used to be stored on the site. He feels an assessment should be conducted. Mr. Coleman asked if the applicants were concerned about contamination or if they planned to test. The answer was they were not aware of any problems, were not unduly concerned and did not plan to have tests conducted.

There was no further comment and the hearing was closed to public comment.

Board Discussion and Deliberation – Mary Lodato asked if the print shop had complied with current requirements for printing businesses. The answer was no one knew and probably not. The chair asked if there was further comment or if a motion was in order. He asked for guidance from Tom Coleman. Tom stated that numerous waivers and variances were being requested as well as site plan approval and perhaps the board should consider the waivers, variances, and site plan approval separately. The board concurred. Tom stated that the waivers being requested were:

- topographic study
- drainage calculations and report
- grading calculations
- soil erosion and sediment control plans
- landscaping plan other than a provisions of a bumper along the rear fence
- sight triangles
- traffic report with vehicle and pedestrian impact studies
- environmental reports or studies.

The chair asked Pat Ennis for comments. Pat stated he feels at least topographic details are needed as well as construction details and drainage details. The chair felt the board should concur with Pat's recommendations. Bob Smyth asked if the building's foundation was being changed. It was replied that the building foot print is not changing and that proper foundations would be constructed where they do not exist today. Using Pat's and the board's comments, Tom Coleman revised the waivers that the board appeared to be considering granting:

- sediment control
- a landscaping plan
- sight triangles

- an environmental study
- a vehicle and pedestrian circulation analysis and plan
- traffic impact report.

The board can consider the waivers individually or all at one time. The mayor motioned and Keith Wenig seconded that only the revised list of waivers as delineated by Mr. Coleman be approved by a single vote and that the waivers for topographic details, construction details, and drainage details are specifically excluded from the approved waivers. There was no further discussion and the motion was approved by a poll vote of the members six to one as follows:

Mr. Siefert	aye	Mr. Katella	absent
Mr. Halt	absent	Mrs. Alls-Moffat	nay
Mr. Martin	aye	Mr. Smyth	aye
Mrs. Lodato	aye	Mrs. Wells	aye
Mr. Wenig	aye		

Concerning the variances, Tom stated that variances were needed for:

- front yard setback (existing)
- side yard setbacks on both sides (existing)
- lot frontage
- expansion of a non-conforming structure
- on site parking variance from nine required to zero permitted.

The mayor motioned and Suzanne Wells seconded that the variances be consider all at one time and that the board should grant the variances as delineated by Mr. Coleman. There was no further discussion and the motion was approved by a poll vote of the members seven to zero as follows:

Mr. Siefert	aye	Mr. Katella	absent
Mr. Halt	absent	Mrs. Alls-Moffat	aye
Mr. Martin	aye	Mr. Smyth	aye
Mrs. Lodato	aye	Mrs. Wells	aye
Mr. Wenig	aye		

Concerning site plan approval, Mr. Coleman advised the board that granting preliminary and final site plan approval was warranted and suggested that approval be subject to:

- any outstanding comments on the review letters be addressed
- construction details be provided
- drainage details will be provided
- lighting plan satisfactory to planner and engineer
- air conditioning equipment at rear will be appropriately fenced
- fence at rear of property will be repaired and appropriately landscaped to approval of planner and engineer
- existing curb cut will be removed
- plain glass front windows without grids will be used
- details on grease storage and removal will be provided on the plans
- trash removal will comply with the municipal requirements or the tenant will have to provide for suitable private cartage
- deliveries will be limited to twice a week and occur between 9 and 11 AM to not conflict with school and daycare traffic.

Suzanne Wells motioned and the mayor seconded that the board grant preliminary and final site plan approval subject to the conditions delineated. There was no further discussion and the motion was approved by a poll vote of the members seven to zero as follows:

Mr. Siefert	aye	Mr. Katella	absent
Mr. Halt	absent	Mrs. Alls-Moffat	aye
Mr. Martin	aye	Mr. Smyth	aye
Mrs. Lodato	aye	Mrs. Wells	aye
Mr. Wenig	aye		

OLD BUSINESS

Council Matters of Importance to the Board – Councilman Smyth reported that the redevelopment of the Nu-Way/Riverton Motors site is well underway. The Centers of Place NJDOT Grant for downtown improvements is being used for side walk beautification and improvement in two areas: along Main Street from Zena's to the municipal parking lot and along Broad Street from Main Street to Fulton Street. The Broad Street Enhancement Project is underway and conflicts between the contractor, engineer, and county have been resolved. The cell tower is approved and construction should start within the next week and be operating the end of October beginning of November and there is already interest by co-locators. Council has approved the state's suggestion that the Smart Growth Grant be used for an Environmental Resource Inventory study. Council will consider the revised scope of the project at the October meetings. The Borough has completed a Centers Designation Status Report and the details have been provided to the board. Bob feels the board might share his pleasure in what the Borough has accomplished. The report is compiled by the county with other communities in the centers areas and goes to the state. Bob stated he could not have pulled the information together with out Mary Longbottom's help as well as the board secretary's assistance.

Reexamination of the Master Plan – The chair reported that the subcommittee had met and Tamara's worksheets had been compiled and sent to her for review and comment. Tamara is pleased with the effort and detail gathered for the reexamination report.

Environmental Commission – The report was tabled due to Chris Halt's absence.

COAH Activity – Muriel stated there was nothing to report this month but hoped to report on the results of a COAH meeting on September 28th in Mt. Holly.

Architectural Review Committee – The report was tabled due to Chris Halt's absence.

NEW BUSINESS

Vouchers and Invoices:

1. 9/5/06, Raymond and Coleman, \$400.00, for general business advice and meeting attendance during August.
2. 9/5/06, Raymond and Coleman, \$35.00, for work related to the Oakhurst LLC site plan application in August (PAY FROM ESCROW).

A motion was made by Suzanne Wells, seconded by Councilman Smyth, and passed unanimously to pay the items as presented. The secretary will have them signed and submitted for payment.

Various Planning Related Meetings – Councilman Smyth reported that the County Economic Development and Regional Planning office had invited interested officials to the next River Route Advisory Committee Meeting on October 26th where an update on forecasting and community developments will be provided.

PUBLIC COMMENT

The meeting was opened to public comment.

- James Moffat, 202 Fulton Street, asked about the status of the Borough clock that is located within the enhancement project area. Councilman Smyth reported that the clock was damaged by the contractor and is being repaired and will be erected and running by the time the enhancement project is completed.
- Eric Saia, 401 Martha's Lane asked about the status of the "Sitzler" property project. Keith Wenig who works for Brandenburger/Sheridan provided an update. Final plans have been approved by the county and should be submitted for zoning board approval shortly. Eric had some suggestions for digital recording and website updates.

There was no further comment and the meeting was closed to public comment.

Meeting adjourned at 10:20 PM.

Next meeting is on 10/17/2006 at 7:00 pm in the Borough Hall.

Tape is on file.

**Kenny C. Palmer, Jr., Secretary
RIVERTON PLANNING BOARD**

**RIVERTON BOROUGH PLANNING BOARD
MINUTES
October17, 2006**

The Public Session of the Planning Board was called to order at 7:00 PM by Vice Chairman Joseph Katella.

Public Notice of this meeting pursuant to the Open Public Meetings Act has been given in the following manner:

1. Posting notice on the official bulletin board in the Borough Office on January 23, 2006.
2. Required Service of notice and publication in the Burlington County Times on January 25, 2006.

PRESENT: Joseph Katella, Christopher Halt, Mayor Robert Martin, Councilman Robert E. Smyth, Mary Lodato, and Suzanne Wells (arrived after roll call but before hearing began).

Also Present: Secretary Ken Palmer, Solicitor Charles Petrone, Planner Tamara Lee, and Engineer Patrick Ennis.

ABSENT: Frank Siefert, Muriel Alls-Moffat, and Keith Wenig.

MINUTES: A motion was made by the mayor and seconded by Councilman Smyth to approve the minutes of the September 19, 2006 regular meeting as amended (minor change concerning percentage of eat-in business on page 2). The voice vote was unanimous and the minutes will be corrected.

CORRESPONDENCE/ANNOUNCEMENTS

1. **Announcement/Registration for ANJEC 33rd Annual Environmental Congress, 10/28/2006, West Windsor, NJ.**
2. **Announcement/Registration for DVRPC Growing Greener – Conservation By Design Workshop, 11/9/2006, Rowan University.**
3. **Invitation to Calvary Presbyterian Church “Calvary’s Focus on Preservation,” 10/26/2006.**
4. **Announcement/Registration for ANJEC Environmental Leadership Training Course, 11/10-11/2006, Hillsborough, NJ.**
5. **9/21/2006, copy of Cinnaminson Ordinance 2006-27, overriding buffer requirements in BD zones for the “Cinnaminson Mall” redevelopment area, because neighboring residential properties will not vacate illegally occupied area.**
6. **8 vouchers/invoices as presented under New Business.**

PUBLIC HEARINGS

Application by Joe Rainer, for Preliminary and Final Site Plan Approval and All Required Variances and Waivers and Other Relief As Needed to Erect an Addition to 515 Main Street, (Block 803, Lot 9)

Introduction and Testimony – The vice chair introduced the topic and asked if any members needed to recuse themselves and there were none. It was noted for the record that Mrs. Wells was present. The secretary attested and Mr. Petrone concurred that all jurisdictional requirements had been satisfied except formal notice to the Borough had not been mailed. Mr. Petrone stated that if all materials have been available as required and the party not notified was aware of the matter and in attendance, case law supported a board permitting the matter to be heard. The vice chair asked if there was objection from the board and there was none. The applicant Joseph Rainer was sworn in and presented his testimony. Mr. Rainer introduced three exhibits:

- A-1 Photo of building before he made the existing renovations
- A-2&3 Preliminary architectural renderings of the proposed addition.

Mr. Rainer is proposing to construct a two-story addition on the Main Street side of the building to provide additional space for the existing business as well as for the existing apartment over the business. The addition will occupy area currently fenced off and formerly used for storage of business equipment. The vice chair suggested that board engineer Mr. Ennis discuss his review letter have questions and comment from the board.

Mr. Ennis went over the 27 points in his review letter point by point and stated what items he thought the board would be justified in waiving if the board chooses to do so as well as the items that he feels should be provided and not waived. Critical items needed to properly identify the location of the property, its relation to neighboring properties, the existing bulk set backs, and impacts on neighboring properties were discussed. There was discussion of the proper address of the property. Mr. Rainer stated that the property is 515 on the tax map; but since the entrance to the apartment was on the Howard Street side, the post office address for the apartment was 518 Howard Street. Mr. Petrone asked the board if it felt it had enough information to continue and render any type of decision or if it wished to treat this session as a working session to help them and the applicant determine the steps needed. The consensus of the board was that there were sufficient technical changes needed in the site plan that it would prefer to discuss things further and try and reach a point where the applicant could properly revise the plan as well as address the concerns raised tonight. The applicant concurred that this would be beneficial to him also. Concerning any increase in impervious coverage which already exceeds the percent allowed, the applicant testified the area to be covered although currently unpaved contained previous construction materials and was so compacted already as to be considered impervious. Thus there will be no increase in impervious coverage. Site drainage, runoff, and parking were discussed in greater detail. The proximity of the proposed addition to the sidewalk was discussed. The law provides that runoff onto neighboring properties can not be increased and must be suitably redirected as needed. The applicant testified that he did not feel drainage would be impacted by the addition. The need for ADA parking and whether it had to be on-site was discussed. Board planner Tamara Lee discussed how the board can consider the hardships, impact on the community, treatment of pre-existing nonconforming conditions, and the impact of the proposed changes. Tamara commented that the board needs to consider if the conditions changed by the plan are still acceptable, that stormwater is properly managed, and that creative, permitted solutions are explored and implemented as needed.

Public Comment – The vice chair opened the hearing to public comment.

- Josh Cooper, 513 Main Street, owns the property whose side yard abuts the rear of the applicant's property. The applicant's building is on the property line an existing nonconformity decided by court decision. Mr. Cooper is concerned about existing runoff from the rear of the building and any increase from the addition. There is no gutter to direct the roof runoff and it is draining into his foundation. He feels the building code required proper drainage control and wonders why it was not installed when the previous addition was added. He wants the problem rectified. Mr. Rainer testified that as a result of a prior court decision he could not have any thing that would overhang the property line and therefore could not hang a gutter on the property. Tamara commented that perhaps the board needed to review the terms of the court decision and that perhaps an easement is needed to allow for erection of a gutter and maintenance of it. Mr. Cooper feels if that is the case, there is already encroachment caused by electrical service and venting for the high efficiency heating that is on the back wall of the building. Mr. Katella commented that it appeared there were potential solutions that could rectify the problem that may not have to come before the board at this time. Mr. Cooper stated he would be glad to work with the applicant.
- Dave Campbell, 510 Main Street, feels that if the ADA parking in the municipal lot across Main Street from the property was to be used that a cross walk be constructed to better control traffic. Councilman Smyth stated that was a good idea and that the grant the town was applying for to study bicycle and pedestrian safety could address that issue. Mr. Smyth concurred the concern should be considered.

There was no further comment and the hearing was closed to public comment.

Board Discussion and Continuance – Mr. Katella asked if a continuance was the next step. Mr. Petrone stated that unless there was additional comment from the board, a motion to continue was in order. He further instructed the applicant that all new submissions needed to be provided at least 15 days in advance of the meeting. Mr. Rainer stated that he felt he would need more than a month to properly address the concerns and changes required and asked for a continuance until at least the December meeting. Suzanne Wells motioned, Councilman Smyth seconded and the board unanimously approved to grant applicant a continuance at his request to the December meeting of the board. The secretary read the following:

The Planning Board of the Borough of Riverton approves the following resolution at its regular meeting on October 17, 2006:

Be it resolved by the Planning Board of the Borough of Riverton, County of Burlington, and State of New Jersey that consideration on the application by Joseph Rainer for preliminary and final site plan approval and all related waivers, variances and other as needed to erect an addition on the property at 515 Howard Street (Block 803, Lot 9) is continued, applicant having requested an extension of time for consideration of the matter until the regular meeting of the Board on December 19, 2006.

This notice provides the only official notification required of this continuance granted by the applicant unless subsequent amendments to the application require that formal notification be made. The secretary will have the notice posted as required.

GENERAL PUBLIC COMMENT – At this point since there appeared to be several members of the public present to learn of what they thought was a matter before the board, the vice chair stated he would hear general public comment at this time. The meeting was opened to public comment.

- Zena Demircivren, Zena's Patisserie, asked what was entailed for her to expand by moving into space currently occupied by Mr. Moccia in his building at 304 Broad Street. Mr. Moccia's building adjoins Zena's building and she plans to purchase the building from Mr. Moccia and open an access between the two areas. She would use the area for counter space and more efficient operation of the business. Mr. Petrone stated that a site plan was needed and if there were variance issues such as parking, a full site plan may be required. Since the buildings and their uses already exist there may not be any variances involved. The criteria for using a Minor Site Plan Application were discussed. If variances are needed, a full site plan is required. Mr. Moccia current owner of the property under consideration stated he was going to grant access to his parking lot adjacent to the property. The building under discussion currently has two commercial uses on the first floor and two residential apartments over the businesses. Christopher Halt stated that he hated to see the "900 hundred pound gorilla of parking" becoming the central issue of what appears to be a plan for improvements beneficial to both the applicant and the town. Councilman Smyth stated that parking issues are a recognized continuing concern and it was agreed the matter needed to be reviewed further and the type of application determined. The secretary reviewed the submission and legal requirements for a full site plan application if it is to be submitted. The need to resolve the existing escrow shortage from the withdrawn application was discussed with Zena.
- Frank Ciocci, a member of the Riverton Economic Development Committee, feels that Zena's plans are minor in nature and shouldn't require a full site plan. Mr. Petrone stated that insufficient information exists at this time to make that determination. Mr. Ciocci feels the entire parking ordinance should be done away with except for new construction and not be made to apply to existing businesses. Mrs. Wells commented that the ordinance was needed and provided a starting point for determination of impact on the community; but waivers are certainly warranted. Revisions to the ordinance can always be considered. Mr. Smyth and Mrs. Wells feel the board has tried to be more than fair when considering the parking issue. Tamara commented to the board that the reexamination report on the master plan would be an appropriate place to identify the problems with parking and the need to consider changes in current policy. Mr. Ciocci emphasized that he was only addressing parking within the Neighborhood Business zone and not the rest of the town.
- Eric Saia, 401 Martha's Lane asked about runoff from 3rd Street onto National Casein's property and has it ever been addressed by the town or the board. National Casein has attempted to address the issue on its own; but, he feels it is an issue that needs to be addressed by the town. It was explained that this is a Borough issue and should be brought up with the Public works Department. Eric was asked if Public Works was aware of the problem. Eric was encouraged to bring the issue before Council if needed and was given the date of the next Public Works meeting and Council meetings.

There was no further comment and the meeting was closed to public comment.

OLD BUSINESS

Smart Growth Grant/Environmental Resource Inventory study – Project Scope and Timetable –

Councilman Smyth reviewed the background on the topic and introduced Tamara Lee to explain the proposal, work effort, and time line of the project. Tamara explained in the scope of work involved, the assistance available from the county and other public and provided sources. Tamara explained how the information and material collected would be organized and submitted. The need for public workshops and how the project impacts elements of the master plan was discussed. The clock has already started on the project and Tamara reviewed the proposed timetable and the necessary ambitious nature of the timetable needed to conclude the process within the one-year timeframe approved by the state. There is a “matching” requirement to the grant which can be satisfied with properly documented “in kind” time and service. Tamara reviewed her proposed timesheet that can be used to document the services provided. While the community may handle its part through committee(s), Tamara would prefer to deal with one designated contact since the budget is limited and prefers to concentrate on her objective to pull the study together and any need for her to help facilitate things. This is directly pertinent to the collection and tracking of timesheets for in kind work. She will work directly with groups such as the Shade Tree and Environmental Commissions; but for the other diverse sources of help she wishes to have it coordinated through a single source. Her proposed scope attempts to hold her costs to a minimum. It was agreed that the coordinator may be best served by a planning board member. Mr. Smyth agreed to be the Council point person. Suzanne Wells volunteered to handle things for the board. Initial copies of the timesheet were distributed to people requesting them. They can be copied or additional copies can be obtained from the secretary.

Adopt and Memorialize Resolution P2006-09 Concerning the Application by Oakhurst LLC, for Preliminary and Final Site Plan Approval and All Required Variances and Waivers and Other Relief As Needed to Rehabilitate 519 Howard Street (Block 903, Lot 23) – Copies were distributed to the board. Charles Petrone read the resolution by title and asked if the members had received a copy. Upon assurance that the resolution accurately reflected the hearing, the vice chair asked if the members had reviewed the resolution and had any comments or questions. There were none. Of the members present, members Martin, Smyth, Lodato, and Wells are eligible to vote on the resolution. A motion to adopt and memorialize the resolution by title was made by Mayor Martin, seconded by Suzanne Wells, and passed by a unanimous voice vote of the four members eligible to vote on the resolution.

Council Matters of Importance to the Board – Councilman Smyth and the mayor reported that the Smart Growth Approval was the primary issue and is now on track. In addition, all projects such as Brandenburger’s and the telecommunications tower were well underway and progressing. The work on the Broad Street Enhancement project is on schedule.

Reexamination of the Master Plan – Tamara Lee had previously reported that she is working on a draft of the report and that she hopes to have it to the board prior to the December meeting.

Environmental Commission – Chris Halt reported the commission is very much in favor of the ERI study and looks forward to assisting in the project. The commission is pleased that the professional review of the draft stream encroachment ordinance may be included as part of the project.

COAH Activity – The report on activity was tabled due to Mrs. Alls-Moffat’s absence.

Architectural Review Committee – Chris Halt reported on recent matters brought before the ARC. The commission was especially pleased that Mr. Rainer wished to continue the style of the original addition into the proposed addition.

NEW BUSINESS

Vouchers and Invoices:

1. 9/12/06, Lord Worrell & Richter, Inc. \$165.00, for Site Plan Review work 6/10/06, for Brandenburger “Nu-Way” Site Plan. (PAY FROM ESCROW).

2. 9/12/06, Lord Worrell & Richter, Inc. \$150.00, for Hearing Attendance 6/13/06, for Brandenburger “Nu-Way” Site Plan. (PAY FROM ESCROW).
3. 9/12/06, Lord Worrell & Richter, Inc. \$349.00, for Site Plan Review work 6/12/06 – 7/24/06, for T-Mobile Site Plan. (PAY FROM ESCROW).
4. 9/12/06, Lord Worrell & Richter, Inc. \$572.50, for Site Plan Review work and hearing attendance July 2006, for Oakhurst LLC, 519 Howard, Site Plan. (PAY FROM ESCROW).
5. 10/1/06, Tamara Lee, \$212.50, for Site Plan Review work and hearing attendance September 2006, for Oakhurst LLC, 519 Howard, Site Plan. (PAY FROM ESCROW).
6. 10/3/06, Raymond & Coleman, \$449.00, general services and meeting attendance during September.
7. 10/3/06, Raymond & Coleman, \$168.00, services during September on 519 Howard St., Oakhurst LLC site plan. (FROM ESCROW).
8. 10/3/06, Raymond & Coleman, \$42.00, services during September on 515 Main St., Joe Rainer site plan. (FROM ESCROW).

A motion was made by Suzanne Wells, seconded by the mayor, and passed unanimously to pay the items as presented and to waive the less than \$10.00 escrow shortage on the T-Mobile account and have that shortage paid from the board’s budget. The board secretary will have them signed and submitted for payment.

NJLM Conference – Councilman Smyth reported on the upcoming annual conference November 14-17 and what he hoped to get out of the sessions he attends. He hopes to get the latest information on the State’s mandatory education requirements for board members.

MISCELLANEOUS

- Suzanne Wells inquired about the time frame for site plan submission requirements. The secretary reviewed the requirements in the submission requirements and in the ordinance. Suzanne stated she felt that the board receives the application and plans in sufficient time; but, was concerned the engineers review often is never available until the night of the meeting. The secretary replied that while the report is often faxed up to a day or two ahead of the meeting, he could not even if he had it, get it to the board aside from hand delivering it. Suzanne asked if perhaps the engineer could e-mail his report as Tamara does with her reviews. The secretary stated he would prefer such a request come from the board rather than him. Joe Katella stated he favored the professionals be required to get their comments to the board prior to the meeting. The secretary stated that the engineer and planner receive an advance copy of the minutes when matters involving them are before part of a meeting and he is sure they will be aware of the board’s concerns.

Meeting adjourned at 9:15 PM.

Next meeting is on 11/21/2006 at 7:00 pm in the Borough Hall.

Tape is on file.

**Kenny C. Palmer, Jr., Secretary
RIVERTON PLANNING BOARD**

**RIVERTON BOROUGH PLANNING BOARD
MINUTES
November 21, 2006**

The Public Session of the Planning Board was called to order at 7:00 PM by Chairman Frank Siefert.

Public Notice of this meeting pursuant to the Open Public Meetings Act has been given in the following manner:

1. Posting notice on the official bulletin board in the Borough Office on January 23, 2006.
2. Required Service of notice and publication in the Burlington County Times on January 25, 2006.

PRESENT: Frank Siefert, Muriel Alls-Moffat, Mayor Robert Martin, Councilman Robert E. Smyth, Mary Lodato, Suzanne Wells and Keith Wenig.

Also Present: Secretary Ken Palmer and Solicitor Tom Coleman.

ABSENT: Joseph Katella and Christopher Halt.

MINUTES: A motion was made by Suzanne Wells and seconded by the mayor to approve the minutes of the October 17, 2006 regular meeting as amended (minor change concerning member's name on page 2). The voice vote was unanimous and the minutes will be corrected.

CORRESPONDENCE/ANNOUNCEMENTS

1. **Announcement/Registration for ANJEC's Planning To Protect Habitat Hands-on Computer Training Workshop, 11/30/2006, Sewell, NJ.**
2. **11/3/06, Letter from RB Coe Consulting, LLC, regarding housing administrative services for affordable housing administration.**
3. **11/1/06, Memo from Mary Longbottom, concerning submission of 2007 budget requests that are due by 12/1/06.**
4. **11/3/06, copy via certified mail, of public notice of PSE&G's Application for Modified Freshwater Wetlands Statewide General Permit #2 For the Installation of New PSE&G Natural Gas Mains Within Road Rights-of-Way.**
5. **10/23/06, COAH Report on Riverton's petition for third round substantive certification.**
6. **11/17/06, Proposal to Serve As Board Engineer from Stout and Caldwell Engineers, LLC.**
7. **Copy of signed letter to Council and the board presented by Carol Crawford, 101 Midway, expressing the opposition to possible plans to erect a home on a lot that is non-conforming under the current code.**
8. **Nine vouchers/invoices as presented under New Business.**

OLD BUSINESS

COAH Petition for Third Round Certification – Tamara Lee was present to review the report received from COAH on the Borough's Petition for Substantive Certification under COAH Third Round Requirements. COAH has completed their first review and has issued a report that must be responded to by January 22, 2007. Tamara stated that as reports go it is actually quite favorable. The revisions requested by COAH only require modification of the original submission. Tamara stated that she has seen instances where COAH found a submission so incomplete they required a complete new submission. This is not the case with Riverton's submission. Tamara reviewed the report items and what they meant and what had to be done. Some items are quickly resolved by providing an explanation or providing additional documentation. Other items are "action" items where the Borough and/or board must entertain possible changes to the zoning code and establishment of a Municipal Housing Liaison to administer the Affordable Housing Program. Tamara also discussed time frames for completing these items and what needs to be done to meet the January deadline (even if items are not yet complete by that date). Tamara will provide a summary of the issues discussed tonight. The secretary will also provide copies of the COAH report to the members for their review. By the December meeting, Tamara will provide additional material and she hopes the board can consider items and perhaps reach some conclusions by the December meeting. The possible change of the lot sizes and bulk requirements in the AH1 zone are an issue that needs expedited consideration since the other changes to the Housing Element and plan are predicated by

these revisions. How the rental unit requirements will be met is also a critical issue since options available under round two are no longer available.

Reexamination of the Master Plan – Tamara briefly reviewed the next steps now that she has presented a draft of the reexamination report. She asks that the board thoroughly review the draft and hopefully reach some conclusions by the December meeting. She asked that someone act to coordinate and collect the comments and questions from the board and present them to her. The chair asked that the members please carefully review the draft, address all comments /questions to him, and try to be able to reach conclusions and next steps by the December meeting. Tamara stated that since the reexamination report represents a review at a point in time, the ongoing COAH related work does not impact the reexamination report. In fact, the COAH related activity could go towards any action recommendations.

MINOR SITE PLAN APPLICATIONS

Application by Cynthia Brooks of Cynthia Brooks Designs for a commercial office/professional/retail studio at 304 Broad Street.

Ms. Brooks was sworn in and reviewed her application. She had previously operated a similar establishment at the site before moving. She operates a floral design business and the space will be used for meeting with clients. Her design work is primarily done on-site and she will not be conducting a retail floral operation on site. The hours are normal professional business hours. Ms. Brooks is also a business partner with Zena Demirceveren and is part owner of the building with Zena. Following her testimony, the chair asked if the board had any additional comments or questions. There were none and the chair stated that if there were no objections from the board he and Mary Lodato had reviewed the application and were prepared to approve it. There was no objection and the application was approved.

Application by Zena's Demirceveren of Zena's Patisserie for expansion of the business into the first floor of 306 Broad Street.

Ms. Demirceveren was sworn in and presented her application. The area will be used to provide approximately 350 square feet of expanded seating and retail space and to provide a handicapped accessible restroom. A proposed floor plan was presented. Asked how she planned to handle the additional parking requirement, Zena explained that she had an agreement for patrons to have access to spaces in the adjoining parking lot owned by Mr. Moccia. In addition, the revised existing parking lot at Zena's has provided some additional space. Following her testimony, the chair asked if the board had any comments or questions. There were none and the chair stated that if there were no objections from the board he and Mary Lodato had reviewed the application and were prepared to approve it. There was no objection and the application was approved. For the record it was noted that the escrow shortage from the prior site plan application had been made up.

Application by Joseph DiLeo to operate a Real Estate Office at 531 Main Street.

Mr. DiLeo was sworn in and reviewed his application. He will operate a real estate office as a joint venture with Lamson Associates. The area is currently vacant and was formerly a retail business. Traffic in his office will be less than the former retail operation. Preliminary drawings for the signage were presented. The fact that the office will occupy the corner location and have two "sides" was discussed. Following his testimony, the chair asked if the board had any additional comments or questions. There were none and the chair stated that if there were no objections from the board he and Mary Lodato had reviewed the application and were prepared to approve it. There was no objection and the application was approved.

OLD BUSINESS

Smart Growth Grant/Environmental Resource Inventory study – Project Scope and Timetable – Councilman Smyth briefly reviewed the time line for the project and Suzanne Wells reported on committee activity during the past month. Work is being coordinated with Tamara Lee.

NJLM Conference and Mandatory Education for Board Members – Councilman Smyth reported on what he had learned about the new education course being offered by the NJPO that will satisfy the mandatory education requirement for planning and zoning board members. The next course in the nearby Burlington County area is March 17, 2007 in Burlington Township. The price savings for members of the NJPO does not offset the cost of membership. How to fund the cost of the course is being researched. The board will include the cost in its budget.

Council Matters of Importance to the Board – Councilman Smyth reported that the Borough had been awarded a grant by the NJDOT for planning related to bicycle and pedestrian assistance and safety. A safe routes to school infrastructure grant has been applied for. Parking issues are being discussed. An extension has been received for submission of the centers designation report.

Environmental Commission – Report tabled due to absence of Chris Halt.

COAH Activity – Muriel had nothing additional to report.

Architectural Review Committee – Report tabled due to absence of Chris Halt.

Appointment of a New Engineer – The secretary briefed the board that Pat Ennis had left Lord Worrell and that Mr. Raymond Worrell had informed the secretary that if the board is so inclined he wished to serve as the board's engineer for the remainder of the year. The board needs to approve the appointment and the requisite resolution needs to be adopted and published. The mayor motioned and Muriel Alls-Moffat seconded to appoint Raymond Worrell as the board's engineer and to adopt the required resolution. There was no further discussion and the motion was unanimously approved and the resolution adopted. The secretary will prepare and publish the resolution.

NEW BUSINESS

Vouchers and Invoices:

1. 10/18/06, Lord Worrell & Richter, Inc. \$953.00, for Site Plan Review work through 10/1/06, for Oakhurst LLC, 519 Howard Street Site Plan. (PAY FROM ESCROW).
2. 11/15//06, Lord Worrell & Richter, Inc. \$150.00, for Hearing Attendance 10/17/06, for Rainer, 515 Main Street Site Plan. (PAY FROM ESCROW).
3. 11/15//06, Lord Worrell & Richter, Inc. \$781.25, for Site Plan Review work through 11/5/06, for Rainer, 515 Main Street Site Plan. (PAY FROM ESCROW).
4. 11/2/06, Tamara Lee, \$170.00, for meeting attendance for the Rainer 515 Main Street Site Plan Review. (PAY FROM ESCROW).
5. 11/2/06, Tamara Lee, \$85.00, for meeting attendance regarding the Smart Growth Grant/ERI Study Project and professional advice regarding the possible application by Zena's Patisserie for expansion into 304 Broad Street.
6. 11/1/06, Raymond & Coleman, \$455.00, general services and meeting attendance during October.
7. 11/1/06, Raymond & Coleman, \$21.00, legal advice and services during 10/23 discussion with chair regarding possible application by Zena's Patisserie expansion into 304 Broad Street.
8. 11/1/06, Raymond & Coleman, \$420.00, services regarding preparation of the Oakhurst LLC 519 Howard Street resolution. (PAY FROM ESCROW).
9. 11/1/06, Raymond & Coleman, \$84.00, services regarding the Rainer 515 Main Street Site Plan during October. (PAY FROM ESCROW).

A motion was made by Muriel Alls-Moffat, seconded by Councilman Smyth, and passed unanimously to pay the items as presented. The board secretary will have them signed and submitted for payment.

DVRPC Survey of Fixed Rail Stations as related to Transit Oriented Development – Councilman Smyth reported that he had just received the survey, it is due December 15 and he will look into the effort required and the degree of professional assistance that may be required.

PUBLIC COMMENT – The meeting was opened to public comment:

- Carol Crawford, 101 Midway, spoke of the neighborhood opposition to the possible subdivision of a property at 105 Midway. Tom Coleman stated it would be inappropriate for the board to discuss a matter not currently before it. Ms. Crawford stated she only wished that the board realize that there is opposition to it. The letter she referenced has been noted in correspondence.
- Jeff Kelemen, 101 Midway, did not sign the letter, but strongly supports the position taken by the signers in opposing any subdivision.
- Eric Saia, 401 Martha’s Lane, stated that he, as a representative of National Casein wished to be part of any committee to review and prepare responses to the COAH report. National Casein which owns property in the Affordable Housing areas was copied on the report. Muriel asked if National Casein has any plans to redevelop the site and erect residential units. Eric replied no not now or in the future. Councilman Smyth stated he would contact Tamara Lee and get back to Eric. Eric referenced the Affordable Housing Newsletter’s mention of a new professional organization, Affordable Housing Professionals of NJ whose members work with communities to obtain funding and to partner up communities and non-profits which specialize in providing affordable housing. Eric questioned if the town still had a growth share obligation if it did not plan to redevelop areas during the time period. The growth share potential calculation was explained. Eric stated that National Casein is contesting a Bridge Commission survey for Stormwater Management that states a portion of their property was deeded to the state in 1918 by the prior owner. Tom Coleman stated that the company should contact their title company to resolve the issue. The mayor stated he understood the types of areas in question which also impacts Borough property as being part of the “floodplain” area. It was mentioned that the area may also involve riparian lands. None the less, the title company is the place to start. Councilman Smyth stated the Borough had also been noticed and that he would get back to Eric since there may be a coordinated response.

There was no further comment and the meeting was closed to public comment.

Meeting adjourned at 8:45 PM.

Next meeting is on 12/19/2006 at 7:00 pm in the Borough Hall.

Tape is on file.

**Kenny C. Palmer, Jr., Secretary
RIVERTON PLANNING BOARD**

**RIVERTON BOROUGH PLANNING BOARD
MINUTES
December 19, 2006**

The Public Session of the Planning Board was called to order at 7:00 PM by Chairman Frank Siefert.

Public Notice of this meeting pursuant to the Open Public Meetings Act has been given in the following manner:

1. Posting notice on the official bulletin board in the Borough Office on January 23, 2006.
2. Required Service of notice and publication in the Burlington County Times on January 25, 2006.

PRESENT: Frank Siefert, Joseph Katella, Muriel Alls-Moffat, Mayor Robert Martin, Councilman Robert E. Smyth, Mary Lodato, Suzanne Wells, and Keith Wenig.

Also Present: Secretary Ken Palmer and Solicitor Tom Coleman.

ABSENT: Christopher Halt.

MINUTES: A motion was made by the mayor, seconded by Councilman Smyth and approved by unanimous voice vote to approve the minutes of the November 21, 2006 regular meeting as distributed.

CORRESPONDENCE/ANNOUNCEMENTS

1. 11/21/06, copy of letter to mayor from Congressman Robert E. Andrews regarding a letter he had received from a constituent, John Rothgerber of Parker's Flower Shop in Palmyra, concerning what he perceives as violations at the New Leaf. Letter copied to planning, council, construction officer, and code officer.
2. 12/5/06, copy of fax to Councilman Smyth from Riverton Economic Development Committee on suggested changes to the sign ordinance that will allow and regulate A-frame sidewalk signs. Follow-up e-mail from Councilman Smyth received 12/18/06 contained same letter and stated Council wishes to act on the matter.
3. 12/7/06, copy of letter from John Engle, County Planning Board Engineer, that the Borough's Stormwater Management Plan and Ordinance have been approved.
4. Four vouchers/invoices as presented under New Business.

PUBLIC HEARINGS

Minor Subdivision Application by Estate of Agnes L. Greco, James J. Greco, Executor, 815 Homewood Drive, Block 1600, Lot16:

Introduction and completeness review: The secretary reviewed the phone call he received from the applicant's attorney late in the day that they would not be appearing since the applicant's attorney concurred with the board's attorney that the matter needed to be re-noticed since the original notice contained deficiencies that would have deemed the matter not jurisdictionally complete. The applicant plans to publish and notice the property owners with a corrected notice for the January meeting. In addition they may submit a revised survey. Mr. Coleman concurred with the facts provided by the secretary. It was explained to the board and members of the public that once the noticing was done, the matter would again be placed on the agenda. Anyone who had received a notice would receive a new one.

OLD BUSINESS

Request for Continuance on Application by Joe Rainer, for Preliminary and Final Site Plan Approval and All Required Variances and Waivers and Other Relief As Needed to Erect an Addition to 515 Main Street, (Block 803, Lot 9) – The secretary reviewed with the board Mr. Rainer's request for an additional continuance until January. He has not been able to complete the revisions agreed to at the first hearing. The chair asked if there was any discussion and there being none, Joseph Katella motioned, Suzanne Wells seconded, and the board unanimously approved to grant applicant a continuance at the applicant's request to the January meeting of the board. The secretary read the following:

The Planning Board of the Borough of Riverton approved the following resolution at its regular meeting on December 19, 2006:

Be it resolved by the Planning Board of the Borough of Riverton, County of Burlington, and State of New Jersey that consideration on the application by Joseph Rainer for preliminary and final site plan approval and all related waivers, variances and other as needed to erect an addition on the property at 515 Main Street (Block 803, Lot 9) is continued, applicant having requested an extension of time for consideration of the matter until the regular meeting of the Board on January 16, 2007.

This notice provides the only official notification required of this continuance granted by the applicant unless subsequent amendments to the application require that formal notification be made. The secretary will have the notice posted as required.

Revisions to COAH Petition for Third Round Certification – Muriel stated she was not sure she had received all the materials sent by Tamara. Apparently the attachments did not appear correctly on some members' e-mails. Following review of the e-mails with Tamara's submissions and clarification with everyone, the status of the revisions to the Housing plan were discussed. The secretary made sure the members had a copy of the draft document prepared by Tamara. Muriel stated she would make sure that she coordinates the matters with Tamara and Council. The chair requested that everyone review the draft changes and make sure that the board is prepared to act on anything it must resolve before the January 22, 2007 deadline set by COAH. Councilman Smyth shared his efforts regarding formation of the Affordable Housing Committee of volunteers. He also stated he was trying to find out additional details regarding the requirement that the Borough create a new Municipal Housing Liaison position that must be a Borough employee. Muriel related she had heard that there are communities fighting this requirement. Muriel related that there are organizations that do this kind of administration. She also stated she wasn't sure where the affordable housing was going to be found in the Borough. Suzanne feels the marketing effort needs to be done and demonstrated to COAH that the effort has been expended.

Reexamination of the Master Plan – Tamara's draft was discussed following confirmation that the members had received the document. The subcommittee will meet before the next meeting to review comments and coordinate next steps.

Smart Growth Grant/Environmental Resource Inventory study – Project Scope and Timetable –Suzanne Wells reported on committee activity during the past month. Work is being coordinated with Tamara Lee.

Council Matters of Importance to the Board – Councilman Smyth reported on the progress on the CVS and Main Street projects. He reported on county planning related issues and changes at the county level. All the submissions for the centers designation report were completed. Work has commenced on the bicycle and pedestrian assistance and safety grant. The mayor stated he hopes all the issues regarding the COAH submission can be streamlined and finalized as soon as possible.

Environmental Commission – Report tabled due to absence of Chris Halt.

COAH Activity – Muriel had nothing additional to report.

Architectural Review Committee – Report tabled due to absence of Chris Halt.

NEW BUSINESS

Vouchers and Invoices:

1. 12/1/06, Tamara Lee, \$701.25, for review and assessment of COAH report, attend November meeting, and prepare summary report.
2. 12/1/06, Tamara Lee, \$1,827.50, for review master plan committee information and draft Master Plan Reexamination Report.
3. 12/4/06, Raymond & Coleman, \$336.00, general services, review master plan reexamination report, and attend November meeting.
4. 12/4/06, Raymond & Coleman, \$154.00, legal advice and services during November requested by board regarding Zena's minor site plan application and old escrow issues.

Following discussion and agreement that Mr. Coleman's charges related to Zena's Patisserie should be paid from the board's budget and not escrow, a motion was made by Suzanne Wells, seconded by Muriel Alls-Moffat, and passed unanimously to pay the items as presented. The board secretary will have them signed and submitted for payment.

Revision to Sign Ordinance to Allow Sidewalk Signs – Councilman Smyth reported on the research done by the Economic Development Committee. Bob also related that Council feels that the ordinance should be reviewed for possible revision and authorizes that the board consider the matter. Muriel asked when the ordinance was changed to prohibit this type of signs. It was not known. Regarding the Borough not enforcing the issue for the time being, it was noted that is a Council matter. The secretary related that the zoning board favored the ordinance being reviewed and wishes to be an active participant in the process. Muriel is concerned that the signs currently being used may be dangerous where they are being placed. The chair asked for volunteers for a committee to look into revisions. Mary Lodato, Councilman Smyth and Joe Katella volunteered and Joe agreed to lead the committee. Kerry Brandt, chair of the zoning board, stated he would work with Joe on who would represent the zoning board. Tom Coleman stated he was reviewing the Economic Development Committee suggestions and would provide his comments to Councilman Smyth.

2007 Budgets – Councilman Smyth stated that preliminary budget input is needed ASAP.

PUBLIC COMMENT – The meeting was opened to public comment:

- Eric Saia, 401 Martha's Lane, commented on the new "Welcome to Riverton" signs on Broad Street at either end of town and asked how they were paid for. It was stated that they were paid out of the improvement grant. Credit to the efforts by Ed Gilmore was also given.

There was no further comment and the meeting was closed to public comment.

Meeting adjourned at 7:53 PM.

Next meeting is on 01/16/2007 at 7:00 pm in the Borough Hall.

Tape is on file.

**Kenny C. Palmer, Jr., Secretary
RIVERTON PLANNING BOARD**