

BOROUGH OF RIVERTON PLANNING BOARD
AGENDA
January 19, 2010

1. Meeting called to order at 7:00 PM
2. Open public meetings notice act and roll call
3. Annual reorganization – Swear in new/reappointed members, announce mayoral appointments, and elect positions/appointments
4. Adopt minutes of the December 15, 2009 regular meeting
5. Review correspondence and announcements
6. Public hearing on adopting an amendment to the Master Plan with a revised Housing Element and Fair Share Plan for COAH 3rd round certification petition
7. Old Business:
 - COAH: Progress on resubmission and other matters – Tamara Lee and Muriel Alls-Moffat
 - Council matters of importance to board – Councilwoman Wells and Mayor
 - ▶ 2010 Budget
 - Zoning Code Changes
 - Environmental Commission report – Joe Threston
 - Minor Site Plans report – Mary Lodato
 - Delinquent escrow collections – secretary
 - Mandatory education update – secretary
 - Other old business
8. New Business:
 - New vouchers/invoices – secretary
 - Resolutions for: 2010 Meeting Calendar and Appointment of Professionals – secretary
 - 2010 Goals and Objectives – chair
 - Other New Business
9. Public comment on general Planning Board matters
10. Adjourn

BOROUGH OF RIVERTON PLANNING BOARD
AGENDA
February 16, 2010

1. Meeting called to order at 7:00 PM
2. Open public meetings notice act and roll call
3. Adopt minutes of the January 19, 2010 regular meeting
4. Review correspondence and announcements
5. Old Business:
 - COAH: Progress on resubmission and other matters – Muriel Alls-Moffat
 - Council matters of importance to board – Councilwoman Wells and Mayor
 - ▶ 2010 Budget
 - 2010 Goals and Objectives – chair
 - Zoning Code Changes – Suzanne Wells
 - Environmental Commission report – Joe Threston
 - Minor Site Plans report – Mary Lodato
 - Other old business
6. New Business:
 - New vouchers/invoices – secretary
 - Other New Business
7. Public comment on general Planning Board matters
8. Adjourn

**BOROUGH OF RIVERTON PLANNING BOARD
AGENDA
March 16, 2010**

1. Meeting called to order at 7:00 PM
2. Open public meetings notice act and roll call
3. Adopt minutes of the February 16, 2010 regular meeting
4. Review correspondence and announcements
5. Old Business:
 - Council matters of importance to board – Councilwoman Wells and Mayor
 - ▶ 2010 Budget
 - COAH – Muriel Alls-Moffat
 - 2010 Goals and Objectives – chair
 - Zoning Code Changes – Suzanne Wells
 - Environmental Commission report – Joe Threston
 - Minor Site Plans report – Mary Lodato
 - Other old business
6. New Business:
 - New vouchers/invoices – secretary
 - Other New Business
7. Public comment on general Planning Board matters
8. Adjourn

BOROUGH OF RIVERTON PLANNING BOARD
AGENDA
April 20, 2010

1. Meeting called to order at 7:00 PM
2. Open public meetings notice act and roll call
3. Adopt minutes of the March 16, 2010 regular meeting
4. Review correspondence and announcements
5. Old Business:
 - Council matters of importance to board – Councilwoman Wells and Mayor
 - ▶ 2010 Budget
 - COAH – Muriel Alls-Moffat
 - 2010 Goals and Objectives – chair
 - Zoning Code Changes – Suzanne Wells
 - Environmental Commission report – Joe Threston
 - Minor Site Plans report – Mary Lodato
 - Other old business
6. New Business:
 - New vouchers/invoices – secretary
 - Other New Business
7. Public comment on general Planning Board matters
8. Adjourn

BOROUGH OF RIVERTON PLANNING BOARD
AGENDA
May 18, 2010

1. Meeting called to order at 7:00 PM
2. Open public meetings notice act and roll call
3. Adopt minutes of the April 20, 2010 regular meeting
4. Review correspondence and announcements
5. Old Business:
 - Council matters of importance to board – Councilwoman Wells and Mayor
 - ▶ 2010 Board Budget
 - COAH – Muriel Alls-Moffat
 - 2010 Goals and Objectives – chair, Suzanne Wells
 - Zoning Code Changes – Suzanne Wells
 - Environmental Commission report – Joe Threston
 - Minor Site Plans report – Mary Lodato
 - Other old business
6. New Business:
 - New vouchers/invoices – secretary
 - Other New Business
7. Public comment on general Planning Board matters
8. Adjourn

BOROUGH OF RIVERTON PLANNING BOARD
AGENDA
June 15, 2010

1. Meeting called to order at 7:00 PM
2. Open public meetings notice act and roll call
3. Adopt minutes of the May 18, 2010 regular meeting
4. Review correspondence and announcements
5. Old Business:
 - Council matters of importance to board – Councilwoman Wells and Mayor
 - COAH – Muriel Alls-Moffat
 - 2010 Goals and Objectives – chair, Suzanne Wells
 - Zoning Code Changes – Suzanne Wells
 - Environmental Commission report – Joe Threston
 - Minor Site Plans report – Mary Lodato
 - Other old business
6. New Business:
 - New vouchers/invoices – secretary
 - Other New Business
7. Public comment on general Planning Board matters
8. Adjourn

BOROUGH OF RIVERTON PLANNING BOARD
AGENDA
July 20, 2010

1. Meeting called to order at 7:00 PM
2. Open public meetings notice act and roll call
3. Adopt minutes of the June 15, 2010 regular meeting
4. Review correspondence and announcements
5. Public Hearing on the site plan application by Antonucci Ventures LLC, to use the former Beneficial Bank building, 604 Main Street, Block 1102, Lots 1 and 12.02 as a banquet and private event facility.
6. Old Business:
 - Council matters of importance to board – Councilwoman Wells and Mayor
 - COAH – Muriel Alls-Moffat
 - Zoning Code Changes – Suzanne Wells
 - Environmental Commission report – Joe Threston
 - Minor Site Plans report – Mary Lodato
 - Other old business
7. New Business:
 - New vouchers/invoices – chair
 - Other New Business
8. Public comment on general Planning Board matters
9. Adjourn

BOROUGH OF RIVERTON PLANNING BOARD
AGENDA
August 17, 2010

1. Meeting called to order at 7:00 PM
2. Open public meetings notice act and roll call
3. Adopt minutes of the July 20, 2010 regular meeting
4. Review correspondence and announcements
5. Public Hearing on the site plan application by Antonucci Ventures LLC, to use the former Beneficial Bank building, 604 Main Street, Block 1102, Lots 1 and 12.02 as a banquet and private event facility.
6. Old Business:
 - Council matters of importance to board – Councilwoman Wells and Mayor
 - COAH – Muriel Alls-Moffat
 - Zoning Code Changes – Suzanne Wells
 - Environmental Commission report – Joe Threston
 - Minor Site Plans report – Mary Lodato
 - Other old business
7. New Business:
 - New vouchers/invoices – secretary
 - Other New Business
8. Public comment on general Planning Board matters
9. Adjourn

BOROUGH OF RIVERTON PLANNING BOARD
AGENDA
September 21, 2010

1. Meeting called to order at 7:00 PM
2. Open public meetings notice act and roll call
3. Adopt minutes of the August 17, 2010 regular meeting
4. Review correspondence and announcements
5. Old Business:
 - Tutorial presentation by Tamara Lee on guidelines to conducting a site plan hearing
 - Adopt and memorialize resolution granting preliminary and final site plan approval to Antonucci Ventures LLC, to use the former Beneficial Bank building, 604 Main Street, Block 1102, Lots 1 and 12.02 as a banquet and private event facility
 - Council matters of importance to board – Councilwoman Wells and Mayor
 - COAH – Muriel Alls-Moffat
 - Zoning Code Changes – Suzanne Wells
 - Environmental Commission report – Joe Threston
 - Minor Site Plans report – Mary Lodato
 - Other old business
6. New Business:
 - New vouchers/invoices – secretary
 - Other New Business
7. Public comment on general Planning Board matters
8. Adjourn

**BOROUGH OF RIVERTON PLANNING BOARD
AGENDA
October 19, 2010**

1. Meeting called to order at 7:00 PM
2. Open public meetings notice act and roll call
3. Adopt minutes of the September 21, 2010 regular meeting
4. Review correspondence and announcements
5. Old Business:
 - COAH Update – Tamara Lee (possibly), Muriel Alls Moffat, Mayor
 - Council matters of importance to board – Councilwoman Wells and Mayor
 - Zoning Code Changes – Suzanne Wells
 - Environmental Commission report – Joe Threston
 - Minor Site Plans report – Mary Lodato
 - Other old business
6. New Business:
 - New vouchers/invoices – secretary
 - Other New Business
7. Public comment on general Planning Board matters
8. Adjourn

BOROUGH OF RIVERTON PLANNING BOARD
AGENDA
November 16, 2010

1. Meeting called to order at 7:00 PM
2. Open public meetings notice act and roll call
3. Adopt minutes of the October 19, 2010 regular meeting
4. Review correspondence and announcements
5. Old Business:
 - COAH Update – Muriel Alls Moffat, Mayor
 - Council matters of importance to board – Councilwoman Wells and Mayor
 - Zoning Code Changes – Suzanne Wells
 - Environmental Commission report – Joe Threston
 - Minor Site Plans report – Mary Lodato
 - Other old business
6. New Business:
 - New vouchers/invoices – secretary
 - Other New Business
7. Public comment on general Planning Board matters
8. Adjourn

**BOROUGH OF RIVERTON PLANNING BOARD
AGENDA
December 21, 2010**

1. Meeting called to order at 7:00 PM
2. Salute to the Flag
3. Open public meetings notice act and roll call
4. Adopt minutes of the November 16, 2010 regular meeting
5. Review correspondence and announcements
6. Old Business:
 - Council matters of importance to board, appointments – Councilwoman Wells and Mayor
 - 2011 Agenda – Councilwoman Wells, Joe Creighton
 - COAH Update – Tom Coleman, Mayor
 - Zoning Code Changes – Suzanne Wells
 - Environmental Commission report – Joe Threston
 - Minor Site Plans report – Mary Lodato
 - Other old business
7. New Business:
 - New vouchers/invoices – secretary
 - Other New Business
8. Public comment on general Planning Board matters
9. Adjourn

**RIVERTON BOROUGH PLANNING BOARD
MINUTES
January 19, 2010**

The Public Session of the Planning Board was called to order at 7:00 PM by Secretary Ken Palmer. 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, 2009.
2. Required Service of notice and publication in the Burlington County Times on January 22, 2009.

PRESENT: Joseph Creighton, Muriel Alls-Moffat, Mayor Robert Martin, Councilwoman Suzanne Wells, Mary Lodato, Joseph Threston (arrived 7:35PM), and Cheryl Progin.

Also Present: Solicitor Steve Raymond, Planner Tamara Lee, and Secretary Ken Palmer.

ABSENT: Armand Bianchini.

REORGANIZATION - 2010

Solicitor Raymond of Raymond and Coleman who substituted for Tom Coleman had sworn in Class II member Mary Lodato, Class III member Councilwoman Suzanne Wells, and Regular Member Joe Threston. Secretary Palmer announced that he continues as an employee of the Borough as the secretary of the planning and zoning boards. Ken stated that of course this was at the pleasure of the board. The mayor announced that a new alternate member had not yet been appointed but he expected this to be done by February.

Chairman: Joseph Creighton was nominated by the Mayor Martin and seconded by Councilwoman Wells to serve as chairman for 2010. The nominations were closed and Joe was affirmed by a unanimous voice vote.

Vice Chairman: Armand Bianchini was nominated by the Councilwoman Wells and seconded by Mayor Martin to serve as vice chairman for 2010. It was confirmed that Armand had stated he would accept the nomination. The nominations were closed and Armand was affirmed by a unanimous voice vote.

Solicitor: Thomas Coleman, Esq. was nominated by Councilwoman Wells and seconded by Mayor Martin to serve as the Planning Board Solicitor for 2010. 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 Councilwoman Wells and seconded by Muriel Alls-Moffat to serve as the board's Planner for 2010. The nominations were closed. A voice vote was taken and the vote was unanimous.

Engineer: Following discussion among the board, Mark Malinowski of Stout & Caldwell was nominated by Mayor Martin and seconded by Muriel Alls-Moffat to serve as the board's engineer for 2010. The nominations were closed. A voice vote was taken and the vote was six for and one against.

Administrative Officer: The secretary reviewed that the position dovetails with Mary Longbottom'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. Mary Longbottom was nominated by Councilwoman Wells and seconded by Joseph Threston to serve as the Administrative Officer pursuant to N.J.S.A. 40:55D-3 for the Planning Board for 2010. The nominations were closed. A voice vote was taken and the vote was unanimous.

Mayor/Council Appointments: In addition to the secretary's position, the mayor's/council's appointments for 2010 are:

- Ken Palmer remains secretary

- Mary Lodato serves as the board’s Class II member and Councilwoman Wells serves as the board’s Class III member.
- Joe Threston is board member of the Environmental Commission.
- Muriel Alls-Moffat is the COAH Official.

MINUTES: A motion was made by Mary Lodato and seconded by Joseph Threston to adopt the minutes of the December 15, 2009 regular meeting as distributed. The voice vote was unanimous.

CORRESPONDENCE/ANNOUNCEMENTS

1. No correspondence or announcements.
2. 3 vouchers/invoices as presented under New Business.

PUBLIC HEARINGS

Adopt the Revised Housing Element and Fair Share Plan to Amend the Master Plan of the Borough of Riverton in Conjunction With the Petition to COAH for Third Round Certification:

The secretary attested that all required notices were mailed and published as required. The chair introduced Board Planner Tamara Lee. Tamara explained the purpose of the hearing to allow for public input. She proceeded to recap the purpose of the revised housing element, amending the Master Plan, and the process for petitioning COAH for Third Round Certification. Once approved by COAH, the Borough will continue to be certified. Tamara reviewed that because of court rulings and subsequent revisions by COAH to its 3rd Round rules; this is the third time since 2005 that the Borough has filed for 3rd Round Certification. Tamara reviewed the salient points of how the Borough planned to satisfy its existing obligations as well as the new obligations under round three. Tamara clarified some points with the members of the board.

The chair asked the board if there were any comments or questions. There were none. A motion was made by Joe Threston and seconded by Suzanne Wells to open the hearing to public comment:

- Eric Saia, 401 Martha’s Lane, representing National Casein asked questions regarding the group home and accessory apartment components and the status of the submission process. His questions were answered.

There were no further questions and a motion was made by Joseph Threston and seconded by Cheryl Progin to close the hearing to public comment.

The chair asked if board members had any further questions or comments and there were none. Tamara explained that the next order of business was to consider a motion to adopt the Housing Element and Fair Share Plan amendment to the Master Plan for Round Three and forward it to Council for endorsement. Muriel Alls-Moffat motioned Suzanne Wells motioned and the mayor seconded to adopt the resolution as titled and forward it to Council for endorsement. The secretary read the resolution prepared by Tamara Lee. A roll call vote was called and the motion was approved by vote of 7 ayes and 0 nays as follows:

Mr. Creighton	aye	Mrs. Alls-Moffat	aye
Mr. Threston	aye	Mr. Martin	aye
Mrs. Wells	aye	Mrs. Lodato	aye
Mrs. Progin	aye		

The secretary read the resolution required to memorialize the action with an original signed copy becoming part of the submission to COAH. There was no discussion and the mayor motioned that the resolution referenced by title be adopted and memorialized. Joe Threston seconded the motion and it was passed by unanimous voice vote.

Tamara reviewed that the plan now goes to Council for endorsement and the materials are forwarded to COAH as part of the submission package.

OLD BUSINESS

COAH Matters – Tamara reviewed that COAH has the submission and is waiting for the adopted and endorsed plan and accompanying resolutions. She also stated that there is no concrete information from Trenton regarding the status of COAH and that all that can be done now is to wait and see. Muriel Alls-Moffat reviewed for the board that COAH had distributed a document that it is considering a requirement that municipalities be required to designate 30% of their trust funds for affordability assistance to qualified homebuyers.

Council Matters of Importance to the Board – Suzanne reported that the board was under budget for 2009 mostly due to the COAH expenses being covered by the Affordable Housing Trust funds. A preliminary budget for \$8,500.00 has been submitted for 2010. A community block grant has been obtained to construct an ADA compliant ramp at the entrance to the school gymnasium. Council is considering an ordinance to install more four way stop signs at intersections in town. The mayor reviewed the Council reorganization.

Zoning Code Changes – Suzanne reviewed the work done last year on revising the zoning code and a preliminary list of additional changes that have been recommended. Tamara stated that the issue of how building heights are defined could be clarified as the existing code is confusing at best. Suzanne said it would be added to the list. Suzanne stated that she felt a small subcommittee should be formed to address the review and possible changes. She volunteered to chair the committee and stated Armand Bianchini still wished to be on any committee. Joe Treston volunteered and Mary Lodato offered to be an alternate whenever there were not the three members available for subcommittee meetings.

Environmental Commission – Joe Threston reviewed that Council was considering the revisions to the Stormwater Ordinance. The next meeting of the commission is on January 21.

Minor Site Plan Applications – Mary Lodato stated that no applications had been received.

Delinquent Escrow Collections – The secretary reported that aside from Mr. Recchiuti there were no other outstanding or problem accounts. The chair asked and the board concurred that this topic should be dropped from the agenda unless there were updated or new developments that the board should be aware of. Ken was asked to continue to send notices.

Mandatory Education Schedule – The secretary reviewed that all members needing to take the course had signed up for the session in March and that he would notify them of their registrations in February.

Miscellaneous – Muriel wanted it on the record that Tamara Lee and Ken Palmer should be commended for the guidance and efforts extended at last month's zoning meeting in handling the logistics regarding the use variance application by BWC Realty Associates for the former post office building. Muriel had been requested at the last minute to help the zoning board have sufficient members to hear the application.

NEW BUSINESS

Invoices and vouchers:

1. 01/02/10, Tamara Lee Consulting, LLC, \$2096.26, planning work related to making the COAH submission during December. PAY FROM TRUST FUND DEVELOPMENT FEES
2. 01/06/10, Raymond & Coleman, \$476.00, for COAH related work including the letter of agreement with Quality Management during December. PAY FROM TRUST FUND DEVELOPMENT FEES
3. 01/06/10, Raymond & Coleman, \$300.00, general business advice and attend the December meeting.

A motion was made by Joseph Threston, seconded by the mayor, and unanimously approved to pay the vouchers as presented. The secretary will have them signed and submitted for payment.

2010 Calendar of Meetings and Professional Appointment Resolutions – The secretary presented the following resolutions for board approval:

- **Board Meetings for 2010** – Resolution P2010-01, the calendar of meetings for February 2010 through January 2011 was reviewed. A motion was made by the mayor and seconded by Muriel Alls-Moffat 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 P2010-02 announcing the appointment of board professionals for the period February 2010 through January 2011 was reviewed. A motion was made by Joe Threston 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.

2010 Goals and Objectives – The chair asked if anyone had a copy of last year's goals and objectives. The secretary stated he did and that he would distribute them to the board. The mayor had several suggestions. The chair stated that the item should be placed under old business for discussion next month.

PUBLIC COMMENT – Mary Lodato motioned and Cheryl Progin seconded to open the meeting to public comment. There was none and Cheryl Progin motioned and Muriel Alls-Moffat seconded to close the meeting to public comment.

Meeting adjourned at 8:10 PM. (motion by mayor, second by Threston)

**Next meeting is on 01/19/2010 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 16, 2010**

The Public Session of the Planning Board was called to order at 7:15 PM by Chairman Joe Creighton. 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 25, 2010.
2. Required Service of notice and publication in the Burlington County Times on January 24, 2010.

PRESENT: Joseph Creighton, Armand Bianchini, Mayor Robert Martin, and Councilwoman Suzanne Wells.
Also Present: Solicitor Tom Coleman and Secretary Ken Palmer.

ABSENT: Muriel Alls-Moffat, Joseph Threston, Mary Lodato, and Cheryl Progin.

MINUTES: Councilwoman Wells asked that the minutes be amended to correct the amount of the board's 2010 budget. A motion was made by Council Wells and seconded by Armand Bianchini to adopt the minutes of the January 19, 2010 regular meeting as amended. The voice vote was unanimous.

CORRESPONDENCE/ANNOUNCEMENTS

1. 01/21/10, copy of 1/19/10 letter to Quality Management Assoc. from Tom Coleman with enclosed Affordable Housing Agreement. (Members copied.)
2. 01/22/10, copy of Mayor's Fax Advisory from NJLM on Senate Bill S-1, (Senator Lesniak's bill to abolish COAH).
3. Jan. 2010, two new Resource Papers from ANJEC ("Protecting Our Streams" and "Major State programs Affecting Land Use").
4. Jan. 2010, 2010 Smart Growth Planning Grant Application form from ANJEC.
5. 02/03/10, copy of letter to mayor from Tom Coleman with a copy of the Affordable Housing Agreement signed by Quality Management.
6. 3 vouchers/invoices as presented under New Business.

OLD BUSINESS

Council Matters of Importance to the Board including COAH – The mayor and Suzanne discussed council's decision to postpone until March Council actions on the COAH submission, including endorsement of the Housing Element and Fair Share Plan. It is hoped that by March continuing legislative and legal activity regarding COAH will be clarified. The mayor reported that he intended to announce at the 2/18 Council Meeting his intention to appointment of Bob Bednarek as the new alternate member of the Board.

2010 Goals and Objectives – The topic was tabled until March.

Zoning Code Changes – The topic was tabled until March.

Environmental Commission – The topic was tabled until March.

Minor Site Plan Applications – The secretary reported that no applications had been received.

NEW BUSINESS

Invoices and vouchers:

1. 02/02/10, Tamara Lee Consulting, LLC, \$450.00, planning work related in January on the COAH submission. PAY FROM TRUST FUND DEVELOPMENT FEES
2. 02/08/10, Raymond & Coleman, \$300.00, general business advice and attend the January meeting.
3. 02/08/10, Raymond & Coleman, \$476.00, for COAH related work in January including the letter of agreement with Quality Management. PAY FROM TRUST FUND DEVELOPMENT FEES

The chair questioned why there was a large outstanding balance owed Tamara. The time line between the board's approval of a voucher and Council's approval to pay prepared payments was explained. In addition most of the balance was from the January invoice. February payments will not be approved until Thursday's meeting. There was no further discussion and a motion was made by Suzanne Wells, seconded by Armand Bianchini, and unanimously approved to pay the vouchers as presented. The secretary will have them signed and submitted for payment.

PUBLIC COMMENT – The chair noted for the record that there were no members of the public present.

Meeting adjourned at 7:29 PM. (motion by Wells, second by Bianchini)

Next meeting is on 03/16/2010 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 16, 2010**

The Public Session of the Planning Board was called to order at 7:00 PM by Chairman Joe Creighton. 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 25, 2010.
2. Required Service of notice and publication in the Burlington County Times on January 24, 2010.

PRESENT: Joseph Creighton, Muriel Alls-Moffat, Armand Bianchini, Joseph Threston, Mayor Robert Martin, Councilwoman Suzanne Wells, Mary Lodato, Cheryl Progin, and Robert Bednarek.
Also Present: Solicitor Tom Coleman and Secretary Ken Palmer.

ABSENT: None.

REORGANIZATION: Robert Bednarek was sworn in as a new alternate member of the board.

MINUTES: A motion was made by Armand Bianchini and seconded by the mayor to adopt the minutes of the February 16, 2010 regular meeting as amended. The voice vote was unanimous.

CORRESPONDENCE/ANNOUNCEMENTS

1. None.
2. 2 vouchers/invoices as presented under New Business.

OLD BUSINESS

Council Matters of Importance to the Board including 2010 Budget – The mayor and Suzanne reported that Council had endorsed the amendments to the master plan by a vote of 4 to 2. The revised Housing Element and Fair Share Plan are being forwarded to the state. Council also approved the mayor signing the agreement with Quality Management. Work on finalizing the budget continues; but, not knowing what funding will be available from the state is complicating things. Suzanne has not seen any final numbers yet. Council is trying to keep taxes flat. Joe Threston asked if professional charges related to COAH were almost finished and it was stated it was hoped they were.

COAH – Muriel reported that she had contacted the state for a copy of latest standards on community or group homes. She has heard rumors there could possibly be interest in locating a third group home in the town. She wants to know if there are regulations available that can help regulate the number of homes in town and if appropriate zoning requirements can be put in place. Muriel feels that there should be some way to control the number and placement. Joe Creighton thanked Muriel for her long standing and continued efforts to stay on top of COAH matters. As to the tax ratable status of the group homes, Tom Coleman remarked that the tax assessor is the place to check on that; and, also that just because the owners of a home are registered as a non-profit does not automatically mean their group home is tax exempt.

2010 Goals and Objectives – The chair asked if the members had any suggestions. The mayor and Muriel discussed their thoughts. The members discussed what was actually wanted or needed for goals and objectives. Suzanne volunteered to write them up for the next meeting.

Zoning and Related Land Use Code changes – Suzanne reported that the subcommittee met on 3/15 and that a preliminary task list has been established to:

- Look at revising the definition of building height. Tamara has some ideas which she will forward to the committee.
- Examine the fence ordinance, specifically as it addresses shrubs and trees.

- Look into a noise ordinance.
- Have the zoning map corrected.
- Review possible conflicting information in the swimming pool ordinance.
- Look at on- and off-street parking of RV's and boat trailers.

Environmental Commission – Joe Threston reported that he would be attending the next meeting on 3/18. Mike Robinson is trying to have someone from the Pompeston Watershed group meet with the commission to discuss what they feel are critical needs for protection.

Minor Site Plan Applications – Mary Lodato reported that no applications had been received.

NEW BUSINESS

Invoices and vouchers:

1. 03/02/10, Raymond & Coleman, \$182.00, general business advice and attend the February meeting.
2. 02/08/10, Raymond & Coleman, \$182.00, for COAH related work in February including the Quality Management agreement. PAY FROM TRUST FUND DEVELOPMENT FEES

There was no discussion and a motion was made by Joe Threston, seconded by Armand Bianchini, and unanimously approved to pay the vouchers as presented. The secretary will have them signed and submitted for payment.

PUBLIC COMMENT – The chair noted for the record that there were no members of the public present.

Meeting adjourned at 7:51 PM. (motion by Threston, second by Mayor Martin)

**Next meeting is on 04/20/2010 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 20, 2010**

The Public Session of the Planning Board was called to order at 7:00 PM by Chairman Joe Creighton. 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 25, 2010.
2. Required Service of notice and publication in the Burlington County Times on January 24, 2010.

PRESENT: Joseph Creighton, Armand Bianchini, Joseph Threston, Mayor Robert Martin, Mary Lodato, and Robert Bednarek.

Also Present: Solicitor Charles Petrone and Secretary Ken Palmer.

ABSENT: Muriel Alls-Moffat, Councilwoman Suzanne Wells, and Cheryl Progin.

MINUTES: A motion was made by Mary Lodato and seconded by Joe Threston to adopt the minutes of the March 16, 2010 regular meeting as distributed. The voice vote was unanimous.

CORRESPONDENCE/ANNOUNCEMENTS

1. None.
2. 2 vouchers/invoices as presented under New Business.

OLD BUSINESS

Council Matters of Importance to the Board including 2010 Budget – The mayor reported that council had adopted at first reading the 2010 budget and that the Borough portion of taxes will be flat compared to 2009. The public hearing is forthcoming. Plans are underway to level, irrigate, and seed the fields at Riverton Park. The new 4-way stop signs have been installed on several Borough streets. Residents are getting used to them. There was nothing new to report on the board's budget.

COAH – The secretary reviewed Muriel's report to him via phone that: the Borough's petition is still within the 45 day review and comment period; Quality Management has begun moving residents into the group home on Homewood Drive; and Quality Management is continuing to look for a location of another group home in the Borough.

2010 Goals and Objectives – The chair commented that there had been several e-mails from members with suggestions and asked if the members had any further suggestions. Suzanne will be distributing a finished version for review. The final version will be discussed next month.

Zoning and Related Land Use Code changes – The topic was tabled to next month.

Environmental Commission – Joe Threston reported that he had attended the last two meetings. The commission is attempting to have someone from Rutgers address them on possible changes to the Stormwater Management ordinance. Due to a resignation there is an opening on the commission. The mayor reported the Borough is purchasing the new larger recycle bins. The cost is covered by grant funds.

Minor Site Plan Applications – Mary Lodato reported that no applications had been received.

NEW BUSINESS

Invoices and vouchers:

1. 04/04/10, Tamara Lee Consulting, LLC, \$491.25, for COAH related work during March – attend Council meeting, make final submission to COAH and follow up. PAY FROM TRUST FUND DEVELOPMENT FEES
2. 04/05/10, Raymond, Coleman & Heinold, \$200.00, for general business advice and attend March meeting.

There was no discussion and a motion was made by Joe Threston, seconded by Armand Bianchini, and unanimously approved to pay the vouchers as presented. The secretary will have them signed and submitted for payment.

MISCELLANEOUS

Meeting Attendance – The mayor reiterated his suggestion that, whenever possible, members please notify the entire board when they will be absent from a board meeting. Council has adopted this process and it has helped coordinate matters and alleviate possible quorum problems. The secretary stated he would notify the board when he receives a phone call from a member and there is sufficient lead time before the meeting.

Redevelopment of the Old Post Office Site – The secretary briefly reported that the zoning board had granted subdivision and final site plan approval for the redevelopment of the former post office building and construction of three single family detached residences along Cinnaminson Street. The approvals were conditioned on obtaining final approval and sign off from the County and board professionals.

PUBLIC COMMENT – The chair noted for the record that there were no members of the public present.

Meeting adjourned at 7:15 PM. (motion by Threston, second by Mayor Martin)

**Next meeting is on 05/18/2010 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 18, 2010**

The Public Session of the Planning Board was called to order at 7:00 PM by Chairman Joe Creighton. 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 25, 2010.
2. Required Service of notice and publication in the Burlington County Times on January 24, 2010.

PRESENT: Joseph Creighton, Muriel Alls-Moffat, Armand Bianchini, Joseph Threston, Mayor Robert Martin, Mary Lodato, Cheryl Progin, and Robert Bednarek.

Also Present: Solicitor Tom Coleman and Secretary Ken Palmer.

ABSENT: Councilwoman Suzanne Wells.

MINUTES: A motion was made by Joe Threston and seconded by Armand Bianchini to adopt the minutes of the April 20, 2010 regular meeting as distributed. The voice vote was unanimous.

CORRESPONDENCE/ANNOUNCEMENTS

1. 5/5/2010, copy of NJLM, Mayor's Fax Advisory concerning the new legislation signed by governor regarding Time of Decision Rule.
2. 5/13/2010, copy of NJLM, Mayor's Fax Advisory concerning Gov. Christie's Affordable Housing Announcement.
3. 5/18/2010, copy of letter to mayor from Sean Thompson, Acting Exec. Director of COAH stating that no objections had been filed during the 45 day comment period on the Borough's petition for 3rd round certification.
4. 2 vouchers/invoices as presented under New Business.

OLD BUSINESS

Council Matters of Importance to the Board including 2010 Budget – The mayor reported that Council had begun meeting once a month as of the May meeting and that Council had adopted the 2010 budget on second reading. The mayor summarized developments concerning the deteriorated conditions with the house on Thomas Avenue and the home may end up being demolished if things cannot be resolved. Council has begun considering a proposal to build a dog park in a section of Riverton Park. Councilman Kinzler reported that \$7,800.00 was approved as the board's "general or other" line item budget.

2010 Goals and Objectives – The topic was tabled until next month.

Zoning and Related Land Use Code changes – The topic was tabled to next month.

Environmental Commission – Joe Threston reported that there had been no meetings since the last planning board meeting. He will attend the meeting on 5/20. Joe reminded the members that everyone was welcome to participate in the town wide cleanup of the Park on Saturday, 5/22.

Minor Site Plan Applications – Mary Lodato reported that no applications had been received.

NEW BUSINESS

Invoices and vouchers:

1. 05/04/10, Raymond, Coleman & Heinold, \$200.00, for general business advice and attend April meeting.
2. 05/04/10, Raymond, Coleman & Heinold, \$105.00, for advice and work with the Borough regarding

grandfathered uses of the property at 408 Main Street.

The secretary provide background information regarding 408 Main Street. There was no further discussion and a motion was made by Joe Threston, seconded by Muriel Alls-Moffat, and unanimously approved to pay the vouchers as presented. The secretary will have them signed and submitted for payment.

Conditions at Group Home on Homewood Drive – Armand stated he was concerned about what appears to be a large amount of standing water at the site. Mary Lodato stated she would follow up on the matter in conjunction with the construction official. Muriel stated she would speak with Mrs. Drobit about it.

OLD BUSINESS

COAH – Tom Coleman briefed the board on late information that had been received that COAH was revising the 5/18 notice to the Borough that an objection had been filed on 5/14 against the Borough's petition. The filer is known to challenge every submission that is filed. Tom feels at first glance that the objection may be baseless since it appears the objection is to something that COAH had directed the Borough to include in its revised submission. Tom reviewed the mediation process. Tom stated he is not even sure what the status of COAH will be by the time any mediation is scheduled. Tom feels things should be quickly resolved if COAH review continues. Muriel stated that Tamara still feels confident that the Borough should hopefully be certified in the near future. Muriel encouraged everyone to think positive. Cheryl Progin asked Tom if he feels that if COAH is abolished it might be replaced by something even more bureaucratic. Tom replied that he had recently prepared a summary of developments and that he would forward a copy for the board. He feels that if COAH is abolished, something will replace it; but, he feels it will be less intrusive. New Jersey is one of the few if only state that has a constitutionally mandated responsibility to ensure that affordable housing is provided.

PUBLIC COMMENT – The chair noted for the record that there were no members of the public present.

Meeting adjourned at 7:40 PM. (motion by Alls-Moffat, second by Threston)

**Next meeting is on 06/15/2010 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
June 15, 2010

The Public Session of the Planning Board was called to order at 7:00 PM by Chairman Joe Creighton. 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 25, 2010.
2. Required Service of notice and publication in the Burlington County Times on January 24, 2010.

PRESENT: Joseph Creighton, Armand Bianchini, Joseph Threston, Mayor Robert Martin, Councilwoman Suzanne Wells, Mary Lodato, Cheryl Progin, and Robert Bednarek.

Also Present: Solicitor Tom Coleman and Secretary Ken Palmer.

ABSENT: Muriel Alls-Moffat.

MINUTES: A motion was made by Joe Threston and seconded by Mayor Martin to adopt the minutes of the May 18, 2010 regular meeting as distributed. The voice vote was unanimous.

CORRESPONDENCE/ANNOUNCEMENTS

1. 5/26/10, copy of NJLM, Mayor's Fax Advisory updating League concerns with Senate Bill S-1 to abolish COAH.
2. 6/9/2010, copy of NJLM, Mayor's Fax Advisory concerning Senate Bill S-1 to abolish COAH posted for full Senate vote on 6/10.
3. 5/20/10, announcement from DVRPC of comment period 6/1-6/30/2010 on draft TIP documents.
4. 1 voucher/invoice as presented under New Business.

NEW BUSINESS

Invoices and vouchers:

1. 06/03/10, Raymond, Coleman & Heinold, LLP, \$250.00, prepare for and attend May meeting.

There was no further discussion and a motion was made by Councilwoman Wells, seconded by Joe Threston, and unanimously approved to pay the voucher as presented. The secretary will have it signed and submitted for payment.

OLD BUSINESS

Council Matters of Importance to the Board including 2010 Budget – Councilwoman Wells reported that the annual Fourth of July parade and events would be held on Saturday, July 3rd. The new blue recycling bins have been distributed. The Borough had previously received a grant for improvements to the "downtown" and the proposed sidewalk improvements are going out for bid. Suzanne stated she understands the salon in the building at the point of Main and Howard Streets is relocating. The board appears to be doing well with its budget expenditures and has expended 26-28% through May.

COAH – Muriel's questions/comments and Tamara's replies to Tamara's May 10th COAH note were reviewed. The board concurs with Tamara's and Tom's suggestion that the only thing to do now was wait and see the results of continuing changes regarding COAH and the upcoming mediation session on the objection filed to the Borough's submission. Tom Coleman reviewed that Council had adopted a resolution at its June 9 meeting appointing the mayor, Suzanne, Tom Coleman and Tamara Lee as the Borough's mediation team. The mediation session when scheduled should only last 20 or 30 minutes. Tom Coleman reviewed the process for the board. The results could take some time before they are released.

2010 Goals and Objectives – Suzanne distributed the final version and it was briefly discussed. No additional revisions were made. Joe Threston motioned and the mayor seconded to adopt the goals and objectives. They were adopted by a unanimous voice vote.

Zoning and Related Land Use Code changes – Suzanne reported that there has been no action the past two months. She stated the committee would like meet following the fourth of July weekend to develop items to discuss at the July meeting. Among the items to be considered are the suggestions for changes to the fence ordinance submitted by Mrs. Shea. The secretary commented that the zoning board had discussed the matter at its last meeting and planned to consider a formal comment to the committee and the planning board at this Thursday's meeting. Suzanne stated she would let the chair know before the meeting if the topic should be on the July final agenda.

Environmental Commission – Joe Threston reported that the next meeting is Thursday the 17th. The commission feels the new blue recycling bins are good move. The commission has requested but hasn't received information on the "Rutgers" changes to the model stormwater management ordinance. The commission praised the town-wide cleanup day efforts and recognized the efforts put forth by Jeff Myers and Helen Mack to organize the effort.

Minor Site Plan Applications – Mary Lodato reported that no applications had been received.

NEW BUSINESS

Secretary Unavailable for July meeting – Ken Palmer advised the board that he would not be available for the July meeting and he wanted to provide advance notice since he has been notified that an applicant intends to submit a site plan application for the former Beneficial Bank building on Main Street. There was discussion during which Ken stated he would have as much as possible prepared for the meeting. The board decided that they would have one of the members make sure the meeting is recorded and necessary notes taken so the minutes could be prepared.

PUBLIC COMMENT – The chair noted for the record that there were no members of the public present.

Meeting adjourned at 7:30 PM. (motion by Wells, second by Threston)

**Next meeting is on 07/20/2010 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 20, 2010**

The Public Session of the Planning Board was called to order at 7:02 PM by Chairman Joe Creighton. 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 25, 2010.
2. Required Service of notice and publication in the Burlington County Times on January 24, 2010.

PRESENT: Joseph Creighton, Armand Bianchini, Muriel Alls-Moffat, Joseph Threston, Mayor Robert Martin, Councilwoman Suzanne Wells, Mary Lodato, Cheryl Progin, and Robert Bednarek.
Also Present: Solicitor Chuck Petrone.
Note: Suzanne Wells acted as secretary for the meeting in the secretary's absence.

ABSENT: None

MINUTES: A motion was made by Mary Lodato and seconded by Armand Bianchini to adopt the minutes of the June 15, 2010 regular meeting as distributed. The voice vote was unanimous.

CORRESPONDENCE/ANNOUNCEMENTS

1. 1 voucher/invoice as presented under **New Business**.

PUBLIC HEARING

Site plan application by Antonucci Ventures LLC, to use the former Beneficial Bank building, 604 Main Street, Block 1102, Lots 1 and 12.02 as a banquet and private event facility – Prior to the meeting, the applicant was advised and concurred that the noticing was insufficient. The applicant will re-notice and republish for the August meeting.

OLD BUSINESS

Council Matters of Importance to the Board including 2010 Budget – Councilwoman Wells reported on a proposal to hold a bicycle race in September in the Borough. The matter will be considered further at the August meeting. Mayor Martin reported on attempts to obtain a Freeholder grant from open space funds that would possibly be used to fund maintenance and improvements at the park.

COAH – There is no news from COAH. A date has not been established for the mediation.

Zoning and Related Land Use Code changes – The topic was tabled until next month.

Environmental Commission – Joe Threston reported there was no meeting this month. The commission continues to review stormwater ordinances.

Minor Site Plan Applications – Mary Lodato reported that an application had been submitted by the owners of Cafe Rose who have taken over the site that was formerly Tony's Seafood. Upon review of the application it was discovered that at some point the owners of Tony's had increased seating to 58 when the original approval was only for 50 (42 inside, 8 outside). After review with the board's counsel, it was determined the application could be approved contingent on going back to the seating originally approved for a restaurant at the site. Any change would require submission and approval of a new formal site plan and applicable variances such as parking. After Mary follows up that the seating has been corrected, she and the chair intend to approve the application.

NEW BUSINESS

Invoices and vouchers:

1. 07/02/10, Raymond, Coleman & Heinold, LLP, \$200.00, prepare for and attend June meeting.

There was no discussion and a motion was made by Joe Threston, seconded by Mayor Martin, and unanimously approved to pay the voucher as presented. The secretary will have it signed and submitted for payment.

Liquor at Antonucci's facility – Muriel asked how liquor will be handled at the proposed facility. It was discussed that the Antonuccis plan to rent the facility only. It was discussed they will not be supplying or selling alcohol. The persons/organizations renting the facility will be responsible for providing beverages at their event. There was some discussion regarding temporary liquor licenses and who obtains and when they are required.

PUBLIC COMMENT – The chair noted for the record that there were no members of the public present.

Meeting adjourned at 7:22 PM. (motion by Threston, second by Martin)

Next meeting is on 08/17/2010 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 17, 2010

The Public Session of the Planning Board was called to order at 7:00 PM by Chairman Joe Creighton. 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 25, 2010.
2. Required Service of notice and publication in the Burlington County Times on January 24, 2010.

PRESENT: Joseph Creighton, Armand Bianchini, Muriel Alls-Moffat, Joseph Threston, Mayor Robert Martin, and Mary Lodato.

Also Present: Solicitor Chuck Petrone, planner Tamara Lee, substitute engineer William Long, and secretary Ken Palmer.

ABSENT: Councilwoman Suzanne Wells, Cheryl Progin, and Robert Bednarek.

MINUTES: A motion was made by Mayor Martin and seconded by Armand Bianchini to adopt the minutes of the July 20, 2010 regular meeting as distributed. The voice vote was unanimous.

CORRESPONDENCE/ANNOUNCEMENTS

1. 7/26/10, copy of NJLM, Mayor's Fax Advisory updating League concerns with progress of actions on COAH reform.
2. 5 vouchers/invoices as presented under New Business.

PUBLIC HEARING

Site plan application by Antonucci Ventures LLC, to use the former Beneficial Bank building, 604 Main Street, Block 1102, Lots 1 and 12.02 as a banquet and private event facility.

Housekeeping and Introductions: The secretary reviewed and affirmed that all the jurisdictional requirements had been met. Mr. Petrone stated the hearing could proceed. Mr. Leo M. Garonski of Leo M. Garonski & Associates, P.C. introduced himself as counsel for the applicants and asked if the applicants and their architect could be sworn in. The following were sworn in and as applicable presented their qualifications:

- Lawrence R. Antonucci Jr.
- Kerri M. Antonucci
- J. Randolph (Jack) Parry, Architect

Testimony and board questions: Mr. Garonski asked Jack Parry to describe the project who presented the following exhibits:

- A-1, Colorized version of the site plan and photographs of the site
- A-2, Proposed floor plans
- A-3, Rendering of the first floor interior.

Mr. Parry reviewed the plans for the site to provide a location for holding private social events or business meetings. It is not a catering establishment and the service areas will be equipped and used for setting up and handling the food and beverage needs arranged for by the customer. The applicants will not provide any catering related services – all such services will be up to the client who rents the facility. The building is considered historic and as such there will only be minimal alterations to the exterior. Since it was formerly a working bank, there is only the front entrance. The front entrance will be remodeled to be more appropriate to the original style of the building. A service entrance with canopy will replace the existing walk-up ATM. A fully ADA compliant access ramp and entrance with canopy will be added to the rear of the building. The style of the canopies was discussed. The interior of the building will be extensively remodeled to restore the

structure to the appropriate style and provide an elegant yet subdued atmosphere. It will maintain the historic feel yet be up to date. The teller platform will be removed to open up the floor area. The vault room will remain since it is an integral part of the structure. The mechanicals including HVAC and electrical will be modernized to fully meet the needs of the planned use. Bathroom facilities will be upgraded and made ADA compliant. The entire building will be sprinklered. A "warming" kitchen and service area will be added for any outside catering services. The second floor mezzanine area will be set up for the office use of the owners and not part of the event area. The basement is currently not and will not be for event use, only storage as needed. There is approximately 3,000 square feet of event space on the first floor. No outside seating, event use is planned. The site will have 29 parking spaces (27 regular and two handicapped); and, a parking variance is being requested. The testimony was concluded.

The mayor asked about smoking and the answer was most likely out front where it formerly occurred and possibly outside the rear entrance. Concerning alcohol use, Larry Antonucci stated that it would be hoped that the type of events and clientele envisioned would not be a cause for concern. The restricted size of the space and thus the number of patrons at any event should also help ameliorate any concerns. The projected maximum capacity is around 113 at any event. Maximum seating would be 104 with perhaps up to 9 additional "staff/service" personnel. Muriel asked about hours of operation and was answered that daytime events would almost certainly fall within the 8:00 AM - 5:00 PM hours. Evening events would most likely always end before midnight at the latest except for special occasions such as a New Years Eve party. Muriel also raised concerns about the impact on parking. Larry replied that using a commonly accepted 80/20 rule, it is projected that 80% of the events would fall within 60 to 80% of capacity and would not require any additional spots. For events that approach capacity, it is hoped that they will normally occur when on-street spaces are not utilized and that the applicants would reach out to local business owners such as Jim Brandenburger to utilize some of his spaces on a pre-arranged basis. Larry feels that the maximum number of additional spaces needed would be 10 or 12. A valet service is also a possibility. The applicants have no plans to utilize any of the current grass area next to the back parking lot. During daytime/late afternoon hours, Light Rail use will also be encouraged. Larry was asked and explained how/why he decided on the planned use of the building. The mayor asked about the Borough's continued use of the rear parking area for public parking and Larry stated that he feels it needs to be restricted to owner use; but, he was also amenable to permitting public use when not needed for events. Joe Threston asked about lighting of the site especially at evening events. Larry feels the existing lighting is sufficient. He does not want it so bright that it disturbs the neighbors. Joe Threston asked about refuse disposal especially after large events. Larry stated they planned to provide an area that will accommodate up to four good sized trash receptacles as large as possible that still meet the requirements of the normal Borough trash collection process. If required he will contract out collection by a private hauler. Asked by his counsel, Larry discussed how he feels his business will benefit to the town. Larry hopes that his patrons will utilize the local businesses to service events and otherwise patronize the establishments. He feels his customers will learn more about Riverton and thus help the businesses. He feels his project will maintain or expand the tax ratables in the town. Larry also feels that an operating enterprise is more beneficial than an empty structure. Muriel again raised her concern about traffic and parking impacts since there is already overflow from the station parking during weekdays. Larry stated that while he would like to envision capacity events, he feels that will not realistically be the case for daytime business type events. Larry concurred with Joe Threston that larger events would most likely occur on weekends or off peak business hours. Chuck Petrone asked about the office use of the mezzanine area. Larry stated the area would only be for the business office of the LLC created to operate the facility. Initially two employees are envisioned and perhaps four max if the business is an outstanding success.

The concerns of the professionals were addressed. Mr. Garonski spoke to the proposed consolidation of the two lots. While the applicants concur that the two lots used together directly impact the uses of the property concerning parking, they would prefer to not restrict the possible uses of the lots unless the proposed or similar use proves viable. Chuck and Tamara stated that in absence of consolidation, the Borough should have guarantees in the form of a legal documentation that preserves the parking use of the rear lot and this guarantee should be part of any approval. While the town is dealing with Antonucci Ventures now, it is hoped it would

not be working with a receivership in the future. Realistically, any use of the building will probably generate a parking requirement that will likely exceed the number of spots available in the parking lot next to the building. Use of a deed restriction was discussed. It was also discussed that even if consolidated, the site could be subdivided in the future. The mayor asked if the use by the Borough could also be part of any approval. Chuck stated that there are legal mechanisms that are available that would benefit all parties. Tamara asked if the applicant would accept a condition that the basement will not be used for anything that generates a parking requirement and the reply was yes. Tamara has concerns about possible noise impact from inside events. The reply was that any "leakage" would be directed to the sides and front of the building which are not residential. The interior space of the building will also limit the volume that will be tolerable to the occupants. Tamara is concerned there is no professional documentation to support the requirements or impact of site lighting. Concerning occupancy, Tamara asked how it was calculated. The reply was that the occupancy was calculated to remain within the planned A2 use, which based on square footage, is how the 104 seats with max. occupancy of 113 was determined. Tamara is concerned that there has been no professional testimony to the bulk variances. While many of the bulk variances are preexisting, parking is not and the board needs to ensure that the record reflects that the proofs needed to warrant the variances have been provided in accordance with the Municipal Land Use Law. The board also needs to have the professional assurance that lighting and trash issues are being properly addressed. If the board feels the testimony provided is sufficient, then okay; however, normally such testimony is the purview of experts. Joe Threston is concerned about the lack of a landscape plan and how the required buffer will be addressed. Larry stated that he feels except for the parking, the other conditions are pre-existing. The increase of impervious coverage is to meet the ADA access requirements. Larry has met with the adjoining residential property owners and is willing to work with them to provide an adequate privacy buffer even though a landscape buffer required by the code is not feasible without a significant loss of parking space. While a waiver from a traffic study has been requested, there is still concern about the possible significant increase of traffic flow on this area and the narrow streets. Tamara is also concerned that the lighting safety issues and trash concerns have not been properly addressed. Bill Long addressed the engineering review. Concerning the increase in impervious coverage, the proposed increase of approximately two percent could be considered minor and beneficial since it is for ADA compliance. While the setback issues are existing, variances are needed; and the addition of a proposed canopy over the Harrison Street side changes the existing nonconformity. Based on the plans and testimony it appears that 39 parking spaces will be required and only 29 will be provided. Concerning trash disposal, especially larger catered affairs, one method to address the issue is to require the caterer to remove the trash generated. Larry stated that the one local and well respected caterer he has spoken with, and would recommend to his customers, told him they routinely take care of removing excess trash generated by their operations. Larry stated he is willing to make sure such an arrangement is part of any agreement by caterers that service the establishment. Concerning the rear parking lot and especially the encroachment of the lot beyond the property line on Harrison Street, the encroachment can be resolved if the board might consider a variance to allow some or all of the spaces to be nine feet wide rather than ten feet wide. The drive aisle width remains problematic. Even if a variance is granted to permit shorter length spaces of perhaps 18 feet rather than the required 20 feet, that still leaves a variance needed for the aisle width. Site lighting details should be provided both as to what is proposed and/or exists and how it complies with required standards. Flood lighting is discouraged. The lack of being able to feasibly comply with the residential buffer requirements needs to be addressed and a variance granted.

Public Comment: There was no further testimony or questions from the board and the chair suggested that the hearing be opened to public comment. A motion was made by Joe Threston and seconded by Armand Bianchini to open the hearing to public comment. The meeting was opened to the public and the following people were sworn and testified.

- Brad Huber, Moorestown, was asked by his mother in law who resides at 621 Lippincott behind the bank to speak for her. Mr. Huber is concerned about parking, noise, overflow parking, and the buffer. The resident wants a buffer to minimize any impacts generated by uses that are very different from the former bank use. A six-foot privacy fence is preferred to preserve security and unwanted access across her property. The fence would also minimize impact of vehicle lights. Concerning noise issues, it was discussed that there are county and local ordinances that govern permitted noise impact. Enforcement lies with the Code

Enforcement official and/or police. Conditions can also be part of any approval regarding hours of operation. Chuck added that there has already been testimony by the applicant to work with the residents; but, there should be specifics in any approval. The applicant stated he would be willing to consider a privacy fence along the entire rear property line as long as he has the proper guidance from the board. A living fence is not feasible and would cost parking spaces and not provide the security desired. The "finished side" would face the neighbors. Tamara stated that whatever is decided/approved, must be on the plans. A variance to permit the fence to extend to the property line along the existing parking lot curb line was suggested. A variance would also be needed to allow the fence to extend beyond the side yard building setback to the property line.

- Ann Martin, 623 Lippincott, stated her support for the plans for the site. She spoke to her parking concerns and light from cars in the rear parking lot. She prefers a fence buffer. She asked and received answers to where it would be located. She asked and received answers about the existing greenspace being preserved. There was no further public comment and Muriel Alls-Moffat motioned and Joe Threston seconded to close the hearing to public comment.

Deliberation: Joe Threston asked about board of health issues and it was explained that is part of the normal licensing and inspection process of operating a business. Joe Creighton feels the project is a good idea and beneficial to the town; however, he is concerned about traffic impact. The mayor asked if smoking could be restricted to the front of the building and the answer was yes but probably not enforceable. There being no additional questions or comments from the board, the chair asked if the specific waivers, variances and conditions could be summarized/discussed. The following were provided by the board's professionals in the approximate order listed:

- Address consolidation of the lots and the specific language agreement needed in lieu of consolidation for up to possibly three years from approval to prevent the rear lot being sold off.
- Restricting any use of the basement to use(s) that do not generate a parking need, i.e., storage.
- Caterers should be responsible for removing from the site trash generated by their operation.
- Permitting/requiring a six-foot privacy fence along the entire rear property line of lot 12.02 and extending to the street side property line as long as it does not interfere with acceptable sight lines. The "finished" side of any fence would face the neighboring properties. The fence would be permitted to be on the property line.
- Smoking should be encouraged to be only in the front of the building; even though regulation is probably not possible.
- A proper lighting plan should be submitted providing illuminating standards and styles of lighting.
- The issue of drive aisle widths, parking stall sizes and the existing encroachment beyond the property line of the rear parking lot should be addressed and variance(s) granted. Parking stalls of 9x18 rather than 10x20 were suggested. The narrower width should at least be for the number of spaces required to remove the encroachment. The shorter length helps lessen the drive aisle deficiency.
- The actual number of parking spaces to be covered by variance needs to be decided. Ten has been suggested.
- The plans are to be revised to show the approved parking and trash storage.
- There will be no outside seating.
- The kitchen/service area is for warming only. There will be no cooking on the premises.
- The Borough use of the rear parking lot when not required by the property owner should be addressed.
- The maximum occupancy of the building should be limited to 113 with guest seating at 104.
- A suitable closing time should be specified; such as midnight except on special occasions such as New Years when perhaps an extra hour is warranted. The applicant stated he could accept midnight except 1:00 AM on New Year's Eve.
- The plans need to be revised to reflect all the conditions addressed in the review letters and agreed to at the meeting.
- In lieu of the board granting a specific parking variance, the use of valet parking and arrangements with neighboring business owners needs to be specified. (Tamara stated that if board is satisfied the existing

spaces can be lived with and a variance granted, then perhaps no agreement is needed.) The board appeared to concur a parking variance was warranted.

The mayor stated he feels the plan is a good use and will benefit the town rather than the site sitting vacant for an extended period. It was mentioned that the Porch Club, School, and Yacht Club all have long standing parking issues that are lived with. The chair and board members asked if any motion to approve needed to specify all the items discussed. Chuck suggested the board could consider a motion to grant preliminary and final site plan approval with the adopting resolution to accurately reflect and include the specific variances, waivers, and conditions decided and approved at the meeting including that any deed restrictions and all revisions be made to the plans before they are signed. The mayor asked if the rest of the board was prepared to move forward. Joe Creighton stated he remained positive and was ready to vote on the matter. Muriel asked about the parking issue and Chuck Petrone explained that the approval would require a suitable mechanism to protect/preserve the existing parking unless/until lots are consolidated (if the business use proves viable then the lots will be consolidated). Any deed restriction/easement or similar instrument to not permit selling off the rear "parking area lot" needs to be prepared and submitted by applicant's counsel, reviewed and approved by board professionals, and recorded with the property deed. Following additional discussion, a motion was made by Bob Martin and seconded by Joe Threston to approve the application and granting preliminary and final site plan approval with all the variances, waivers and conditions as defined during testimony and subject to the conditions outlined by Chuck Petrone and Tamara Lee. There was no further discussion and the motion was approved by a poll vote of 6 to 0 as follows:

Mr. Creighton	aye	Mr. Bianchini	aye
Mrs. Alls-Moffat	aye	Mr. Threston	aye
Mr. Martin	aye	Mrs. Lodato	aye

All voting members commented as to why they approved the application, why they felt the variances were warranted, and why they feel the project will benefit the town.

OLD BUSINESS

COAH – Muriel reported that she had heard nothing new from COAH and things are quiet. Tamara reported that she is still coordinating some issues with the Construction Code Official concerning state records and Tamara needs to verify the vacant lots. Tamara has heard that things at COAH are in disarray.

Council Matters of Importance to the Board including 2010 Budget – Mayor Martin updated the board on a possible future bike race in the Borough and the status on the possible demolition of the home on 622 Thomas.

Zoning and Related Land Use Code changes – The topic was tabled until next month.

Environmental Commission – Joe Threston reported there was nothing new to report since the meeting is not scheduled until the 19th of this month.

Minor Site Plan Applications – Mary Lodato reported that none had been submitted this period.

NEW BUSINESS

Invoices and vouchers:

1. 08/01/10, Tamara Lee, \$540.00, Antonucci Site Plan Application Review 7/1-7/31/10. PAY FROM ESCROW
2. 08/03/10, Raymond, Coleman & Heinold, LLP, \$300.00, prepare and attend July meeting.
3. 08/03/10, Raymond, Coleman & Heinold, LLP, \$231.00, Antonucci Site Plan Application Review through 7/31/10. PAY FROM ESCROW
4. 08/03/10, Raymond, Coleman & Heinold, LLP, \$28.00, COAH/QMA work in July. PAY FROM DEVELOPMENT FUNDS

5. 08/05/10, Stout & Caldwell Engineers, LLC, \$1,593.75, Antonucci Site Plan Application Review through 7/31/10. PAY FROM ESCROW

There was no discussion and a motion was made by Mary Lodato, seconded by Joe Threston, and unanimously approved to pay the vouchers as presented. The secretary will have them signed and submitted for payment.

Guidelines for Hearings:

Following the hearing there was discussion that the process wandered and appeared to generate some confusion among the applicant and the board as to how it should proceed and what was needed. Tamara stated that while the board ultimately decides what to approve or deny, it is the responsibility of the professionals to address all the issues and to offer guidance to ensure that all waivers and variances are held up to the requirements of the Municipal Land Use Law. To do otherwise could leave the board's decisions subject to overturn if appealed. Tamara suggested that perhaps a short review of the process along with a suggested guideline to conducting hearings would assist the board (and the applicant). Tamara offered to put together a presentation and guidelines which she could present to the board next month. The members thanked Tamara for her suggestion and concurred it would be very helpful. The board asked Tamara to proceed and the secretary to put the item on the agenda. Tamara stated she would have any material reviewed by board counsel prior to the meeting.

PUBLIC COMMENT – The chair noted for the record that there were no members of the public present.

Meeting adjourned at 9:42 PM. (motion by Alls-Moffat, second by Threston)

**Next meeting is on 09/21/2010 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 21, 2010**

The Public Session of the Planning Board was called to order at 7:05 PM by Chairman Joe Creighton. 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 25, 2010.
2. Required Service of notice and publication in the Burlington County Times on January 24, 2010.

PRESENT: Joseph Creighton, Muriel Alls-Moffat, Joseph Threston, Mayor Robert Martin, Councilwoman Suzanne Wells, Mary Lodato, and Cheryl Progin.

Also Present: Solicitor Tom Coleman, Planner Tamara Lee, and secretary Ken Palmer.

ABSENT: Armand Bianchini and Robert Bednarek.

MINUTES: A motion was made by Joe Threston and seconded by Mayor Martin to adopt the minutes of the August 17, 2010 regular meeting as revised and distributed. The voice vote was unanimous.

CORRESPONDENCE/ANNOUNCEMENTS

1. 9/15/10, copy of letter to mayor from Joe Rainer, concerning parking conditions on his lot at 515 Main Street. Mary Lodato, Council, and police chief copied. Reviewed that this is properly a personal and police matter.
2. 9/15/10, NJPO announcement and registration forms for Fall "Mandatory" training program schedule. Only Bob Bednarek needs to attend. Only one close is at annual LOM conference in AC in November. Secretary will follow up with Chuck.
3. 4 vouchers/invoices as presented under New Business.

OLD BUSINESS

Guidelines for Hearings Tutorial – Last month following the site plan hearing Tamara Lee had volunteered and had been asked to put together a presentation and guidelines for conducting hearings to both make sure the board covered all its bases and to help keep the process on track. Tamara explained that the guidelines which she had distributed to the members were based on the presentation she makes when participating in the mandatory training program for planning and zoning board members. It is based on the Municipal Land Use Law 40:55D - 70 C and D as well as case law. Her aim is to make sure the board covers all items that need to be considered and that they are covered properly to reach a decision that is both fair to all concerned and will stand up under the law. Tamara reviewed the guidelines with the members as well as addressed any questions from the board. Tamara also reviewed that while the economics of a project often come up, economics are not a valid hardship and cannot be considered as such. She covered that fact witnesses are different from expert witnesses and only qualified expert witnesses should present opinions. Tamara covered the proofs required for the two types of variances the planning board will encounter: C1-valid hardships and C2-benefits outweigh detriments. She reviewed the positive criteria needed as well as the negative criteria and any enhanced proofs. Both Tamara and Tom Coleman stated that while it is technically the job of the applicant and their professionals to make sure the proofs are presented, it is quite okay for the board to ask (or make sure the board's professionals ask) pointed questions to solicit the proofs the board needs to render a decision. Tamara stressed that the guidelines are meant to be flexible and the board should follow them as they best feel they help the board. Tamara and Tom also stated that the board should never feel pressured to make a decision when they aren't satisfied. It is perfectly okay to suggest that an applicant request a continuance to address board concerns and for the applicant to also agree that the tolling of the time period is suspended while they refine their application. The members thanked Tamara for her presentation and feels the guidelines will prove very helpful.

COAH – Tamara updated the board on the two outstanding requests from COAH for additional information. She has compiled the information on vacant land and the construction official is compiling the new development material. There is no update on the possible mediation as well as what is the status of the COAH legislation.

Adopt and memorialize Resolution P2010-03 on the approval of the site plan application by Antonucci Ventures LLC, to use the former Beneficial Bank building, 604 Main Street, Block 1102, Lots 1 and 12.02 as a banquet and private event facility – The chair asked if everyone had received and reviewed the resolution. Tom Coleman stated that the applicant's counsel had reviewed the resolution and was comfortable with it. It was reviewed that only those members who had heard the application and approved it could vote on the resolution. There was no further discussion and Joe Threston motioned that the resolution referred to by title be adopted and the mayor seconded the motion. The motion was approved by a poll vote of 5 to 0 as follows:

Mr. Creighton	aye	Mrs. Alls-Moffat	aye
Mr. Threston	aye	Mr. Martin	aye
Mrs. Lodato	aye		

Cheryl Progin asked if it was usual that there are many conditions in the resolution and who makes sure they are fulfilled. Tom and Tamara reviewed that it was quite normal and that it was up to the board's and borough's officials to see that the conditions are fulfilled. Tamara stressed that the conditions must be legally enforceable and that if they are not fulfilled then the approvals are nullified.

Regarding the approval, the mayor inquired if there were any major hurdles the applicants needed to clear to start their project. Tom Coleman stated he did not see any. Concerning any past or future agreements the Borough had/has with the owners regarding Borough use of the rear parking lot for public parking; it was concluded that it is an issue between the town and the property owners.

Council Matters of Importance to the Board – Mayor Martin reported that Council had honored the late Fritz Moorhouse's long service to the town by proclamation and a memorial brick in the plaza. The Borough has, after repeated extensions, established a deadline in November for the owners of 622 Thomas to make the necessary repairs to the home to correct the unsafe conditions or the Borough will initiate plans to have the home demolished. The Borough is planning on making application to the county for funds for improvements to the park and sports fields. Suzanne reported that the proposed bike race is still on the agenda but postponed until the Spring. The acquisition of cabinets for record storage will be on the October Council agenda.

Zoning and Related Land Use Code changes – The topic was tabled until next month.

Environmental Commission – Joe Threston reported on the last few meetings. Moorestown has not proceeded further on the proposed stormwater management changes by Rutgers. The Environmental Commission is holding comment for now on the proposed changes.

Minor Site Plan Applications – Mary Lodato reported that none had been submitted this period.

NEW BUSINESS

Invoices and vouchers:

1. 09/08/10, Tamara Lee, \$810.00, Antonucci Site Plan Application work 8/1-8/31/10. PAY FROM ESCROW
2. 09/08/10, Raymond, Coleman & Heinold, LLP, \$250.00, prepare and attend August meeting.
3. 09/08/10, Raymond, Coleman & Heinold, LLP, \$1,211.00, Antonucci Site Plan Application work 8/10-8/25/10. PAY FROM ESCROW

4. 09/21/10, Stout & Caldwell Engineers, LLC, \$1,937.50, Antonucci Site Plan Application Review work through 8/31/10. PAY FROM ESCROW

There was discussion on the Stout and Caldwell invoice as seeming excessive regarding the scope of the project. It was decided that given concerns on the invoice that the board would hold approval of this invoice and would reach out to Stout and Caldwell on the matter. Suzanne Wells volunteered to follow up with Stout and Caldwell. A motion was made by Suzanne Wells, seconded by Joe Threston, and unanimously approved to pay the vouchers presented except for the Stout and Caldwell voucher. The secretary will provide a copy of the Stout and Caldwell voucher to Suzanne and have the others signed and submitted for payment.

PUBLIC COMMENT – The chair noted for the record that there were no members of the public present.

Meeting adjourned at 8:05 PM. (motion by Wells, second by Threston)

**Next meeting is on 10/19/2010 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
October 19, 2010**

The Public Session of the Planning Board was called to order at 7:00 PM by Chairman Joe Creighton. 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 25, 2010.
2. Required Service of notice and publication in the Burlington County Times on January 24, 2010.

PRESENT: Joseph Creighton, Armand Bianchini, Joseph Threston, Mayor Robert Martin, Councilwoman Suzanne Wells, Mary Lodato, and Robert Bednarek.

Also Present: Solicitor Tom Coleman and secretary Ken Palmer.

ABSENT: Muriel Alls-Moffat and Cheryl Progin.

MINUTES: A correction was noted on page 3 of the minutes, and a motion was made by Suzanne Wells and seconded by Bob Martin to adopt the minutes of the September 21, 2010 regular meeting as amended. The voice vote was unanimous.

CORRESPONDENCE/ANNOUNCEMENTS

1. 10/13/10, copy of 10/8/10 NJLM Mayor's Fax Advisory regarding court decision striking down part of the COAH 3rd round regulations.
2. 4 vouchers/invoices as presented under New Business.

OLD BUSINESS

The chair stated he wished to move the topic of COAH to the end of the meeting.

Council Matters of Importance to the Board – Suzanne reported that Council had approved submission to the county freeholders for a grant for park and sport fields improvements. The purchase of file cabinets has been approved for Borough Hall. Suzanne reported that the board is well below its budget so far this year. Suzanne was concerned with a Brandenburger escrow account that was short and it was reviewed it was an inspection related account for the Broad Street property.

Zoning and Related Land Use Code changes – The topic was tabled until next month.

Environmental Commission – Joe Threston reported that the Pompeston Watershed Association had made a presentation to Council. The Borough will be receiving an award at the Association's annual award presentation on 10/30.

Minor Site Plan Applications – Mary Lodato reported that an application had been submitted to operate an art gallery at 530 Main Street, (the building next to Zena's). The application was approved by the chair and Mary.

NEW BUSINESS

Invoices and vouchers:

1. 10/4/10, Tamara Lee, \$180.00, Planning Board application review tutorial work 9/1-9/30/10. (General Planning Budget)
2. 10/4/10, Raymond, Coleman & Heinold, LLP, \$200.00, prepare and attend September meeting.
3. 10/4/10, Raymond, Coleman & Heinold, LLP, \$294.00, Antonucci Site Plan Application related work 9/1-9/30/10. PAY FROM ESCROW
4. 09/21/10, Stout & Caldwell Engineers, LLC, \$1,937.50, Antonucci Site Plan Application Review through

8/31/10. PAY FROM ESCROW HELD FROM LAST MONTH

Suzanne reported that she had not been able to follow up on the Stout and Caldwell invoice until recently and was awaiting a return phone call to clarify questions on the invoice. Suzanne feels there may be a possible duplication of charges and asked if the board would hold off considering the invoice for another month. A motion was made by Joe Threston, seconded by the mayor, and unanimously approved to hold the Stout and Caldwell voucher and pay the other vouchers as presented. The secretary will have the others signed and submitted for payment.

OLD BUSINESS

COAH – Joe Creighton reviewed that there had been a correspondence of e-mails between Muriel and himself as well as Suzanne, the mayor and Tamara. Muriel had voiced concerns that Jeannie Drobit of Quality Management Associates was upset with Suzanne and Tom and Muriel felt that the Borough was in danger of losing any agreements with Quality Management. Suzanne stated that her only recent conversations with Jeannie had occurred during the summer when she spoke with Jeannie to follow up on a Homewood Drive resident who had questions regarding the group home. Suzanne related that her conversation had been cordial and she had thanked Jeannie for the information and that was all she recalled. Tom stated that he had not spoken with Jeannie since April or May when Ms. Drobit had inquired as to when the funds might be available towards a second group home. Tom recalled that he had been very cordial with Jeannie and thought everything had been explained and that he was not aware of any ill feelings. He stated that due to previous concerns by Muriel, he had been very sensitive in his dealings with Jeannie. He wishes that Ms. Drobit had contacted him directly with any concerns. Suzanne reviewed that this is not first time Muriel has brought up her concerns and the explanation had been the same then that no one but Muriel had been made aware of any supposed problems. The chair stated he is not sure where all this is coming from and/or why Muriel seems to come away with these concerns. The chair thinks that while Muriel has done an excellent job in her COAH related efforts; but, perhaps Muriel should be asked to back away from her repeated contacts as they may be becoming counterproductive. Tom concurred that while he appreciates Muriel's efforts, perhaps things would be better if Muriel stepped back and instead, when needed, work through Tamara and himself as the professionals when contact with either Quality Management or COAH was needed. Suzanne felt that since the plan is complete and awaiting approval and there is nothing further officially that can occur; that perhaps Muriel should refrain from any further uninitiated official contact with COAH or Quality Management. The chair stated that he had hoped the matter could be discussed tonight and resolved with any hurt feelings held to a minimum. Joe Creighton feels the intention is to ensure that trouble is not stirred up when there is none to start with. Suzanne, the mayor, and other board members concluded the issues need to be resolved and the hearsay allegations are not helpful. Various avenues were discussed and it was agreed Muriel has worked hard to develop contacts and it was felt she had the Borough's best interests at heart. It was concluded that further discussions with Muriel on this matter should be limited to her, the chair, and the mayor and any outside contacts such as QMA or COAH not be included. Muriel's official position should be reviewed and that perhaps Muriel should be encouraged to make sure that Tom and or Tamara are always part of any further official dealings with QMA and COAH. The chair agreed that he would initiate a dialog with Muriel. Tom Coleman offered to assist in the discussion topics.

As to the progress with the COAH submission, Tom reviewed what portion of the COAH third round regulations that had been invalidated and reviewed his and Tamara's opinions on the options the Borough has. COAH has five months to get revisions to the court; but that does not reflect the longer time period until anything may become law. Tom and Tamara feel that while the Borough could request a hold on further consideration pending future legislation; there is no way at present to know what any revised obligation may end up being. As long as the Borough is comfortable with its submission, Tom and Tamara feel that given how far along the review and approval process is, the Borough should continue to move forward with the current plan with mediation if needed. Both of them feel the results will be positive. If not positive and the plan has to be modified, then the Borough can consider requesting a stay of further consideration until pending resolution of the regulations.

PUBLIC COMMENT – The chair noted for the record that there were no members of the public present.

Meeting adjourned at 7:45 PM. (motion by Threston, second by Martin)

Next meeting is on 11/16/2010 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 16, 2010**

The Public Session of the Planning Board was called to order at 7:00 PM by Chairman Joe Creighton. 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 25, 2010.
2. Required Service of notice and publication in the Burlington County Times on January 24, 2010.

PRESENT: Joseph Creighton, Armand Bianchini, Muriel Alls-Moffat, Joseph Threston, Mayor Robert Martin, Councilwoman Suzanne Wells, Mary Lodato, Cheryl Progin, and Robert Bednarek.
Also Present: Solicitor Tom Coleman and secretary Ken Palmer.

ABSENT: None.

MINUTES: A motion was made by Suzanne Wells and seconded by Joseph Threston to adopt the minutes of the October 19, 2010 regular meeting as distributed. The voice vote was unanimous.

CORRESPONDENCE/ANNOUNCEMENTS

1. 10/27/10, copy 10/26/10 NJLM Mayor's Fax Advisory regarding an appeal of part of the court decision striking down COAH 3rd round regulations. The League feels the "Growth Share" portion should not have been struck down.
2. 11/10/10, copy 11/5/10 NJLM Mayor's Fax Advisory regarding State Assembly scheduled to begin consideration of A-3347 and S-1, the bills to abolish COAH and other changes in the State's affordable housing laws.
3. 11/10/10, copy 11/8/10 NJLM Mayor's Fax Advisory regarding the Government Records Council alerting communities that the latest OPRA copying fees schedule legislation is effective 11/9/10. Unless a public agency can show that the actual duplication cost exceeds the legislated limit, the cost is \$0.05 per letter size page or \$0.07 per legal size page or larger.
4. Five vouchers/invoices as presented under New Business.

OLD BUSINESS

COAH – Joe Creighton asked Tom if he could provide a review of the League's opinion that striking down the Growth Share portion of the COAH regulations was incorrect, the court decision's impact on COAH operations in general, and status of the Borough's submission. Tom reviewed the drawn out process for response to the court decision. Tom stated he understands that plans submitted to COAH which are close to a final decision, including the Borough's are going forward. Tom reviewed that both he and Tamara feel that as long as the Borough is comfortable with its submission, it is best to proceed and know what the Borough has rather than wait and maybe have to start all over again. Aside from the mediation matter, which Tom feels should be almost a formality to resolve; Tom feels the Borough is very close to getting approval.

Muriel reported on her activity during the past month. Muriel discussed her dissatisfaction with what she unconsidered unprofessionalism by the board. Muriel then asked to read a letter of resignation and that it be made a part of the record. Her letter is included below. The chair thanked Muriel for her service and Muriel left the meeting.

RIVERTON PLANNING BOARD

JOE CREIGHTON Chair

I Muriel Alls-Moffatt have been a resident of Riverton for over 45 , longer than most of you. In my political life I have always had the best interests of Riverton in my hart as this is my home. I did not attend the last planning board meeting on October 19th 2010 , however, I have listened to the tape of that meeting and have heard the unprofessional comments made by Mr Thomas Coleman our planning board attorney and other members of this planning board. It is clear to me that I can no longer serve on this board and be an effective participant. I have no faith or trust in this practices of this board or of its chairman. I am tendering my resignation effective immediatly. I will not be available to assist with any matters concerning COAH or any operations of this planning board. As a member of this community I ask that this board conduct yourselves in a More professional manner.

Muriel Alls-Moffatt

Muriel J. Alls-Moffatt
November 16th 2010

Council Matters of Importance to the Board – Suzanne reported that Council had recognized Riverton Police Patrolman John Shaw in his apprehension of a repeat bank robber in town. The annual tree lighting will be on 12/3. The proposed dog park in the park will be presented to Council at the December meeting. The mayor and Suzanne reported that following seven years of protracted negotiations, Council had approved the demolition of 622 Thomas Avenue.

Zoning and Related Land Use Code changes – Suzanne distributed copies and reviewed the following proposed Borough Code changes:

- 114-8, Setback requirements for swimming pools – bring into agreement with the construction code.
- A proposed noise ordinance for residential zones.
- 128-10, Upper-floor apartments and first floor business.

The board discussed and proposed changes to the proposed noise ordinance. The board discussed 128-110 and feels the ordinance as it stands is fine for a single business in a building. It was unclear as to the concerns of the zoning board about 128-110 and Suzanne agreed to follow up with the zoning board chairman. The changes will be introduced to Council in 2011. In addition, Council will be asked to revise the zoning map to correct an error that indicates a split zoned property in the R15 district.

The next set of possible revisions will consider the impact of the state's new "Time of Decision" regulations which go into effect in 2011. Also to be reviewed is the fence ordinance. Mary Lodato suggested that the Borough's sign ordinance should be reviewed for inconsistencies with the Uniform Construction Code.

Environmental Commission – Joe Threston reported that the Pompeston Watershed Association had presented their award to the Borough at their annual award presentation on 10/30. Joe Threston stated he would not be attending the commission meeting on 11/18. The commission may be discussing possible grant monies for the watershed area in town. Mrs. Ward will be meeting with Mike Robinson to discuss possible amendments to the watershed ordinance.

Minor Site Plan Applications – Mary Lodato reported that none had been submitted since the last board meeting.

NEW BUSINESS

Invoices and vouchers:

1. 11/1/10, Tamara Lee, \$247.50, COAH submission related work from July-October 2010. PAY FROM TRUST FUND DEVELOPMENT FEES
2. 11/2/10, Raymond, Coleman & Heinold, LLP, \$200.00, prepare and attend October meeting. PAY FROM GENERAL BUDGET
3. 11/2/10, Raymond, Coleman & Heinold, LLP, \$210.00, COAH related work during October 2010. PAY FROM TRUST FUND DEVELOPMENT FEES
4. 10/28/10, Stout & Caldwell Engineers, LLC, \$500.00, "REVISED" Antonucci Site Plan Application Review work through 8/31/10. PAY FROM ESCROW HELD FROM LAST MONTH
5. 10/19/10, Stout & Caldwell Engineers, LLC, \$583.75, Antonucci Site Plan Application Review work through 9/30/10. PAY FROM ESCROW

Suzanne reported that she had not been able to follow up on the "held" Stout and Caldwell invoice and thanked Ken Palmer for resolving the board's concerns which are reflected in the revised invoice. The chair voiced concern over the charges in the S&C 10/19 invoice for the attendance by Bill Long of Alaimo for the actual hearing. The chair stated that the charges should correspond to the charges as presented in S&C's current contract. The board concurred that the charges should be reviewed and feels the applicant should only be charged according to the contract schedule. The chair suggested the 10/19 invoice should be held until he reviews the contract and gets back to the board. A motion was made by Suzanne Wells, seconded by Joseph Threston, and unanimously approved to hold the 10/19 Stout and Caldwell voucher for \$583.75 and pay the other vouchers as presented. The secretary will have the others signed and submitted for payment.

Salute to the flag at board meetings – Suzanne Wells mentioned that she was used to saluting the flag as part of public meetings and wondered if it was appropriate to do the same at board meetings. The board felt it was a good idea. Joseph Threston motioned, Armand Bianchini seconded, and the board passed unanimously to make a salute to the flag part of the order of business and to add it to the agenda beginning the next meeting.

PUBLIC COMMENT – Suzanne Wells motioned and Joseph Threston seconded to open the meeting to public comment.

- Pat Lynch commented that Muriel should be recognized by the board and Council for her COAH work especially if the Borough receives approval of its plan.

There was no further comment and Joseph Threston motioned and Suzanne Wells seconded to close the meeting to public comment.

Meeting adjourned at 8:02 PM. (motion by Wells, second by Threston)

Next meeting is on 12/21/2010 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 21, 2010**

The Public Session of the Planning Board was called to order at 7:00 PM by Chairman Joe Creighton. 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 25, 2010.
2. Required Service of notice and publication in the Burlington County Times on January 24, 2010.

REORGANIZATION: Cheryl Progin and Robert Bednarek were sworn in as regular member and 1st Alternate respectively.

PRESENT: Joseph Creighton, Armand Bianchini, Joseph Threston, Mayor Robert Martin, Councilwoman Suzanne Wells, Mary Lodato, Cheryl Progin, and Robert Bednarek.
Also Present: Solicitor Tom Coleman and secretary Ken Palmer.

ABSENT: None.

MINUTES: A motion was made by Suzanne Wells and seconded by the mayor to adopt the minutes of the November 16, 2010 regular meeting as distributed. The voice vote was unanimous.

CORRESPONDENCE/ANNOUNCEMENTS

1. 11/21/10, letter from Tamara Lee regarding proposed services to the board for 2011.
2. 12/17/10, copy of letter to mayor from ARC, suggesting that the committee and related ordinances establishing the committee be eliminated.
3. 12/15/10, copy NJLM Mayor's Fax Advisory regarding Assembly passage of A-3347/S-1 and its concerns over the final shape of the bills.
4. 12/17/10, copy NJLM Mayor's Fax Advisory regarding the league's continued opposition and concern over A-3347/S-1 scheduled for a concurrence vote in the Senate on 12/20. The League is concerned the bill could be vetoed by the governor due to the concerns voiced over its sustainability to lawsuits and confusing language.
5. 1 voucher/invoice as presented under New Business.

OLD BUSINESS

Council Matters of Importance to the Board and 2011 Budget – The mayor discussed that Council would be discussing the ARC matter next year and that he and Council desired input from the planning board. The chair read the letter to the board. The members discussed the matter and concurred that the ARC is only an advisory board and that except for fences on "through lots" the committee has no powers to enforce its opinions. It was discussed that there are communities that have similar committees that have very strong enforcement powers. It was also mentioned that the committee had been instrumental in developing the commercial design guidelines for the General and Neighborhood Business zones and that the guidelines have had a positive impact on final designs of projects such as the CVS store, the new Beneficial Bank, and the Riverton Square building in those zones. It was discussed making the ARC part of the planning board and Tom Coleman stated that the composition and powers of the board are established by statute and cannot be overridden at the local level. Tom Coleman stated that he is aware that in Medford Township, its planning board has made it a policy to not approve a project if that community's review board does not approve of it. Tom also stated that there is case law to the fact that unless there are adopted and codified design requirements, they cannot be enforced. The consensus of the board was that it feels the committee serves a valuable purpose and resource for the town and it would prefer to see it remain. The board stated it would like to see if there was some way to strongly encourage that homeowners and business owners consult with the committee before they finalize their plans. The board feels that there should be some means to help preserve the character of the town and its architecture. The mayor and Councilwoman Wells thanked the board for its input and stated the comments would be taken

into consideration when the matter is discussed in Council.

Suzanne Wells discussed the 2011 preliminary board budget details with the board. Suzanne reported that the proposed sanctioned bike race was scheduled for 6/12/2011 and that the proposed dog park was still under consideration. Suzanne and the mayor reviewed the 2011 Council meeting calendar. The mayor reminded the members they are invited to the holiday luncheon on 12/22 from 12 noon to 2:00 PM at Borough Hall. The mayor reported that Council had formally recognized Muriel for her service to the Borough and read the letter sent to Muriel. The mayor reported that Cheryl had accepted and been appointed as the Borough's Municipal Housing Liaison and that he was holding off appointing a new second alternate until next month. Suzanne discussed professional contracts and she and the chair urged that the board make sure that all contracts contain consistent termination clause language. The secretary reported that he had received an inquiry from Alaimo Associates regarding the board's reorganization meeting. The S&C charges for the Antonucci matter were discussed. It was also discussed that while the board approves and pays escrow related charges, it is the applicant's responsibility to dispute any charges.

COAH – Tom Coleman reported that there was nothing additional to report other than related by the secretary in his review of correspondence.

Zoning and Related Land Use Code changes – Suzanne reported that there had been no further development during the past month since Council does not consider ordinance changes in December but waits until the new Council meets next year.

Environmental Commission – Joe Threston reported that the commission continues to work with the Riverton School on its rain garden project. The commission is also working on updates to the Pompeston Watershed Guide.

Minor Site Plan Applications – Mary Lodato reported that none had been submitted since the last board meeting.

NEW BUSINESS

Invoices and vouchers:

1. 12/3/10, Raymond, Coleman & Heinold, LLP, \$306.00, prepare and attend November meeting and general business advice. PAY FROM GENERAL BUDGET

The secretary discussed that he had also received revised and new invoices and vouchers from Stout and Caldwell but they had not been properly signed and dated and could not be submitted. The revised invoices reflect a correction for the amount invoiced for the licensed engineer charges. A motion was made by Joseph Threston, seconded by Cheryl Progin, and unanimously approved to pay the submitted voucher and invoice as presented. The secretary will have it signed and submitted for payment.

PUBLIC COMMENT – The chair noted for the record that there were no members of the public present.

Meeting adjourned at 8:04 PM. (motion by Threston, second by mayor)

**Next meeting is on 1/18/2011 at 7:00 pm in the Borough Hall.
Tape is on file.**

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