

BOROUGH OF RIVERTON PLANNING BOARD
AGENDA
January 15, 2013

1. Meeting called to order at 7:00 PM
2. Salute to the Flag
3. Open public meetings notice act and roll call
4. Reconstitution and reorganization
 - Announce mayoral and Council appointments – Mayor
 - Swear in new/reappointed members – Tom Coleman
5. Elect board positions and professional appointments
6. Adopt minutes of the December 18, 2012 regular meeting
7. Review correspondence and announcements
8. Old Business:
 - Adopt and memorialize Resolution P2012-09, approving Case#2012-05, variance application of Mary Ellen Meehan, 15 Carriage House Lane
 - Affordable Housing/COAH Related Updates – Tom Coleman and Deb Weaver
 - Council matters of importance to board, 2013 budget – Councilman Corbi and Mayor
 - Environmental Commission report – Joe Threston
 - Minor Site Plans report – Mary Lodato
 - Mandatory Education Update – 2013 NJPO "Alaimo Session" schedule & NJPO Winter-Spring Session Schedule – secretary
 - Other old business
9. New Business:
 - New vouchers/invoices – secretary
 - Determine calendar of meetings for 2013 and Adopt Resolutions for 2013 meeting calendar and appointment of professionals – secretary
 - Adopt resolution for Annual Report of Zoning Variances and Recommendations – secretary
 - 2013 Goals and Objectives
 - Other new business
10. Public comment on general Planning Board matters
11. Adjourn

BOROUGH OF RIVERTON PLANNING BOARD
AGENDA
February 19, 2013

1. Meeting called to order at 7:00 PM
2. Salute to the Flag
3. Open public meetings notice act and roll call
4. Reorganization
 - Introduce and swear in new alternate member – Chair/Mayor and Tom Coleman
5. Adopt minutes of the January 15, 2013 regular meeting
6. Review correspondence and announcements
7. Old Business:
 - Affordable Housing/COAH Related Updates – Tom Coleman and Deb Weaver
 - Council matters of importance to board, 2013 budget – Councilman Corbi and Mayor
 - Environmental Commission report – Joe Threston
 - Minor Site Plans report – Mary Lodato
 - Other old business
8. New Business:
 - New vouchers/invoices – secretary
 - Consider and appoint board engineer
 - Other new business
9. Public comment on general Planning Board matters
10. Adjourn

BOROUGH OF RIVERTON PLANNING BOARD
AGENDA
March 19, 2013

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 February 19, 2013 regular meeting
5. Review correspondence and announcements
6. Public Hearing: Joseph and Amy Katella, 3 Shrewsbury Yard, variance application for minimum rear yard relief and any other variances to add a mudroom addition to their home
7. Old Business:
 - Affordable Housing/COAH Related Updates – Tom Coleman and Deb Weaver
 - Council matters of importance to board, 2013 budget – Councilman Corbi and Mayor
 - Consider and appoint board engineer – chair and secretary
 - Environmental Commission report – Joe Threston
 - Minor Site Plans report – Mary Lodato
 - Other old business
8. New Business:
 - New vouchers/invoices – secretary
 - Other new business
9. Public comment on general Planning Board matters
10. Adjourn

BOROUGH OF RIVERTON PLANNING BOARD
AGENDA
April 16, 2013

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 March 19, 2013 regular meeting
5. Review correspondence and announcements
6. Public Hearing: Lori Nicosia, 610 Cinnaminson Street, variance application requesting lot coverage relief and any other variances to install a 25 x 14 concrete patio with steps across the back of her house
7. Old Business:
 - Adopt & memorialize Resolution P2013-05, Case#2013-01, Joseph and Amy Katella, 3 Shrewsbury Yard, variance application
 - Affordable Housing/COAH Related Updates – Tom Coleman and Deb Weaver
 - Council matters of importance to board, 2013 budget – Councilman Corbi and Mayor
 - Environmental Commission report – Joe Threston
 - Minor Site Plans report – Mary Lodato
 - Other old business
8. New Business:
 - New vouchers/invoices – secretary
 - Other new business
9. Public comment on general Planning Board matters
10. Adjourn

BOROUGH OF RIVERTON PLANNING BOARD
AGENDA
May 21, 2013

1. Meeting called to order at 7:00 PM
2. Salute to the Flag
3. Open public meetings notice act and roll call
4. Old Business:
 - Council matters of importance to board – Councilman Corbi and Mayor
5. Public Hearing:
 - Janet Mekker, 608 Cinnaminson Street, variance application for a use variance for expansion of a nonconforming use and any and all other variances to install a 340 sq. ft. concrete patio and steps at the back of the house
6. Adopt minutes of the April 16, 2013 regular meeting
7. Review correspondence and announcements
8. Old Business:
 - Affordable Housing/COAH Related Updates – Tom Coleman and Deb Weaver
 - Environmental Commission report – Joe Threston
 - Minor Site Plans report – Mary Lodato
 - Other old business
9. New Business:
 - New vouchers/invoices – secretary
 - Other new business
10. Public comment on general Planning Board matters
11. Adjourn

BOROUGH OF RIVERTON PLANNING BOARD
AGENDA
June 18, 2013

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 May 21, 2013 regular meeting
5. Old Business:
 - Council matters of importance to board – Councilman Corbi and Mayor
6. Public Hearings:
 - Case#2013-03, Lori Nicosia, 610 Cinnaminson Street, Block 906, Lot4.02, variance application for a use variance for expansion of a nonconforming use and any and all other variances to install a 25 x 14 concrete patio and steps at the back of the house
7. Review correspondence and announcements
8. Old Business:
 - Adopt & memorialize Resolution P2013-06, Case#2013-02, Janet Mekker, 608 Cinnaminson Street, Block 906, Lot4.01, variance application for a use variance for expansion of a nonconforming use and any and all other variances to install a 340 sq. ft. concrete patio and steps at the back of the house
 - Affordable Housing/COAH Related Updates – Tom Coleman and Deb Weaver
 - Environmental Commission report – Joe Threston
 - Minor Site Plans report – Mary Lodato
 - Other old business
9. New Business:
 - New vouchers/invoices – secretary
 - Other new business
10. Public comment on general Planning Board matters
11. Adjourn

BOROUGH OF RIVERTON PLANNING BOARD
AGENDA
July 16, 2013

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 June 18, 2013 regular meeting
5. Review correspondence and announcements
6. Old Business:
 - Adopt & memorialize Resolution P2013-07, Case#2013-03, Lori Nicosia, 610 Cinnaminson Street, Block 906, Lot4.02, variance application for a use variance for expansion of a nonconforming use and any and all other variances to install a 25 x 14 concrete patio and steps at the back of the house
 - Affordable Housing/COAH Related Updates – Tom Coleman and Deb Weaver
 - Council matters of importance to board – Councilman Corbi and Mayor
 - 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
August 20, 2013

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 July 16, 2013 regular meeting
5. Public Hearing:
 - Case#2013-04, Jeff and Bonnie Klein, 704 Cedar Street, Block 1400, Lot3, variance application for a bulk variance to exceed permitted lot coverage and any and all other variances to install an in-ground swimming pool in the rear yard
6. Review correspondence and announcements
7. Old Business:
 - Affordable Housing/COAH Related Updates – Tom Coleman and Deb Weaver
 - Council matters of importance to board – Councilman Corbi and Mayor
 - Environmental Commission report – Joe Threston
 - Minor Site Plans report – Mary Lodato
 - Other old business
8. New Business:
 - New vouchers/invoices – secretary
 - Other new business
9. Public comment on general Planning Board matters
10. Adjourn

BOROUGH OF RIVERTON PLANNING BOARD
AGENDA
September 17, 2013

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 August 20, 2013 regular meeting
5. Review correspondence and announcements
6. Old Business:
 - Adopt and memorialize resolution approving variance application of Jeff and Bonnie Klein, 704 Cedar Street, Block 1400, Lot3.
 - Affordable Housing/COAH Related Updates – Tom Coleman and Deb Weaver
 - Council matters of importance to board – Councilman Corbi and Mayor
 - 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
October 15, 2013

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 September 17, 2013 regular meeting
5. Review correspondence and announcements
6. Old Business:
 - Affordable Housing/COAH Related Updates – Tom Coleman and Deb Weaver
 - Council matters of importance to board – Councilman Corbi and Mayor
 - 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
November 19, 2013

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 October15, 2013 regular meeting
5. Public Hearing:
 - Case# 2013-05, Jim Brandenburger, 108 Linden Ave., 704 Cedar Street, Block 202, Lots 12 and 13, minor subdivision application with bulk variance
6. Review correspondence and announcements
7. Old Business:
 - Update on 10/26/13 RiverRoute meeting – Joe Threston
 - Affordable Housing/COAH Related Updates – Tom Coleman and Deb Weaver
 - Council matters of importance to board – Councilman Corbi and Mayor
 - Environmental Commission report – Joe Threston
 - Minor Site Plans report – Mary Lodato
 - Other old business
8. New Business:
 - New vouchers/invoices – secretary
 - Other new business
9. Public comment on general Planning Board matters
10. Adjourn

BOROUGH OF RIVERTON PLANNING BOARD
AGENDA
December 17, 2013

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 19, 2013 regular meeting
5. Appeal: Case# 2013-06, Appeal by John Latimer of interpretation of zoning code by the Zoning Official re: 603 Bank Avenue, Block 400, Lot 3
6. Request for Interpretation of Zoning Code: Case# 2013-07, Request by John Latimer for "interpretation of the Zoning Code regarding what the board believes is the Front Yard(s) of the riverfront properties Northeast of Howard Street through and past Fulton Street"
7. Review correspondence and announcements
8. Old Business:
 - Adopt and memorialize resolution approving minor subdivision application with bulk variance by Jim Brandenburger, 108 Linden Ave., Block 202, Lots 12 and 13
 - Affordable Housing/COAH Related Updates – Tom Coleman and Deb Weaver
 - Council matters of importance to board – Councilman Corbi and Mayor
 - Environmental Commission report – Joe Threston
 - Minor Site Plans report – Mary Lodato
 - Other old business
9. New Business:
 - New vouchers/invoices – secretary
 - Other new business
10. Public comment on general Planning Board matters
11. Adjourn

RIVERTON BOROUGH PLANNING BOARD
MINUTES
January 15, 2013

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 18, 2012.
2. Required Service of notice and publication in the Burlington County Times on January 25, 2012.

PRESENT: Kerry Brandt, Ken Mills, Joe Della Penna, Craig Greenwood, Joseph Threston, Mayor William Brown, Councilman William Corbi, Mary Lodato, Deborah Weaver, Robert Martin, and Michael Powers.

Also Present: Solicitor Tom Coleman and secretary Ken Palmer.

ABSENT: Robert Kennedy and Tracy Foedisch.

REORGANIZATION - 2013

Mrs. Lodato, Mr. Corbi, and Deb Weaver were sworn in by Solicitor Tom Coleman. Secretary Palmer announced that he continues as an employee of the Borough to serve as the secretary of the planning board. Ken stated that of course this was at the pleasure of the board.

Chairman: Kerry Brandt was nominated by Ken Mills and seconded by William Brown to serve as chairman for 2013. The nominations were closed. A voice vote was taken and the vote was unanimous.

Vice Chairman: Ken Mills was nominated by Kerry Brandt and seconded by William Corbi to serve as vice chairman for 2013. The nominations were closed. A voice vote was taken and the vote was unanimous.

Solicitor: Thomas Coleman, Esq. of Raymond, Coleman, Heinold, Norman, LLP, was nominated by Joseph Threston and seconded by Deborah Weaver to serve as the Planning Board Solicitor for 2013. The nominations were closed. A voice vote was taken and the vote was unanimous.

Planner: The chair reviewed the several RFP's submitted. Joe Della Penna wished it noted that comments regarding staying with an existing professional reflect that the board is very satisfied with the job performed by the professional; not that it was easier than starting from scratch with a new professional. Members concurred that the former and not the latter reason was the intent. There was no further discussion and Tamara Lee, of Tamara Lee Consulting LLC, was nominated by Deborah Weaver and seconded by Craig Greenwood to serve as the board's Planner for 2013. The nominations were closed. A voice vote was taken and the vote was unanimous.

Engineer: David V. Denton, of Land Engineering & Surveying Co., Inc., was nominated by Joseph Threston and seconded by William Corbi to serve as the board's Engineer for 2013. The nominations were closed. A voice vote was taken and the vote was unanimous.

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 Joseph Threston and seconded by Deborah Weaver to serve as the Administrative Officer pursuant to N.J.S.A. 40:55D-3 for the Planning Board for 2013. The nominations were closed. A voice vote was taken and the vote was unanimous.

Chairman Kerry Brandt took over as chair of the meeting.

MINUTES: A motion was made by Ken Mills and seconded by Joe Della Penna to adopt the minutes of the December 18, 2012, regular meeting of the planning board as distributed. The voice vote was unanimous.

CORRESPONDENCE/ANNOUNCEMENTS

1. **12/31/12, copy of letter with attachment from Alaimo Associates announcing the date and time for the NJPO Mandatory Training Course offered by their firm. (The item was discussed at this time as reported under the last topic in Old Business.)**
2. **Three vouchers/invoices to be presented under New Business.**

OLD BUSINESS

Adopt and Memorialize Resolution P2012-09, Case #2012-05, Mary Ellen Meehan, 15 Carriage House Lane, variance application for property lot coverage and various other bulk variances required to build an addition consisting of a garage and sunroom – The chair asked if everyone had received a copy of the resolution and if there were any questions or comments. A few typographical errors were noted and corrected on pages one and two. There were no further comments and a motion was made by Ken Mills and seconded by Joe Threston that reading of the resolution be suspended and the corrected resolution referenced by title be adopted and memorialized. The resolution was adopted and memorialized by a unanimous voice vote of the seven members present who were eligible to vote.

Affordable Housing – Tom Coleman reported that there was nothing new on the court cases. Deb Weaver reported that the annual update reports were due 3/31/13 and that she will be working with Borough Treasurer Betty Boyle to compile the data.

Council Matters of Importance to the Board – Councilman Corbi and Mayor Brown reported that there was a new council member and that the police contract had been approved. The old grandstand in the park is being demolished as it was deemed beyond repair. Demolition should be complete by 1/31. Bids for the construction of the replacement of the grandstand are due to come out on 2/6. The costs for the project are being 100% funded by grant monies. It is hoped the new grandstand will be ready for July 4.

Environmental Commission – Joe Threston reported the commission met in December and continues to work on obtaining Sustainable Jersey credits. The next meeting is Jan. 17.

Minor Site Plan Applications – Mary Lodato reported that an application had been approved for Top Notch Travel to operate out of office space at the back of Zena's. Mary reported an application may be submitted to operate a photo studio at 535 Howard Street (formerly occupied by Out of Bounds). The minor site plan procedure and its applicability were reviewed for the board.

Mandatory Education Course – (Discussed during review of correspondence.) Ken Palmer reported that the course schedule had been released by NJPO. Joe Augustyn from Alaimo Associates presented information on the NJPO sanctioned and state approved course that Alaimo Associates offers to their client municipalities free of charge. Mike Powers and Joe Threston expressed interest in attending the new member session (Powers) and experienced member refresher session (Threston) respectively. Mr. Augustyn thanked the board for its time. Ken Palmer stated he would get the members registered.

NEW BUSINESS

Invoices and vouchers:

1. 1/10/13, Raymond Coleman Heinold & Norman, LLP, \$229.50, legal services during December 2012 regarding the Meehan application. (MEEHAN ESCROW)
2. 1/10/13, Raymond Coleman Heinold & Norman, LLP, \$136.50, legal services during December 2012 regarding the Porch Club application. (PORCH CLUB ESCROW)
3. 1/5/13, Burlington County Times, \$41.24, publish the Porch Club Notice of Decision in December. (PORCH CLUB ESCROW)

The secretary reported that the Porch Club escrow will again go short based on the new bills and that Mrs. Daniel will be advised of the need to provide an additional deposit. A motion was made by Joe Threston, seconded by Ken Mills and unanimously approved to pay the vouchers as presented. The secretary will have them signed and submitted for payment.

Resolutions – The following resolutions were adopted by title:

- **Board Meetings for 2013** – Resolution P2013-01, the calendar of meetings for February 2013 through January 2014 was reviewed. The board concluded there should be no change to the dates and time of the meetings. A motion was made by Ken Mills and seconded by Bill Brown to adopt Resolution P2013-01 to that effect. The board unanimously approved that the resolution: be adopted, published in the Burlington County Times and posted in Borough Hall.
- **Appointment of Solicitor, Planner, and Engineer** – Resolution P2013-02 announcing the appointment of board professionals for the period February 2013 through January 2014 was reviewed. A motion was made by Joe Threston and seconded by Deb Weaver 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.
- **Annual Report of Variance Applications and Recommendations** – The secretary reviewed the draft of Resolution P2013-03 which is the annual report to Borough Council of applications heard by the board in 2012 and recommendations for possible amendments to the zoning code. Approval is needed to send it to Council. The board reviewed and discussed the resolution. A motion was made by Ken Mills and seconded by Joe Della Penna to adopt and forward the report as presented to Council. The motion was approved by a unanimous voice vote.

2013 Goals and Objectives – A draft of the proposed goals and objectives had been prepared and distributed by the secretary. The board discussed the draft. A motion was made by Joe Threston, seconded by Bill Brown and unanimously approved to adopt the 2013 Goals and Objectives as presented.

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

Meeting adjourned at 7:53 PM. (motion by Mills, second by Threston)

Next meeting is at 7:00 pm on 2/19/2013

Tape is on file for one year.

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

**RIVERTON BOROUGH PLANNING BOARD
MINUTES
February 19, 2013**

The Regular Meeting of the Planning Board was called to order at 7:00 PM by Chairman Kerry Brandt who read the following:

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 16, 2013.
2. Required Service of notice and publication in the Burlington County Times on January 18, 2013.

PRESENT: Kerry Brandt, Joe Della Penna, Craig Greenwood, Joseph Threston, Mayor William Brown, Councilman William Corbi, Mary Lodato, Deborah Weaver, Richard Gaughan (7:05pm), Robert Martin, and Michael Powers.
Also Present: Solicitor Chuck Petrone for Tom Coleman and secretary Ken Palmer.

ABSENT: Ken Mills and Robert Kennedy.

REORGANIZATION: Richard Gaughan was sworn in by Solicitor Chuck Petrone.

MINUTES: A motion was made by Joe Threston and seconded by Craig Greenwood to adopt the minutes of the January 15, 2013, regular meeting of the planning board as distributed. The voice vote was unanimous.

CORRESPONDENCE/ANNOUNCEMENTS

1. 1/20/13, Copy of letter of resignation from Tracy Foedisch.
2. 1/31/13, Contracts from Tom Coleman and Tamara Lee.
3. 1 voucher/invoice to be presented under New Business.

NEW BUSINESS

Invoices and vouchers:

1. 1/31/13, Courier Times, Inc., \$169.80, publish Meehan Notice of Decision and two Board resolutions on 1/18/13. (MEEHAN ESCROW - \$40.88 & PLANNING BOARD BUDGET - \$128.92)

A motion was made by Joe Threston, seconded by Craig Greenwood and unanimously approved to pay the voucher as presented. The secretary will have it signed and submitted for payment.

REORGANIZATION

Richard Gaughan was sworn in as a new Alternate Member by Solicitor Chuck Petrone.

OLD BUSINESS

Affordable Housing – Chuck Petrone reported from Tom Coleman that QMA was again pursuing the property on Beechwood and that if they closed on the property, they would then approach the Borough for the Housing Funds previously approved by the Borough.

Council Matters of Importance to the Board – Councilman Corbi and Mayor Brown reported that the contract for construction of the new grandstand is out for rebid and the bids are due by 3/6. A draft of the abandoned and vacant property ordinance has been introduced. The 2013 budget has had a line item review and it is hoped it will be passed in March or April.

Environmental Commission – Joe Threston reported the commission is preparing to submit the first request for Sustainable Jersey credit for the Rain Garden at the school. The next meeting is Feb. 21.

Minor Site Plan Applications – Mary Lodato reported that an application had been approved for a hair salon at 523 Howard.

Mandatory Education Course – Mike Powers and Joe Threston gave brief reports on their experiences at the training courses presented by Alaimo Associates. Mike attended the mandatory course and Joe attended refresher course.

NEW BUSINESS

Appoint Engineer – The board discussed appointing an engineer since Land Engineering had declined their appointment because the firm is no longer handling municipal clients. It was approved to publish a new notice requesting RFP's and to table further discussion until the March meeting.

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

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

Next meeting is at 7:00 pm on 3/19/2013

Tape is on file for one year.

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

**RIVERTON BOROUGH PLANNING BOARD
MINUTES
March 19, 2013**

The Regular Meeting of the Planning Board was called to order at 7:00 PM by Chairman Kerry Brandt who read the following:

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 16, 2013.
2. Required Service of notice and publication in the Burlington County Times on January 18, 2013.

PRESENT: Kerry Brandt, Ken Mills, Joe Della Penna, Craig Greenwood, Robert Kennedy, Joseph Threston, Councilman William Corbi, Mary Lodato, Robert Martin, and Michael Powers.
Also Present: Solicitor Tom Coleman and secretary Ken Palmer.

ABSENT: Mayor William Brown, Deborah Weaver, and Richard Gaughan.

MINUTES: A motion was made by Craig Greenwood and seconded by Joe Della Penna to adopt the minutes of the February 19, 2013, regular meeting of the planning board as distributed. The voice vote was unanimous.

PUBLIC HEARING

Variance Application: Case# 2013-01, Joseph and Amy Katella, 3 Shrewsbury Yard, variance application for minimum rear yard relief and any other variances to add a mudroom addition to their home:

Introduction – The secretary reviewed that the application was jurisdictionally complete. Mr. Coleman concurred. Mr. Katella and Mr. Croft were sworn in by Mr. Coleman.

Testimony – Mr. Croft and Mr. Katella explained that the property and home legally front on Shrewsbury Yard which is a cul-de-sac off of Shrewsbury Lane. A portion of the side and rear yard also front on Cherry Lane and the family and visitors normally access the property and home from Cherry Lane. The property is an irregular shaped lot and is nonconforming for lot frontage. The lot essentially is wider than it is deep. The rear of the property abuts the side lot line yard of the adjoining property and the rear of the applicant's house faces the rear yard portion of the adjoining property. There is also an existing fence and landscaping between the properties which will not be disturbed. The structure is currently nonconforming for front yard and rear yard setbacks. The depth of the rear yard is only 14^{1/2} feet where 22 feet is required and there is an existing deck that extends to approximately five feet from the rear property line. Only the rear yard setback of the home will change. Mr. Katella and Mr. Croft referred to the survey and plan to help orient the board to the particular details of the property and the location of the addition. The interior of the home is being renovated which will require relocating the rear entrance door. To make the rear entrance more aesthetically pleasing, more functional, and more formal; the owners plan to extend the mud room by approximately seven feet across the back of the home. The extension will not extend further into the rear yard than the current mudroom. However, the covered entryway and steps will extend approximately 4^{1/2} feet further to the rear and will be 10 feet from the rear lot line. Mr. Katella feels there is a hardship due the shape of the lot and location of the house on the property. He feels the proposed design is the best way to improve the property and is the most aesthetic design. The addition will maintain the existing style of the home. There is no impact on the neighboring property. The deck will need to be partially reconstructed but will not be located any closer to the rear line than the current deck. There was no further testimony or comments and questions from the board.

Public Comment – Mr. Mills motioned and Mr. Threston seconded to open the hearing to public comment. There was none and Mr. Mills motioned and Mr. Threston seconded to close the hearing to public comment.

Board Deliberation – The board discussed the matter and feels the variance(s) are warranted. The chair asked if Mr. Coleman would guide the board in crafting a motion. Mr. Coleman stated the board might consider

approving the application as submitted and should consider three variances. A variance would be granted from the required 22 feet rear yard for an addition that will be no closer than 10 feet from the rear property line and that the deck if reconstructed will be no closer than the existing five feet to the rear property line. Variances are also needed for the two existing nonconformities of front yard setback and lot frontage. Mr. Mills motioned that the application be approved with variances and conditions as suggested by Mr. Coleman. Mr. Threston seconded the motion. There was no further discussion and a poll vote was taken. The motion was approved by a unanimous vote of nine (9) ayes as follows:

Mr. Brandt	aye	Mr. Mills	aye
Mr. Della Penna	aye	Mr. Greenwood	aye
Mr. Kennedy	aye	Mr. Threston	aye
Mr. Corbi	aye	Mrs. Lodato	aye
Mr. Martin	aye		

Several members commented that a hardship had been demonstrated and that the benefits of improving the property outweigh the possible detriment of further encroachment into the rear yard. The chair and secretary reviewed the next steps with the applicant. The approval will be memorialized by Resolution P2013-05.

CORRESPONDENCE/ANNOUNCEMENTS

- 1. 3/13/13, Various RFP's for the engineering position.**
- 2. 4 vouchers/invoices to be presented under New Business.**

OLD BUSINESS

Appoint Engineer – The chair reviewed the various RFP's that were submitted for the position and discussed the summary he had prepared for the board's review. Mr. Coleman noted that if the board so desired it can appoint an engineer for up to three years. It was also noted that the board can approve multiple engineers if it feels it is necessary. The board discussed the matter and a motion was made by Joe Threston, seconded by Craig Greenwood, and passed unanimously to appoint William Kirchner of Environmental Resolutions, Inc. as the board's engineer for 2013 through January 2014. Resolution P2013-04 announcing the appointment of the board engineer was reviewed. Joe Threston motioned that the resolution referenced by title be adopted and Craig Greenwood seconded the motion. The board unanimously approved that the resolution: be adopted, published in the Burlington County Times, and the appointed party be formally notified and requested to submit a contract.

Affordable Housing – Tom Coleman stated that there is nothing new to report. Councilman Corbi asked Tom if any deed restrictions on affordable housing properties runs for 30 years and Tom Coleman replied that was correct and the restriction goes with the property regardless if ownership changes.

Council Matters of Importance to the Board – Councilman Corbi reported that new bids had been received for the grandstand project and one had been accepted. He also reported that the nuisance ordinance covering vacant or abandoned properties had also passed. The 2013 budget should be approved in April.

Environmental Commission – Joe Threston reported the commission has submitted its first application for Sustainable Jersey credit for the Rain Garden at the school. The submission process is easier than first thought and additional items are being considered.

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

NEW BUSINESS

Invoices and vouchers:

1. 2/27/13, Raymond Coleman Heinold & Norman, LLP, \$84.00, finalize Meehan resolution in January. (MEEHAN ESCROW)
2. 2/27/13, Raymond Coleman Heinold & Norman, LLP, \$130.00, prepare and attend January Board meeting. (PLANNING BOARD BUDGET)
3. 3/12/13, Raymond Coleman Heinold & Norman, LLP, \$42.00, legal services during February regarding QMA issues. (PLANNING BOARD BUDGET/COAH ISSUES)
4. 3/12/13, Raymond Coleman Heinold & Norman, LLP, \$162.50, prepare and attend March Board meeting. (PLANNING BOARD BUDGET)

The secretary reported that the Meehan escrow shortage had been made up. A motion was made by Ken Mills, seconded by Joe Threston and unanimously approved to pay the items as presented. The secretary will have them signed and submitted for payment.

PUBLIC COMMENT – Ken Mills motioned and Joe Threston seconded to open the meeting to public comment.

- Walter Croft asked if the amount and details of the QMA payment could be explained. Mr. Coleman and the chair explained the background and details of the payment and the legal obligations that require that the funds be committed by a certain date.
- Dan Howard asked several questions regarding the deed restriction and the type of housing. The deed restriction was explained and that the deed restriction goes with the property for 30 years. Asked if the home could be used as a halfway house, Tom stated he believes that while the court will not permit discrimination, he understands the restriction can require that the use is for long term housing of income qualified disabled people and not transient rehabilitation. Tom stated that while an agreement to expend the funds is in place, an actual agreement on the deed restriction is not in place since QMA has not yet formally requested the funds be released. The Borough will follow up if and when the request is made. Regarding the process, it is with the Borough and Council. The planning board has no further jurisdiction on the matter. Tom advised Dan that if he has further questions, he should get them to the Borough Clerk, Mary Longbottom, and she will direct them to him.

There being no further comment, Ken Mills motioned and Bob Kennedy seconded to close the meeting to public comment.

Meeting adjourned at 8:12 PM. (motion by Mills, second by Threston)

Next meeting is at 7:00 pm on 4/16/2013

Tape is on file for one year.

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

**RIVERTON BOROUGH PLANNING BOARD
MINUTES
April 16, 2013**

The Regular Meeting of the Planning Board was called to order at 7:00 PM by Vice Chairman Ken Mills. The secretary read the following:

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 16, 2013.
2. Required Service of notice and publication in the Burlington County Times on January 18, 2013.

PRESENT: Kenneth Mills, Joe Della Penna, Craig Greenwood, Robert Kennedy, Joseph Threston, Mayor William Brown, Councilman William Corbi, Mary Lodato, Deborah Weaver, Richard Gaughan, Robert Martin, and Michael Powers.
Also Present: Solicitor Tom Coleman and secretary Ken Palmer.

ABSENT: Kerry Brandt.

PUBLIC HEARING

Variance Application: Case# 2013-02, Lori Nicosia, 610 Cinnaminson Street, Block 906, Lot 4.02, application for lot coverage relief and any other variances to install a 25 x 14 concrete patio and steps to the rear of the residence:

Insufficient Notice – Tom Coleman reviewed that the residence was constructed following granting of a use variance to erect a home in the NB district. Because the home is a non conforming use and the improvements are considered expanding a nonconforming use, the notice must specifically mention the need for the use variance. As such the notice is insufficient and the board cannot legally hear the application as it is not jurisdictionally complete. Mr. Coleman stated the applicant must re-notice in the paper as well as re-notice the property owners. Mr. Coleman and the secretary will work with the applicant to make sure the notices are properly worded. Ms. Nicosia requested to be placed on the May agenda.

MINUTES: A motion was made by Craig Greenwood and seconded by Robert Kennedy to adopt the minutes of the March 19, 2013, regular meeting of the planning board as distributed. The voice vote was unanimous.

CORRESPONDENCE/ANNOUNCEMENTS

1. 3/25/13, Contract from Environmental Resolutions, Inc. for engineering services
2. 4/16/13, copy of letter from Tom Coleman to Genie Drobit, re: QMA's purchase of the Beechwood Drive property for use as a group home and the steps needed to prepare the required deed restriction and release the funds. Copies were distributed to the board.
3. 2 vouchers/invoices to be presented under New Business.

OLD BUSINESS

Adopt and Memorialize Resolution P2013-05, Case #2013-01, Joseph and Amy Katella, 3 Shrewsbury Yard, of the approval of the variance application for minimum rear yard relief and any other variances to add a mudroom addition to their home – The chair asked if everyone had received a copy of the resolution and if there were any questions or comments. There were none and a motion was made by Joe Threston and seconded by Craig Greenwood that reading of the resolution be suspended and the resolution referenced by title be adopted and memorialized. The resolution was adopted and memorialized by a unanimous voice vote of the eight members present who were eligible to vote.

Affordable Housing – Deb Weaver reported that the required annual updates and reports to the state were completed and had been approved. Tom Coleman reviewed the QMA correspondence and the work needed to complete the deed restriction and release of the funds to QMA.

Council Matters of Importance to the Board – Councilman Corbi reported that the contract to construct the new grandstand had been awarded and work should commence by May 1. The ground breaking ceremony occurred April 13. The 2013 budget was approved at the April meeting. Mayor Brown reported that a new police officer has been hired.

Environmental Commission – Joe Threston reported that the annual rubber duck race in support of the Pompeston Creek will be held later this month. Work continues on Sustainable Jersey activities.

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

NEW BUSINESS

Invoices and vouchers:

1. 4/10/13, Raymond Coleman Heinold & Norman, LLP, \$203.00, review, prepare, attend, and conduct public hearing for the Katella application in March. (KATELLA ESCROW)
2. 4/10/13, Raymond Coleman Heinold & Norman, LLP, \$130.00, general legal advice and prepare/attend the March Board meeting. (PLANNING BOARD BUDGET)

A motion was made by Joe Threston, seconded by Craig Greenwood and unanimously approved to pay the items as presented. The secretary will have them signed and submitted for payment.

PUBLIC COMMENT – Joe Threston motioned and Craig Greenwood seconded to open the meeting to public comment. There was none from the public present and Joe Threston motioned and Bob Kennedy seconded to close the meeting to public comment.

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

Next meeting is at 7:00 pm on 5/21/2013

Tape is on file for one year.

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

**RIVERTON BOROUGH PLANNING BOARD
MINUTES
May 21, 2013**

The Regular Meeting of the Planning Board was called to order at 7:00 PM by Vice Chairman Ken Mills. Following the salute to the flag, the secretary read the Open Public Meetings Act and called the roll:

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 16, 2013.
2. Required Service of notice and publication in the Burlington County Times on January 18, 2013.

PRESENT: Kenneth Mills, Craig Greenwood, Joseph Threston, Mayor William Brown, Mary Lodato, Deborah Weaver, Richard Gaughan, Robert Martin, and Michael Powers.
Also Present: Solicitor Tom Coleman and secretary Ken Palmer.

ABSENT: Kerry Brandt, Joe Della Penna, Robert Kennedy, William Corbi.

MINUTES: A motion was made by Craig Greenwood and seconded by Joseph Threston to adopt the minutes of the April 16, 2013, regular meeting of the planning board as distributed. The voice vote was unanimous.

OLD BUSINESS

Council Matters of Importance to the Board – The mayor reported that the QMA purchase of the Beechwood Drive property was completed. Construction of the new grandstand in the park will hopefully begin in the next two weeks. Since he had to recuse himself from the hearing, Mayor Brown was excused from the rest of the meeting.

PUBLIC HEARING

Variance Application: Case# 2013-02, Janet Mekker, 608 Cinnaminson Street, Block 906, Lot 4.01, variance application for a use variance for expansion of a nonconforming use and any and all other variances to install a 340 sq. ft. concrete patio and steps at the back of the house:

Introduction – Mr. Mills introduced the application. The secretary reviewed that the application was jurisdictionally complete. Mr. Coleman concurred. Mr. Coleman reviewed that the home is in the NB zone and that since a use variance was granted to permit construction of the home, a use variance is required to allow expansion of a nonconforming use. In addition, a bulk variance is needed to exceed the permitted 40% impervious coverage by approximately 7.5%. Mr. Coleman reviewed that since a use variance is required, the Class I and Class III members could not participate or be replaced. In addition, the first, second, and third alternates are eligible to vote in place of the three absent Class IV regular public members. Mr. Coleman reminded the board that to grant a use variance requires five approvals of the seven votes to be cast. Mrs. Mekker was sworn in by Mr. Coleman.

Testimony – Mrs. Mekker described that she is requesting the variances to have a patio for outdoor enjoyment and entertainment. After constructing the required landing and steps, the remaining allowable coverage area would be too small to have a functional patio. Asked to describe the benefits and detriments, Mrs. Mekker stated that she feels the patio will increase the value of the home, permit a solid surface for the outdoor grill, and permit outdoor entertaining. The only detriment may be an impact on drainage; however, she is making sure she does not interfere with the drainage easement. At this point, the board had no further questions. Mr. Coleman asked Mrs. Mekker if she feels the patio will fit with the character of the neighborhood as well as the aesthetics of the neighborhood. Mrs. Mekker replied in the affirmative. Asked if the construction would be a detriment to the neighbors or neighborhood, Mrs. Mekker stated no, it should be an improvement. Mr. Coleman asked if she felt a patio fits in with the character of zone and surrounding homes, and Mrs. Mekker replied she does. Mr. Coleman asked if it is Mrs. Mekker's testimony that she feels the granting of the

ordinance is not a major deviation from the zoning ordinance and that it will improve the character of the neighborhood and not be detrimental. Mrs. Mekker replied it was. Mr. Mills discussed the excess lot coverage calculations and it was determined Mrs. Mekker appears to have included some area not within her property lines as existing coverage; so, she is actually requesting less excess coverage than stated. Mr. Mills asked if Mrs. Mekker had considered other construction such as a deck or other materials for the patio. Mrs. Mekker testified that no matter which approach she took would have still required a similar lot coverage variance and she felt the stamped concrete most fit the character of the neighborhood. Mrs. Mekker stated that she deliberately chose to err on the excess side of the patio coverage since it is more free-form in shape and not a rectangle; and she wanted to allow for any minor variations when the contractor assembled the forms. Mr. Powers and Mrs. Lodato stated that they had reviewed the plans and calculations and both concluded the proposed total coverage was actually at most 44.5%. It was also discussed that the actual patio area is approximately 269 sq. ft. after allowing for the area that is required to construct the landing and steps. There was no further testimony.

Public Comment – Mr. Threston motioned and Mr. Greenwood seconded to open the hearing to public comment. There were none and Mr. Threston motioned and Mrs. Weaver seconded to close the hearing to public comment.

Board Deliberation – There was no further comment or questions from the board. Mr. Threston asked the solicitor to review what was needed to grant approval. Mr. Coleman stated the board might consider approving the application as submitted and should consider two variances. The applicant having demonstrated and satisfied the expanded positive and negative criteria, a use variance could be granted to permit expansion of a nonconforming use of a residence in the NB zone. A bulk variance could be granted to permit construction of an approximately 269 sq. ft. irregularly shaped concrete patio and steps that will result in an approximate total impervious coverage of 44.5% where 40% impervious coverage is permitted allowed. Regardless of the final shape of the patio, the impervious coverage should not exceed 44.5%. Mr. Threston motioned that the application be granted with the variances and conditions as set forth by Mr. Coleman. Mr. Greenwood seconded the motion. There was no further discussion and a poll vote was taken. The motion was approved by a unanimous vote of seven (7) ayes as follows:

Mr. Mills	aye	Mr. Greenwood	aye
Mr. Threston	aye	Mrs. Lodato	aye
Mrs. Weaver	aye	Mr. Gaughan	aye
Mr. Martin	aye		

Several members commented that a hardship had been demonstrated, the applicant had been sensitive to the drainage easement on the site, and had demonstrated a need to maintain the character of the neighborhood, and that the benefits of improving the property outweigh any possible detriments. The chair and secretary reviewed the next steps with the applicant. The approval will be memorialized by Resolution P2013-06.

CORRESPONDENCE/ANNOUNCEMENTS

1. **5/8/13, copy of deed restriction and amended affordable housing agreement documents prepared by Tom Coleman for the Borough and sent to QMA re: QMA's purchase of the Beechwood Drive property for use as a group home. Copies were distributed to the board.**
2. **5 vouchers/invoices to be presented under New Business.**

OLD BUSINESS

Affordable Housing –Tom Coleman briefly reviewed the QMA materials and stated that he had received the check from the Borough to be presented to QMA. Closing is scheduled for Friday. The appeal(s) that have been filed to prevent the State from taking the affordable housing funds is still in the courts. Tamara Lee and Tom have crafted and sent a letter to COAH that the Borough will not surrender any funds without a proper hearing before COAH.

Environmental Commission – Joe Threston reported that he had nothing new to report this month.

Minor Site Plan Applications – Mary Lodato reported that she was approached about operating a home based business; but, an application has not yet been submitted.

Other Old Business – It was reviewed that the District 611 restaurant had closed at least temporarily with no timetable if or when it might reopen. Joe Threston reported that he had attended the recent Riverfront Committee meeting where the new Shop Burlington County Initiative has been implemented. The initiative is intended to work with local economic development committees and business associations within the communities to promote and aid local businesses in the corridor communities.

NEW BUSINESS

Invoices and vouchers:

1. 5/8/13, Burlington County Times, \$39.78, charge for Notice of Decision published for the Katella, Shrewsbury Yard application. (KATELLA ESCROW)
2. 5/21/13, Raymond Coleman Heinold & Norman, LLP, \$1,563.00, COAH/QMA matters: prepare the deed restriction and amended affordable housing agreement for the purchase of the Beechwood Drive property for a group home during April. (COAH/PLANNING BOARD ACCOUNT)
3. 5/21/13, Raymond Coleman Heinold & Norman, LLP, \$65.00, general legal advice and prepare/attend the April Board meeting. (PLANNING BOARD ACCOUNT)
4. 5/21/13, Raymond Coleman Heinold & Norman, LLP, \$126.00, prepare, and distribute the Katella resolution during April. (KATELLA ESCROW)
5. 5/21/13, Raymond Coleman Heinold & Norman, LLP, \$161.00, review, prepare for public hearing for the Nicosia application in April. (NICOSIA ESCROW)

A motion was made by Joe Threston, seconded by Craig Greenwood and unanimously approved to pay the items as presented. The secretary will have them signed and submitted for payment.

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

Meeting adjourned at 7:32 PM. (motion by Greenwood, second by Threston)

Next meeting is at 7:00 pm on 6/18/2013

Tape is on file for one year.

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

**RIVERTON BOROUGH PLANNING BOARD
MINUTES
June 18, 2013**

The Regular Meeting of the Planning Board was called to order at 7:00 PM by Vice Chairman Ken Mills. Following the salute to the flag, the secretary read the Open Public Meetings Act and called the roll:

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 16, 2013.
2. Required Service of notice and publication in the Burlington County Times on January 18, 2013.

PRESENT: Kenneth Mills, Joe Della Penna, Joseph Threston, Mary Lodato, Deborah Weaver, Robert Martin, and Michael Powers.
Also Present: Solicitor Chuck Petrone for Tom Coleman, and secretary Ken Palmer.

ABSENT: Kerry Brandt, Craig Greenwood, Robert Kennedy, Mayor Brown, Councilman Corbi and Richard Gaughan.

MINUTES: A motion was made by Robert Martin and seconded by Michael Powers to adopt the minutes of the May 21, 2013, regular meeting of the planning board as distributed. The voice vote was unanimous.

OLD BUSINESS

Council Matters of Importance to the Board – The secretary reported that Councilman Corbi had informed him via e-mail that there was nothing of importance to the board to report from the June Council meeting.

PUBLIC HEARING

Variance Application: Case# 2013-02, Lori Nicosia, 610 Cinnaminson Street, Block 906, Lot 4.02, application for use variance to expand a nonconforming use and lot coverage relief and any other variances to install a 25 x 14 concrete patio and steps to the rear of the residence:

Introduction – Mr. Mills introduced the application. Ms. Nicosia is seeking to install a concrete patio which will exceed the permitted 40% impervious coverage limit set by the resolutions which were granted to also approve a use variance to allow construction of a nonconforming single family residence in the NB zone. The secretary reviewed that the application was jurisdictionally complete. Mr. Petrone concurred. It was reviewed that since a use variance is required, the Class I and Class III members could not participate or be replaced. In addition, the first, second, and fourth alternates are eligible to vote in place of the three absent Class IV regular public members. Mr. Petrone reminded the board that to grant a use variance requires five approvals of the seven votes to be cast. Ms. Lori Nicosia and Mr. Brian Janson were sworn in by Mr. Petrone.

Testimony – Ms. Nicosia described that she would like to install an approximately 14 ft by 25 foot irregularly shaped patio and steps. She calculates that this will increase the existing approximately 36+% percent impervious coverage to at most 44.5% and she is requesting a bulk variance to do so. She also understands that she needs a use variance to expand a nonconforming use. To support her testimony, the following exhibits were introduced and marked for the record:

- A1, A2, A3 - photos of the rear yard.
- A4 - concept plan of the patio on the property.

The patio will be of stamped concrete resembling a fieldstone pattern. She is aware of the drainage easement and the patio will not interfere with or be constructed in the easement. Mr. Petrone asked if the applicant felt that the installation of the patio would be advantageous to her house and to the surrounding neighborhood. Ms. Nicosia answered that she feels the patio will improve the value of the house and property and fits in with the neighborhood. Asked by Mr. Petrone if she felt there would be any negative impact on the immediate

properties surrounding hers, Ms. Nicosia answered no. Mr. Powers asked if she thought a smaller patio is feasible. Ms. Nicosia stated she felt that the allowed 8x10 area would be mostly taken up by the landing and steps and that even at 8x10, it would not provide a patio of sufficient space to allow for outdoor entertaining. Mrs. Weaver asked how the proposed square footage was arrived at. Mr. Janson replied that they planned for 350 sq. ft. maximum based on a rectangle knowing that the freeform shape of the patio would probably be less - closer to 260-270 sq. ft. of actual patio after allowing for the steps. The applicant feels that the final impervious coverage will be actually be less than the requested 44.5%. The maximum width and depth at any point will be 25 ft and 14 feet respectively.

Public Comment – Mr. Mills noted for the record that there were no members of the public present.

Board Deliberation – There was no further comment or questions from the board. Mr. Mills asked if someone would like to propose a motion. Mr. Threston asked the solicitor to review what was needed to grant approval. Mr. Petrone stated the board might consider approving the application as submitted and should consider two variances. A use variance to expand a nonconforming use is required. A bulk variance could be granted to permit construction of a concrete patio and steps which exceeds the permitted 40% impervious coverage and conditioned that the coverage does not exceed 44.5% and the dimensions do not exceed a size of 14x25 feet. Mr. Threston motioned that the application be granted with the variances and conditions as set forth by Mr. Petrone. Mr. Della Penna seconded the motion. There was no further discussion and a poll vote was taken. The motion was approved by a unanimous vote of seven (7) ayes as follows:

Mr. Mills	aye	Mr. Della Penna	aye
Mr. Threston	aye	Mrs. Lodato	aye
Mrs. Weaver	aye	Mr. Martin	aye
Mr. Powers	aye		

Several members commented that a hardship had been demonstrated, the applicant had been sensitive to the drainage easement on the site, and had demonstrated a need to maintain the character of the neighborhood, and that the benefits of improving the property outweigh any possible detriments. The chair and secretary reviewed the next steps with the applicant. The approval will be memorialized by Resolution P2013-07.

CORRESPONDENCE/ANNOUNCEMENTS

1. 2 vouchers/invoices to be presented under New Business.

OLD BUSINESS

Adopt & memorialize Resolution P2013-06, Case#2013-02, Janet Mekker, 608 Cinnaminson Street, Block 906, Lot4.01, variance application for a use variance for expansion of a nonconforming use and any and all other variances to install a 340 sq. ft. concrete patio and steps at the back of the house – The chair asked if everyone had received a copy of the resolution and if there were any questions or comments. There were none and a motion was made by Joe Threston and seconded by Deb Weaver that reading of the resolution be suspended and the resolution referenced by title be adopted and memorialized. The resolution was adopted and memorialized by a unanimous voice vote of the five members present who were eligible to vote.

Affordable Housing – Deb Weaver stated there was nothing new to report that she was aware of.

Environmental Commission – Joe Threston reported that he had nothing new to report this month and the next meeting is Thursday, June 20.

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

NEW BUSINESS

Invoices and vouchers:

1. 5/31/13, Tamara Lee Consulting, LLC, \$950.00, for COAH matters: Review State developments and advise Borough and Tom Coleman. Review State's version of Borough accounting records and reconstruct history with COAH, coordinate with Tom Coleman & Deb Weaver, and draft letter for Tom's signature responding to State request for municipal housing funds. (COAH/PLANNING BOARD ACCOUNT)
2. 6/6/13, Raymond Coleman Heinold & Norman, LLP, \$237.50, review, prepare for, attend public hearing, and begin preparing resolution for the Mekker application. (MEKKER ESCROW)

A motion was made by Joe Della Penna, seconded by Bob Martin and unanimously approved to pay the items as presented. The secretary will have them signed and submitted for payment.

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

Meeting adjourned at 7:24 PM. (motion by Threston, second by Martin)

Next meeting is at 7:00 pm on 7/16/2013

Tape is on file for one year.

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

**RIVERTON BOROUGH PLANNING BOARD
MINUTES
July 16, 2013**

The Regular Meeting of the Planning Board was called to order at 7:00 PM by Chairman Kerry Brandt. Following the salute to the flag, the secretary read the Open Public Meetings Act and called the roll:

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 16, 2013.
2. Required Service of notice and publication in the Burlington County Times on January 18, 2013.

PRESENT: Kerry Brandt, Craig Greenwood, Robert Kennedy, Joseph Threston, Mayor Brown, Councilman Corbi, Deborah Weaver, Robert Martin, and Michael Powers.
Also Present: Solicitor Tom Coleman, and secretary Ken Palmer.

ABSENT: Kenneth Mills, Joe Della Penna, Mary Lodato, and Richard Gaughan.

MINUTES: A motion was made by Joe Threston and seconded by Robert Kennedy to adopt the minutes of the June 18, 2013, regular meeting of the planning board as amended. The voice vote was unanimous.

CORRESPONDENCE/ANNOUNCEMENTS

1. **6 vouchers/invoices to be presented under New Business.**

OLD BUSINESS

Adopt & memorialize Resolution P2013-07, Case# 2013-03, Lori Nicosia, 610 Cinnaminson Street, Block 906, Lot 4.02, application for use variance to expand a nonconforming use and lot coverage relief and any other variances to install a 25 x 14 concrete patio and steps to the rear of the residence – The chair asked if everyone had received a copy of the resolution and if there were any questions or comments. There were none and a motion was made by Joe Threston and seconded by Deb Weaver that reading of the resolution be suspended and the resolution referenced by title be adopted and memorialized. The resolution was adopted and memorialized by a unanimous voice vote of the four members present who were eligible to vote.

Affordable Housing – Tom Coleman reported that the Borough continues to receive and respond to communications from the State regarding the Borough's Housing Funds. Deb Weaver asked if she should report changes to the state as they occur and Tom Coleman stated that any changes can be reported at the next quarterly report. The mayor and Tom discussed that the concerns and questions regarding the use of the Beechwood Drive property were controlled by restrictive covenants on the use of the property. This news greatly eased the concerns of the neighboring residents.

Council Matters of Importance to the Board – Councilman Corbi reported that the ground breaking had occurred in late June for the new grandstand and the completion date is end September. Council has expressed concern about the number of small businesses closing in town.

Environmental Commission – Joe Threston reported that he had nothing new to report this month and the next meeting is Thursday, July 18.

Minor Site Plan Applications – Topic was tabled.

NEW BUSINESS

Invoices and vouchers:

1. 6/30/13, Burlington County Times, \$40.24, charge for Notice of Decision published for the Mekker, Cinnaminson Street application. (MEKKER ESCROW)
2. 6/25/13, Raymond Coleman Heinold & Norman, LLP, \$21.37, for 5/9/13 overnight mailing of documents to Borough regarding the QMA agreement for the Beechwood Drive property. (COAH/PLANNING BOARD)
3. 6/25/13, Raymond Coleman Heinold & Norman, LLP, \$672.00, for work during May on agreement with QMA for the purchase of the Beechwood Drive property. (COAH/PLANNING BOARD)
4. 7/8/13, Raymond Coleman Heinold & Norman, LLP, \$21.37, for 5/22/13 overnight mailing of documents to Title Co. regarding the QMA agreement for the Beechwood Drive property. (COAH/PLANNING BOARD)
5. 7/8/13, Raymond Coleman Heinold & Norman, LLP, \$39.00, for general business advice on board related matters during June. (BOARD BUDGET)
6. 7/8/13, Raymond Coleman Heinold & Norman, LLP, \$210.00, review, prepare for, attend public hearing, and begin preparing resolution for the Nicosia application. (NICOSIA ESCROW)

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

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

Meeting adjourned at 7:17 PM. (motion by Threston, second by Brown)

Next meeting is at 7:00 pm on 8/20/2013

Tape is on file for one year.

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

RIVERTON BOROUGH PLANNING BOARD
MINUTES
August 20, 2013

The Regular Meeting of the Planning Board was called to order at 7:00 PM by Vice Chairman Kenneth Mills. Following the salute to the flag, the secretary read the Open Public Meetings Act and called the roll:

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 16, 2013.
2. Required Service of notice and publication in the Burlington County Times on January 18, 2013.

PRESENT: Kenneth Mills, Joe Della Penna, Craig Greenwood, Robert Kennedy, Joseph Threston, Councilman Corbi, Mary Lodato, Deborah Weaver, Robert Martin, and Michael Powers.
Also Present: Solicitor Chuck Petrone for Tom Coleman, and secretary Ken Palmer.

ABSENT: Kerry Brandt, Mayor Brown, and Richard Gaughan.

MINUTES: A motion was made by Robert Kennedy and seconded by Craig Greenwood to adopt the minutes of the July 16, 2013, regular meeting of the planning board as amended. The voice vote was unanimous.

PUBLIC HEARING

Variance Application: Case# 2013-04, Jeff and Bonnie Klein, 704 Cedar Street, Block 1400, Lot 3, variance application for a bulk variance to exceed permitted lot coverage and any and all other variances to install an in-ground swimming pool in the rear yard:

Introduction – Mr. Mills introduced the application. The secretary reviewed that the application was jurisdictionally complete. Mr. Petrone concurred. Robert Martin recused himself from the hearing. In addition, the first and fourth alternates are eligible to vote in place of the absent Class I and Class IV regular members. Mr. and Mrs. Klein were sworn in by Mr. Petrone.

Testimony – Mr. Klein described that they wish to install an in-ground pool and small patio area for their enjoyment and entertainment and as a source of therapy for Mr. Klein's back conditions. The pool will be heated and they plan to utilize the pool from April through October. Existing improvements to the property including a full length driveway/parking apron total approximately 39.2% coverage. The proposed pool, concrete aprons, patio, and equipment pad will result in approximately 808sq.ft. or an additional 10.5% coverage bringing total to 49.7%. Their property is situated directly across from Riverton Park, specifically the sport fields used for baseball and soccer events. The sport fields are heavily utilized from April through October and the participants and visitors park on the street. The applicants feel they cannot reduce the amount of off street parking on their property since on street parking is not an option due to park activities. Mrs. Klein feels that drainage will not be an issue since the property naturally slopes to the street and does not drain onto the neighbor's properties. A existing perennial garden at the rear of the property will be retained and offers better drainage than just grass. The proposed installation will meet/exceed all setback requirements. The Kleins discussed and responded to board questions concerning the proposed field drainage surrounding the pool, the proposed drywell, and grading plan prepared by the pool company's licensed engineer. To support their testimony, the following exhibits were introduced and marked for the record: A1 - existing and additional impervious coverage calculations, grading plan, drainage trench calculations, and drywell detail provided by pool company's licensed engineer; A2 - renderings of the shape and location of the proposed pool. Mr. Petrone asked how long the applicants had owned the property and to the best of their knowledge had there ever been any drainage problems. the applicants relied that they have lived on there since 2011 and had never seen nor been advised that there were any drainage issues. The board concluded and Mr. Petrone concurred that based

on testimony given and the materials/exhibits provided that lot coverage was the only issue and variance needed. The board concurred that drainage impact was their primary concern and felt the applicants had done thorough preparation to address those concerns. There was no further testimony.

Public Comment – Mr. Mills noted for the record that there were no members of the public present.

Board Deliberation – There was no further comment or questions from the board. Mr. Mills asked if someone would like to propose a motion. Mr. Threston motion to approve the application as presented, permitting applicants to exceed permitted lot coverage providing it does not exceed 50%. There was no further discussion and a poll vote was taken. The motion was approved by a unanimous vote of nine (9) ayes as follows:

Mr. Mills	aye	Mr. Della Penna	aye
Mr. Greenwood	aye	Mr. Kennedy	aye
Mr. Threston	aye	Mr. Corbi	aye
Mrs. Lodato	aye	Mrs. Weaver	aye
Mr. Powers	aye		

Several members commented that a hardship had been demonstrated; the applicants had been sensitive to and demonstrated suitable methods to address drainage concerns; that there was no impact on the neighboring properties; and, they had demonstrated a need to maintain the character of the neighborhood, and that the benefits of improving the property outweigh any possible detriments. The chair and secretary reviewed the next steps with the applicant. The approval will be memorialized by Resolution P2013-08.

CORRESPONDENCE/ANNOUNCEMENTS

1. 2 vouchers/invoices to be presented under New Business.

OLD BUSINESS

Affordable Housing – Deb Weaver stated there was nothing new to report.

Council Matters of Importance to the Board – Councilman Corbi reported that construction on the new grandstand continues, is on schedule, and should be completed by end September.

Environmental Commission – Joe Threston reported that there had been no meetings the last two months.

Minor Site Plan Applications – Mary Lodato reported that the chair and she had approved an application home based business at 608 Cedar Street to operate an internet based coffee business.

NEW BUSINESS

Invoices and vouchers:

1. 7/31/13, Burlington County Times, \$38.40, charge for Notice of Decision published for the Nicosia, Cinnaminson Street application. (NICOSIA ESCROW)
2. 8/2/13, Raymond Coleman Heinold & Norman, LLP, \$130.00, prepare and attend July board meeting. (BOARD BUDGET)

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

Burlington County Bridge Commission Meeting – Joe Threston reported on the recent meeting he attended as a member of the River Route Committee and the commission's efforts to launch a gift card program to promote businesses in the county especially in the River Route communities. Councilman Corbi stated that in a

related meeting, he heard of research that showed that if everyone spent just \$10.00 more a year in the county, it would generate a \$20 million increase in income in the county.

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

Meeting adjourned at 7:35 PM. (motion by Threston, second by Greenwood)

Next meeting is at 7:00 pm on 9/17/2013

Tape is on file for one year.

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

**RIVERTON BOROUGH PLANNING BOARD
MINUTES
September 17, 2013**

The Regular Meeting of the Planning Board was called to order at 7:02 PM by Chairman Kerry Brandt. Following the salute to the flag, the secretary read the Open Public Meetings Act and called the roll:

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 16, 2013.
2. Required Service of notice and publication in the Burlington County Times on January 18, 2013.

PRESENT: Kerry Brandt, Kenneth Mills, Mayor Brown, Mary Lodato, Deborah Weaver, Richard Gaughan, Robert Martin, and Michael Powers.
Also Present: Solicitor Tom Coleman, and secretary Ken Palmer.

ABSENT: Joe Della Penna, Craig Greenwood, Robert Kennedy, Joseph Threston, and Councilman Corbi.

MINUTES: A motion was made by Ken Mills and seconded by Deb Weaver to adopt the minutes of the August 20, 2013, regular meeting of the planning board as amended. The voice vote was unanimous.

CORRESPONDENCE/ANNOUNCEMENTS

1. **2 vouchers/invoices to be presented under New Business.**

OLD BUSINESS

Adopt & memorialize Resolution P2013-08, Case# 2013-04, Jeff and Bonnie Klein, 704 Cedar Street, Block 1400, Lot 3, variance application for a bulk variance to exceed permitted lot coverage and any and all other variances to install an in-ground swimming pool in the rear yard – The chair asked if everyone had received a copy of the resolution and if there were any questions or comments. There were none and a motion was made by Ken Mills and seconded by Mike Powers that reading of the resolution be suspended and the resolution referenced by title be adopted and memorialized. The resolution was adopted and memorialized by a unanimous voice vote of the four members present who were eligible to vote.

Affordable Housing – Tom Coleman and Deb Weaver stated there was nothing new to report.

Council Matters of Importance to the Board – Mayor Brown updated the board on the progress of the new grandstand. Council is reviewing the shade tree ordinance and the Borough is continuing efforts to have the pedestrian push buttons reactivated at the rail crossings at Cedar, Thomas, and Elm.

Environmental Commission – Report tabled until next meeting.

Minor Site Plan Applications – Mary Lodato reported that an application had been approved for a home office at 800 Main St. for the owner's photography business. Per the interview with the applicant, the space will not be used as a studio or for any processing. An application for a beauty salon at 515 Main St. was also approved. Mary also reported that a Mexican themed restaurant is going to occupy the restaurant space at 513 Howard formerly occupied by Glory Days. The latter did not require a Minor Site Plan application.

NEW BUSINESS

Invoices and vouchers:

1. 9/16/13, Raymond Coleman Heinold & Norman, LLP, \$130.00 for general business advice on board related matters during August. (BOARD BUDGET)
2. 9/16/13, Raymond Coleman Heinold & Norman, LLP, \$312.00, review, prepare for, attend public hearing, and prepare resolution for the Klein application. (KLEIN ESCROW)

A motion was made by Kerry Brandt, seconded by Mayor Brown and unanimously approved to pay the items as presented. The secretary will have them signed and submitted for payment.

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

Meeting adjourned at 7:10 PM. (motion by Mills, second by Martin)

Next meeting is at 7:00 pm on 10/15/2013

Tape is on file for one year.

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

**RIVERTON BOROUGH PLANNING BOARD
MINUTES
October 15, 2013**

The Regular Meeting of the Planning Board was called to order at 7:00 PM by Chairman Kerry Brandt. Following the salute to the flag, the secretary read the Open Public Meetings Act and called the roll:

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 16, 2013.
2. Required Service of notice and publication in the Burlington County Times on January 18, 2013.

PRESENT: Kerry Brandt, Kenneth Mills, Craig Greenwood, Robert Kennedy, Joseph Threston, Mayor Brown, Councilman Corbi, Mary Lodato, Richard Gaughan, and Michael Powers.
Also Present: Solicitor Tom Coleman, and secretary Ken Palmer.

ABSENT: Joe Della Penna, Deborah Weaver, and Robert Martin.

MINUTES: A motion was made by Ken Mills and seconded by Kerry Brandt to adopt the minutes of the September 17, 2013, regular meeting of the planning board as amended. The voice vote was unanimous.

CORRESPONDENCE/ANNOUNCEMENTS

1. The secretary reported that following Council authorization, notice had been published requesting RFP's for board and borough professional positions. The board's professionals have been advised of this.
2. 2 vouchers/invoices to be presented under New Business.

NEW BUSINESS

Invoices and vouchers:

1. 9/30/13, Burlington County Times, \$40.70, charge for publication of the Notice of Decision for the Klein, Cedar Street application. (KLEIN ESCROW)
2. 10/7/13, Raymond Coleman Heinold & Norman, LLP, \$91.00, prepare for and attend September board meeting. (BOARD BUDGET)

A motion was made by Ken Mills, seconded by Joe Threston and unanimously approved to pay the items as presented. The secretary will have them signed and submitted for payment.

OLD BUSINESS

Affordable Housing – Tom Coleman briefed the board on the 9/26/13 decision by the NJ Supreme Court that invalidated COAH's 3rd Round "Growth Share" rules and regulations. COAH has 5 months to craft new rules and regulations. General feeling is that the new rules and regulations may likely be a blend of the 1st and 2nd rounds since they previously passed judicial scrutiny.

Council Matters of Importance to the Board – Councilman Corbi reported that the new grandstand is targeted for completion by the end of November. Mayor Brown reported on the meeting with County Sheriff Department officials and efforts to improve signage and conduct education efforts in the schools and with the public regarding the law requiring vehicle traffic to yield to pedestrians at/in marked crosswalks. On 10/24, there will be a meeting at Broad and Cedar Streets with safety officials and engineers from the State DOT, NJ Transit, and the County regarding push buttons and other changes at the Cedar Street rail crossing. There have been efforts to have changes made at all three (Cedar, Thomas and Elm) intersections; but the Borough has continually been informed there is no funding available. So the decision has been made to concentrate on

Cedar Street first because of the proximity to the park. The mayor will keep the board informed. Rich Gaughan reported that he has been a member of the South Jersey Transportation Advisory Committee for 18 years and he intends to "strongly" raise the issue at the next meeting. He will report back on his efforts. Additional names are being added to the Veterans Memorial in conjunction with Veterans Day.

Environmental Commission – Joe Threston reported that the commission fully supports the countywide rollout of single stream recycling early next year.

Minor Site Plan Applications – Mary Lodato reported that an application was approved for Performance Studio's new location at 301 Broad Street.

Planning Summit – Joe Threston reported that he will be attending a River Route Advisory Committee "Planning Summit" at 10:00 am on 10/26 in Willingboro.

NEW BUSINESS

Master Plan Reexamination – Rich Gaughan asked if board was due or possibly past due to reexamine the Master Plan and if so it should make sure there are funds in the budget to support the process. The chair stated that he recalled that there had been at least one reexamination; but, he will check with board planner Tamara Lee if another is due. Tom Coleman stated that it starts with Council authorizing that the board conduct a reexamination of the plan.

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

Meeting adjourned at 7:28 PM. (motion by Threston, second by Brown)

Next meeting is at 7:00 pm on 11/19/2013

Tape is on file for one year.

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

**RIVERTON BOROUGH PLANNING BOARD
MINUTES
November 19, 2013**

The Regular Meeting of the Planning Board was called to order at 7:00 PM by Chairman Kerry Brandt. Following the salute to the flag, the secretary read the Open Public Meetings Act and called the roll:

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 16, 2013.
2. Required Service of notice and publication in the Burlington County Times on January 18, 2013.

PRESENT: Kerry Brandt, Kenneth Mills, Craig Greenwood, Joseph Threston, Mayor Brown, Councilman Corbi, Mary Lodato, Deborah Weaver, Richard Gaughan, and Robert Martin.
Also Present: Solicitor Tom Coleman, Planner Tamara Lee, and secretary Ken Palmer.

ABSENT: Joe Della Penna, Robert Kennedy, and Michael Powers.

MINUTES: A motion was made by Joe Threston and seconded by Bill Brown to adopt the minutes of the October 15, 2013, regular meeting of the planning board as distributed. The voice vote was unanimous.

PUBLIC HEARING

Minor Subdivision Application: Case# 2013-05, Jim Brandenburger, 108 Linden Ave., Block 202, Lots 12 and 13, minor subdivision application with bulk variance to subdivide two conjoined nonconforming lots with insufficient front footage and any and all other variances:

Introduction – Mr. Brandt introduced the application. Mayor Brown recused himself from the hearing and was excused from the meeting. The secretary reviewed that the application was jurisdictionally complete. Mr. Coleman concurred. In addition, the first, second, and third alternates are eligible to vote in place of the absent Class I and Class IV regular members. The chair introduced David Oberlander, attorney for the applicant who presented the application.

Testimony – Mr. Oberlander reviewed the application. Mr. Brandenburger is the contract purchaser of the two the two lots. Lot 12, 108 Linden, which is on the corner of Linden Avenue and 2nd Street is developed and Lot 13 is vacant. Mr. Brandenburger wishes to re-subdivide the two lots fronting on Linden Ave. which are currently conjoined by common ownership because both lots have a front footage of 67.75 feet where, under the current code, 75 feet is required. Both lots exceed the required 8,000 sq feet size by over 2,000 square feet and the front footage is the only bulk requirement not met for two essentially rectangular lots. No additional bulk variances will be created by the proposed re-subdivision. Mr. Brandenburger prefers to just purchase the vacant lot and build a home on it. This would preserve the current tax map and lots and allow development that is in keeping with the current neighborhood. If the board does not feel the minor subdivision as submitted is warranted, Mr. Brandenburger is prepared to propose an alternate plan that would subdivide the conjoined lot by creating two fully conforming by right lots fronting on 2nd Street. The alternate plan would, by right, create two lots that fully conform to the bulk requirements of the district. However, the alternate plan would require the demolition of the existing home. Mr. Oberlander concluded by stating that Tamara Lee's report had been received and reviewed and that there were no concerns with the report. Mr. Oberlander stated that Mr. Brandenburger was present to answer any questions from the board. Mr. Brandenburger was sworn in. Mr. Brandenburger testified that the current occupant wishes to remain in the house and the family which has occupied the approximately 75 year old home always thought they could sell the vacant lot. They need to sell the lot and as such Jim has agreed to purchase both lots. He feels that the town and neighbors would prefer that the orientation of the two lots remain as they exist and the existing home remain. Jim agrees and feels it would be better if the variances be granted and he could purchase and build a home on the vacant lot. The only variance being sought is for the nonconforming front footage and that all other bulk requirements would be

preserved. The proposed re-subdivision would separate the conjoined two lots that have always existed on the tax records. The current home fully complies with all bulk setbacks. The two lots more than exceed the current size requirement for the zone. Asked if he had a style of house in mind, Jim stated he planned to sell the lot and build a semi custom home to the purchaser's specifications. While not planning on building a spec. home, Jim stated if he did it would probably be in a bungalow style with a traditional front porch more in keeping with the character of the neighborhood. Regardless, the final result would comply with all bulk requirements. Mrs. Weaver and board members discussed several areas of the code that Mrs. Weaver feels speak against the subdivision as well as keeping homes in character with the existing homes. Several members also addressed concerns about the size of any future homes. Jim recognized that while the code does not limit the size or mass of a structure as long as it complies with the bulk requirements, the reality of the market and the lot will limit what is actually marketable. The board ultimately concluded that the code does not prevent the creation of two by right conforming lots and only makes any eventual demolition a longer process. The chair asked Mrs. Lee to review her report and issues she found. Tamara reviewed that while no legal hardship exists, a C-2 variance is required to separate the two lots and retain their current orientation along Linden Ave. She feels that maintaining the orientation along Linden is a benefit and maintains the character of the area as originally laid out. The narrower lot would also tend to lend itself to a smaller structure. This is a benefit since there is nothing in the present code that controls building large homes on small lots that conform to bulk requirements. There are remedies but they are for future consideration and do not bear on the current application. Tamara feels the benefits of not necessitating the applicant to pursue creating two by right lots, and maintaining the orientation of the lots on Linden Avenue and encouraging preservation of the character of the neighborhood outweigh the detriments of granting a variance.

Public Comment – Mr. Threston motioned and Mr. Mills seconded to open the hearing to public comment.

- JoAnne Costigan, 441 Fulton Street, after being advised she could not offer comment for adjoining property owners not present, stated she was not aware of any objections and that she supported the application. There being no further comment, Mr. Threston motioned and Mr. Mills seconded to close public comment.

Board Deliberation – Mr. Martin clarified the current code limits the height of a building and how it is calculated. Mrs. Weaver is concerned with lots being "overdeveloped" to their allowable maximum with no consideration for existing development or allowing for the ability to add additional changes such as a deck or accessory development without needing a variance. Mr. Brandenburger stated that while the allowable footprint would permit erecting a home approximating 3000 sq. ft. of ground floor, there is no reasonable way that massive a structure would be marketable on such a lot. Mrs. Lee stated that a commonly accepted definition of "too large" is when a structure imposes on adjoining lots by being too tall and or too close to adjoining structures, (referred to as height to side lot line ratios). While there are mostly smaller and lower homes on the block there is a mixture of sizes including larger homes. Again this is something the board may wish to consider for future revisions to the code. The chair asked if the members might state if they wish to impose restrictions or not. The consensus of the members commenting was not to try and impose restrictions on the application. There being no further discussion, Mr. Mills motioned that the board approve the application as presented to re-subdivide the two lots along Linden Ave. as they currently exist on the Borough's tax maps and to grant a C-2 bulk variance to permit a front footage of 67.75 feet for each lot. Mr. Threston seconded the motion. There was no discussion on the motion and a poll vote was taken. The motion was approved by a unanimous vote of nine (9) ayes as follows:

Mr. Brandt	aye	Mr. Mills	aye
Mr. Greenwood	aye	Mr. Threston	aye
Mr. Corbi	aye	Mrs. Lodato	aye
Mrs. Weaver	aye	Mr. Gaughan	aye
Mr. Martin	aye		

Several members commented on the applicant's willingness to consider the concerns and feelings of the town and neighbors, and they felt the benefits outweighed any detriments. The approval will be memorialized by Resolution P2013-09.

CORRESPONDENCE/ANNOUNCEMENTS

1. **Two RFP's (one by Tom Coleman for board solicitor and one by Tamara Lee for board planner) have been received.**
2. **1 voucher/invoice to be presented under New Business.**

OLD BUSINESS

Planning Summit – Joe Threston reported that he, Mayor Brown, Bob Smyth, and Joe Threston had attended the River Route Advisory Committee "Planning Summit" on 10/26. The plan is being revived and updated and that community input will be solicited.

Affordable Housing – Tom Coleman and Deb Weaver reported there was nothing new to report.

Council Matters of Importance to the Board – Councilman Corbi reported that the grandstand project is about 80% completed. He also reported that the Borough had received another \$125,000.00 grant for further improvements to the park.

Environmental Commission – Joe Threston reported there was nothing new to report.

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

NEW BUSINESS

Invoices and vouchers:

1. 11/7/13, Raymond Coleman Heinold & Norman, LLP, \$104.00, prepare for and attend October board meeting. (BOARD BUDGET)

A motion was made by Joe Threston, seconded by Ken Mills and unanimously approved to pay the item as presented. The secretary will have them signed and submitted for payment.

Possible Changes to the Zoning Code – The board discussed if possible changes should be made concerning size of buildings on a lot. The secretary reviewed that perhaps this is the kind of issue that can be included in the board's annual report to Council on applications heard and concerns by the board raised by the applications. Tom concurred but feels this matter may go beyond the scope of the report. He suggested the board may wish to put together a report, with Tamara's input, that fully lays out the issues and provides possible recommendations to address the concerns. This way if the governing body concurs the issue needs addressing they can come back to the board with direction to develop changes. The chair stated that perhaps there may be a need to address possible zoning revisions which is something to consider when revisiting the Master Plan even though that project is not due until 2017.

PUBLIC COMMENT – A motion was made by Ken Mills and seconded by Joe Threston to open the meeting to public comment. There was none and a motion was made by Ken Mills and seconded by Joe Threston to close the meeting to public comment.

Meeting adjourned at 8:25 PM. (motion by Mills, second by Threston

Next meeting is at 7:00 pm on 12/17/2013

Tape is on file for one year.

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

**RIVERTON BOROUGH PLANNING BOARD
MINUTES
December 17, 2013**

The Regular Meeting of the Planning Board was called to order at 7:00 PM by Chairman Kerry Brandt. Following the salute to the flag, the secretary read the Open Public Meetings Act and called the roll:

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 16, 2013.
2. Required Service of notice and publication in the Burlington County Times on January 18, 2013.

PRESENT: Kerry Brandt, Kenneth Mills, Joseph Threston, Mayor Brown, Councilman Corbi, Mary Lodato, Deborah Weaver, Richard Gaughan, and Robert Martin.
Also Present: Solicitor Tom Coleman and secretary Ken Palmer.

ABSENT: Joe Della Penna, Craig Greenwood, Robert Kennedy, and Michael Powers.

MINUTES: A motion was made by Ken Mills and seconded by Joe Threston to adopt the minutes of the November 19, 2013, regular meeting of the planning board as distributed. The voice vote was unanimous.

PUBLIC HEARINGS

Case# 2013-06, Appeal by John Latimer of interpretation of zoning code by the Zoning Official re: 603 Bank Avenue, Block 400, Lot 3.

Case# 2013-07, Request by John Latimer for "interpretation of the Zoning Code regarding what the board believes is the Front Yard(s) of the riverfront properties Northeast of Howard Street through and past Fulton Street."

Introduction – Chairman Brandt introduced and reviewed both matters. He explained that the appeal only concerned 603 Bank Ave, while the interpretation was for all five lots that have frontage on the river but are accessed from either Howard St. or 2nd St. While the NJ State Municipal Land Use Law (MLUL) and Borough Code provide for both actions, neither provide any procedures as to how they are handled especially regarding noticing of parties impacted by them. The chair wishes to be fair to everyone including the applicant as well as all homeowner involved. Given the short notice to the board of the filing of these items, the chair feels more time is warranted: for the board members to receive and review all the materials submitted by Mr. Latimer and to notify all parties involved. Board Solicitor Tom Coleman stated that the chair had framed the issues well. Mr. Coleman explained that by filing the appeal, all work covered by the appeal must cease and any pending permits cannot be issued until the appeal is resolved. The board has 120 days to respond. Mr. Coleman wishes the board's planner to review and comment on the matter. Board planner Tamara Lee only just learned of the matters and explained that she has neither received all the information nor had time to review it; and, she was not able to readjust her schedule to be present this evening. Mr. Coleman feels it is advisable to carry both matters forward to the board's next meeting on January 21, 2014. He has discussed these concerns with Mr. Latimer. Mr. Coleman feels that while the MLUL is silent on notification, he feels that at a minimum, the property owner of 603 Bank should be noticed. Mr. Latimer, who was present at the meeting was asked by Mr. Coleman if he agreed that both matters could be carried forward to January and all property owners involved be notified. Mr. Latimer stated he agreed.

Discussion – Board members discussed jurisdiction matters concerning the construction permits. It was discussed that County Construction Board of Appeals hears construction permit items; but, while it has/will be accepted, listed and carried, the board will wait to the matter has played out in the Borough with the hope it will be resolved locally. There also may be state and/or federal involvement. Mr. Latimer asked and was permitted to provide a brief overview and timeline of how the matters developed. It was agreed that Mr. Latimer had

acted within the timeline for filing the appeal considering when he learned of the things and had filed the appeal. It was agreed that the appeal would be decided first and then the interpretation. Council President Suzanne Wells who was present at the meeting stated that the Borough in conjunction with Mr. Coleman would take care of noticing the owner of 603 Bank Ave. of the appeal and that all activity must stop until the appeal is resolved. The board secretary will take care of notifying the other property owners covered by the interpretation are notified. Mr. Palmer will verify the properties with the tax assessor's records. The secretary will make sure all the board members as well as its professionals have copies of all the materials submitted by Mr. Latimer. Concerning possible intervening action by other agencies changing the timetable, the board will address things if and when they occur. There being no further discussion, A motion to carry the matters to January 21, 2014, and appropriately notify all parties impacted by the matters in a timely fashion was made by Joe Threston and seconded by Ken Mills. The motion carried by a unanimous voice vote of the members.

CORRESPONDENCE/ANNOUNCEMENTS

- 1. Additional RFP's for planner and engineer received. All the RFP's received are in the board's mail box.**
- 2. 2 vouchers/invoices to be presented under New Business.**

OLD BUSINESS

Adopt & memorialize Resolution P2013-09, Case# 2013-05, Jim Brandenburger, 108 Linden Ave., Block 202, Lots 12 and 13, minor subdivision application with bulk variance to subdivide two conjoined nonconforming lots with insufficient front footage and any and all other variances – The chair asked if everyone had received a copy of the resolution and if there were any questions or comments. There were none and a motion was made by Joe Threston and seconded by Ken Mills that reading of the resolution be suspended and the resolution referenced by title be adopted and memorialized. The resolution was adopted and memorialized by a unanimous voice vote of the eight members present who were eligible to vote.

Affordable Housing – Deb Weaver discussed that the board's agreement with Habitat for Humanity will expire in April 2014 and is wants to know what if any action needs to be taken. Tom Coleman reviewed that the courts gave the state six month to develop new guidelines and had also stayed attempts by the state to take housing funds. Tom feels the Borough is safe since it has legal "arms length" agreements to spend its funds, the funds for QMA have been spent and the remaining are legally defined for Habitat. Tom feels a backup plan beyond April is a good idea including renewing the agreement with Habitat. Deb mentioned that she had received information from Tamara of another organization that may be interested in pursuing an agreement with the Borough. She isn't sure but thinks it may be group home oriented. Concerning the new regulations, Tom stated he has heard they are a blend of second and third round regulations with the portions the court struck down removed.

Council Matters of Importance to the Board – Councilman Corbi reported that the grandstand project is about 90% completed. He also reported that he will not be the Council representative to the board next year. Incoming councilman Armand Bianchini will be taking that position. Bill stated he feels Council is interested in considering code changes concerning height and mass of buildings on lots. Mayor Brown reported that additional diagnostic team meetings on the rail crossings have been requested. The county is also installing additional signage and markings to alert vehicles that pedestrians in marked crossings have the right of way.

Environmental Commission – Joe Threston reported there was nothing new to report and he urged all, if they have not already done so, to take the RiverRoute survey.

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

NEW BUSINESS

Invoices and vouchers:

1. 12/3/13, Tamara L. Lee, PP, \$682.50, conduct and prepare planning review of Linden Ave. minor subdivision and attend board meeting during November. (BRANDENBURGER SUBDIVISION ESCROW)
2. 12/4/13, Raymond Coleman Heinold & Norman, LLP, \$434.00, prepare for, attend, and conduct public hearing for Linden Ave. minor subdivision application. (BRANDENBURGER SUBDIVISION ESCROW)

A motion was made by Joe Threston, seconded by Ken Mills and unanimously approved to pay the items as presented. The secretary will have them signed and submitted for payment.

PUBLIC COMMENT – A motion was made by Ken Mills and seconded by Deb Weaver to open the meeting to public comment.

- John Latimer asked if ARC approval had been obtained for the exterior work being done at 603 Bank Ave. Hank Croft of the ARC stated the permits had been signed.

There was no further comment and a motion was made by Joe Threston and seconded by Ken Mills to close the meeting to public comment.

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

Next meeting is at 7:00 pm on 1/21/2014

Tape is on file for one year.

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