

**BOROUGH OF RIVERTON PLANNING BOARD**  
**AGENDA**  
**January 20, 2015**

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
  - Announce mayoral and Council appointments – Mayor
  - Administer Oath of Office to new/reappointed members – solicitor
  - Elect board positions and professional appointments – secretary
  - Determine calendar of meetings for 2015 and Adopt Resolutions for 2015 meeting calendar and appointment of professionals – secretary
5. Adopt minutes of the December 16, 2014 regular meeting
6. Review correspondence and announcements – secretary
7. Review/consider Invoices & Vouchers – secretary
8. Old Business:
  - Affordable Housing/COAH Related Updates – Tom Coleman and Deb Weaver
  - Council matters of importance to board – Councilman Creighton and Mayor
  - Environmental Commission report – Joe Threston
  - Minor Site Plans report – Mary Lodato
  - Other old business
9. New Business:
  - Other new business
10. Public comment on general Planning Board matters
11. Adjourn

**BOROUGH OF RIVERTON PLANNING BOARD**  
**AGENDA**  
**February 17, 2015**

1. Meeting called to order at 7:00 PM
2. Salute to the Flag
3. Open public meetings notice act and roll call
4. Swear in Craig Greenwood as Class IV member
5. Adopt minutes of the January 20, 2015 regular meeting
6. Hear Variance Application: Case# 2015-01, request by Brian Fedgchin and Mitchell Pelekane, 4 Thomas Avenue, Block 204, Lot 12 for relief from maximum impervious coverage to construct in-ground swimming pool and patio
7. Review correspondence and announcements – secretary
8. Review/consider Invoices & Vouchers – secretary
9. Old Business:
  - Affordable Housing/COAH Related Updates – Tom Coleman and Deb Weaver
  - Council matters of importance to board – Councilman Creighton and Mayor
  - Environmental Commission report – Joe Threston
  - Minor Site Plans report – Mary Lodato
  - Other old business
10. New Business:
  - Review and Adopt Resolution P2015-03 Board Annual Report to Council – secretary
  - 2015 Goals and Objectives – secretary
  - Other new business
11. Public comment on general Planning Board matters
12. Adjourn

**BOROUGH OF RIVERTON PLANNING BOARD**  
**AGENDA**  
**March 17, 2015**

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 17, 2015 regular meeting
5. Consider Informal Review Application by Joe Rainer for 301 South Broad St., Block 1101, Lots 1&9 expanding the present use of offices & shop to offices & shop & residential
6. Old Business:
  - Affordable Housing/COAH Related Updates – Tom Coleman, Tamara Lee, and Deb Weaver
  - Adopt and memorialize Resolution P2015-04, approval of Case# 2015-01, request by Brian Fedgchin and Mitchell Pelekane, 4 Thomas Avenue, Block 204, Lot 12 for relief from maximum impervious coverage to construct in-ground swimming pool and patio
  - Council matters of importance to board – Councilman Creighton and Mayor Brown
  - Subcommittee report on code changes and code review
  - Environmental Commission report – Joe Threston
  - Minor Site Plans report – Mary Lodato
  - Other old business
7. Review correspondence and announcements – secretary
8. Review/consider Invoices & Vouchers – secretary
9. New Business:
  - Other new business
10. Public comment on general Planning Board matters
11. Adjourn

**BOROUGH OF RIVERTON PLANNING BOARD**  
**AGENDA**  
**April 21, 2015**

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 17, 2015 regular meeting
5. Review correspondence and announcements – secretary
6. Review/consider Invoices & Vouchers – secretary
7. Old Business:
  - Affordable Housing/COAH Related Updates –Tom Coleman and committee
  - Council matters of importance to board – Councilman Creighton and Mayor Brown
  - Subcommittee report on code changes and code review
  - Environmental Commission report – Joe Threston
  - Minor Site Plans report – Mary Lodato
  - Other old business
8. New Business:
  - Other new business
9. Public comment on general Planning Board matters
10. Adjourn

**BOROUGH OF RIVERTON PLANNING BOARD**  
**AGENDA**  
**May 19, 2015**

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 April 21, 2015 regular meeting
5. Affordable Housing Submission & Related Updates – Tamara Lee, Tom Coleman and subcommittee
6. Public Hearing: Side Yard Variance Application, 616 Elm Terrace
7. Review correspondence and announcements – secretary
8. Review/consider Invoices & Vouchers – secretary
9. Old Business:
  - Council matters of importance to board – Councilman Creighton and Mayor Brown
  - Subcommittee report on code changes and code review
  - Environmental Commission report – Joe Threston
  - Minor Site Plans report – Mary Lodato
  - Other old business
10. New Business:
  - Other new business
11. Public comment on general Planning Board matters
12. Adjourn

**BOROUGH OF RIVERTON PLANNING BOARD**  
**AGENDA**  
**June 16, 2015**

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 19, 2015 regular meeting
5. Public Hearings:
  - (Continued from May) Side Yard Variance Application, 616 Elm Terrace
  - Rear Yard Setback Variance Application, 712 Linden Ave.
  - Accessory Building Setbacks Variance Application, 404 Main St.
6. Review correspondence and announcements – secretary
7. Review/consider Invoices & Vouchers – secretary
8. Old Business:
  - Affordable Housing Submission & Related Updates – Tom Coleman and subcommittee
  - Council matters of importance to board – Councilman Creighton and Mayor Brown
  - Environmental Commission report – Joe Threston
  - Minor Site Plans report – Mary Lodato
  - Subcommittee report on code changes and code review
  - Other old business
9. New Business:
  - Other new business
10. Public comment on general Planning Board matters
11. Adjourn

**BOROUGH OF RIVERTON PLANNING BOARD**  
**AGENDA**  
**July 21, 2015**

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 16, 2015 regular meeting
5. Review correspondence and announcements – secretary
6. Review/consider Invoices & Vouchers – secretary
7. Old Business:
  - Adopt and memorialize Resolution P2015-05, approval of Case# 2015-02, request for Side Yard Variance Application, 616 Elm Terrace
  - Adopt and memorialize Resolution P2015-06, approval of Case# 2015-03, request for Rear Yard Setback Variance Application, 712 Linden Ave.
  - Adopt and memorialize Resolution P2015-07, approval of Case# 2015-04, request Accessory Building Setbacks Variance Application, 404 Main St.
  - Affordable Housing Submission & Related Updates – Tom Coleman, Deb Weaver and subcommittee
  - Council matters of importance to board – Councilman Creighton and Mayor Brown
  - Environmental Commission report – Joe Threston
  - Minor Site Plans report – Mary Lodato
  - Subcommittee report on code changes and code review
  - Other old business
8. New Business:
  - Other new business
9. Public comment on general Planning Board matters
10. Adjourn

**BOROUGH OF RIVERTON PLANNING BOARD**  
**AGENDA**  
**August 18, 2015**

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 July21, 2015 regular meeting
5. Public Hearings:
  - Variance application to erect a garage that exceeds the size permitted in the code, 104 Main Street
  - Variance application to exceed maximum impervious coverage to install an in-ground swimming pool, 209 Lippincott Avenue
6. Review correspondence and announcements – secretary
7. Review/consider Invoices & Vouchers – secretary
8. Old Business:
  - Affordable Housing Submission & Related Updates – Tom Coleman, Deb Weaver and subcommittee
  - Council matters of importance to board – Councilman Creighton and Mayor Brown
  - Subcommittee report on code changes and code review
  - Environmental Commission report – Joe Threston
  - Minor Site Plans report – Mary Lodato
  - Other old business
9. New Business:
  - Other new business
10. Public comment on general Planning Board matters
11. Adjourn



**BOROUGH OF RIVERTON PLANNING BOARD**  
**AGENDA**  
**September 15, 2015**

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 18, 2015 regular meeting
5. Public Hearings:
  - Variance application to erect a garage that exceeds the size permitted in the code, Rodgers, 104 Main Street
  - Adopt amended Housing Element & Fair Share Plan and Spending Plan
6. Consider Informal Review Application by Keith Fencl for 601 Lippincott Ave, for a town home project
7. Review correspondence and announcements – secretary
8. Review/consider Invoices & Vouchers – secretary
9. Old Business:
  - Adopt and memorialize Resolution P2015-09, approval of Case# 2015-06, request to exceed impervious coverage Variance Application, Kinzler, 209 Lippincott Ave.
  - Consider request buy applicant if action taken by applicant can satisfy condition of approval in Resolution for Case# 2015-04, request for accessory building setbacks Variance Application, Betten, 404 Main St.
  - Council matters of importance to board – Councilman Creighton and Mayor Brown
  - Subcommittee report on code changes and code review
  - Environmental Commission report – Joe Threston
  - Minor Site Plans report – Mary Lodato
  - Other old business
10. New Business:
  - Other new business
11. Public comment on general Planning Board matters
12. Adjourn

**BOROUGH OF RIVERTON PLANNING BOARD**  
**AGENDA**  
**October 20, 2015**

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 15, 2015 regular meeting
5. Review correspondence and announcements – secretary
6. Review/consider Invoices & Vouchers – secretary
7. Old Business:
  - Adopt and memorialize Resolution P2015-11, approval of Case# 2015-05, request to erect a garage that exceeds the size permitted in the code, Variance Application, Rodgers, 104 Main St.
  - Affordable Housing Submission & Related Updates – Tom Coleman, Deb Weaver
  - Council matters of importance to board – Councilman Creighton and Mayor Brown
  - Environmental Commission report – Joe Threston
  - Minor Site Plans report – Mary Lodato
  - Other old business
8. New Business:
  - Other new business
9. Public comment on general Planning Board matters
10. Adjourn

**BOROUGH OF RIVERTON PLANNING BOARD**  
**AGENDA**  
**November 17, 2015**

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 October 20, 2015 regular meeting
5. Review correspondence and announcements – secretary
6. Review/consider Invoices & Vouchers – secretary
7. Old Business:
  - Affordable Housing Submission & Related Updates – Tom Coleman, Deb Weaver
  - Council matters of importance to board – Councilman Creighton and Mayor Brown
  - Environmental Commission report – Joe Threston
  - Minor Site Plans report – Mary Lodato
  - Other old business
8. New Business:
  - Escrow Refund Request by Keith Fencl, Fencl Enterprises LLC
  - Other new business
9. Public comment on general Planning Board matters
10. Adjourn

**BOROUGH OF RIVERTON PLANNING BOARD**  
**AGENDA**  
**December 15, 2015**

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 17, 2015 regular meeting
5. Review correspondence and announcements – secretary
6. Review/consider Invoices & Vouchers – secretary
7. Old Business:
  - Affordable Housing Submission & Related Updates – Tom Coleman, Deb Weaver
  - Council matters of importance to board – Councilman Creighton and Mayor Brown
  - Environmental Commission report – Joe Threston
  - Minor Site Plans report – Mary Lodato
  - Other old business
8. New Business:
  - Other new business
9. Public comment on general Planning Board matters
10. Adjourn

**RIVERTON BOROUGH PLANNING BOARD  
MINUTES  
January 20, 2015**

The Public Session of the Planning Board was called to order at 7:05 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 February 19, 2014.
2. Required Service of notice and publication in the Burlington County Times on February 21, 2014.

**PRESENT:** Kerry Brandt, Ken Mills, Joe Della Penna, Robert Kennedy, Joseph Threston, Mayor William Brown, Councilman Joseph Creighton, Mary Lodato, Deborah Weaver, Richard Gaughan, Robert Martin, and John Kohms.

**Also Present:** Solicitor Doug Heinold and secretary Ken Palmer.

**ABSENT:** Craig Greenwood.

**REORGANIZATION - 2014**

Mayor Brown announced that Ken Palmer had been reappointed as board secretary, and that the following Board members had been reappointed: Mary Lodato as Class II, Joe Creighton as Class III, Class IV members Joe Della Penna, Craig Greenwood, and Bob Kennedy, and Alternate members Deb Weaver and Rich Gaughan. The Oath of Office for the reappointed members present was administered by Joseph Threston an attorney licensed to practice in the State of NJ.

**Chairman:** Kerry Brandt was nominated to serve as chairman for 2015 by Ken Mills and seconded by Bill Brown. There were no further nominations. The nomination was approved by a unanimous voice vote.

**Vice Chairman:** Ken Mills was nominated to serve as vice chairman for 2015 by Kerry Brandt and seconded by Bob Kennedy. There were no further nominations. The nomination was approved by a unanimous voice vote.

**Calendar of Board Meetings for 2014:** Ken Mills motioned and Joe Della Penna seconded that the board continue to meet on the third Tuesday of the month at 7:00 pm in Borough Hall. The voice vote was unanimous. Ken Mills motioned and Joe Threston seconded that Resolution P2015-01, the calendar of meetings for February 2015 through January 2016, be adopted, published in the Burlington County Times, and posted in Borough Hall. The voice vote was unanimous.

**Solicitor:** Thomas Coleman, Esq. of Raymond, Coleman, Heinold, Norman, LLP, was nominated by Deb Weaver and seconded by Joe Threston to serve as the Planning Board Solicitor for 2015. There were no further nominations. A voice vote was taken and the vote was unanimous.

**Planner:** Tamara Lee, of Tamara Lee Consulting LLC, was nominated by Kerry Brandt and seconded by Deb Weaver to serve as the board's Planner for 2015. There were no further nominations. A voice vote was taken and the vote was unanimous.

**Engineer:** William Kirchner, of Environmental Resolutions, Inc., was nominated by Joe Threston and seconded by Kerry Brandt to serve as the board's Engineer for 2015. There were no further nominations. A voice vote was taken and the vote was unanimous.

**Resolution – Appointment of Solicitor, Planner, and Engineer:** Joe Threston motioned Ken Mills seconded that Resolution P2015-02 announcing the appointment of board professionals for the period February 2015 through January 2016 be adopted, published in the Burlington County Times, and the appointed professionals notified, and requested they submit contracts. The voice 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 Deb Weaver and seconded by Joe Threston to serve as the Administrative Officer pursuant to N.J.S.A. 40:55D-3 for the Planning Board for 2015. There were no further nominations. A voice vote was taken and the vote was unanimous.

Chairman Brandt conducted the rest of the meeting.

**MINUTES:** A motion was made by Ken Mills and seconded by Robert Kennedy to adopt the minutes of the December 16, 2014, regular meeting of the board as distributed. The voice vote was unanimous.

**CORRESPONDENCE/ANNOUNCEMENTS**

1. December 2014, copy of public notice of the County application to NJDEP for permits needed to replace the Broad Street Pompeston Creek Bridge.
2. January 7, 2015, Letter to Borough from Alaimo Group concerning their offering the mandatory training course for board new members on 2/14/15. As before this offering is at no cost to the municipality. An experienced member refresher course is also offered.

**REVIEW/CONSIDER INVOICES & VOUCHERS**

1. 12/29/14, Environmental Resolutions, Inc., \$200.00, site related work on 12/22/14 for Latimer & Lewis, 202 Broad Street project. (202 BROAD, 435 THOMAS ESCROW)

A motion was made by Ken Mills, seconded by Kerry Brandt, and unanimously approved to pay the voucher as presented. The secretary will have it signed and submitted for payment.

**OLD BUSINESS**

**Affordable Housing** – There was nothing new to report. The COAH situation is still before the court.

**Council Matters of Importance to the Board** – Mayor Brown and Councilman Creighton stated there was nothing new to report.

**Consistency/Accuracy of the Zoning Ordinances Subcommittee** – There was nothing additional to report.

**Environmental Commission** – Joe Threston updated the board on issues regarding the rain garden at the school. He also reported that Bennett Landsman had resigned.

**Minor Site Plan Applications** – Mary Lodato reported there were none submitted this past month.

**NEW BUSINESS** – None

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

**Meeting adjourned at 7:35 pm. (motion by Threston, second by Mills)**

**Next meeting is at 7:00 pm on 2/17/2015**

**Tape is on file for one year.**

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

**RIVERTON BOROUGH PLANNING BOARD  
MINUTES  
February 17, 2015**

The Public Session of the Planning Board was called to order at 7:00 PM by Vice Chairman Ken Mills. Public Notice of this meeting pursuant to the Open Public Meetings Act has been given in the following manner:

1. Posting notice on the official bulletin board in the Borough Office on January 21, 2015.
2. Required Service of notice and publication in the Burlington County Times on January 23, 2015.

**PRESENT:** Ken Mills, Craig Greenwood, Robert Kennedy, Joseph Threston, Mayor William Brown, Mary Lodato, Deborah Weaver, Robert Martin, and John Kohms.

**Also Present:** Solicitor Tom Coleman, Engineer William Kirchner, and secretary Ken Palmer.

**ABSENT:** Kerry Brandt, Joe Della Penna, Councilman Joseph Creighton, and Richard Gaughan.

**REORGANIZATION:** Craig Greenwood was sworn in as a Class IV member by Joseph Threston an attorney licensed to practice in the State of NJ.

**MINUTES:** A motion was made by Joe Threston and seconded by Bill Brown to adopt the minutes of the January 20, 2015, regular meeting of the planning board as distributed. The voice vote was unanimous.

**CORRESPONDENCE/ANNOUNCEMENTS**

None

**REVIEW/CONSIDER INVOICES & VOUCHERS**

1. 1/31/15, Burlington County Times, \$93.36, two board notices published during January. (BOARD BUDGET)
2. 1/26/15, Environmental Resolutions, Inc., \$230.00, for site visit on 12/29/14, for Latimer & Lewis, 202 Broad Street project. (202 BROAD, 435 THOMAS ESCROW)
3. 1/7/15, Raymond Coleman Heinold & Norman, LLP, \$70.00, for research regarding ordinances covering various applications during December 2014. (PLANNING BOARD PROFESSIONAL SERVICES)
4. 1/7/15, Raymond Coleman Heinold & Norman, LLP, \$140.00, for preparation and attendance at Board's December meeting. (PLANNING BOARD PROFESSIONAL SERVICES)
5. 2/4/15, Raymond Coleman Heinold & Norman, LLP, \$140.00, for preparation and attendance at Board's January meeting. (PLANNING BOARD PROFESSIONAL SERVICES)

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

**OLD BUSINESS**

**Affordable Housing** – Deb Weaver reported that the accounting updates are due 4/1/15 and she is working with Betty Boyle and Mary Longbottom to get them prepared.

**Council Matters of Importance to the Board** – Mayor Brown reported that the budget review process is underway.

**Subcommittee for Accuracy of the Zoning and Related Ordinances** – There was no update.

**Environmental Commission** – Joe Threston stated the next meeting is Thursday the 22nd. and they will be discussing the rain garden at the school.

**Minor Site Plan Applications** – Mary Lodato stated there were none this past month.

**PUBLIC HEARING:**

**Case#2015-01, Variance Application by , variance application by Brian Fedgchin and Mitchell Pelekane, 4 Thomas Avenue, Block 204, Lot 12 for relief from maximum impervious coverage to construct in-ground swimming pool and patio.**

**Introduction:** The secretary reviewed that all jurisdictional items were complete, except the affidavit of publication of the notice has not been provided. The applicants provided a copy of the confirmation they had received from the paper and stated that they had never received the affidavit and would follow up with the newspaper. The secretary stated that he knew for a fact that the notice had been properly published in the paper. Mr. Coleman suggested that in his opinion that it was okay to proceed and that supplying the affidavit be made a condition of any approval. There was no disagreement and the hearing proceeded. Mr. Mills introduced the matter and asked if any members needed to recuse themselves from hearing the application. Robert Martin stated he was recusing himself from hearing the application. The chair reviewed the application and the applicant Brian Fedgchin and his contractor Dickson Munds were sworn in.

**Testimony and Board Questions:** Mr. Fedgchin explained the plans for the pool and hardscaping and plantings. Mr. Fedgchin supplied photo exhibits A1 and discussed the reasons and location for the existing french drain and drywell system used for the sump pump and gutters for one side of the home. Being aware that there were concerns that the excess coverage may impact drainage, Mr. Munds explained that he proposed to divert runoff from the garage, the other half of the house and existing patio using french drains to another drywell along the other side of the home. Mr. Munds supplied an exhibit A2 providing impervious calculations and for the proposed collection system and drywell that would be sized and capable of handling runoff from approximately 1500 square feet. Board engineer Mr. Kirchner stated that he feels the proposed drainage plans and should be sufficient to abate the excess coverage. Testimony was provided that the proposed pool and additional patio would be where grass is currently. No existing plantings and trees would be disturbed or removed. The proposed drywell will be 8' by 8' by 6' deep. Mr. Coleman asked if the applicant would have any objection to the board's engineer reviewing the actual collection and drywell installation. There was no further testimony or questions from the board.

**Public Comment:** Mr. Threston motioned and Mr. Kohms seconded to open the hearing to public comment. There was none and Mr. Threston motioned and Mr. Kennedy seconded to close the hearing to public comment.

**Deliberation and Decision:** There being was discussion and agreement that the pool equipment would at least three feet off the property line. There was no additional board comment. Mr. Coleman was asked and suggested that the board could consider granting a variance permitting 48.3% property coverage, subject to the applicant providing the affidavit of publication, and subject to Mr. Kirchner inspecting post construction the drywell that was proposed in exhibit A2, and that the equipment will be no closer than three feet from the property line. Mr. Threston motioned that the variance be approved as suggested and Mr. Greenwood seconded the motion. There was no discussion and the motion was approved by a unanimous poll vote of 8 ayes to 0 nays as follows:

Mr. Mills	aye	Mr. Kennedy	aye	Mr. Brown	aye	Mrs. Weaver	aye
Mr. Greenwood	aye	Mr. Threston	aye	Mrs. Lodato	aye	Mr. Kohms	aye

Several members commented that the plans were well thought out and appreciated the concern and efforts shown to make sure there was no impact from the excess coverage, and that the plans appear to enhance the property. The secretary was asked and reviewed the next steps in the process.

**NEW BUSINESS**

**Resolution P2015-03: Annual Report of Variance Applications and Recommendations Resolution** – The secretary reviewed the draft annual report resolution. Approval is needed to send it to Council. The board reviewed and discussed the resolution and a motion was made by Joe Threston, seconded by Bob Martin, and approved by unanimous voice vote to adopt and forward the report to Council.



**2015 Goals and Objectives** – The secretary reviewed that he had prepared a draft of the proposed goals and objectives based on previous years and what appeared to be any major concerns or issues raised at board meetings and had distributed it to the board. The board agreed that a statement of goals and objectives should exist, briefly discussed the draft, and agreed to them.

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

**Meeting adjourned at 7:45 pm. (motion by Threston, second by Brown)**

**Next meeting is at 7:00 pm on 3/17/2015**

**Tape is on file for one year.**

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

**RIVERTON BOROUGH PLANNING BOARD  
MINUTES  
March 17, 2015**

The Public Session of the Planning Board was called to order at 7:00 PM by Vice Chairman Ken Mills. Public Notice of this meeting pursuant to the Open Public Meetings Act has been given in the following manner:

1. Posting notice on the official bulletin board in the Borough Office on January 21, 2015.
2. Required Service of notice and publication in the Burlington County Times on January 23, 2015.

**PRESENT:** Ken Mills, Joe Della Penna, Councilman Joseph Creighton, Craig Greenwood, Robert Kennedy, Joseph Threston, Mayor William Brown, Councilman Joseph Creighton, Mary Lodato, Deborah Weaver, and Robert Martin.  
**Also Present:** Solicitor Tom Coleman, Planner Tamara Lee, Engineer William Kirchner, and secretary Ken Palmer.

**ABSENT:** Kerry Brandt, Richard Gaughan, and John Kohms.

**MINUTES:** A motion was made by Joe Threston and seconded by Bill Brown to adopt the minutes of the February 17, 2015, regular meeting of the planning board as distributed. The voice vote was unanimous.

**INFORMAL REVIEW APPLICATION by Joe Rainer for 301 South Broad Street, Block 1101, Lots 1&9 for proposed development of conditional use apartment(s) over business(es) and residential use.**

Ken Mills introduced the topic and asked Tom Coleman to review the process. Mr. Coleman reviewed the informal nature of the review and that the applicant would present his plans and that the board and its professionals would attempt to answer any questions from Mr. Rainer as well as provide informal guidance. Mr. Coleman stressed that this is an informal review and nothing is binding on either the applicant or board. No decisions can be rendered. It is an informal discussion only. Secretary Palmer reviewed that all jurisdictional requirements had been met regarding submissions and the payment of fees and escrows.

Walter Croft presented a brief review of the property and the preliminary plans to add a second floor to the existing businesses and seek a conditional use for accessory apartments over a business and to build a new duplex for two apartments. It is felt that a duplex would be in character with the several duplexes that already exist in the adjoining residential area. The two lots, one with the existing businesses and a vacant lot are used as a single property and are both owned by Mr. Rainer and he plans to continue owning both. Mr. Rainer realizes that the property is in the NB district but feels his plan will be a better use since there are already at least four commercial properties in the NB district that are vacant. Mr. Coleman and Mrs. Lee reviewed that while a conditional use for an apartment over a business is allowed, it is one apartment per floor. To put two apartments on one floor would require a D3 use variance. Since pure residential use in the NB district is not permitted, a D1 variance would be required. Mr. Kirchner spoke to the possible traffic flow conditions for the proposed new rental units due to the proximity to the light rail station and existing traffic flow. Mr. Kirchner also feels there will be bulk requirement issues. Given the enhanced proofs needed to justify use variances, Mrs. Lee and Mr. Coleman strongly urged that the applicant enlist the services of a planner to properly address the different proofs needed for the two types of use variances. They will also need to show that there is no impairment to the Land Use element of the Master Plan. Some ideas of helping the existing and proposed development provide a transition between the business and residential areas were also discussed. Asked if he felt that he had a good idea of what will be required to develop the site as planned, Mr. Rainer stated he did. Mr. Rainer also stated that he still feels he may want to proceed with the plans.

**OLD BUSINESS**

**Affordable Housing** – Tamara and Tom reviewed the NJ Supreme Court ruling that takes affordable housing out of the hands of COH and places it with the trial courts. The decision also invalidated the COAH third round

"growth share" provisions. It will be up to the courts to establish the number of affordable units for each community in their respective districts; however, both Tom and Tamara feel that won't happen and the courts will leave it for the communities to come up with a number and defend that figure in their new plan. There is also the strong possibility of appeals being filed. The courts have roughly 90 days to have things in place and then the municipalities will have 30 days to submit their plans. At this point it looks like around June 1st for the 30 day submission period to start. If a municipality does not file in time, they will become subject to builder's remedy suits. Tamara feels it may be best to revisit the housing and fair share plans created in 2009 without any growth share and to update them for the 2010 census. It was also noted that the notice requirements would also include the Fair Share Housing Center. It was suggested that a committee be formed of two board members and two governing body members to coordinate and work with Tamara. The committee will be Joe Threston and Deb Weaver from the board and Councilman Creighton and Mayor Brown from the governing body. They plan to meet before Council's first April meeting on April 1.

**Adopt & memorialize Resolution P2015-04, Case# 2015-01, variance application by Brian Fedgchin and Mitchell Pelekane, 4 Thomas Avenue, Block 204, Lot 12 for relief from maximum impervious coverage to construct an in-ground swimming pool and patio.** – 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. There was a unanimous approval voice vote of the six members present who approved the application and are eligible to vote on the matter.

**Council Matters of Importance to the Board** – Mayor Brown and Councilman Creighton reported that the topic of a "Dog Park" has come up again. The preliminary budget for the board is 10K, but there is concern that sufficient funds are budgeted for the affordable housing related work.

**Subcommittee for Accuracy of the Zoning and Related Ordinances** – There was no update.

**Environmental Commission** – Joe Threston stated there is an ongoing dialog regarding the rain garden at the school. The next meeting is Thursday, March 22nd.

**Minor Site Plan Applications** – Mary Lodato stated there were none this past month.

#### **CORRESPONDENCE/ANNOUNCEMENTS**

None

#### **REVIEW/CONSIDER INVOICES & VOUCHERS**

1. 2/23/15, Environmental Resolutions, Inc., \$635.00, for work regarding approval of the release of the performance guarantee from 1/26/15 - 2/22/15, for Latimer & Lewis, 202 Broad Street project. (202 BROAD, 435 THOMAS ESCROW)
2. 2/23/15, Environmental Resolutions, Inc., (TWO INVOICES), \$195.00 + 65.00=\$260.00, for review and attendance at the hearing regarding the Fedgchin/Pelekane variance application. (FEDGCHIN/PELEKANE 4 THOMAS ESCROW)

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

**NEW BUSINESS** – None

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

**Meeting adjourned at 8:00 pm. (motion by Threston, second by Kennedy)**

**Next meeting is at 7:00 pm on 4/21/2015**

**Tape is on file for one year.**

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

**RIVERTON BOROUGH PLANNING BOARD  
MINUTES  
April 21, 2015**

The Public Session of the Planning Board was called to order at 7:00 PM by Vice Chairman Ken Mills. Public Notice of this meeting pursuant to the Open Public Meetings Act has been given in the following manner:

1. Posting notice on the official bulletin board in the Borough Office on January 21, 2015.
2. Required Service of notice and publication in the Burlington County Times on January 23, 2015.

**PRESENT:** Ken Mills, Joe Della Penna, Craig Greenwood, Joseph Threston, Mayor William Brown, Mary Lodato, Deborah Weaver, Richard Gaughan, Robert Martin and John Kohms.  
**Also Present:** Solicitor Tom Coleman and secretary Ken Palmer.

**ABSENT:** Kerry Brandt, Robert Kennedy, and Councilman Joseph Creighton.

**MINUTES:** A motion was made by Joe Threston and seconded by Bill Brown to adopt the minutes of the March 17, 2015, regular meeting of the planning board as distributed. The voice vote was unanimous.

**CORRESPONDENCE/ANNOUNCEMENTS**

None

**REVIEW/CONSIDER INVOICES & VOUCHERS**

1. 3/31/15, BCT, \$38.86, Publish Notice of Decision on the Fedgchin/Pelekane application approval. (FEDGCHIN/PELEKANE 4 THOMAS ESCROW)
2. 3/30/15, Environmental Resolutions, Inc., \$260.00, for review and attendance regarding Informal Site Plan Review by Joe Rainer, 301 South Broad St. (301 SOUTH BROAD ST - RAINER ESCROW)
3. 4/1/15, Tamara Lee Consulting LLC, \$210.00, for review and attendance regarding Informal Site Plan Review by Joe Rainer, 301 South Broad St. (301 SOUTH BROAD ST - RAINER ESCROW)
4. 4/1/15, Tamara Lee Consulting LLC, \$813.75, for review and attendance regarding impact of State Supreme Court decision regarding affordable housing/COAH. (COAH/AFFORDABLE HOUSING BUDGET)
5. 3/4/15, Raymond Coleman Heinold & Norman, LLP, \$294.00, for preparation and services rendered during February regarding the Fedgchin/Pelekane variance application. (FEDGCHIN/PELEKANE 4 THOMAS ESCROW)
6. 4/2/15, Raymond Coleman Heinold & Norman, LLP, \$126.00, for services rendered during March preparing resolution regarding the Fedgchin/Pelekane variance application. (FEDGCHIN/PELEKANE 4 THOMAS ESCROW)
7. 4/2/15, Raymond Coleman Heinold & Norman, LLP, \$70.00, for preparation and attendance at Board's March meeting. (PLANNING BOARD PROFESSIONAL SERVICES)
8. 4/2/15, Raymond Coleman Heinold & Norman, LLP, \$161.00, for review and attendance regarding Informal Site Plan Review by Joe Rainer, 301 South Broad St. (301 SOUTH BROAD ST - RAINER ESCROW)
9. 4/2/15, Raymond Coleman Heinold & Norman, LLP, \$280.00, for review and attendance regarding impact of State Supreme Court decision regarding affordable housing/COAH. (COAH/AFFORDABLE HOUSING BUDGET)

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

**OLD BUSINESS**

**Affordable Housing** –Tom Coleman reviewed the April 1 meeting held with the subcommittee, himself and Tamara Lee and the subject of Tamara's most recent memo regarding the same topic. Tamara is pursuing the work she described in her memo.

**Council Matters of Importance to the Board** – Mayor Brown reported that the public hearing on the budget will be held at the May 6 work session. Discussion continues on the "Dog Park." A new police officer has been hired.

**Subcommittee for Accuracy of the Zoning and Related Ordinances** – There was no update.

**Environmental Commission** – Joe Threston reported that the commission is working with the school PTO to resolve the issues regarding the rain garden. Progress is being made on reaching a decision on the new plantings.

**Minor Site Plan Applications** – Mary Lodato discussed an application for an instructional art studio at 531 Broad St. She is waiting for Kerry's signature. The board concurred that as long as there are no issues with the application, Ken Mills could sign off for the board chairman.

**NEW BUSINESS** – None

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

**Meeting adjourned at 7:19 pm. (motion by Threston, second by Brown)**

**Next meeting is at 7:00 pm on 5/19/2015**

**Tape is on file for one year.**

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

**RIVERTON BOROUGH PLANNING BOARD  
MINUTES  
May 19, 2015**

The Public Session of the Planning Board was called to order at 7:00 PM by Chairman Kerry Brandt. Public Notice of this meeting pursuant to the Open Public Meetings Act has been given in the following manner:

1. Posting notice on the official bulletin board in the Borough Office on January 21, 2015.
2. Required Service of notice and publication in the Burlington County Times on January 23, 2015.

**PRESENT:** Kerry Brandt, Ken Mills, Robert Kennedy (7:45pm), Mary Lodato, Robert Martin and John Kohms.

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

**ABSENT:** Joe Della Penna, Craig Greenwood, Joseph Threston, Mayor William Brown, Councilman Joseph Creighton, Deborah Weaver, and Richard Gaughan,.

**MINUTES:** A motion was made by Ken Mills and seconded by John Kohms to adopt the minutes of the April 21, 2015, regular meeting of the planning board as distributed. The voice vote was unanimous.

**PUBLIC HEARING:**

**Case#2015-02, Variance Application by Penny Biehl, 616 Elm Terrace, Block 1005, Lot 1 for relief from corner lot setback requirements for a rear yard fence.**

**Introduction:** The secretary reviewed that all jurisdictional items were complete. Mr. Coleman concurred the application was jurisdictionally complete and the hearing could proceed. Mr. Brandt introduced the matter and asked if any members needed to recuse themselves from hearing the application. There were none. The chair reviewed the application and the applicant Penny Biehl and Ken Marshall were sworn in.

**Testimony and Board Questions:** Mrs. Biehl explained that she recently purchased the home and wishes to provide privacy and a nice exercise area for her dogs in the rear yard of the home. The lot is only 50 feet wide and complying with setback requirements for corner properties would severely limit the size of the rear yard that can be utilized. Mrs. Biehl wishes to install a 5 or 6 foot high fence from the rear of the building out to 18" from the sidewalk and then along Harrison Street to the rear of the property and then back to the fence along the side yard lot line with 618 Elm Terrace. There would be a 14 foot split gate across the driveway entrance off Harrison Street which would open out to the street. The location of the fence along the rear lot line will be held back 1 to 2 feet from the lot line to allow plantings placed by the neighbor to remain. Mrs. Biehl asked and was permitted to comment on the pictures of neighboring properties in the area with rear yard fences that she had submitted with her application to show that her request did not appear to be uncommon occurrence. Several members of the board expressed concern about the closed in wall effect of a approximately 130 foot long high fence along Harrison Street and thought it should be set back further from the sidewalk. Concerns were also raised about the impact on sight lines by the proposed driveway gates and perhaps at the rear of the property where the neighbors drive way is located. Asked if a shorter fence perhaps 4 feet high was possible, Mrs. Biehl stated she wished to have it no less than 5 feet high to provide both privacy and protection for her large dogs. Asked about having the fence set back further from the sidewalk than the proposed 18 inches, Mrs. Biehl stated she feels that would be a hardship especially where the existing decks are located and would restrict the use of the open area of the back yard beyond the two-car garage. The review report from the ARC was discussed which also expressed similar concerns about the sight lines and impact of the mass of a tall fence along Harrison Street. The recommendations of the ARC were reviewed. The board spent some time going back and forth with Mrs. Biehl discussing possible options. Mr. Coleman expressed concern that it was not entirely appropriate for the board to design the plan for the applicant and the discussion cannot be clearly heard by everyone present. Additionally it is possible there are members of the public present who having reviewed the application as submitted may have comments and it is not proper that the plan being discussed is not what they had a chance to review. The chair and Mr. Coleman reviewed the proofs the applicant needed to provide in

support of the application. Asked by the applicant what were the ramifications if she did not wish to change the plan and proceed to a decision, it was explained that they could request that; but, if the application was denied and they wished to resubmit, they would need to go through the entire application process from the start and that the plan submitted had to be substantially different from the current plan. Tamara Lee stated that the applicant might wish to approach the ARC for input since that group has both the latitude and is charged with working with property owners on their plans. Mr. Coleman suggested that the public be heard so the applicant had the benefit of any comments that might aid the applicant in her decision on how to proceed.

**Public Comment:** Mr. Mills motioned and Mrs. Lodato seconded to open the hearing to public comment. All people speaking were sworn in

- Larry Davis, 404 Harrison Street, Palmyra, NJ. stated that he lives on the property adjoining the rear of the Biehl property. Mr. Davis is concerned that a high fence that close to the sidewalk and the rear property line would present serious sight line problems to him for both vehicular and pedestrian traffic when exiting his driveway. Mr. Davis asked to read his comments and to present exhibits that propose a solution to his concerns. Mr. Davis read his comments concerning the problems with adequate sight lines and the recommendation that the fence should have a six foot long 45 degree cut back at the corner to permit an adequate line of sight to the street and sidewalk. To aid in understanding his suggestion Mr. Davis presented two photos of his driveway area and the street/sidewalk that were overlaid with a representation of the fence with his proposed angled cutback. The two exhibits were marked P1 and P2. and presented to the board for their review.

There was no further comment and Mr. Mills motioned and Mrs. Lodato seconded to close the hearing to public comment.

**Deliberation and Continuation:** The board with little deliberation concurred that the members have some serious reservations with the plan as submitted especially with the apparent mass of that long fence and the sight line issues. It was also thought that Mrs. Lee's suggestion that the applicant avail herself of the services of the ARC was excellent advice. Mr. Coleman suggested that the applicant consider the option of requesting a continuation with no tolling of time to the next meeting of the board which will be on June 16. It was again explained that all is needed to continue is to ask for a continuance and if granted it is announced to all present and a notice posted on the bulletin board. Mrs. Biehl was asked to submit any revised plans at least 15 days prior to the hearing so they could be distributed to the board and professionals. The applicant requested that the hearing be continued with no tolling of time until the next meeting so they could review the board's concerns and to seek out input from the ARC on possibly preparing a revised plan. A motion was made by Ken Mills and seconded by Bob Martin to continue the matter until the next meeting of the board. The motion passed by unanimous voice vote. The secretary read the continuation notice and will post it on the Borough office bulletin board:

Be it resolved by the Planning Board of the Borough of Riverton, County of Burlington, and State of New Jersey that consideration on the variance application by Penny Biehl, 616 Elm Terrace, Block 1005, Lot 1 for corner lot setback requirements to erect a fence in the rear yard is continued, applicant having requested an extension of time for consideration of the matter until the regular meeting of the Board on June 16, 2015.

## **OLD BUSINESS**

**Affordable Housing** – Tamara Lee explained that she was present to participate in any discussion the board may wish to have concerning the draft revised housing plan she had distributed and also provide background on how she prepared it and where things are going. She recommends the board take the time to review and digest the plan between now and the next meeting. She stated that after June 8, the courts are supposed to provide direction if any and that the Borough needs to submit the plan to the court by the July deadline. Tom Coleman commented that he has heard that there will most likely be no direction from the court since they have received no guidance from the State Supreme Court and there has been no legislative action taken. The court is looking to have a Court Master appointed to guide the justices in their decisions. Tamara explained the updated census data using the 2010 data and the models used to update the data every year. She used the "the most accurate/current 2013 data" available. She feels she is on the right track by basing it from the prior decisions

for the Borough including the prior vacant land adjustment and what the current numbers indicate. This should be very helpful where the rehab portion is concerned. She has also tried to demonstrate that during all this time when things have been in limbo, the Borough has not just sat on its hands, but has actively proceeded to address the issue such as the agreements with Quality Management and Habitat for Humanity. She also reviewed the current affordable housing district and the golf course overlay. The status of development fees was also discussed. Tamara also reviewed why the National Casein property has not been considered. Some possible alternatives were also mentioned. Meanwhile, Tamara will incorporate the changes suggested by Joe Threston.

#### **CORRESPONDENCE/ANNOUNCEMENTS**

None

#### **REVIEW/CONSIDER INVOICES & VOUCHERS**

1. 5/1/15, Tamara Lee Consulting LLC, \$1890.00, for work on the draft housing element and fair share plan during April. (COAH/AFFORDABLE HOUSING BUDGET)
2. 5/4/15, Raymond Coleman Heinold & Norman, LLP, \$140.00, for services rendered during April preparing for and attendance at Board's April meeting. (PLANNING BOARD PROFESSIONAL SERVICES)
3. 5/4/15, Raymond Coleman Heinold & Norman, LLP, \$98.00, for review and attendance at committee meeting plans to comply with affordable housing/COAH mandates. (COAH/AFFORDABLE HOUSING BUDGET)

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

#### **OLD BUSINESS**

**Council Matters of Importance to the Board** – Tabled.

**Subcommittee for Accuracy of the Zoning and Related Ordinances** – There was no update.

**Environmental Commission** – Tabled.

**Minor Site Plan Applications** – Mary Lodato discussed an application for a home occupation at 407 Seventh Street for a musical instrument repair business. There were no concerns from the board and the chair announced he and Mrs. Lodato would sign off on the application.

**NEW BUSINESS** – None

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

**Meeting adjourned at 8:50 pm. (motion by Mills, second by Brandt)**

**Next meeting is at 7:00 pm on 6/16/2015**

**Tape is on file for one year.**

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



**RIVERTON BOROUGH PLANNING BOARD**  
**MINUTES**  
**June 16, 2015**

The Public Session of the Planning Board was called to order at 7:00 PM by Vice Chairman Ken Mills. Public Notice of this meeting pursuant to the Open Public Meetings Act has been given in the following manner:

1. Posting notice on the official bulletin board in the Borough Office on January 21, 2015.
2. Required Service of notice and publication in the Burlington County Times on January 23, 2015.

**PRESENT:** Ken Mills, Joe Della Penna, Craig Greenwood, Joseph Threston, Councilman Joseph Creighton, Mary Lodato, Deborah Weaver, Richard Gaughan, Robert Martin and John Kohms.  
**Also Present:** Solicitor Tom Coleman and secretary Ken Palmer.

**ABSENT:** Kerry Brandt, Robert Kennedy, and Mayor William Brown.

**MINUTES:** A motion was made by Robert Martin and seconded by John Kohms to adopt the minutes of the May 19, 2015, regular meeting of the planning board as distributed. The voice vote was unanimous.

**PUBLIC HEARINGS:**

**Case#2015-02, Variance Application by Penny Biehl, 616 Elm Terrace, Block 1005, Lot 1 for relief from corner lot setback requirements for a rear yard fence.**

**Introduction:** Mr. Mills reviewed that the hearing had been continued from last month at the request of the applicant in order to consider revising the plans for the fencing to address the concerns of the board and the ARC. It was reviewed that while the entire board can participate in the matter, only the four members present tonight who were present last month (Mills, Lodato, Martin, and Kohms) are currently eligible to participate in any vote on the matter. The secretary reported that Mr. Threston and Mrs. Weaver had requested and were provided the tape of the May meeting in order to listen to the hearing. Both members had signed an affidavit attesting that they had listened to the tape and considered themselves able to render an informed and impartial decision on the matter. Mr. Coleman stated that these two members could also participate on any vote on the matter. Mr. Mills invited Mrs. Biehl and Mr. Marshall to present any new testimony. Mr. Coleman reminded the applicants that they were still sworn.

**Testimony and Board Questions:** Mrs. Biehl reviewed the revised plan previously submitted to the board. She now proposes to erect fencing in the setback area on the portion of the yard that extends from the edge of the garage to the rear of the property and along the rear property line. This reduces the proposed amount of fence in the setback along the street to approximately 60 feet from the original 130 feet originally requested. The fencing along the street would be setback five feet from the property line. Fencing with a gate would extend from the corner of the garage to toward the street. The corners of the fence at the rear of the lot and the garage would be angled at 45 degrees for approximately six feet to provide adequate sight lines at the corners. The height of the fence would be five feet rather than six feet. A copy of the revised plan had also been submitted to the ARC and they had endorsed the revised plan. Mrs. Biehl submitted a copy of an email from the ARC stating their endorsement. The email was accepted as exhibit A1. Asked if the neighboring property owner had reviewed the revised plan, Mrs. Biehl stated she had not sent him a copy, but felt certain all his concerns were addressed since his suggestion was only to provide the slanted corner and she is also proposing to hold the fence back five feet from the sidewalk. It was reviewed that only the portion of the fence from the garage to the rear of the property and its related portions that were in the setback area were being considered by the board. Mrs. Biehl stated that a final decision had not been made on the style of the fence. There was no further testimony or questions from the board.

**Public Comment:** Mr. Threston motioned and Mr. Kohms seconded to open the hearing to public comment. There was none and Mr. Threston motioned and Mr. Kohms seconded to close the hearing to public comment.

**Deliberation:** Mr. Mills asked if the board had any further questions or discussion or if the board was ready to make a decision. Mr. Martin asked if Mr. Coleman might help review what the board is granting if it decides to

approve the application. Mr. Coleman stated that if the board is inclined to approve the relief requested, it might consider a variance for a fence that is no higher than five feet, that will be five feet inside the sidewalk property line, and will be angled at 45 degrees at the driveway and rear property line corners. Mr. Martin motioned for approval as suggested and Mr. Kohms seconded. There was no discussion and the motion passed by a unanimous poll vote of six ayes of the members eligible to vote as follows:

Mr. Mills	aye	Mr. Threston	aye
Mrs. Lodato	aye	Mrs. Weaver	aye
Mr. Martin	aye	Mr. Kohms	aye

Mr. Mills, Mr. Threston, and Mrs. Lodato commented that they thought the revised plan addressed all the concerns and was not a detriment to the area.

The next steps were reviewed with the applicant.

**Case# 2015-03, Variance Application by Andrew & Jennifer Comerford, 712 Linden Ave., Block1204, Lots 5&6 for rear yard setback requirements to replace a deteriorated deck with a new screened porch on the back of the home. The house is a nonconforming structure due to insufficient rear yard setback. The proposed porch will occupy the same space as the existing deck.**

**Introduction:** Mr. Mills stated that he needed to recuse himself from the matter and suggested that Mr. Threston might chair the board for the hearing. Mr. Coleman stated that was the proper procedure the board needed to motion and approve this. Mr. Greenwood motioned, Mr. Della Penna seconded and the board unanimously approved Mr. Threston acting as temporary chair for the hearing. The secretary reviewed that all jurisdictional items were complete. Mr. Coleman concurred the application was jurisdictionally complete and the hearing could proceed. Mr. Threston introduced the matter and asked the applicants to introduce themselves and anyone who would be testifying. The applicants, Jennifer and Andrew Comerford, were sworn in.

**Testimony and Board Questions:** The applicants testified that the existing 14 by 12 foot deck is badly deteriorated, unusable, and needs to be replaced. They wish to replace the deck with a covered porch on the same sized footprint as the deck. The stairs from the porch would be in the same location as the existing steps. The property is extremely shallow with an irregular shaped rear property line and has a rear yard only 10 feet at most deep beyond the deck/proposed porch. The deck was part of the house when they purchased the property and they do not know when it was installed. The applicants testified they feel the proposed porch is in keeping with the style of the home and feel a porch in the rear of the home improves the property and is not a detriment to the property or the neighborhood. Asked by Mr. Coleman if the irregular shape of the rear property line presented a hardship, the applicants stated it did since it further interfered with having a rear yard with or without the porch. There was discussion regarding how far the property line was from the rear of the house and proposed porch. Using the survey and its dimensions, the board concurred it was determined that at most there might be 8 to perhaps 12 feet maximum depth depending on how it is measured. There was no further testimony or board questions.

**Public Comment:** Mrs. Weaver motioned and Mr. Greenwood seconded to open the hearing to public comment. Ken Mills, 105 Midway, a notified property owner stated he knows the applicants and approves of the plans. There has never been any problems and you can't even see the rear of the property from the street. There was no further comment and Mrs. Weaver motioned and Mr. Della Penna seconded to close the hearing to public comment.

**Deliberation:** Mr. Threston asked if the board had any further questions or discussion or if the board was ready to make a decision. Mr. Greenwood asked if Mr. Coleman might help review what the board is granting if it decides to approve the application. Mr. Coleman stated that if the board is inclined to approve, it would be granting a C1 variance to allow a nonconforming structure as proposed that will be no closer than 8 feet to the rear property line from any given point of reference. Mr. Greenwood motioned for approval as suggested and Mr. Martin seconded. The motion passed by a unanimous poll vote of nine ayes as follows:

Mr. Della Penna	aye	Mr. Greenwood	aye
Mr. Threston	aye	Mr. Creighton	aye
Mrs. Lodato	aye	Mrs. Weaver	aye
Mr. Gaughan	aye	Mr. Martin	aye
Mr. Kohms	aye		

Mr. Della Penna, Mr. Threston, and Mrs. Lodato commented that they thought the plan was an improvement to the property and there was an existing hardship and need to do something to remove the hazardous conditions.

The next steps were reviewed with the applicants. Mr. Mills resumed chairing the meeting.

**Case# 2015-04, Variance Application by Keith & Muriel Betten, 404 Main St., Block 801, Lot 18, for accessory building setbacks to replace an existing deteriorated nonconforming garage with a new slightly larger structure but retain the nonconforming setbacks to allow vehicular access to the new structure.**

**Introduction:** Mr. Mills introduced the matter and asked if any members needed to recuse themselves from hearing the application. Rich Gaughan stated he needed to recuse himself from the matter. The secretary reviewed that all jurisdictional items were complete. Mr. Coleman concurred the application was jurisdictionally complete and the hearing could proceed. The applicants Keith and Muriel Betten were sworn in.

**Testimony and Board Questions:** Mr. Betten reviewed they lived three doors from 4th Street. Their lot is narrow and they would be limited to on-street parking except that a former owner purchased a 17 foot wide strip of property that enters from 4th Street along the rear of the two adjoining properties and provides access to a circa 1916 rather small 16 feet wide by 17½ foot deep shed style garage. It has no period architectural style, is deteriorated and is too small to use as a garage and for storage of yard tools and equipment. The existing structure sits 1½ foot or less from the side and rear property lines. The new proposed structure would be a 17½' wide by 22' deep architecturally appropriate "carriage house" style structure. It will be three feet off the "South" side yard property line and between zero and approximately 1½ feet off the "West" rear property line. The applicant introduced two photographs and a sketch plan that were entered as exhibits A1, A2, and A3. A1 and A2 were photographs, one which showed the excessive "sway back" of the existing ridge line and the other showed the structure as observed from the driveway entrance on 4th Street. The sketch, A3, demonstrated that due to the narrowness of the property it would extremely difficult to negotiate a jog to go from the driveway to the new garage door if the structure has to be erected three feet off the rear property line. The applicants feel the proposed structure is an improvement and is beneficial to the property and the neighborhood. They feel a hardship exists due to the shape of the property that prevents them using the garage without the variance. They intend to re-survey the property after the existing structure is demolished to accurately define the property lines. Mr. Coleman asked if the applicant would be willing to provide a copy of the new survey for the board's case file and the answer was yes. Mrs. Lodato asked if the applicants were aware of the fire code requirements and hence the three foot setback. They answered yes and intended to meet all construction requirements. They also intend that no portion of the proposed structure extends over any property lines. Board members complimented the applicants on the thought that went into the architect renderings. There was no further testimony or questions from the board.

**Public Comment:** Mr. Threston motioned and Mr. Della Penna seconded to open the hearing to public comment.

- Rich Gaughan, 401 Main St., is in favor of the plan and feels it benefits the neighborhood and the property. Anything that helps alleviate or preserve the lack of off-street parking is a benefit.
- Barry Solin, 406 Main St., lives next to the Bettens and looks forward to the existing structure being replaced by an appropriately styled structure that adjoins their Victorian styled yard and gardens.

There was no further comment and Mrs. Weaver motioned and Mr. Della Penna seconded to close the hearing to public comment.

**Deliberation:** Mr. Mills asked if the board had any further questions or discussion or if the board was ready to make a decision. Mr. Martin asked if Mr. Coleman might help review what the board is granting if it decides to approve the application. Mr. Coleman stated that if the board is inclined to approve the relief requested, it

might approve replacing the existing structure with a 17½' by 22' structure consistent with the plans presented that would be no closer than three feet from the Southeast or side property line and nothing to overhang the Southwest or rear property line; and conditioned on a copy of the new survey prepared post demolition being supplied for the record. Mr. Martin motioned for approval as suggested and Mr. Threston seconded. The motion passed by a unanimous poll vote of nine ayes as follows:

Mr. Mills	aye	Mr. Della Penna	aye
Mr. Greenwood	aye	Mr. Threston	aye
Mr. Creighton	aye	Mrs. Lodato	aye
Mrs. Weaver	aye	Mr. Martin	aye
Mr. Kohms	aye		

Mr. Mills, Mr. Della Penna, Mrs. Lodato, and Mrs. Weaver commented that they thought a hardship exists, applauded the thoughtfulness that went into the plans, and recognized and appreciated the strong support of the neighbors.

The next steps were reviewed with the applicant.

#### **CORRESPONDENCE/ANNOUNCEMENTS**

None

#### **REVIEW/CONSIDER INVOICES & VOUCHERS**

1. 6/1/15, Tamara Lee Consulting LLC, \$1,785.00, for continued work on the draft housing element and fair share plan during May. (COAH/AFFORDABLE HOUSING BUDGET)

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.

#### **OLD BUSINESS**

**Affordable Housing** – Tom Coleman reported that there has been no new information or direction released. He and Tamara intend to submit the draft plan to Judge Bookbinder the first or second week of July requesting a declaratory judgment action. There is concern that there are any funds available for the expenses involved and the impact on the Borough's budget. The possible impact of legislating and imposing any development fees on new construction was discussed.

**Council Matters of Importance to the Board** – Councilman Creighton reported that a new Freeholder Grant had been received for the park and would be used to resurface the tennis courts. He also reported that the budget had been adopted.

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

**Minor Site Plan Applications** – Mary Lodato reported there were none in the last month.

**Subcommittee for Accuracy of the Zoning and Related Ordinances** – Joe Della Penna and Joe Threston stated there was no update.

**NEW BUSINESS** – None

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

**Meeting adjourned at 8:19 pm. (motion by Weaver, second by Threston)**

**Next meeting is at 7:00 pm on 7/21/2015**

**Tape is on file for one year.**

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

**RIVERTON BOROUGH PLANNING BOARD  
MINUTES  
July 21, 2015**

The Public Session of the Planning Board was called to order at 7:00 PM by Chairman Kerry Brandt. Public Notice of this meeting pursuant to the Open Public Meetings Act has been given in the following manner:

1. Posting notice on the official bulletin board in the Borough Office on January 21, 2015.
2. Required Service of notice and publication in the Burlington County Times on January 23, 2015.

**PRESENT:** Kerry Brandt, Ken Mills, Craig Greenwood, Joseph Threston, Mayor William Brown, Councilman Joseph Creighton, Mary Lodato, Deborah Weaver, Robert Martin and John Kohms.

**Also Present:** Solicitor Chuck Petrone for Tom Coleman and secretary Ken Palmer.

**ABSENT:** Joe Della Penna, Robert Kennedy, and Richard Gaughan.

**MINUTES:** A motion was made by Joseph Threston and seconded by William Brown to adopt the minutes of the June 16, 2015, regular meeting of the planning board as distributed. The voice vote was unanimous.

**CORRESPONDENCE/ANNOUNCEMENTS**

None

**REVIEW/CONSIDER INVOICES & VOUCHERS**

1. 7/2/15, Tamara Lee Consulting LLC, \$315.00, for continued work on the draft housing element and fair share plan during June. (COAH/AFFORDABLE HOUSING BUDGET)
2. 6/5/15, Raymond Coleman Heinold & Norman, LLP, \$182.00, for services rendered during May preparing for and attendance at Board's May meeting. (PLANNING BOARD PROFESSIONAL SERVICES)
3. 6/5/15, Raymond Coleman Heinold & Norman, LLP, \$252.00, for preparation and conducting the Biehl variance application hearing during May. (BIEHL 616 ELM TERRACE ESCROW)
4. 6/5/15, Raymond Coleman Heinold & Norman, LLP, \$168.00, for review and continued work during May regarding plans to comply with affordable housing/COAH mandates. (COAH/AFFORDABLE HOUSING BUDGET)

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

**OLD BUSINESS**

**Adopt & memorialize Resolution P2015-05, for Case# 2015-02, variance application by Penny Biehl, 616 Elm Terrace, Block 1005, Lot 1 for relief from corner lot setback requirements for a rear yard fence –**

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 Deb Weaver and seconded by Ken Mills that reading of the resolution be suspended and the resolution referenced by title be adopted and memorialized. There was a unanimous approval by voice vote of the six members present who approved the application and are eligible to vote on the matter.

**Adopt & memorialize Resolution P2015-06, for Case# 2015-03, variance application by Andrew & Jennifer Comerford, 712 Linden Ave., Block1204, Lots 5&6 for rear yard setback requirements to replace a deteriorated deck with a new screened porch on the back of the home. The house is a nonconforming structure due to insufficient rear yard setback. The proposed porch will occupy the same space as the existing deck –** 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 Deb Weaver and seconded by Joe Threston that reading of the resolution be suspended and the resolution referenced by title be adopted

and memorialized. There was a unanimous approval by voice vote of the seven members present who approved the application and are eligible to vote on the matter.

**Adopt & memorialize Resolution P2015-07, for Case# 2015-04, variance application by Keith & Muriel Betten, 404 Main St., Block 801, Lot 18, for accessory building setbacks to replace an existing deteriorated nonconforming garage with a new slightly larger structure but retain the nonconforming setbacks to allow vehicular access to the new structure** – 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 Craig Greenwood and seconded by Joe Threston that reading of the resolution be suspended and the resolution referenced by title be adopted and memorialized. There was a unanimous approval by voice vote of the eight members present who approved the application and are eligible to vote on the matter.

**Affordable Housing** – Chuck Petrone reviewed that on July 8, Tom Coleman had filed on behalf of the Borough a request for declaratory action on the fair share plan and for continued immunity from builders remedy suits. A hearing has been scheduled for August 1, which may or may not occur. To date nothing further has been heard from the court. There was discussion about what will possibly occur and the merits of signing on with the expert witness from Rutgers. It was agreed that the board and Borough should maintain a wait and see on the actions filed with the court. Deb Weaver reported that additional development fees have been collected since the last spending plan had been filed.

**Council Matters of Importance to the Board** – Councilman Creighton and Mayor Brown reported that action has been undertaken to clean up conditions at 410 Main St. A new Chief Financial Officer has been appointed and a new treasurer hired. A new police officer has been hired and an additional hire is being sought to report a dismissed officer and one who is leaving. The recently received \$250,000 freeholder grant for park improvements was reviewed.

**Environmental Commission** – Joe Threston reported that the commission has reenergized the "green team" that will participate in the state's environmental program and the commission is asking for community involvement.

**Minor Site Plan Applications** – Mary Lodato reported there were none in the last month.

**Subcommittee for Accuracy of the Zoning and Related Ordinances** – Joe Della Penna had notified the secretary that there was nothing new to report.

## **NEW BUSINESS**

**Escrow Refund Request by Latimer and Lewis, Inc.** – The secretary reviewed that a request has been received by Latimer and Lewis, Inc. for a refund of any unused escrow funds from their site plan account for 202 Broad Street. A review has shown that a separate escrow account exists for the maintenance agreement. Final C/O's have been issued on the project and it appears there are no future charges against project. There is an over \$5000 balance in the account. A resolution, P2015-08, has been prepared authorizing the refund of unused escrows in the account. There was no discussion and Joe Threston moved that the resolution be adopted by title. John Kohms seconded the motion and it was adopted by unanimous voice vote. The secretary will forward the signed resolution to the Borough Treasurer.

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

**Meeting adjourned at 7:30 pm. (motion by Mills, second by Threston)**

**Next meeting is at 7:00 pm on 8/18/2015**

**Tape is on file for one year.**

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

**RIVERTON BOROUGH PLANNING BOARD**  
**MINUTES**  
**August 18, 2015**

The Public Session of the Planning Board was called to order at 7:00 PM by Chairman Kerry Brandt. Public Notice of this meeting pursuant to the Open Public Meetings Act has been given in the following manner:

1. Posting notice on the official bulletin board in the Borough Office on January 21, 2015.
2. Required Service of notice and publication in the Burlington County Times on January 23, 2015.

**PRESENT:** Kerry Brandt, Joe Della Penna, Craig Greenwood, Joseph Threston, Mayor William Brown, Councilman Joseph Creighton, Mary Lodato, Deborah Weaver, Robert Martin and John Kohms.

**Also Present:** Solicitor Tom Coleman and secretary Ken Palmer.

**ABSENT:** Ken Mills, Robert Kennedy, and Richard Gaughan.

**MINUTES:** A motion was made by Craig Greenwood and seconded by Joseph Threston to adopt the minutes of the July 21, 2015, regular meeting of the planning board as distributed. The voice vote was unanimous.

**PUBLIC HEARINGS:**

**Case#2015-05, Variance Application by Phyllis Rodgers, 104 main St., Block 307, Lot 9 for relief from maximum permitted size for a new garage to replace the existing structure.**

**Continuation:** Mr. Brandt stated that he had been informed by the secretary prior to the meeting that the applicant wished if possible to continue the matter, and asked the secretary to brief the board. Board Secretary Ken Palmer reviewed that he had received an email from the applicant that due to personal conflicts they would be unable to attend the hearing and needed to reschedule the matter or proceed as dictated by the board. After conferring with the board's attorney, the secretary informed Mrs. Rodgers that to reschedule the matter, she would have to re-notice the new date in the newspaper and re-notify the neighboring property owners. However, Mr. Coleman had suggested that Mrs. Rodgers could request a continuation from the board. To do so, she would, in addition to the email request need to provide the required proofs that the matter is jurisdictionally complete and can be heard. If deemed complete, the board may consider a request to continue the matter at the applicant's request. Mrs. Rogers provided the proofs prior to the meeting and upon review Mr. Coleman concurred the application was jurisdictionally complete and the board could act on the request to continue the matter at the applicant's request until the September meeting. Mr. Brandt asked if there was any discussion or if there was a motion to continue. Mr. Threston motioned and Mr. Della Penna seconded to continue the matter until the next meeting of the board at the request of the applicant with no tolling of time. The motion passed by unanimous voice vote. The secretary read the continuation notice and will post it on the Borough office bulletin board:

Be it resolved by the Planning Board of the Borough of Riverton, County of Burlington, and State of New Jersey that consideration on the variance application by Phyllis Rodgers, 104 Main St., Block 307, Lot 9 for relief from maximum permitted size for a new garage to replace the existing structure is continued, applicant having requested an extension of time for consideration of the matter until the regular meeting of the Board on September 15, 2015.

**Case# 2015-06, Variance Application by Michael and Jane Kinzler, 209 Lippincott Ave., Block 601, Lot 22 for excess impervious coverage to install an in-ground swimming pool.**

**Introduction:** Mr. Brandt introduced the matter and asked if any members needed to recuse themselves. Mayor Brown, Councilman Creighton, and Mrs. Lodato recused themselves to avoid the appearance of conflicts of interest since Mr. Kinzler is a council member. Mr. Martin recused himself for personal reasons. The

secretary reviewed that all jurisdictional items were complete. Mr. Coleman concurred the application was jurisdictionally complete and the hearing could proceed. Mr. Brandt asked the applicants to introduce themselves and anyone who would be testifying. The applicants, Michael and Jane Kinzler, and Mr. McNambe from Budd's Pools were sworn in.

**Testimony and Board Questions:** The applicants testified that they wish to install a 20' by 40' in-ground swimming pool in their rear yard. The existing impervious coverage is at 32%. Maximum permitted coverage in the R15 district is 30%. The new installation would increase the coverage by 7.85% to a total of 39.85%. Asked what was behind the property, Mr. Kinzler stated there was an alleyway that provided access to the rear of the neighboring properties. Asked if the distances shown on the plan were okay, Mr. McNambe stated they complied with all codes. Asked about pool construction, Mr. McNambe explained it would be a reinforced "shotcrete" (sprayable concrete) in-ground pool with surrounding hardscaping. Asked to address the coverage concerns and possible drainage issues, Mr. McNambe explained that the pool is not designed to be filled to the brim and would absorb a large volume of water before it overflowed. Mr. McNambe noted that in some municipalities, the water surface area of an in-ground pool is not included as impervious coverage for that reason. Asked about any existing drainage problems, Mr. Kinzler stated that except for the rare extreme downpours where minor puddles occurred, the exiting pervious pavers absorbed the water. Asked about the amount of new coverage, Mr. McNambe stated that it would be approximately 1,280 sq. ft. or 7.85%. Asked if the pool could be shorter, Mr. McNambe explained that for a pool providing safe diving and good exercise use, it is usually at least 32' in length with 40' being very common. It was noted by the board that the town is fairly wide open in the neighboring area so shouldn't be considered congested. Asked about back flushing, it was stated that it would be to the street out front similar to the neighboring property. There was no further testimony or board questions.

**Public Comment:** Mr. Greenwood motioned and Mr. Threston seconded to open the hearing to public comment. There was none and Mr. Threston motioned and Mr. Greenwood seconded to close the hearing to public comment.

**Deliberation:** Mr. Brandt asked if the board had any further questions or discussion or if the board was ready to make a decision. Mr. Greenwood motioned and Mr. Threston seconded that the application be approved as testified to. Mr. Coleman reviewed that the board would be voting to grant a approval to construct an in-ground pool with a variance to permit an excess of impervious coverage not to exceed 39.85%. The motion passed by a unanimous poll vote of six ayes as follows:

Mr. Brandt	aye	Mr. Della Penna	aye
Mr. Greenwood	aye	Mr. Threston	aye
Mrs. Weaver	aye	Mr. Kohms	aye

Mr. Brandt, Mr. Della Penna, Mr. Threston, and Mrs. Weaver offered comments as to why they voted approval of the application.

The next steps were reviewed with the applicants.

## **CORRESPONDENCE/ANNOUNCEMENTS**

None

## **REVIEW/CONSIDER INVOICES & VOUCHERS**

1. 7/1/15, Raymond Coleman Heinold & Norman, LLP, \$70.00, for services rendered during June. (PLANNING BOARD PROFESSIONAL SERVICES)
2. 7/1/15, Raymond Coleman Heinold & Norman, LLP, \$563.00, for services rendered during June regarding the Affordable Housing filing with the court. (PLANNING BOARD PROFESSIONAL SERVICES)
3. 7/1/15, Raymond Coleman Heinold & Norman, LLP, \$252.00, for services during June for preparation and conducting the Biehl variance application hearing, and preparing the resolution. (BIEHL 616 ELM TERRACE ESCROW)
4. 7/1/15, Raymond Coleman Heinold & Norman, LLP, \$266.00, for services during June for preparation and



conducting the Comerford variance application hearing, and preparing the resolution. (COMERFORD 712 LINDEN ESCROW)

5. 7/1/15, Raymond Coleman Heinold & Norman, LLP, \$266.00, for services during June for preparation and conducting the Betten variance application hearing, and preparing the resolution. (BETTEN 404 MAIN ST. ESCROW)

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

#### **OLD BUSINESS**

**Affordable Housing** – Mr. Tom Coleman reviewed the developments and the plans that the board would hopefully conduct a public hearing at the September meeting to adopt the proposed Housing Element and Fair Share Plan. The matter would then be considered by Council at their October meeting and all activity completed and submitted to the court within the 5 month time frame. Tom has supplied the required notice to the secretary to be published and sent to the neighboring municipalities and County Planning Board. Tom reviewed that he had examined the independent expert's report that some municipalities are retaining but the Borough has decided not to retain. Tamara will be present at the meeting and will provide the hopefully to be approved resolution that is needed to memorialize the adoption. There was some discussion and review of why the board's professionals feel the proposed plans are very defensible.

**Council Matters of Importance to the Board** – It was reported that the borough is having a movie in the park event on 8/29.

**Subcommittee for Accuracy of the Zoning and Related Ordinances** – Joe Della Penna reported that there was nothing new to report.

**Environmental Commission** – Joe Threston reported that the next meeting of the commission is not until 8/20.

**Minor Site Plan Applications** – Mary Lodato reported there were none in the last month.

#### **NEW BUSINESS**

None

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

**Meeting adjourned at 8:03 pm. (motion by Threston, second by Greenwood)**

**Next meeting is at 7:00 pm on 9/15/2015**

**Tape is on file for one year.**

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

**RIVERTON BOROUGH PLANNING BOARD**  
**MINUTES**  
**September 15, 2015**

The Public Session of the Planning Board was called to order at 7:00 PM by Chairman Kerry Brandt. Public Notice of this meeting pursuant to the Open Public Meetings Act has been given in the following manner:

1. Posting notice on the official bulletin board in the Borough Office on January 21, 2015.
2. Required Service of notice and publication in the Burlington County Times on January 23, 2015.

**PRESENT:** Kerry Brandt, Ken Mills, Craig Greenwood, Robert Kennedy, Joseph Threston, Mayor William Brown (excused at 8:00pm), Councilman Joseph Creighton, Deborah Weaver, Robert Martin and John Kohms.

**Also Present:** Solicitor Tom Coleman and Associate Erin Campbell, Planner Tamara Lee, Engineer Harry Fox for William Kirchner, and secretary Ken Palmer.

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

**MINUTES:** A motion was made by Mayor Brown and seconded by Joseph Threston to adopt the minutes of the August 18, 2015, regular meeting of the planning board as distributed. The voice vote was unanimous.

**PUBLIC HEARINGS:**

**Case#2015-05, Variance Application by Phyllis Rodgers, 104 main St., Block 307, Lot 9 for relief from maximum permitted size for a new garage to replace the existing structure.**

**Introduction:** Mr. Brandt introduced the matter and reviewed that the matter had been continued from the previous month. The chair asked if any members needed to recuse themselves. Mr. Kennedy and Mrs. Weaver recused themselves. The secretary reviewed that all jurisdictional items were deemed complete at the last meeting. The applicant, Phyllis Rodgers was sworn in. Mr. Coleman asked if the issue over ownership of the property had changed and Mrs. Rodgers explained that at the time the application was submitted, it was technically owned by the executors of the estate for the property of her deceased parents. Since that time Mr. and Mrs. Rodgers now own the property. Mrs. Rodgers was asked if she wished to amend the application at this time to reflect the change and she stated yes. She stated she did not have a copy of the deed with her but would be glad to produce it. Mr. Coleman stated that she should get a copy to the secretary as soon as possible following the hearing and that her statements under oath could be accepted by the board.

**Testimony and Board Questions:** Mrs. Rodgers explained that they wished to demolish the existing one-car garage and replace it with a larger 24x34 foot, 816 sq. ft. garage that would hold their multiple vehicles and provide shop space and storage space. The planned structure will also have loft space for storage. It was noted by the board that the application stated the property was located in the R4 district when in fact it is actually in the R8 district. It was also noted that the total impervious coverage with the proposed changes was still under the lesser amount permitted in the R8 district. Asked if she wished to amend the application to reflect the corrected district, Mrs. Rodgers agreed. The code only permits garages up to 500 sq. ft. in the R8 district, thus the need for a variance. Testimony was offered that there were no coverage issues and that the lot size of approximately 15,000 sq. ft. could easily accommodate the proposed building. Testimony was offered that the applicants own multiple vehicles some of which are antique vehicles which Mr. Rodgers works on. Additional driveway space will also be provided to minimize on-street parking. The applicants feel the new structure is more aesthetically pleasing and in keeping with the main house and is not a detriment to the property or neighborhood. The large corner lot easily accommodates the new building. The ARC has approved the proposed building and feels it is an improvement over the current plain nondescript structure. The proposed garage will be located in the rear corner of the property as shown on the marked up survey. The garage will match the builders picture as provided in the application and will be painted/sided to match the house. The applicants feel it would be a hardship if they did not have a garage that provides both the storage space as well as he desired workshop space. There was no further testimony or board questions.

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

**Deliberation:** Mr. Brandt asked if the board had any further questions or discussion or if the board was ready to make a decision. Mr. Coleman reviewed that the board would be voting to grant approval to approve an amended application to replace an existing garage with a new 816 sq. ft. garage. Mr. Brown motioned and Mr. Threston seconded that the amended application be approved as testified to. The motion passed by a unanimous poll vote of eight ayes as follows:

Mr. Brandt	aye	Mr. Mills	aye
Mr. Greenwood	aye	Mr. Threston	aye
Mr. Brown	aye	Mr. Creighton	aye
Mr. Martin	aye	Mr. Kohms	aye

Mr. Brandt, Mr. Mills, and Mr. Threston offered comments as to why they voted approval of the application. The next steps were reviewed with the applicants.

**Adopt the Amended Housing Element and Fair Share Plan and Spending Plan to Amend the Master Plan of the Borough of Riverton in Conjunction With the Petition to the Superior Court for Affordable Housing Certification.**

The secretary attested that all required notices were mailed and published as required. The chair introduced Board Planner Tamara Lee and Board Solicitor Tom Coleman. Tamara and Tom explained the purpose of the hearing to allow for public input and they reviewed that the purpose of the revised housing element, amending the Master Plan, and the process for petitioning the court for certification of the borough's affordable housing plan. Once approved, the Borough will continue to be certified. It was reviewed that because of multiple court rulings and subsequent revisions to the rules, the borough has made multiple submissions for continued certification in 2009, 2012, and now 2015 first to COAH and now to the Superior Court which following a decision by the State Supreme Court is now tasked with certifying plans submitted by municipalities. Tamara reviewed the updated statistics used to support the borough's revised plan and the salient points of how the Borough planned to satisfy its existing obligations as well as any new obligations. The chair asked the board if there were any comments or questions. There were none. A motion was made by Joe Threston and seconded by Ken Mills to open the hearing to public comment. There was none and a motion was made by Joseph Threston and seconded by Councilman Creighton to close the hearing to public comment. The chair asked if board members had any further questions or comments and there were none. Tom Coleman explained that the board needs to adopt the element and plan by resolution. A copy of draft resolution P2015-10 was distributed prior to the meeting. There was no discussion and Joseph Threston motioned and John Kohms seconded that Resolution P2015-10 referenced by title be adopted and memorialized. A roll call vote was called and the motion was approved by a vote of 9 ayes and 0 nays as follows:

Mr. Brandt	aye	Mr. Mills	aye	Mr. Greenwood	aye
Mr. Kennedy	aye	Mr. Threston	aye	Mr. Brown	aye
Mr. Creighton	aye	Mrs. Weaver	aye	Mr. Martin	aye

Tom Coleman reviewed that the secretary will need to send via certified mail a copy of the signed resolution along with a copy of the adopted element and plan to everyone on the service list he has provided as well as the county planning board. The element and plan goes to Council for its endorsement and then will be filed with the court.

**INFORMAL REVIEW APPLICATION by Keith Fencel for 601 Lippincott Ave., Block 1100, Lot 1 for proposed project for a townhome development.**

Kerry Brandt introduced the topic and reviewed the informal nature of the review and that the applicant would present his plans and that the board and its professionals would attempt to answer any questions from Mr. Fencel as well as provide informal guidance. Kerry stressed that this is an informal review and nothing is binding on either the applicant or board. No decisions can be rendered. It is an informal discussion only. Kerry asked Tom Coleman if anything further needed to be said and Tom replied he had covered everything regarding the process. Secretary Palmer reviewed that all jurisdictional requirements had been met regarding submissions and the payment of fees and escrows. Mr. Rick Cureton and Mr. Fencel presented a brief review of the use of the property and the preliminary plans to convert the current commercial lot to a 12 unit townhome development. By discussion as well as answering questions from the board, Mr. Cureton and Mr. Fencel explained why they felt that with the current limited commercial interest in developing the underused site, the size of the lot would support a townhome concept. They explained the plan for two 6-unit structures with the individual units being owned fee simple and common ownership of the common areas operated by a condominium type association. Also explained was that the project would probably be built in two phases. The type of units and their construction was also discussed.

The board's engineer and planner discussed their issues. From an engineering position it was discussed that major issues such as environmental conditions and impact, traffic flow impact, and drainage impact would need to be addressed. Regarding planning issues it was discussed that one or possibly more D1 use variances would be required before the project could proceed. Also discussed was possibly requesting that the property be rezoned or an overlay zone be established. It was explained that rezoning or an overlay zone would have to initiate from the governing body and not the board; but, the board would be charged with considering any zoning related changes to the master plan and zoning code. Tamara also explained that regardless of the approach taken to allow such a project the impact on the goals and objectives of Master Plan would have to be considered. Tamara also feels the economic impact needs to be considered especially the widely studied issue that residential development uses more tax dollars than are generated while commercial developments are the opposite or revenue neutral. Board members concurred that they feel the project would face many major hurdles. They feel there could be environmental issues regarding if the site is even buildable for residential use. There is concern over master plan issues and the loss of commercial zoned space; and that the type of residential development proposed does not fit in with what is currently permitted in any district. The board feels there are density issues although the proposal is roughly equivalent to R4 requirements. The impact on ratables needs to be considered. The question was also raised that what happens if the developer abandons the project midstream and the borough is left with a half completed project. It was suggested that the applicant should discuss the issues with a professional planner. The applicant thanked the board for its input and guidance and stated that the issues raised would be considered as to whether pursue the idea and/or the approach to take.

**OLD BUSINESS**

**Case #2015-04 a request by the Bettens if the condition of the approval of their variance application can be reconsidered** – The chair asked Tom Coleman to review the issue. Tom reviewed that the approval of the variance request included a condition that the board receive a copy of any post demolition survey the applicants testified would be done in order to set markers on the property to accurately define the property lines. Rather than have a new survey prepared, the Bettens, following demolition of the old garage contracted with a professional surveyor to set markers based on the existing accurate survey and provided a certification of the work performed. The Bettens wish to submit the verification of the manner and scope of the work performed by the surveyor as a suitable substitute to satisfy the condition of approval. Tom explained to the Bettens and the board that once the board approves the application and has adopted and memorialized a resolution of the approval, it no longer has jurisdiction over the matter. The board cannot arbitrarily amend the resolution. Rather it is a borough matter and if the Code Official/Zoning Officer is satisfied the property is suitably marked and verifiable, it can accept that the action taken is satisfactory. To change the resolution would involve the Bettens filing an amended application and going through the entire hearing process again.

## CORRESPONDENCE/ANNOUNCEMENTS

None

## REVIEW/CONSIDER INVOICES & VOUCHERS

1. 9/2/15, Burlington County Times, \$52.20, for publishing on 8/26 notice of master plan hearing on 9/15. (PLANNING BOARD PROFESSIONAL SERVICES)
2. 8/6/15, Raymond Coleman Heinold & Norman, LLP, \$4,332.00, for services rendered during July regarding filing the Affordable Housing material with the court. (PLANNING BOARD PROFESSIONAL SERVICES - AFFORDABLE HOUSING)
3. 8/6/15, Raymond Coleman Heinold & Norman, LLP, \$63.00, for services during July for the Comerford variance application, preparing the resolution. (COMERFORD 712 LINDEN ESCROW)
4. 8/6/15, Raymond Coleman Heinold & Norman, LLP, \$63.00, for services during July for the Betten variance application, preparing the resolution. (BETTEN 404 MAIN ST. ESCROW)
5. 9/4/15, Raymond Coleman Heinold & Norman, LLP, \$499.40, for services rendered during August regarding the Affordable Housing court filing and board public hearing. (PLANNING BOARD PROFESSIONAL SERVICES - AFFORDABLE HOUSING)
6. 9/4/15, Raymond Coleman Heinold & Norman, LLP, \$80.00, for services during August for the Rodgers variance application. (RODGERS 104 MAIN ESCROW)
7. 9/4/15, Raymond Coleman Heinold & Norman, LLP, \$340.00, for services during August for the Kinzler variance application. (KINZLER 209 LIPPINCOTT ESCROW)

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

## OLD BUSINESS

**Adopt & memorialize Resolution P2015-09, for Case# 2015-06, Variance Application by Michael and Jane Kinzler, 209 Lippincott Ave., Block 601, Lot 22 for excess impervious coverage to install an in-ground swimming pool** – 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 Deb Weaver and seconded by Joe Threston that reading of the resolution be suspended and the resolution referenced by title be adopted and memorialized. There was a unanimous approval by voice vote of the five members present who approved the application and were eligible to vote on the matter.

**Council Matters of Importance to the Board** – There was nothing new to report. Council will be considering the Housing Plan at its October meeting.

**Subcommittee for Accuracy of the Zoning and Related Ordinances** – There was no report. It was the consensus of the board to remove the item as a recurring item on the agenda.

**Environmental Commission** – Joe Threston reported that commission now has a Facebook page. The next meeting is on September 17th.

**Minor Site Plan Applications** – Mary Lodato reported there were none in the last month.

## NEW BUSINESS

None

**PUBLIC COMMENT** – Ken Mills motioned and Joe Threston seconded to open the meeting to public comment. There was none and Ken Mills motioned and Joe Threston seconded to close the meeting to public comment.

**Meeting adjourned at 8:35 pm. (motion by Threston, second by Mills)**

**Next meeting is at 7:00 pm on 10/20/2015**

**Tape is on file for one year.**

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

**RIVERTON BOROUGH PLANNING BOARD  
MINUTES  
October 20, 2015**

The Public Session of the Planning Board was called to order at 7:00 PM by Chairman Kerry Brandt. Public Notice of this meeting pursuant to the Open Public Meetings Act has been given in the following manner:

1. Posting notice on the official bulletin board in the Borough Office on January 21, 2015.
2. Required Service of notice and publication in the Burlington County Times on January 23, 2015.

**PRESENT:** Kerry Brandt, Ken Mills, Joe Della Penna, Robert Kennedy, Joseph Threston, Mayor William Brown, Mary Lodato, Deborah Weaver, Richard Gaughan, and Robert Martin.  
**Also Present:** Solicitor Chuck Petrone for Tom Coleman and secretary Ken Palmer.

**ABSENT:** Craig Greenwood, Councilman Joseph Creighton, and John Kohms.

**MINUTES:** A motion was made by Joseph Threston and seconded by Robert Kennedy to adopt the minutes of the September 15, 2015, regular meeting of the planning board as distributed. The voice vote was unanimous.

**CORRESPONDENCE/ANNOUNCEMENTS**

None

**REVIEW/CONSIDER INVOICES & VOUCHERS**

1. 10/20/15, Burlington County Times, \$40.70, for publishing Kinzler notice of decision on 9/18. (KINZLER 209 LIPPINCOTT ESCROW)
2. 9/28/15, Environmental Resolutions, Inc., \$200.00, review Concept Plan and attend 9/15 board meeting. (FENCL INFORMAL REVIEW ESCROW)
3. 9/30/15, Tamara Lee Consulting, LLC, \$341.25, review concept plan and attend 9/15 board meeting. (FENCL INFORMAL REVIEW ESCROW)
4. 9/30/15, Tamara Lee Consulting, LLC, \$892.50, for services rendered during July - September regarding preparing Affordable Housing material, prepare for and attend public hearing on plan. (PLANNING BOARD PROFESSIONAL SERVICES - AFFORDABLE HOUSING)
5. 10/6/15, Raymond Coleman Heinold & Norman, LLP, \$42.00, for services during September for the Betten variance application resolution questions. (BETTEN 404 MAIN ST. ESCROW)
6. 10/6/15, Raymond Coleman Heinold & Norman, LLP, \$28.00, for services rendered during September regarding preparing Affordable Housing adopting resolution. (PLANNING BOARD PROFESSIONAL SERVICES - AFFORDABLE HOUSING)
7. 10/6/15, Raymond Coleman Heinold & Norman, LLP, \$120.00, for services during September for the Kinzler variance application resolution. (KINZLER 209 LIPPINCOTT ESCROW)
8. 10/6/15, Raymond Coleman Heinold & Norman, LLP, \$200.00, for services during September for the Rodgers variance application hearing. (RODGERS 104 MAIN ESCROW)
9. 10/6/15, Raymond Coleman Heinold & Norman, LLP, \$200.00, review concept plan and attend 9/15 board meeting. (FENCL INFORMAL REVIEW ESCROW)

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

## **OLD BUSINESS**

**Adopt & memorialize Resolution P2015-11, for Case# 2015-05, Variance Application by Phyllis Rodgers, 104 main St., Block 307, Lot 9 for relief from maximum permitted size for a new garage to replace the existing structure** – 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. There was a unanimous approval by voice vote of the five members present who approved the application and were eligible to vote on the matter.

**Affordable Housing** – Chuck Petrone reviewed that the conference call with Judge Bookbinder is still scheduled for 10/23. Following the results of the conference call, Tom expects to go forward with the filing for a Judgment of Compliance and Repose . Tom still feels there shouldn't be any surprises.

**Council Matters of Importance to the Board** – Council endorsed the Housing Element and Fair Share Plan. Council listened to a presentation by Keith Fencil on plans for 601 Lippincott.

**Environmental Commission** – Joe Threston reported that there have been two meetings. The commission is working on making application for additional program credits under the Sustainable Jersey Program.

**Minor Site Plan Applications** – Mary Lodato reported there were none in the last month.

## **NEW BUSINESS**

**None**

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

**Meeting adjourned at 7:15 pm. (motion by Threston, second by Martin)**

**Next meeting is at 7:00 pm on 11/17/2015**

**Tape is on file for one year.**

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

**RIVERTON BOROUGH PLANNING BOARD  
MINUTES  
November 17, 2015**

The Public Session of the Planning Board was called to order at 7:00 PM by Chairman Kerry Brandt. Public Notice of this meeting pursuant to the Open Public Meetings Act has been given in the following manner:

1. Posting notice on the official bulletin board in the Borough Office on January 21, 2015.
2. Required Service of notice and publication in the Burlington County Times on January 23, 2015.

**PRESENT:** Kerry Brandt, Craig Greenwood, Robert Kennedy, Joseph Threston, Mayor William Brown, Councilman Joseph Creighton, Mary Lodato, Richard Gaughan, Robert Martin, and John Kohms.

**Also Present:** Solicitor Tom Coleman and secretary Ken Palmer.

**ABSENT:** Ken Mills, Joe Della Penna, and Deborah Weaver.

**MINUTES:** A motion was made by Joseph Threston and seconded by Mayor Brown to adopt the minutes of the October 20, 2015, regular meeting of the planning board as distributed. The voice vote was unanimous.

**CORRESPONDENCE/ANNOUNCEMENTS**

1. 11/9/15, copy of RFP from Tom Coleman.

**REVIEW/CONSIDER INVOICES & VOUCHERS**

1. 10/31/15, Burlington County Times, \$39.78, for publishing Rodgers notice of decision on 10/26. (RODGERS, 104 MAIN ESCROW)
2. 11/5/15, Raymond Coleman Heinold & Norman, LLP, \$84.00, for services rendered during October, attend board meeting. (PLANNING BOARD PROFESSIONAL SERVICES)
3. 11/5/15, Raymond Coleman Heinold & Norman, LLP, \$130.00, for services during October for the Rodgers variance application - prepare resolution. (RODGERS, 104 MAIN ESCROW)

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

**OLD BUSINESS**

**Affordable Housing** – Tom Coleman reviewed that a court date is scheduled for December 4. He has a conference call tomorrow. Tom feels that some additional material may be requested. Following the conference call Tom hopes to make the filing and publish notice of the 12/4 hearing. Tom expects to go forward with the filing for a Judgment of Compliance and Repose. Tom still feels there shouldn't be any major surprises.

**Council Matters of Importance to the Board** – Councilman Creighton and the Mayor Brown reported that Council had listened to a proposal by Keith Fencil for the lot on Lippincott; that the grant for resurfacing the tennis courts is moving forward; that the annual tree lighting will occur on December 4th; and that following a public hearing, Council had adopted the resolution to increase the sewer connection fees.

**Environmental Commission** – Joe Threston reported that there have been no meetings since the report last month and the next meeting is Thursday 11/19.

**Minor Site Plan Applications** – Mary Lodato reported there were none in the last month.



**NEW BUSINESS**

**Escrow Refund Request by Keith Fencel** – The secretary reviewed that a request has been received from Keith Fencel for a refund of any unused escrow funds. He stated that he is not going forward with his plans to purchase and develop 601 Lippincott. There is currently a substantial balance remaining in the account and there are no pending charges as of this meeting. A resolution, P2015-12, has been prepared authorizing the refund of any unused escrows in the account. There was no discussion and Joe Threston moved that the resolution be adopted by title. Craig Greenwood seconded the motion and it was adopted by unanimous voice vote. The secretary will forward the signed resolution to the Borough Treasurer.

**Master Plan** – The secretary reviewed that the Master Plan is do for review in 2017 and that Tamara feels it is not too early to begin preparing and perhaps deciding on whether a new reexamination or perhaps new plan is in order. Kerry would like to try to get the plan up on the website for all to be able to review ahead of time.

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

**Meeting adjourned at 7:32 pm. (motion by Threston, second by Brown)**

**Next meeting is at 7:00 pm on 12/15/2015**

**Tape is on file for one year.**

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

**RIVERTON BOROUGH PLANNING BOARD  
MINUTES  
December 15, 2015**

The Public Session of the Planning Board was called to order at 7:00 PM by Chairman Kerry Brandt. Public Notice of this meeting pursuant to the Open Public Meetings Act has been given in the following manner:

1. Posting notice on the official bulletin board in the Borough Office on January 21, 2015.
2. Required Service of notice and publication in the Burlington County Times on January 23, 2015.

**PRESENT:** Kerry Brandt, Ken Mills, Joe Della Penna, Joseph Threston, Mayor William Brown, Mary Lodato, Deborah Weaver, Robert Martin, and John Kohms.

**Also Present:** Solicitor Tom Coleman and secretary Ken Palmer.

**ABSENT:** Craig Greenwood, Robert Kennedy, Councilman Joseph Creighton, and Richard Gaughan.

**MINUTES:** A motion was made by Joe Threston and seconded by Bill Brown to adopt the minutes of the November 17, 2015, regular meeting of the planning board as distributed. The voice vote was unanimous.

**CORRESPONDENCE/ANNOUNCEMENTS**

1. None.

**REVIEW/CONSIDER INVOICES & VOUCHERS**

1. 12/15/15, Clarke Caton Hintz, \$88.00, teleconference on 11/25 between Court Appointed Master, Mary Beth Lonergan and Tamara Lee re: the Boro. Housing Plan. (AFFORDABLE HOUSING/BOARD PROF. SERVICES)

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

**OLD BUSINESS**

**Affordable Housing** – Tom Coleman reported that the court date originally scheduled for December 4 had been cancelled. Tom reviewed that, as he had suspected, Judge Bookbinder had appointed a Court Master who will be tasked with reviewing the submissions of the municipalities in the county. There has already been communications between the Court Appointed Master Mary Beth Lonergan and himself and Tamara Lee. Tom stated that he did not know how much additional effort may be required to get Riverton's filing concluded and a judgment issued. He still feels that the Borough is in good shape and that there should not be any major surprises. Tom also stated that in the interim the Borough has continued immunity from any builder's suits while the matter is before the court.

**Council Matters of Importance to the Board** – Mayor Brown stated that there was nothing new to report.

**Environmental Commission** – Joe Threston stated that there was nothing new to report.

**Minor Site Plan Applications** – Mary Lodato reported there were none in the last month.

**Master Plan** – The chair reported that he had received a disk from Tamara in Word format of the original Master Plan and that he planned to make the information available to the board. The secretary stated that he hopes to be able to add the subsequent updates such as the Stormwater Management section and the Reexamination Report. The Housing Element Appendix section has been replaced by the recently adopted Housing Element and Fair Share Plan which is currently before the court. The original Housing Element section is not changed and remains a part of the plan.

**NEW BUSINESS**

**Farewell to Mayor** – Chairman Brandt announced that since this was outgoing Mayor Brown's final board meeting, he hoped the board would join him in thanking the mayor for his years of service both as mayor and his work with the board. The entire board offered applauded the mayor and thanked him and wished him good luck. Mayor Brown thanked the board for its recognition and wishes.

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

**MISC.**

The chair remarked that he hoped the board shares in his desire to thank Tom Coleman for his many years of service and guidance to the board as its solicitor. Tom had announced that this would be his last meeting as he has accepted the position as the Borough Council's new counsel. The board joined Kerry in thanking Tom and wishing him good luck.

**Meeting adjourned at 7:25 pm. (motion by Mills, second by Kohms)**

**Next meeting is at 7:00 pm on 1/19/2016**

**Tape is on file for one year.**

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