

RIVERTON BOROUGH ZONING BOARD
MINUTES
February 18, 2004

Pursuant to the Sunshine Laws and other statutes of the State of New Jersey, the regular meeting of the Riverton Zoning Board of Adjustment was called to order at 7:30 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 of a schedule of all meetings on the official bulletin board in the Borough Office and publication of the schedule in the Burlington County Times on January 26, 2004.
2. Posting notice and publication in the Burlington County Times of this meeting by the applicants.

PRESENT: Kerry Brandt, Edward Smyth, John Trotman, Richard Mood, Ken Mills, Fritz Moorhouse, Alfred DeVece, Alan Adams, and Bill Brown.

ABSENT: None.

OFFICIALS: Board Solicitor Janet Zoltanski Smith was not present. Councilwoman Muriel Alls- Moffat was present. Code Enforcement Officer Anthony Dydek was not present. Secretary Ken Palmer was present.

MINUTES: A motion was made by Fritz Moorhouse, seconded by Rick Mood, and unanimously approved by the members eligible to vote to accept the minutes of January 21, 2004 as amended (chair of the meeting corrected).

OLD BUSINESS

Adoption and Memorialization of Resolutions – There were none.

Appointment of an Engineer – Discussion on this appointment was tabled at the January meeting. The chair stated that he had talked with Remington & Vernick an engineering firm that is used by Council and comes highly recommended by other professionals and members of other boards and officials in the Borough. The firm understands and agrees that they are contracted on a case by case basis as needed and they submitted their schedule of fees. The chair distributed the copies of the brochure he had received. Councilwoman Alls-Moffat stated that the firm is the Borough's consulting engineer and that Council was very impressed with the firm and Mr. Rick Arango in particular. It was discussed that the board would only need the services of an engineer when an application, such as a site plan application with a use variance was submitted. In such a case, once the board hears and grants the variance, it can continue to hear the application. Site plan applications typically call for a review by an engineer. The costs in this case are normally paid out of the escrow funds of the applicant. The chair stated he could also envision the need for an engineer's opinion if a ruling of the board was appealed along grounds where an engineer's review and opinions were the best qualified to help support the board's decision. Also, there is no cost involved unless the services are actually requested. Following discussion that the board was satisfied with the information provided and feeling the best choice had been presented, a motion was made by Ed Smyth, seconded by Fred DeVece, and unanimously approved by poll vote of 7 to 0 to appoint Rick Arango of Remington, Vernick and Arango as the board's consulting engineer for 2004.

2004 Budget – The chair stated that he had submitted the budget to Mary. Ed Smyth discussed the need for relevant publications concerning zoning laws and cases. He thinks perhaps they should be made available for the board. The secretary discussed certain Municipal Land Use Law related materials available. Everyone agreed the board needs to be better informed on the types of things they may be asked to consider and research should be made to seek suitable examples. The chair stated that there is money in the budget for "operating expenses" and he feels there are sufficient funds that can be earmarked for this type of expenditure.

Smart Growth Grant for Ordinance Rewrite – Fred DeVece reported that he had heard nothing on the project. The secretary reviewed that the planning board, due to lack of response from the state and the likely inability to meet the extended completion deadline of 12/31/2004, had approved a motion requesting Council to proceed with canceling the grant and to return any received monies back to the state. Since the project is now ended, it will be dropped from the board's agenda.

Planning Board Issues – The secretary reported that the draft of the commercial property maintenance ordinance had been referred back to the subcommittee for a thorough analysis of the issues raised at the public hearing as well as reviewing with the board's solicitor if current laws on the books will achieve the same results. There was discussion among the zoning board members about what the new code was being designed to cover and its relation to similar state statutes. The need to establish an accurate accounting of multi-family units in the Borough was also discussed.

Fence Ordinance Review – The chair reported that another meeting is scheduled tonight following the board meeting.

CORRESPONDENCE

- Janet's contract for 2004 was received to be signed and returned for her signature. The chair briefly reviewed the contents.

NEW BUSINESS

Appointment of Engineer Resolution – Resolution Z2004-3 announcing the appointment of an engineer was reviewed using the fact that the legal wording is exactly the same as for the solicitor. The only difference is that the appointment is for an engineer and the name will be the engineer's instead of the solicitor. A motion was made by Fritz Moorhouse, seconded by Rick Mood and passed unanimously by a poll vote of 7 to 0 to adopt the resolution of the appointment, have it published in the Burlington County Times, and for the secretary to request a contract from the firm.

Vouchers and Invoices: Janet Smith, 2/9/04 – \$131.25 for attendance at the January meeting and legal services. Following discussion, a motion was made by Fred DeVece and seconded by Rick Mood to approve the voucher for payment. The motion was unanimously approved. The secretary will make sure the voucher is signed and submitted for payment.

New Code Enforcement Officer: The chair mentioned that Anthony Dydek had been hired by the Borough as the new code enforcement officer. Councilman Alls-Moffat apologized for not inviting him to tonight's meeting and will try to have him present at the next meeting.

PUBLIC COMMENT ON GENERAL ZONING ISSUES

The meeting was opened to public comment. There was none.

Meeting adjourned at 8:15 PM.

Next meeting is on 4/21/2004, 7:30 PM at Borough Hall.

Tape is on file.

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