

RIVERTON BOROUGH ZONING BOARD
MINUTES
January 21, 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 7:40 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 13, 2003.
2. Posting notice and publication in the Burlington County Times of this meeting by the applicants.

REORGANIZATION - 2004

William Brown was sworn in as a new alternate member of the board and Rick Mood and Alan Adams were sworn in to new terms as full member and alternate member respectively by Board Solicitor Janet Zoltanski Smith.

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 present. Secretary Ken Palmer and Councilwoman Muriel Alls- Moffat were present.

Chairman: Kerry Brandt was nominated by Fritz Moorhouse and seconded by Fred DeVece to serve as Chairman. A poll vote was taken and the vote was unanimous.

Vice Chairman: Ed Smyth was nominated by Fred DeVece and seconded by Al Adams to serve as Vice Chairman. A poll vote was taken and the vote was unanimous.

Solicitor: Janet Zoltanski Smith Esq. was nominated by Ed Smyth and seconded by Fritz Moorhouse to serve as the Zoning Board Solicitor for 2004. A poll vote was taken and the vote was unanimous.

Secretary: Kenny Palmer was nominated by Rick Mood and seconded by Fred DeVece to serve as the Board Secretary for 2004. A poll vote was taken and the vote was unanimous.

Engineer: It was discussed that the board should have an engineer on call for more complicated matters that may involve site plan issues. Several firms were discussed. A motion was made by Fritz Moorhouse and seconded by Fred DeVece that the appointment be tabled until the next meeting so further research could be conducted. The vote was unanimous.

MINUTES: A motion was made by Fritz Moorhouse, seconded by Fred DeVece, and unanimously approved by the members eligible to vote to accept the minutes of December 17, 2003 as distributed.

OLD BUSINESS

Adoption and Memorialization of Resolutions – The following resolution was reviewed, considered and adopted by the Board:

- **Resolution 2004-10, Brian and Anna Marie Bearint, 309 Midway, Block 1301, Lot 1** – A motion was made by Ed Smyth and seconded by Fritz Moorhouse to adopt and memorialize the resolution as distributed. The resolution was unanimously approved by a poll vote of the members eligible to vote as follows: Mr.

Smyth, aye; Mr. Trotman, aye; Mr. Moorhouse, aye; Mr. Adams, aye.

Smart Growth Grant for Ordinance Rewrite – The secretary reviewed that there had been no further information from the state on Mayor Gunn’s follow up letter concerning approval of the change of scope and has been dropped from planning’s agenda

Planning Board Issues – The secretary reported that a public hearing on the multi unit ordinance had been held and that further review and more hearings would be conducted over the next few months. The secretary reviewed the purpose and intent of the proposed ordinance.

Fence Ordinance Review – The chair reported that there had been no further meetings and he needed to follow up on the issue now that the holidays were over.

2004 Budget – The chair reviewed that he would get together with Mary Longbottom to discuss input prior to Council’s next meeting.

CORRESPONDENCE

None.

NEW BUSINESS

Vouchers and Invoices: Janet Smith, 1/9/04 – \$300.00 for attendance at the December meeting, the Bearint application and resolution, 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.

Board Meetings for 2004 Resolution B Resolution Z2004-1, the calendar of meetings for February 2004 through January 2005 was reviewed. A motion was made by Fritz Moorhouse, seconded by Rick Mood and passed unanimously to accept the resolution, to have it published in the Burlington County Times and posted in the Borough Hall.

Appointment of Solicitor Resolution B Resolution Z2004-2 announcing the appointment of a solicitor was reviewed. A motion was made by Fritz Moorhouse, seconded by Rick Mood and passed unanimously to accept the resolution, and to have it published in the Burlington County Times.

Possible Subdivision and Town Homes behind the Cedar Lane Apartments: The secretary discussed that Dominic Flamini owner of the Cedar Lane Apartments wanted to come before the Planning Board to make an informal presentation on the possibility of subdividing and erecting town homes behind the apartments. Because town homes represent a change of use, the matter would come before zoning. Janet Smith discussed the process of an informal presentation. The Board and solicitor reviewed the issues involved and decided that an informal presentation would not be in the best interest of the Board, Mr. Flamini, or the town. There are just too many complicated issues to be discussed and no one wants to have the public feel the board is doing something behind its back. Because the public often misunderstands the process, it was decided it would be better, if he wishes to, make a site plan application, he should do so and supply all the necessary documentation needed to allow the Board to properly review the proposal. A motion was made by Fritz Moorhouse, seconded by Rick Mood and unanimously passed that a formal site plan application would be needed before the Board would discuss/hear the matter. Janet Smith stated that she would contact Mr. Flamini’s attorney, Mr. Colaguori, on the Board’s review and decision.

PUBLIC COMMENT ON GENERAL ZONING ISSUES

The meeting was opened to public comment.

Ed Gilmore, spoke to the Cedar Lane issue and reviewed that the issue had come before the board many years ago

and had been denied. He also reviewed the discussion about constructing a single family home and exchange of land with the Borough that was discussed about a year ago. He doesn't want to lose informal arrangement that allows park visitors to use the apartment's parking area on 8th street. He feels things should be left as they are. Ed Smyth concurred that there really is no such thing as an informal presentation. He agrees that the board should insist on a formal application if one is to be made.

Muriel Alls-Moffat, applauded the common sense approach the board is taking on matter such as Cedar Lane and she looks forward to representing the board before Council.

MISCELLANEOUS

Ed Smyth commented that it had been a busy year with a meeting every month and that on behalf of himself and the chairman the efforts of the Board are very much appreciated. He also thanked the Board's solicitor and secretary for their efforts.

Meeting adjourned at 8:46 PM.

Next meeting is on 2/18/2004, 7:30 PM at Borough Hall.

Tape is on file.

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