

RIVERTON BOROUGH ZONING BOARD
MINUTES
May 19, 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 7:35 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, Richard Mood, Ken Mills, Fritz Moorhouse, and Alan Adams.

ABSENT: John Trotman, Alfred DeVece, and Bill Brown.

OFFICIALS: Board Solicitor Janet Zoltanski Smith, Board Engineer Richard Arango, and Code Enforcement Officer Anthony Dydek were not present. Councilwoman Muriel Alls-Moffat and Secretary Ken Palmer were present.

MINUTES: A motion was made by Fritz Moorhouse, seconded by Rick Mood, and unanimously approved to accept the minutes of April 21, 2004 as amended (minor legal wording pertaining to an application being okay to be heard).

PUBLIC HEARING:

APPLICATION FOR CONDITIONAL USE APPROVAL WITH USE VARIANCE TO OPERATE A BED AND BREAKFAST ESTABLISHMENT IN THE NEIGHBORHOOD BUSINESS DISTRICT BY CINDI S. VEE, 204 BROAD STREET, BLOCK 800, LOT 31 (CONTINUED):

The applicant appeared before the Board and formally requested an additional continuation so responses to the site plan issues addressed at the last meeting could be prepared. Fritz Moorhouse made a motion seconded by Allan Adams that the hearing be continued at the request of the applicant. There being no further discussion, the question was called and the motion passed unanimously to the effect that:

Be it resolved by the Zoning Board of Adjustment of the Borough of Riverton, County of Burlington, and State of New Jersey that consideration on the application of 204 Broad Street for site plan approval with use variance on the property identified as Block 800, Lot 31 is continued, applicant having requested an extension of time for consideration of the matter until the next regular meeting of the Board on June 16, 2004.

The chair and Rick Mood submitted affidavits attesting that they had listened to the tape of the hearing in April and that they were prepared to participate in the hearing when it continues. The affidavits were placed in the file. Allan Adams was given the tape to review so he will also be able to participate in the hearing.

OLD BUSINESS

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

Resolution 2004-01, Thomas J. Campbell, 203 Cinnaminson Street, Block 402, Lot 9 – A motion was made by Ed Smyth and seconded by Fritz Moorhouse to adopt and memorialize the resolution as distributed and read at the meeting. The resolution was unanimously approved by a poll vote of the members eligible to vote as follows: Mr. Smyth, aye; Mr. Mills, aye; Mr. Moorhouse, aye.

2004 Budget – Councilwoman Alls-Moffat reported that the 2004 budget had been passed by Council.

Planning Board Issues – The secretary reported that a motion to recommend the draft for Council consideration had died for lack of a second. The planning board has requested additional direction from the new Council as how to proceed on the matter. Council has not received a response from the state on returning the grant monies for the Smart Growth Grant. Until direction is received from the state, the funds will remain in an interest bearing account.

Fence Ordinance Review – The chair reported that several additional meetings have been held, more are scheduled and he hopes that a draft of the changes can be available in the next few months. There are a lot of issues to consider. Plans call for an informal review before both the zoning and planning boards prior to it going to Council.

CORRESPONDENCE

- The secretary reported that the NJPO had sent certificates for the course attended by Fred DeVece and John Trotman. He will hold onto them until the members are in attendance at the next meeting.
- The secretary reviewed the 4/21/04, letter to board chairmen from William Connolly, Director, Division of Codes and Standards, State DCA, reminding that site plans should be reviewed with the construction official regarding site accessibility. Ramifications of this directive were discussed and how the site plans that are coming before the board make the information timely to the board.

NEW BUSINESS

Vouchers and Invoices: Janet Smith, 5/17/04 – \$356.25 for attendance at the April meeting and the Campbell hearing and resolution. Following discussion, a motion was made by Fritz Moorhouse 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.

Possible Upcoming Hearings: The secretary reviewed the following new applications may be on the agenda for June:

- Flamini, Cedar Lane Apartments – have requested to appear – use variance to erect town homes behind the apartments.
- Brandenburger, Sitzler property between Main and Cinnaminson Street – date not yet formally requested – use variance for mixed use of the site.
- Blanche, 629 Linden Ave. – have requested to appear – side yard set back relief for existing non conformity for an addition.
- Grahn, 401 Midway – date not yet requested – setback relief for fence on a corner property.

Issues concerning limiting the time of the meeting and the length of comments were discussed. It was agreed that an applicant could not be advised not to appear and because continuances may change the time involved for a particular hearing, it was decided that if an applicant requests to appear they will be placed on the agenda.

PUBLIC COMMENT ON GENERAL ZONING ISSUES

The meeting was opened to public comment.

Councilman Gilmore reviewed some of the history concerning possible building on the site of the Cedar Lane Apartments. He also stated that he as well as others was very interested in the possible plans for the Sitzler property as well as the plans for the Cedar Lane Apartments.

The meeting was closed to public comment.

MISCELLANEOUS

Issues concerning illegal signs and the enforcement powers of the Zoning and Code Enforcement Officer were discussed. Members stated that they would address any concerns with Tony Dydek. It was reviewed that enforcement powers are basically limited to the Zoning Code. For other sections of the Borough Codes, Tony can act as the conduit to bring complaints and issues to the proper authorities for enforcement and resolution.

Councilwoman Alls-Moffat reported that Council would begin an overview of the Redevelopment Plan at the next Council meeting.

Meeting adjourned at 8:30 PM.

Next meeting is on 6/16/2004, 7:30 PM at Borough Hall.

Tape is on file.

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