

**RIVERTON BOROUGH ZONING BOARD
MINUTES
February 16, 2005**

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 7:36 PM by Vice Chairman John Trotman.

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 23, 2005.
2. Posting notice and publication in the Burlington County Times of this meeting by the applicants.

PRESENT: Kerry Brandt, John Trotman, Edward Smyth, Ken Mills, and Bill Brown.

ABSENT: Richard Mood, Fritz Moorhouse, Alfred DeVece, and Alan Adams.

OFFICIALS: Secretary Ken Palmer was present. Board Solicitor Janet Zoltanski Smith, Councilwoman Muriel Alls-Moffat, Board Engineer Richard Arango, and Board Planner Tamara Lee were not present.

MINUTES: A motion was made by Ed Smyth, seconded by Bill Brown, and unanimously approved to adopt the minutes of January 19, 2005 as distributed.

PUBLIC HEARINGS:

APPLICATION BY CEDAR LANE MANOR t/a CEDAR LANE MEWS FOR DEVELOPMENT, SITE PLAN APPROVAL, USE, AND BULK VARIANCES TO CONSTRUCT TOWNHOUSES AT 811-817 CEDAR STREET, BLOCK 1700, LOT 2 (CONTINUED):

Continuance – The vice chair and secretary reviewed February 7, 2005, correspondence from the attorney for the applicant requesting an additional continuance since their professionals had not completed the revised site plan materials. Ed Smyth made a motion seconded by Bill Brown that the hearing be continued at the request of the applicant. There was no further discussion and the motion was passed by a unanimous voice vote 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 by Cedar Lane Manor t/a Cedar Lane Mews for development, site plan approval, use, and bulk variances to construct townhouses at 811-817 Cedar Street, Block 1700, Lot 2 is continued, applicant having agreed to a continuance for consideration of the matter until the next regular meeting of the Board on March 16, 2005 or thereafter if an additional extension of time is deemed necessary.

This notice will be posted on the bulletin board and is the only official notice required of the continuation.

The chair stated that he was concerned that the matter is being continually postponed with no notification being sent out or published. The secretary reviewed that the continuation notice is the only notification required by law and it is always posted on the Borough Hall bulletin board. Further, the secretary always follows up with any inquiries as to the status of the matter and the upcoming agenda is posted on the Borough's website and available at Borough Hall prior to the meeting. Ken had also spoken with Board Solicitor Janet Smith and she advises that it is entirely up to the board whether to grant continuances or not. If not granted, the applicant would be required to re-notice by mail and publication in the paper when the hearing was to resume. If the board feels that the applicant is making a good faith effort to comply, then a continuance is warranted. The board concluded that as long as the process was moving towards a finite date and it appears the public is being properly informed, it would work with the applicant.

OLD BUSINESS

Fence Committee – The chair reported that the committee had met in January, that a draft for review was very close, and he hoped to have materials available for zoning board review and comment prior to submitting it to the planning board for formal review and consideration.

2005 Budget – The chair reported that he had e-mailed his preliminary figures to the Borough Treasurer. As to concerns about salaries and such, the treasurer makes sure they are included. Betty needs the board's input as to actual operating expenses and professional fees estimated to be incurred by the board. The chair also reviewed that the solicitor is being asked to break out expenses for meeting attendance for hearing related issues versus general counsel. The secretary stated that was now being done based on the solicitor's invoice for the January meeting. The secretary also reported that he was able to find over \$800.00 that should have been charged to escrow accounts or to other departments.

Escrow Accounts – The secretary reviewed that he is monitoring all accounts and notifying applicants when necessary. Everything is currently in order.

CORRESPONDENCE

The secretary reviewed the correspondence.

- Contracts from all professionals have been received, reviewed and signed.
- 1/20/05, memo from Councilman Robert Smyth, Finance Committee Chairman to department heads concerning the 2005 budget review process.
- 2/5/05, copy of letter from the Burlington County Soil Conservation District regarding a resolution concerning review, certification and inspection requirements for single family dwelling construction under Chapter 251, Soil Erosion and Sediment Control Act.
- 2/7/05, letter from Lou Colaguori, attorney for the Cedar Lane Mews requesting continuation until March 16th.

NEW BUSINESS

Vouchers and Invoices:

- 1/13/05, Remington Vernick & Arango Engineers, \$560.00 for work on the Cedar Lane Mews application in November and December. Pay from escrow.
 - 1/27/05, Janet Smith, \$112.50 for meeting attendance and general legal services in January.
 - 1/27/05, Janet Smith, \$125.00 for work on the Cedar Lane Mews application. Pay from escrow.
 - 2/3/05, Tamara Lee, \$382.50, for work on the Cedar Lane Mews application. Pay from escrow.
- Kerry Brandt moved, Ed Smyth seconded, and the vote was unanimous to pay the invoices as presented providing there are sufficient funds in the escrow accounts. The secretary will make sure the invoices are signed and submitted for payment.

PUBLIC COMMENT ON GENERAL ZONING ISSUES

The meeting was opened to public comment.

Councilman Ed Gilmore spoke to the park and parking concerns and his and the Environmental Commission's ongoing desire to purchase property along the east side of the park to ensure adequate parking and access to the creek. Ed Smyth asked Mr. Gilmore if there were any attempts being made to handle the lack of access to toilet facilities by the children's sports teams. Mr. Gilmore stated he would follow up with the committees involved.

There was no further comment and the meeting was closed to public comment.

Meeting adjourned at 8:00 PM.

Next meeting is scheduled for 3/16/2005, 7:30 PM at Borough Hall.

Tape is on file.

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