

**RIVERTON BOROUGH ZONING BOARD
MINUTES
May 18, 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 7:30 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 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, Richard Mood, Fritz Moorhouse, and Bill Brown.

ABSENT: Ken Mills, Alfred DeVece, and Alan Adams.

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

MINUTES: A motion was made by Bill Brown, seconded by Ed Smyth, and unanimously approved to adopt the minutes of April 20, 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 secretary reviewed the May 18, 2005, correspondence from the attorney for the applicant requesting an additional continuance to complete their plans to address the density issues as regards the riparian rights issue. Fritz Moorhouse made a motion seconded by Rick Mood 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, and bulk variances to construct townhouses at 811-817 Cedar Street, Block 1700, Lot 2 is continued, applicant having requested a continuance for consideration of the matter until the next regular meeting of the Board on June 15, 2005.

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

APPLICATION BY BRANDENBURGER/SHERIDAN, INC. FOR SITE PLAN APPROVAL AND ALL RELATED VARIANCES AS NEEDED TO DEVELOP THE FORMER “SITZLER” PROPERTIES ALONG MAIN & CINNAMINSON STREETS (BLOCK 904, LOTS 2&3; BLOCK 905, LOT 6; BLOCK 906, LOT 1). (CONTINUED):

The chair asked the board if personal or business conflicts prevented any member from hearing the application. John Trotman stated he had a potential conflict of interest and would recuse himself from this matter. The chair reviewed with the secretary that all jurisdictional requirements have been met and site plan application review could be heard.

Introduction – Chairman Brandt reviewed the issues he thought were before the board. A major subdivision is needed to construct the four residential units in the NB zone, the lots to be used for the commercial area need to be joined, there is a long list of bulk variances needed, and there is concern over the traffic study and the completeness of the application. The chair introduced David Oberlander, the applicant’s attorney.

Testimony – Mr. Oberlander reviewed the history of the matter and that the use variance granted by the board was based on the original site plan and a revised concept plan that answered many of the board’s concerns reducing the residential area and increasing the commercial area. The revised site plans presented to the board incorporated the concepts presented when the use variance was granted and have taken the concept further. The applicant is now proposing four semi-detached homes along Cinnaminson Street and the commercial area off Main Street and paralleling the rail line/Broad Street corridor. There are no town homes planned. While more residential units are permitted under the variance, the applicant is currently planning only the four semi-detached homes. The commercial space will be two stories and all retail or office space. The applicant realizes this may impact the COAH obligation, but hopes this can be resolved. David outlined the applicant is seeking preliminary and final subdivision for the residential lots, an additional minor use variance to permit use of the R4 residential lot at the end of Cinnaminson Street next to the NB zone as parking area for the commercial area, bulk variances for the residential lots, and finally the hoped for preliminary and final site plan approval. Mr. Oberlander introduced the three individuals that would offer testimony: Jim Brandenburger, the applicant; Andrew Ott, applicant’s engineer; and Tiffany CuvIELLO, applicant’s planner. They were sworn in. The following exhibits were entered:

- A1 – Old proposed plan.
- A2 – Colorized version of the new proposed plan (SP1) which is part of the revised site plan submitted for this hearing.
- A3 – Color rendition the proposed elevations of the proposed commercial building.
- A4 – Proposed floor plans of the commercial buildings.

Mr. Brandenburger (Jim) testified that the proposed block of four homes has been broken into four homes built as two semi-detached “twins.” While not shown on the current plan, he plans to connect his path along the side of the property adjacent to the rail line to the town’s war memorial and if access can be obtained, to extend a path all the way to Cedar Street. While the commercial modules are changed, the total square footage stayed the same. He visualizes retail and office uses on the first floor with probably all office use on the second floor. Elevator service to the second floor is planned. Actual uses will be market driven and as permitted by ordinance in the NB zone.

The chair raised his concerns regarding the COAH impact and the possibility of utilizing the permitted apartments over commercial space as one possible solution. Jim stated he wanted to keep the commercial area all commercial and thus did not plan for residential use in the modules. To include residential uses would make for rather drastic changes in the design and construction of the commercial units. Mr. Oberlander (David) reviewed that the applicant will not cause the town to suffer by any increased COAH obligation incurred by the variances granted. Tamara Lee (Tamara), the board’s planner and David discussed the technical aspects of COAH both current and the newly passed Phase III and how the town is basically caught in the middle of the old and new requirements due to the way COAH wants them enforced. It was discussed that there are many methods to satisfy COAH and until all avenues are researched, Tamara feels the issue should be left open for now and made part of the final approval process. The entire issue must be determined by input from Council and perhaps preliminary site plan approval can be granted subject to satisfactory resolution of the COAH concerns. Jim reviewed the plans for the residential units. They will be two-story “twins” with garages and space for one car in the driveway. As to a suggestion by board solicitor Janet Smith to use one of the four residences as two apartments to satisfy the COAH obligation, Jim stated that was more or less a best and worst case. Jim wants to keep the residential area as four single family residences. Jim concluded that he hoped to keep the commercial and residential uses separate and to do that he wants only to construct the four residential units and keep the commercial area all commercial. He has no intention, unless there is no alternative, to mix residential apartments in the commercial space and doesn’t want to increase the residential component. Jim feels it is critical to increase the commercial use in the area. Jim hopes he may be able to satisfy the COAH obligation through an appropriate funding method.

Mr. Ott (Andy) the applicant's engineer was introduced and his qualifications were reviewed as an expert. Andy reviewed the layout of the plan and the proposed parking. Primary access to the commercial area will be from Main Street with access also provided from the end of Cinnaminson Street. The original need for a detention basin is no longer needed and the applicant will fund the cost to tie into the existing municipal drainage system that is available and capable, with proper modification, to handle the site. The proposed drainage construction will alleviate an existing drainage problem at the end of Cinnaminson Street. An easement from NJ Transit for access to the drainage has been applied for. Parking will meet all ADA requirements for handicapped access and a total of 58 spaces are proposed. Extensive landscaping is planned and a landscape plan has been submitted and they are willing to work with the board's professionals to iron out concerns. A walking path is proposed that will tie into the town's War Memorial and, if access rights can be obtained from NJ Transit, will extend all the way to Cedar Street. Suitable downcast lighting is planned for the commercial area.

In response to questions by Rick Arango (Rick), the board's engineer, as to how the calculations were derived, Andy replied that while the code could require a maximum of 69 spaces, their traffic engineer has used higher figures than the professionally recognized manual allows them to use to provide a conservative calculation. Thus he believes 62 spaces is a more appropriate figure given the planned mix of retail and office. It is hoped a variance for four spaces to allow the planned 58 spaces can be granted. Rick commented on the request for a 9x18 foot parking stall size versus the required 10x20 foot space and stated he felt the board could, if it desires, appropriately grant a variance for stall size based on the proposed uses of the site. Ed Smyth raised concerns about people using the site for parking for non-site related purposes such as for the light rail. David stated that the applicant was prepared to post the appropriate patron only signage and if problems exist to pursue the proper approvals to permit enforcement of the regulations. Tamara suggested that the office tenants could be given restricted spaces for their use during office hours. The chair stated that it was not the owner's responsibility to address existing parking issues as long as they meet the needs of their site. Fritz Moorhouse asked about handicapped parking and was informed that the site would be fully compliant including van accessible spaces. David asked Andy to address any specific points in Rick's review letter. Andy stated the only issue they had at this time was the comment recommending the use of underground utilities in the residential area. Andy feels such a requirement is not suited to the small area planned in a well established residential area that has existing overhead utilities. Rick replied that in the residential area it was more of an ascetic suggestion and he doesn't have a problem with Andy's contentions. The chair stated he had some concerns but would defer to Rick to address concerns he has in his review. Regarding the extension of Cinnaminson Street, the latest Residential Site Improvement Standards permits a board to allow the extension of an existing street. However the RSIS requires a 28 foot cartway; but, the existing street is only 24 feet. Andy stated the applicant would widen the street to 28 feet in the new area. The applicant will also address all concerns regarding sight triangles and cross sections raised in Rick's review. Concerning loading, it was commented that loading requirements for the small business uses envisioned did not require dedicated loading areas and could be accomplished from the parking area during off peak hours. Concerning trash enclosures, it will be properly concealed and accessible from the end of Cinnaminson Street. Concerning residential parking, the two spaces required will be provided by a garage and space in the driveway. Concerning the grading of the commercial site and the resulting low spot that ends on the one residential lot, this is unavoidable. Since the commercial site must correct the condition, a field drain on the residential lot is proposed to direct any runoff into the commercial areas drainage provisions. It was suggested that since the need for the drain results from the commercial site development, a suitable method be found to have maintenance of the drain be the responsibility of the commercial site. This issue will be pursued as part of any final approvals. The chair had concerns about the lighting which were addressed by Andy. Regarding signage, nothing is being requested or planned since the needs aren't known at this point. The applicant intends to comply with the town's ordinances and will approach the proper authorities when the plans can be finalized. The need for a variance is not contemplated at this time.

Tiffany CuvIELLO (Tiffany), the applicant's planner was introduced and her qualifications were attested to as being considered an expert witness for her testimony. Tiffany proceeded to address the various issues specifically the variances being requested. As is required, she demonstrated the positive and negative criteria for each variance requested. Valid hardships were demonstrated to further the need for the parking variances. Tiffany provided testimony to the fact that the benefits to the community outweighed any detriments arising from the project and that the plan presented a best use of the site and was suitable for the proposed use. She provided testimony that there was no substantial detriment to the public good or impairment of the zone plan. The plan will enhance and promote

the town concept cited in the master plan. The plan provides improved buffering, improved drainage, enhanced pedestrian circulation and will enhance and build up the business area. Tiffany addressed concerns regarding the shortage of parking and the inadequate buffering between the commercial and residential area. She provided testimony in support of the town vacating the four-foot "Mattis Lane" easement in favor of the pathways planned by the applicant and how that would address the buffering issues. The reduced rear yard setbacks of the residences will provide an enhanced visual impact along the street. The only major outstanding issue appears to be the COAH issue which Tiffany understands will be subject to continued review with the Borough.

Tamara raised concerns of the impervious coverage of the parking proposed in the residential area. Tiffany, Andy, and David concurred that while the planned coverage was allowed in the NB zone it exceeded the residential zone, but was needed for the parking requirements of the site. If the lot is to be considered separately, the 49% coverage is only 9% over the 40% permitted and the rest of the lot will remain green with substantial, improved, and maintained buffering. The impervious coverage of the planned residences will be 60 to 65% which is under the allowable coverage in the NB zone. Semi-detached homes usually have different ratios of coverage versus detached homes and the plan has addressed any drainage issues. The chair asked if the applicant had any concerns regarding the landscape issues defined in Tamara's report and the reply was they did not. The chair raised the issue of the traffic study which has only recently been supplied. Rick stated that their firm's traffic engineer had made a preliminary review and had not seen any major concerns so far; however, Rick stated he cannot render a professional opinion at this time until a proper review has been completed. The chair raised a concern that the location of the proposed entrance on Main Street is often blocked now and would the situation be worsened when the site is developed. Rick stated he would like to reserve any comment until the review of the study is completed. Tamara stated she feels lighting of the site should be in keeping with the historic character of the area and she feels the "acorn" style referenced by the applicant's plan is not a good example. Andy stated they will be glad to work with the town on finalizing the style as long as it permitted the site to meet the lighting standards. It was agreed that bicycle racks could be included. Andy agreed to review issues concerning making driveways and crossing walks pedestrian oriented and to enhance the purpose of traffic calming where possible. This concluded the testimony of the applicant. The applicant, his professionals, and the board's professionals stated that unless needed to respond to questions from the board or public, they had no further comments at this time.

Board questions and comments – Ed Smyth commented that he thought the professionals had done a commendable job in addressing the variances and issues involved. He feels the plans presented will address a long standing eyesore in the center of the town. Bill Brown emphasized that traffic calming was needed and he is concerned for the safety of the children that use the area as a principal school crossing area. Andy stated that they are willing to work with the board's professionals on the subject. Bill asked if the traffic study is vehicle or pedestrian oriented and the answer is traditionally it is vehicle centered. Bill is also concerned about any impact on secondary roads during construction. It was stated that a soil erosion and sediment control plan will be filed as is required; however, the applicant's professionals do not think it will be appropriate to use Cinnaminson Street as a construction access point. Jim replied that he envisioned constructing the parking surfaces first to hopefully lessen any impact as much as possible. There being no additional comments or questions from the board at this time, the chair stated that he would open the hearing to public comment. He stated that comments and questions from the public would be limited to three minutes each person. He asked that there be no interactive type of discourse either between the public or with the applicant, applicant's professionals, the board, or its professionals. If questions were asked or if comments required a reply, this would occur after the person had finished speaking. The chair reinforced that the board wants to hear from everyone who wishes to comment. The public's thoughts and concerns are important and the decisions the board is being asked to make effect the town and the feelings of everyone is important. The chair reviewed for everyone what the board is being asked to do. The things the board can approve or deny are the major subdivision for the four residential lots, allowing the use of the residential lot for commercial use, preliminary site plan approval, and the numerous bulk variances defined. The chair raised the issue with the applicant that the use variance requires an approval of five votes and there are only five members present. Asked if they would care to defer consideration of the use variance as is their right, David replied that they were prepared to go forward with everything the board was prepared to rule on tonight.

Public comment:

The chair asked and received a vote of approval to open the hearing to the public.

- Ed Gilmore, 103 Main Street, reviewed the impact of town's Center's of Place Grant on the area. He reviewed that that the town is negotiating with the bank to utilize their parking lot for town business. Negotiations with NJ Transit are under way to gain access through to Cedar Street. The Broad Street Enhancement project includes improvements to the sidewalks in the immediate area of the project.
- William Henry Harris, 502 Cinnaminson Street, asked if an environmental impact study had been done given that there used to be large fuel oil storage tanks on the site and there was an auto body shop on the premises. Concerning vacating historic Mattis Alley, he feels the applicant should provide remuneration to the town. He does not feel it should be vacated. It has been neglected for many years. There was a reply by the applicant's professionals that they thought a phase one study was done.
- Donna Tyson, 206 Carriage House Lane, addressed a long list of specific questions to Rick and Tamara concerning handicapped parking, parking requirements versus use, COAH impacts, landscaping, proposed uses, impact on the immediate area, the master plan, the traffic study, the Borough's moratorium on apartments, loading areas, the River Line and parking, and the impact on this project of the degradation in service projected in the traffic study done for the Kaplan project in Cinnaminson Township. Both Rick and Tamara provided a point by point response to Donna's questions. The chair responded that the applicant must comply with all codes. The board cannot rule on an applicant putting in an approved use. The board and community view the site as a difficult property. However the board can set conditions on how the property is improved. The chair feels this is not an excuse to allow variances; but, the board is willing to work with an applicant to reach a reasonable and proper decision.
- Michael Heine, 206 Carriage House Lane, feels the chair's discretionary time limit on public comment is a violation of due process and cited code to Janet to back up his point. He discussed why he feels the application is a violation of statutes. He feels a hardship has not been demonstrated. He feels parking issues have not been properly addressed and the board cannot consider granting any form of preliminary approval.
- Roger Luce, 707 Main Street, is concerned about the impact of delivery trucks. He was concerned about ADA compliance until explanation proved to him that misunderstood the testimony. He is strongly opposed to the proposed residences, especially the proposed form. The chair responded that the plans before the board are based on a use previously granted after a lengthy hearing process. The proposed plans are much closer to what the public expressed they wanted when the use variance was granted. The chair feels the prior decisions of the board were good decisions. It was known that the granting of the use would necessitate bulk variances and he does not believe that there have been any surprises presented in the plans.
- Ed Cascarella, 603 Cinnaminson Street, believes traffic is a problem now, it will only get worse, and he feels most people will use Cinnaminson Street. He is concerned about the impact on the residential character of Cinnaminson Street. The chair responded that no matter what is done with the site, irregardless if variances are granted, it will impact traffic in the area.
- Jon Laverty, 616 Main Street, commented that the building that used to occupy the site was twice the size being proposed now, was four stories high and there were only four parking spots on site. The Borough has endured a hardship with the site since the site was cleared following a fire in 1979. There has not been a line of prospective buyers or developers waiting to redevelop the site. He believes the trash storage needs further review. He believes it is insufficient as proposed. There should not be any outside, open storage of the containers. He feels the planned serpentine walkway should be revised to be more in line with the angles and straight lines predominant in this part of town and see if can be made an integral part of the existing walkway along the rail line. He commends the applicant for bending over backward to work with the board and town and hopes the town realizes these efforts. Jim replied that straightening the walkway would involve drainage issues and possibly impact the proposed parking. Andy replied that the trash storage concerns will be examined further.
- Tom Ehrhardt, 410 Thomas Avenue, feels the testimony regarding the bulk variances have not properly addressed the reasons they should be granted. He feels the number of units being created is driving the number of parking spaces needed and that shouldn't be a consideration for granting the variance for the number of spaces. He feels a problem exists if the board based its decision on the fact that the COAH units would be built and now they will not. He believes that if the parking issues especially regarding the transit concerns is not addressed it will be a substantial hardship to the town. The chair commented that the board knew that granting of the bulk variances would be a logical outcome of granting the previously granted use variance to construct

other than detached homes. Tamara stated that the defense based on the fact that the benefits outweigh any detriments was a proper defense. Tamara commented that hardship was presented especially as regards the parking situation. As for COAH, Tamara stated that there are many ways to satisfy a COAH obligation and by deferring a final decision on this issue allows the full research needed. The chair stated that he personally and he thought the board was of a similar mind, never intended to let the COAH issue “slide by.” It is an important issue and will be resolved.

There being no further comments, Fritz Moorhouse moved, Rich Mood seconded, and it was unanimously approved to close the hearing to public comment.

Board Deliberation:

The chair asked if there were any further questions or comment from the board. There were none. The chair reviewed that as he understood it the board was being asked to rule on the subdivision, the use of the residential lot for parking, the variances being requested, and on at least preliminary site plan approval. Janet asked if there were any particular concerns that the board had about the application. Janet stated that the board, unless it wanted to deal with a specific point separately, could treat the issues in groups such as subdivision, use, bulk variance, etc. The chair stated he wanted to make sure the open issues such as COAH, ARC review, the traffic study, and such were not missed and made conditions of any approvals. It was decided that all approvals should be conditioned on obtaining final site plan approval. The board agreed that for site plan approval, at most it could only consider preliminary site plan approval tonight since there are numerous issues that need to be resolved. The board could move through the various points and include all the conditions when it came to considering any site plan approval. It was decided that the subdivision issue should be considered first, followed by the use variance, then the bulk variances, and lastly preliminary site plan approval. The board went on to act on the issues defined below.

Subdivision – Janet Smith guided the board in crafting a motion granting preliminary and final subdivision approval contingent on the applicant obtaining final site plan approval to subdivide Lot 1 of Block 906 into four residential building lots to contain semi-detached homes as shown on the plan submitted; and, to merge Lots 2& 3 of Block 904 and Lot 6 of Block 905 for the commercial construction as shown on the plan submitted. Fritz Moorhouse made the motion as suggested and it was seconded by Rick Mood. There being no further discussion, a poll vote of the members unanimously approved the motion as follows:

Mr. Brandt	aye	Mr. Smyth	aye
Mr. Mood	aye	Mr. Moorhouse	aye
Mr. Brown	aye		

Kerry: Consistent with the previously granted use variance.

Use variance – Janet Smith guided the board in crafting a motion granting a use variance to permit the use of a portion of Block 905, Lot 6 currently merged to be used as a parking lot and landscape buffer as shown on the plan submitted contingent on the applicant obtaining final site plan approval. Fritz Moorhouse made the motion as suggested and it was seconded by Rick Mood. There being no further discussion, a poll vote of the members unanimously approved the motion with comments as follows:

Mr. Brandt	aye	Mr. Smyth	aye
Mr. Mood	aye	Mr. Moorhouse	aye
Mr. Brown	aye		

Kerry Brandt: Use is specifically suited to the site since it is next to light rail and provides a space and landscape buffer from the light rail for the adjoining residential lot. The use variance is warranted based on the testimony provided by the applicant’s planner. Ed Smyth and Rick Mood seconded Kerry’s comments. Fritz Moorhouse: The site is specifically suited to the use and the parking area is needed to provide parking required for the plan. Bill Brown also concurred.

Bulk variances – There being no disagreement from the members and no objection from the solicitors, the chair entertained and Janet Smith guided the board in crafting a motion based on the reviews of the board’s planner and engineer, and contingent on the applicant obtaining final site plan approval, granting bulk variances to:

- permit a residential lot size of 2,625 square feet for each residential lot where 4,000 square feet is required,
- permit side yard set backs of zero (0) feet and 6.25 feet for each residential lot where 10 foot each side and 20 feet combined are required,
- permit a rear yard depth of 22.6 feet where 25 feet is required for two of the lots as shown on the plan,
- permit a lot frontage of 26.25 feet for each residential lot where 50 feet is required,
- permit maximum lot coverage of 49% where 40 % is the maximum on the lot in the residence zone which will be used for part of the commercial parking,
- permit a landscape buffer of 8.3 feet between the proposed residences and the commercial site with the contingency that if the existing four foot public access easement is vacated, a full 10 foot buffer will be installed as required,
- permit the number of commercial parking spaces to be 58 where a maximum of 69 may be required, and
- permit a parking stall size of 9 feet by 18 feet where 10 feet by 20 feet is required in the commercial zone.

Fritz Moorhouse made the motion as suggested and it was seconded by Rick Mood. There being no further discussion, a poll vote of the members unanimously approved the motion with comments as follows:

Mr. Brandt	aye	Mr. Smyth	aye
Mr. Mood	aye	Mr. Moorhouse	aye
Mr. Brown	aye		

Kerry Brandt: Should be granted to enable the uses previously granted and doesn’t think there is a substantial detriment to the neighborhood. Ed Smyth: Feels the applicant has paid particular attention to the comments and concerns of the board in developing his plans. Rick Mood, Fritz Moorhouse and Bill Brown concurred.

Preliminary Site Plan Approval – Janet Smith guided the board in crafting a motion granting preliminary site plan approval conditioned upon that prior to the granting of final site plan approval, the applicant will:

- develop a satisfactory strategy for meeting the anticipated COAH obligations generated by the development plans,
- resolve issues resulting from professional review of the traffic study,
- comply with the board engineer’s review letter except for allowing overhead utilities in the residential area,
- comply with the board planner’s review letter,
- complete the review by the ARC and make known that group’s suggestions,
- develop provisions that maintenance of the yard drain on the residential lot will be the responsibility of the commercial lot owner(s).

Fritz Moorhouse made the motion as suggested and it was seconded by Rick Mood. There being no further discussion, a poll vote of the members unanimously approved the motion with comments as follows:

Mr. Brandt	aye	Mr. Smyth	aye
Mr. Mood	aye	Mr. Moorhouse	aye
Mr. Brown	aye		

Kerry: Plans well presented.

Continuance – The applicant’s attorney requested that the matter be continued with all time limits being waived by the applicant until the board’s next meeting or further if needed. Fritz Moorhouse motioned and Rick Mood seconded 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 Brandenburger/Sheridan, Inc. for Site Plan Approval and all related variances as needed to develop the former "Sitzler" Properties Along Main & Cinnaminson Streets (Block 904, Lots 2&3; Block 905, Lot 6; Block 906, Lot 1) is continued, applicant having requested an extension of time for consideration of the matter until the next regular meeting of the Board on June 15, 2005 or beyond if needed.

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

OLD BUSINESS (Conducted before and after the hearing)

(Before Hearing)

Resolution Case #Case 2005-02:

Application For Side Yard Setback Relief For Construction Of An Addition On The Side Of The Home, By Bernard J. Swiderek, 305 Carriage House Lane, Block 305, Lot 4: Following a statement summarizing the resolution and confirmation that members had read and reviewed the resolution, there was no further discussion and a motion was made by Ed Smyth and seconded by Bill Brown to adopt the resolution. A poll vote of the members eligible to vote unanimously adopted the resolution by a vote of 5 to 0 as follows:

Mr. Brandt	aye	Mr. Trotman	aye
Mr. Smyth	aye	Mr. Mood	aye
Mr. Brown	aye		

(After Hearing)

Fence Committee – The chair reported that a preliminary draft has been given to the committee members.

Reexamination of the Master Plan: – The secretary reviewed that the planning board may be conducting a joint meeting with Borough Council to solicit their input. The planning board also wants and welcomes comments from all other boards and organizations. A subcommittee has been formed.

CORRESPONDENCE

Due to the late hour, and that except for the invoices considered under new business, none of the correspondence was critical or time sensitive, review of correspondence was tabled until the next meeting.

NEW BUSINESS (Conducted before the hearing)

Vouchers and Invoices:

- 4/28/05, Janet Smith, \$112.50 for attendance at the April meeting.
- 4/28/05, Janet Smith, \$293.75 for the Swiderek hearing and preparation of the resolution. (ESCROW)
- 5/2/05, Tamara Lee, \$828.75 for review and report preparation for the Cedar Lane Mews application. (ESCROW)
- 5/2/05, Tamara Lee, \$765.00 for plan review and report preparation for the Brandenburger/Sheridan application. (ESCROW)
- 5/13/05, Remington Vernick & Arango Engineers, \$902.50 for plan review and report preparation for the Brandenburger/Sheridan application. (ESCROW)
- 5/13/05, Remington Vernick & Arango Engineers, \$532.50 for plan review and report preparation for the Cedar Lane Mews application. (ESCROW)

Fritz Moorhouse moved, Rick Mood 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

Councilwoman Alls-Moffat commended the board on the professional way the hearing had been conducted and the amount of business that was concluded.

There being no further comment, the meeting was closed to public comment.

Meeting adjourned at 11:20 PM.

Next meeting is scheduled for 6/15/2005, 7:30 PM at Borough Hall.

Tape is on file.

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