

**RIVERTON BOROUGH PLANNING BOARD
MINUTES
April 18, 2006**

The Public Session of the Planning Board was called to order at 7:05 PM by Chairman Frank Siefert.

Public Notice of this meeting pursuant to the Open Public Meetings Act has been given in the following manner:

1. Posting notice on the official bulletin board in the Borough Office on January 23, 2006.
2. Required Service of notice and publication in the Burlington County Times on January 25, 2006.

PRESENT: Frank Siefert, Christopher Halt, Muriel Alls-Moffat, Mayor Robert Martin, Councilman Robert E. Smyth, Mary Lodato, and Suzanne Wells.

Also Present: Secretary Ken Palmer, Solicitor Tom Coleman, Planner Tamara Lee, and Engineer Raymond Worrell for Patrick Ennis.

ABSENT: Joseph Katella and Keith Wenig.

MINUTES: A motion was made by Mayor Martin and seconded by Councilman Smyth to adopt the minutes of the March 21, 2006 regular meeting as distributed. The voice vote was unanimous.

CORRESPONDENCE/ANNOUNCEMENTS

1. **Bulletin from ANJEC regarding Municipal Wastewater Management Plans and their relation to the Regional Water Quality Plans.**
2. **Brochure from ANJEC on a workshop being held 4/29 or 5/6 on the State Transfer of Development Rights (TDR) program.**
3. **Letter via fax and regular mail from Mark Malinowski notifying the board he had left Lord Worrell & Richter and resigning as the appointed engineer from that firm.**
4. **Copy of the latest proposed site lease agreement from T-Mobile from Councilman Smyth asking for comments from chair among other Borough officials and personnel.**
5. **4/5/2006 from Mary to the board, copy of Ordinance 5-06 establishing conditions for the conditional use of telecommunications towers which passed first reading in Council.**
6. **Copy of Overview of the State Redevelopment and Housing Law from Councilman Smyth for the board.**
7. **Three vouchers/invoices as presented under New Business.**

PUBLIC HEARINGS

Application by Brandenburger/Sheridan, Inc. for Amended Preliminary and Final Site Plan Approval and All Required Variances As Needed to Redevelop the “Nu-Way” and “Riverton Motors” Properties on Broad Street (Block 1501, Lots 20, 21, 22, & 23)

Introduction and Housekeeping: The chair introduced the topic and introduced David Oberlander, counsel for the applicant. The secretary attested that the applicant had properly noticed and that all jurisdictional requirements had been met and the board solicitor concurred that the hearing could proceed. Chris Halt stated that he needed to recuse himself from voting on the matter.

The secretary with counsel’s approval listed the following exhibits:

- A1 – Amended site plan application
- A2 – Amended site plans package and related submissions
- A3 – Proofs of publication and mailings
- A4 – County Engineer’s letter
- A5 – Board Planner’s review letter
- A6 – Board Engineer’s review letter

Testimony and Board Questions: Mr. Oberlander reviewed that the board had previously granted final approval contingent on the all other required approvals be obtained. The county has conditioned their approvals on the applicant revising access to the site to comply with county requirements regarding access from local vs. county roads. To comply, several changes impacting circulation on the site as well as access to the site have been made necessitating amending the previously approved site plan. In addition ongoing discussions have warranted a change in the exterior plans for the strip stores. Jim Brandenburger, principal of Brandenburger/Sheridan was sworn in. Mr. Brandenburger used a colorized rendition of the amended site plan marked as exhibit A7 to explain the changes to the plan. The county will not allow full access to the site from the main entrance on Broad Street. The plan being presented tonight has been conditionally approved by the county. The county will only permit a right turn into the site and right turn from the site at this entrance. The applicant will restructure the entrance to discourage making a left turn into or out of the site at this entrance. To provide left turn access from Broad Street and facilitate the flow of delivery vehicles, the applicant will develop a portion of Martha's Lane, the "paper street" between applicant's site and the National Casein property. The street will be constructed to fully meet all local codes and capable of being dedicated to the town. The street will be developed to the where the stormwater basin and buffering area begins which is the end of the paved area at the rear of the site. The applicant will properly stripe Broad Street to indicate a left turn into Martha's Lane. Broad Street will be properly striped. Aside from the striping on Broad Street providing for a left turn at Martha's Lane, no other signage is planned for either entrance. Traffic flow on the site has been revised for the use of Martha's Lane.

Jim replied to each of the review letters. In Tamara's review letter, she had suggested that a landscape buffer could be required along Martha's Lane. Tamara offered that the board may wish to consider a variance which one, permits a buffer similar to the buffer granted along Fulton Street and two, the board may wish to "bank" the buffering requirement until such time that the property across Martha's Lane is developed. Jim stated that he is requesting such a variance regarding the buffering along Martha's Lane. Jim is also requesting relief from the previously agreed to on-site sidewalk design and paving requirements since he is being asked to construct the sidewalk along Broad Street to match the Borough's streetscape program. The Borough has revised its plans to no longer include the sidewalk along Jim's property in its grant project and is requesting his construction match the town's plans. Councilman Smyth stated that he had hopes that the site specific redevelopment plans, if adopted, might avail the town and/or the developer of just those kinds of funding that helps ameliorate these kinds of trade offs. Jim also discussed that through ongoing discussions with other developers and paving contractors the mix of different types paving materials is prone to early failure. Tamara feels that pressed concrete paving when done with a good contractor will hold up well and goes to the agreed need to make the site pedestrian friendly. Asked if the county had any input on the sidewalk issues, Jim replied there was none. Jim stated he had always planned to put in new sidewalks but not necessarily to meet the Borough's decorative plans. In order to allow for as much time as possible to pursue possible grant assistance, Jim stated that he would try and stage his construction to delay the new sidewalks as long as possible. Jim agreed that the location of bike rack(s) and additional/relocated light poles will be updated on the plans per Tamara's review comments. The need for the loading dock area grading pad and relocation of some of the dumpsters was also discussed and there were no additional concerns by the engineer or planner. Jim stated that most of the comments in the engineer's review were or have been complied with and any required revisions to the plans will be made. However, Jim feels they do not have to meet the engineer's comment regarding a fence along the rear catch basin/buffering area since that issue had been resolved in prior granted approvals. The board concurred. Jim stated that he had no other issues with the engineer's letter and would comply as needed regarding obtaining all Borough required reviews and approvals. The engineer's issue of allowing two-way traffic along the rear of the site was discussed especially when a truck is docked. Jim feels that the use of Martha's Lane will lessen any traffic problems on the main parking area. Since the issue had been discussed previously it was decided it would be okay to leave this issue as a wait and see if a problem exists before requiring additional signage/direction requirements. This concluded testimony regarding the amended site plans.

Regarding the redesign of the strip stores, Jim provided a photograph, entered as exhibit A8, which shows an example of a flat-roofed structure with brick on three sides. He proposes that the style of the brick will match the style of the CVS building. The flat roof will slope to the rear and be shielded by a two-foot parapet which will shield the mechanicals located on the roof. The redesigned stores reduce the massive roof appearance of the original design, is much better in keeping with the style of the CVS store and other larger business structures in the town. Removing the large mass of gabled roof allows the depth of the building to be approximately four feet

shorter without adversely impacting the usage of the building stores. Renderings are in progress but pending at least a preliminary approval of the board for the new design. The ARC has reviewed and approved the redesign. The plans now call for five larger stores instead of the original six stores; but, will still be approximately the same total square footage. Tom Coleman feels the redesign is significantly different than previously approved and the board is warranted in delaying a final opinion on the design until suitable renderings are produced. Jim stated that the redesign eliminates the need for the previously granted “main” sign on the building. The new design will only have gooseneck lit individual store signs that comply with the Borough’s sign ordinance. The consensus of the board was that the new design is better. However, it was the consensus of the board that it wished to see renderings of the new design. Tom stated that the board could proceed with the amended approval of the site plan as long as the footprint of the strip stores is not being substantially changed. Jim wanted to know if he could proceed to “signed plans” without the new architectural renderings. Jim stated he was aware that he could not obtain permits without fully designed construction plans. Tom stated that continuing the drawings issue would not impact proceeding to signed site plans if the board grants the amended approval tonight. The new design will only improve drainage and allows for better use of the impervious coverage of the original footprint area.

Public Comment: The hearing was opened to public comment:

- Eric Saia, 401 Martha’s Lane, asked about the impact on National Casein of developing Martha’s Lane and the zoning and planning impact on its interests. It was explained that the easement always existed and that Mr. Brandenburger proposes to develop a portion that is a fully compliant street to allow access to his site. Mr. Saia asked what are the planning and zoning issues if in the future National Casein developed that portion of their property. It was explained that there is no impact except positive by the street being developed. It is basically the same if the Borough decided it would undertake putting in the street. Except for possibly reconfiguring their side of the street, they benefit that a dedicated street already exists. There were no conclusions reached as to whether Mr. Brandenburger could recoup any costs from other property owners for putting in the street, except probably not since he has to build a properly compliant street even if it only initially serves as a principal access to his site.

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

Board Deliberation and Voting: There were no further comments or questions from the board and the chair asked Tom Coleman what the board could reasonably consider tonight. Tom stated the board may wish to consider granting preliminary and final amended site plan approval based on the plans submitted and subject to compliance to the planner’s 4/17 review and the engineer’s 4/18 review. Compliance with the review letters is subject to the two-way access and fence requirements of the engineer’s letter remaining as previously approved. The only new variance being requested is that the buffering requirements along Martha’s Lane will be “banked” until such time adjacent development warrants that a landscape buffer similar to that approved along Fulton Street needs to be provided. Approval can also granted to continue any final approvals of the changed strip store building until the applicant can provide the renderings requested by the board; however that is a separate issue from the possible approval of the site plans. Following discussion as to what was being approved, Suzanne Wells asked the secretary to read back what the motion being discussed was. The secretary reviewed that the board was being asked to grant preliminary and final amended site plan approval to the plans as presented subject to compliance with the planner’s and engineer’s review letters except that the engineer’s comments regarding two-way ingress/egress at the back of the site as well as providing a split rail fence along the basin area are excluded since related approvals were already granted. Further, a variance to provide a buffer along Martha’s Lane similar to the buffer approved along Fulton Street will be “banked” unless and until development along the other side of Martha’s Lane warrants the need for the buffer. Suzanne Wells made a motion that the board grant approval as stated and the mayor seconded the motion. There was no further discussion and the motion was approved by a poll vote of 6 to 0 as follows:

Mr. Siefert	aye	Mr. Katella	absent
Mr. Halt	recused	Mrs. Alls-Moffat	aye
Mayor Martin	aye	Councilman Smyth	aye
Mrs. Lodato	aye	Mrs. Wells	aye

Continuance: The applicant agreed to and requested a continuance to provide the additional information regarding the revised foot print and architectural changes to the strip store building. A motion was made by Suzanne Wells, seconded by the mayor, and unanimously approved to continue the matter at the applicant's request.

The Planning Board of the Borough of Riverton approved the following resolution at its regular meeting on April 18, 2006:

Be it resolved by the Planning Board of the Borough of Riverton, County of Burlington, and State of New Jersey that consideration on the application by Brandenburger/Sheridan, Inc. for approvals and all related variances as needed to redevelop the "Nu-Way" and "Riverton Motors" Properties on Broad Street (Block 1501, Lots 20, 21, 22, &23) is continued, applicant having requested an extension of time for consideration of the matter until the next regular meeting of the Board on May 16, 2006.

This notice provides the only official notification required of this continuance granted by the applicant unless subsequent amendments to the application require that formal notification be made. The secretary will have the notice posted as required.

Note: Mrs. Wells was excused from the rest of the meeting due to personal matters.

Amend the Master Plan of the Borough of Riverton To Include a Stormwater Management Plan as Required by Statute:

The secretary attested that all required notices were mailed and published as required. The chair asked and received assurances from the members that they had received and reviewed the plan. The secretary reviewed the history and prior actions taken by the board on the matter. The chair asked Board Planner Tamara Lee if she had any comments and she had none. The chair asked if there were any questions or comments from the board. Mary Lodato asked and Councilman Smyth responded about any related action taken with the Delaware River Basin Commission and PCB contaminants. It was further discussed that the board was acting on the requirement that the master plan be amended to include the plan recommended to Council last year. There was discussion whether the recently adopted ordinances implementing the plan were based on a substantially revised plan. This was not known at this time; but if the plan is or has been changed a subsequent amendment can be made.

The board was asked if it had any further questions. There were none and the hearing was opened to questions from the public. There were none and the hearing was closed to public input. There was no further board discussion. The mayor motioned and Muriel Alls-Moffat seconded that the master plan be amended to include the stormwater management plan. The voice vote was unanimous. The secretary read the resolution by title: Borough of Riverton Planning Board Resolution Adopting the Stormwater Management Plan Element which is amending the master plan and adopting the element. The secretary also read the required notice to be published and the requirement that copies be sent to the County Planning Board. A motion was so made by the mayor and seconded by Muriel Alls-Moffat to the above requirements and passed by a poll vote of 6 to 0 as follows:

Mr. Siefert	aye	Mr. Katella	absent
Mr. Halt	aye	Mrs. Alls-Moffat	aye
Mayor Martin	aye	Councilman Smyth	aye
Mrs. Lodato	aye	Mrs. Wells	absent
Mr. Wenig	absent		

The secretary will have the resolution signed and properly published and mailed as required. Tamara Lee will further research that the version of the plan adopted is the current version and advise the board if other action is required.

Demolition Permit for Four Thomas Avenue (Continued) – Jim Brandenburger of Brandenburger/Sheridan is requesting a demolition permit for a home located at Four Thomas Avenue. Final decision was continued until this month. Jim testified that the house had not been sold and the price has been reduced several times as of April 11. Only negative interest had been received to date. He did not have any new information on the Historical Society’s interest in the property. Jim feels he has done everything the board has asked and feels issuance of the permit is warranted. Councilman Smyth confirmed that Jim was still willing to donate the structure if the society wanted to move it. Councilman Smyth asked if the building was uninhabitable. The answer is no. Asked if the structure could be moved to a suitable place on the property, Jim replied it would be cost prohibitive. It was also restated that the ARC feels there is nothing architecturally significant about the structure and it appeared to be the significance was more sentimental than factual. Jim stated he is still willing to keep the property listed for sale through Memorial Day. The chair reviewed that the board could approve/deny issuance of the demolition permit, continue to defer a decision for up to six months, or approve with conditions. The matter was opened to the public for comment:

- Pat Bruner, 105 Thomas Avenue, is V.P. of the Historical Society and she stated that the house is listed in the survey for the historic district as circa 1920. Jim has met with the society and affirmed his willingness to donate the home to the society and to possibly donate a location for the structure near the proposed CVS store. Members of the society have met with State Historic Trust officials who feel the house is worth saving. Grants from the state are not available, only loans.
- Priscilla Taylor, 402 Lippincott Avenue, is a board member of the society and she commented on the meeting she had with a house mover and the logistics and possible costs involved with moving the house. The costs of tree trimming, utility wire movement and the move itself are prohibitive. She is also looking into the possibility of dismantling and reconstructing the structure at another site, but does not yet have an estimate for that option. She stated the society is looking for a home for its records and archives. Asked about the possibility of locating the building on the “Nu-Way” site, Jim Brandenburger stated that would probably involve action by the planning or zoning board regarding use of the site as well as other variances that are probably involved. It was noted there may be state issues since the location is outside the historic district. It was commented that the home is listed as a “contributing” structure in the survey.
- Dolores DeFreitas, 415 Thomas Avenue, is the realtor for the property and commented that the majority consensus of people who have looked at the property is that it is not possible to do anything to upgrade the existing structure and several have also expressed that they would only purchase the property to rebuild a new home on it.
- Eric Saia, 401 Martha’s Lane, asked what exists to determine if the residence is habitable and Tom Coleman replied that there were local and county ordinances that address that issue. Councilman Smyth remarked that the residence is habitable and other criteria needed to be considered. Mr. Saia, commented there had been no effort to help preserve the property until it changed ownership and the new owner wishes to demolish it. Mr. Smyth stated that he was reviewing the requirements of the ordinance.
- Dolores DeFreitas commented on related donation issues such as the loss of a tax ratable and who was going to maintain the structure if it was donated. Asked about what elements had been removed from the building, Jim replied he had removed nothing and that Mrs. Ruff had asked to take some elements. Some smaller items have been removed and more may be taken once the house is no longer on the market.
- Townsend Wentz, 201 Bank Avenue, stated he felt the decision tonight was whether to issue the permit now or after the sale period expires. He feels the house holds great significance. He feels it is the responsibility of the board and the Borough to speak for preservation not demolition. He feels the board should hold decision on the permit until after the sale period expires.
- Dolores DeFreitas acknowledged that the property has generated much sentimentality, but it was the owner Mrs. Ruff rather than the building that generated the character. She also stated Jim is not rushing to demolition and that the request for the permit would not be effective until after the agreed upon sale period had expired.
- Michelle Daniel, 204 Lippincott Avenue, asked and received some details regarding the price of the purchase and listing. She feels the responsibility is to preserve. She also feels that granting a demolition permit sets precedence. Muriel Alls-Moffat stated that the precedence was set awhile ago when permission to demolish a large home for the Baptist Home expansion was granted. Further each property must be considered individually. She feels Jim has been very generous in his offers and willingness to wait for a possible offer.

The chair asked Jim if Mrs. Ruff had objected to his plan. Jim replied that various possibilities had been discussed and Mrs. Ruff came to the conclusion that the best method was to sell the property as two separate parcels. Jim has no problem waiting for a decision if something positive is going to come from waiting regarding preserving the building; but he has not heard that anything is forthcoming other than what has already been determined.

- Steve Moore, 103 Thomas Avenue, inquired as to ordinance requirements for ARC surveys of historic buildings in the Borough. Chris Halt stated he was not aware that there was a survey requirement in the ordinance. It was concluded that survey may mean a records survey. The ARC while not finding any architectural significance was still not easy with granting approval and was glad it could refer the matter to the planning board. Mr. Moore commented about subdivision and it was stated that subdivision was not an issue since the site was already two lots. He agrees with Mr. Wentz that the board should hold off on any decision.
- Pat Brunner commented she was not aware that anyone had contacted the society regarding the house. Chris Halt commented that he understood Mr. Croft, chair of the ARC was going to do so and was not aware that had not occurred. Mrs. Brunner commented that the society wished to submit an amendment to the ordinance to strengthen the role of the society in preserving the town's heritage.
- Townsend Wentz reiterated his feeling that there is no need to rush the decision.

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

The chair asked for additional comment from the board. The mayor stated he felt this was one of the most difficult matters he has had to deal with and wished to hear what others, including the public, feel should guide a decision. The hearing was reopened to public comment on the mayor's request for input:

- Dolores DeFreitas feels that it is good that the society wants to revisit their role in preservation. However, she is concerned there may be no legal basis for delaying the issue any longer and may be overriding an individual's rights regarding private property.
- Eric Saia agrees it is a difficult decision; but, Jim has been more than accommodating with working with the town. He also feels the society has not provided the historical rationale for preserving the house.
- Pat Brunner reviewed the information the society has about the house aside from Mrs. Ruff's long ownership and personal contributions to the character surrounding the property.
- Townsend Wentz feels there is long record of maintaining the natural character of the site and there is no benefit to rushing a decision which conveys the feeling the house has already gone.
- Michelle Daniel is concerned the soul of the town is being sold off for the highest dollar and that the line needs to be drawn somewhere. She feels changes are needed to be made that it cannot happen again.
- Priscilla Taylor stated that she does not intend nor does she feel anyone else is prepared to stand in front of the bulldozers; however, she wishes the society be given time to fully review and exercise their options regarding the property. She stated there was a pressing need to find a home for the society's collection of materials.

There was no further comment to the mayor's request. Councilman Smyth asked and received clarification on what was meant by a "contributing" property. He disagrees with the precedence comments since the code provides for a case by case review process. He feels the June 1st cut off is valid. Chris Halt commented the issue is basically the same if someone buys the property and totally changes the character. It cannot be stopped. He agrees there may be a need to change the code to better protect the town's historically significant housing stock. There being no further debate on the issue, Councilman Smyth made a motion seconded by the mayor that the board continue to defer a decision until the regular June meeting. Mr. Halt recused himself from voting and the motion passed by a 5 to 0 poll vote as follows:

Mr. Siefert	aye	Mr. Katella	absent
Mr. Halt	recused	Mrs. Alls-Moffat	aye
Mayor Martin	aye	Councilman Smyth	aye
Mrs. Lodato	aye	Mrs. Wells	absent
Mr. Wenig	absent		

OLD BUSINESS

Adopt and Memorialize Resolution P2006-04 on the Approval of a Minor Subdivision Application by Charles and Kelly Hudak, 209 Linden Avenue, Block 500, Lot12 – Tom Coleman read the motion by title and asked if the members had received a copy. The chair asked if the members had reviewed the resolution and had any comments or questions. There were none. Members Siefert, Halt, Martin, Smyth, Wells and Wenig are eligible to vote on the resolution. A motion to adopt and memorialize the resolution was made by Mayor Martin, seconded by Muriel Alls-Moffat and passed by a poll vote of 4 to 0 of the members eligible to vote as follows:

Mr. Siefert	aye	Mr. Halt	aye
Mr. Martin	aye	Mr. Smyth	aye
Mrs. Wells	absent	Mr. Wenig	absent

Site Specific Redevelopment Plan – Councilman Smyth reviewed actions by Council and the board and actions still to be taken. The secretary reported that he had received a legal opinion that a public hearing by the board on the plan was not required since Council would conduct a hearing. Councilman Smyth reported that the Burlington County Bridge Commission was very interested in the progress of the plan specifically as related to possible grants. The chair asked if the board had any comment on the draft plan and was prepared to move on it. Concern that members were not present tonight was calmed by the fact they as well as anyone would be able to comment at Council’s hearing. A motion was made by Muriel Alls-Moffat and seconded by the mayor that the board recommend that Council consider the draft plan as presented. The motion passed unanimously.

Telecommunications Tower – Councilman Smyth reviewed that the tower had been put out for bid, that one bid had been submitted by T-Mobile, and that Council had passed a resolution to award the project to T-Mobile subject to an acceptable agreement and obtaining all necessary approvals including site plan approval from the planning board. An ordinance has also been introduced to establish the conditional uses for towers and add them to the Borough’s zoning code. This addressed specific concerns from both the planning and zoning boards and their counsels that the code needed these conditions in order to establish on what conditions a conditional use can be granted. Otherwise it would be a use variance that must be heard by the zoning board and the use variance would be required before considering the site plan. Copies of the ordinance have been provided to the board. T-Mobile has stated they are in the process of submitting the site plan application and hoped to be on the board’s agenda at the June meeting. The secretary commented that he had just received the application for Zena’s. Mr. Coleman commented that the board should prepare for a lengthy presentation that has been well prepared to address all questions and is and has been used to present their case. The applicant will probably also provide for the transcription of the matter. The chair and members concurred that the application should be accepted and scheduled if it is made. The reasons for going with T-Mobile’s approach rather trying to erect, own and maintain a tower by the Borough were reviewed.

Smart Growth Grant – Councilman Smyth reported that he wants to meet with Tamara to try and go through the revisions to the scope; and, that he, Tamara, and Muriel would possibly meet together with officials in Trenton to resolve any impacts on the Borough’s current plans as well as any effects on COAH.

Reexamination of the Master Plan – Discussion was tabled due to the absence of Joe Katella.

Environmental Commission – Chris Halt reported that the commission is working on finalizing a draft of the stream corridor protection ordinance. The commission is interested in being involved in the redevelopment plan efforts and Councilman Smyth addressed Chris’ concerns.

COAH Activity – Muriel reported that COAH has claimed they never received last year’s reports. Muriel will follow up with COAH since she knows they were filed.

Architectural Review Committee – Chris Halt reported on activity the prior month including review of the Nu-Way changes and the plans for Zena’s which is receiving input from the county which severely impacts their plans especially parking. Input by the town and board to the county may be warranted to support Zena’s plans.

2006 Goals and Objectives – The topic was tabled due to Joe Katella’s absence.

Budget Issues and Reprinting the Master Plan – The chair commented that two additional copies of the plan would probably suffice at this time and he would talk to Mary Longbottom.

NEW BUSINESS

Vouchers and Invoices:

1. 3/21/06, Lord Worrell & Richter, \$187.50, for work related to the Zena’s Patisserie concept review in February (PAY FROM ESCROW).
2. 3/13/06, Remington Vernick & Arango, \$1,550.00, for work related to Sanitary Sewer Review – Site Plan Approval for the Brandenburger/Sheridan (NuWay) application from January 16, 2006 through February 15, 2006 (PAY FROM ESCROW).
3. 4/13/06, Remington Vernick & Arango, \$930.00, for work related to Sanitary Sewer Review – Site Plan Approval for the Brandenburger/Sheridan (NuWay) application from February 16, 2006 through March 15, 2006 (PAY FROM ESCROW).

It was discussed that the RVA invoices were submitted as the Borough’s engineer and considered part of the applicant’s process of obtaining required approvals. A motion was made by Muriel Alls-Moffat, seconded by the mayor, and passed unanimously to pay the items as presented. The secretary will have them signed and submitted for payment.

New Engineer – Mr. Coleman discussed that with Mark Malinowski’s resignation the board needed to appoint a new engineer. Mr. Raymond Worrell, of Lord Worrell & Richter who was present this evening to represent his firm, stated that they would like to continue to serve the board and that he recommends the board consider appointing Patrick Ennis who has worked with Mark on the board’s applications as well as the review presented tonight for the Brandenburger application. Following discussion that the board needed to appoint a specific engineer and hearing no objections to having Patrick Ennis of Lord, Worrell & Richter, Inc. serve in that capacity; a motion was made by Muriel Alls-Moffat and seconded by Councilman Smyth that Patrick Ennis be appointed to serve as the board’s primary engineer for subdivision, site plan and referrals, and general planning issues for 2006. There was no additional comment and the appointment was approved by a unanimous voice vote. The secretary stated that a resolution similar to the original resolution appointing the engineer would be published as required in the Burlington County Times and the appointed party formally notified and requested to submit a contract.

PUBLIC COMMENT

The meeting was opened to public comment. There was none and the meeting was closed to public comment.

Meeting adjourned at 10:35 PM.

Next meeting is on 5/16/2006 at 7:00 pm in the Borough Hall.

Tape is on file.

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