

**RIVERTON BOROUGH ZONING BOARD
MINUTES
November 15, 2006**

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 23, 2006.

PRESENT: Kerry Brandt, John Trotman, Edward Smyth, Richard Mood, Ken Mills, and Alfred DeVece.

ABSENT: Fritz Moorhouse, Rob Hoag, and William Corbi.

OFFICIALS: Secretary Ken Palmer was present. The presence was not required of any of the other board officials.

MINUTES: A motion was made by Ed Smyth, seconded by Ken Mills, and unanimously approved to adopt the minutes of October 18, 2006 as distributed.

OLD BUSINESS

Resolution, Case # 2006-03: Application For Side Yard Setback Relief For A Sunroom Addition, Variances For A Six-Foot Wooden Fence, Natural Fence/Buffer Extending Beyond Front Of Building, By Renee Janowicz, 428 Linden Avenue, Block 701, Lot 15 – Only members who were present for the hearing and voted for approval may act on the resolution. Mr. Trotman is not eligible to vote on the resolution. The chair asked if the members had read the resolution and if there were any comments or questions. All stated they had read the resolution and there were no comments or questions. Ed Smyth motioned and Fred DeVece seconded that the motion referenced by title be adopted and memorialized. The motion passed by a unanimous poll vote of the members eligible to vote.

Mr. Brandt	aye	Mr. Smyth	aye
Mr. Mood	aye	Mr. Mills	aye
Mr. DeVece	aye		

Resolution, Case # 2006-04: Application For Side Yard Setback Relief For A Deck At The Rear Of The House, By Maryanne And Christopher VanSciver, 431 Elm Avenue, Block 701, Lot 32 – Only members who were present for the hearing and voted for approval may act on the resolution. Mr. Trotman is not eligible to vote on the resolution. The chair asked if the members had read the resolution and if there were any comments or questions. All stated they had read the resolution and there were no comments or questions. Richard Mood motioned and Fred DeVece seconded that the motion referenced by title be adopted and memorialized. The motion passed by a unanimous poll vote of the members eligible to vote.

Mr. Brandt	aye	Mr. Smyth	aye
Mr. Mood	aye	Mr. Mills	aye
Mr. DeVece	aye		

Mandatory Education Update – The secretary updated the board on the state approved course offerings by NJPO. Councilman Robert E. Smyth has been trying to coordinate the details. The next course offering in the local area appears to be in March 2007 in Burlington Township. It is hoped that perhaps members of both boards can sign up and take the course at this time. The course is approximately 5 hours long. How the course will be paid for is being worked out. There is a reduction in the cost for the course if the board is a member of NJPO; however, the cost savings does not offset the cost of NJPO membership. The cost for the course will be placed in the budget. It

is hoped that the planning board will also place the item in their budget and the cost can be split among the boards.

Fence Ordinance – The chair reported that he has contacted Frank Siefert, chair of the planning board, regarding getting the changes back on the planning board’s agenda.

Planning and Council Matters – The secretary reported that he had seen on the posted October Council minutes that there was support for changes concerning sidewalk signs. COAH has issued a preliminary review of the Borough’s petition for certification under third round rules and Tamara Lee has prepared an initial response. The secretary briefed the board on what he knew of the 519 Howard Street and 519 Main Street applications, and the plans by Zena’s Patisserie to expand into an adjoining building. There was nothing to report from this month’s Council meetings or planning board meeting since Councilman Brown was not present and the planning board does not meet until next week.

Sidewalk Signs – The chair reviewed that there has been continuing discussion regarding the use of “sidewalk” signs. Kerry reviewed the process of changing ordinances. Kerry reviewed the recommendations of the Economic Development Committee which had been prepared following his suggestion last month that they put together their thoughts on the matter. Kerry feels they have some good points. He does not feel the zoning board should be or even can be the approving body since it is only empowered to rule on specific variance applications. He also expressed, and the board concurred, that the zoning board wishes to be an integral part of any committee formed to revise the ordinance. While complaints may be brought before the board, the board can only refer them to the zoning officer. If a variance application is made, then it will be heard before the board. The chair has communicated with the mayor on the matter and the chair is of the opinion that the mayor and Council support the need for change and intend to pursue the issue.

CORRESPONDENCE

- Copy of Tamara Lee’s initial response to the COAH review of the Borough’s Petition for Third Round Certification.
- Copy of Tamara Lee’s draft of the master plan reexamination report.
- State and NJPO updates on required education.
- 2007 budget request from Mary Longbottom.
- Copy of Economic Development Committee recommendations for sidewalk signs.
- Copy of signed letter to Council and the board presented by Carol Crawford, 101 Midway, expressing the opposition to possible plans to erect a home on a lot that is non-conforming under the current code.

NEW BUSINESS

Vouchers and Invoices:

- 10/26/06, Janet Zoltanski Smith, \$112.50, for professional services and meeting attendance during October.
- 10/26/06, Janet Zoltanski Smith, \$293.75, for professional services on the Janowicz application in September and October. (PAY FROM ESCROW)
- 10/26/06, Janet Zoltanski Smith, \$193.75, for professional services on the VanSciver application in October. (PAY FROM ESCROW)

The items were reviewed. Fred DeVece moved, Rick Mood seconded, and the vote was unanimous to pay the invoice as presented. The secretary will make sure the invoice is signed and submitted for payment.

PUBLIC COMMENT ON GENERAL ZONING ISSUES

The meeting was opened to public comment.

- Carol Crawford, 101 Midway, asked to present a signed letter from the neighbors of 105 Midway. This property is under contract for sale and there is an intent to build on the site which is a non-conforming lot under the current code. She and the other neighbors are strongly opposed to this and feel that the board should be aware of it. She stated that the letter has already been presented to Council and will be presented to the planning board. The chair stated that the board is not officially aware of the matter and it is not a matter currently before the board. While the board can always officially hear comments from the public, it cannot issue any official opinion on the matter unless the comments are made during a hearing on a variance matter

before the board. The chair explained that he understands a subdivision is involved; and if true, it would most likely be heard before the planning board. The chair understands her concerns especially since a member of the board is involved in the issue. The chair feels and hopes that an open dialog between the parties will exist. As for the letter, the chair stated that for the record it will be recorded as correspondence received but the board cannot express any kind of official opinion on the matter. If an application is made to either the zoning board or planning board, she as well as other parties will be notified of the hearing and can comment on the matter when it is heard.

- Gary Ford, Riverton Economic Development Committee, spoke to the need for a revision to the Borough's sign ordinance as it concerns sidewalk signs. He reviewed the committee's recommendations and expressed hope that the board would support changes.

There was no further public comment and a motion was made to close the meeting to public comment.

Meeting adjourned at 8:20 PM.

Tape is on file.

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