

**RIVERTON BOROUGH PLANNING BOARD  
MINUTES  
September 18, 2007**

The Public Session of the Planning Board was called to order at 7:00 PM by Vice Chairwoman Suzanne Wells. 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 18, 2007.
2. Required Service of notice and publication in the Burlington County Times on January 23, 2007.

**PRESENT:** Suzanne Wells, Muriel Alls-Moffat, Keith Wenig, Mayor Robert Martin, Councilman Robert E. Smyth, Mary Lodato, Joseph Creighton, and Jeffrey Myers (arrived after vote on Resolution P2007-08).

**Also Present:** Solicitor Tom Coleman, Planner Tamara Lee, Engineer Mark Malinowski, and Secretary Ken Palmer.

**ABSENT:** Joseph Katella.

**MINUTES:** Councilman Smyth commented that the comments regarding the Post Office on page 4 were unclear. The statement was clarified and a motion was made by the mayor and seconded by Muriel Alls-Moffat to adopt the minutes of the August 21, 2007 regular meeting as amended (correction on page 4). The voice vote was unanimous.

**CORRESPONDENCE/ANNOUNCEMENTS**

1. 8/8/07, copy of latest edition of the (RSIS) Residential Site Improvement Standards from State Department of Community Affairs.
2. Announcement from ANJEC of the 2007 Annual Environmental Congress “The Heat Is On –What to do Now” Friday, 10/12, Mercer County Community College.
3. Announcement from Rutgers of Fall schedule of their “Land Use for Municipal Planning Boards and Zoning Boards of Adjustment” – qualifies as the mandatory course. Note: This is a more extensive course and costs three times the NJPO course.
4. Invitation from Burlington County Chamber of Commerce for River route Corridor Train and Bus Tours on 10/30/07 and 11/9/07.
5. 9/17/07, letter from Joe Rainer, to the board stating that expense and inability to resolve parking and other issues have forced him to withdraw his site plan application for 515 Main Street.
6. 6 vouchers/invoices as presented under New Business.

**OLD BUSINESS**

**Adopt and Memorialize Resolution P2007-08 Approving Application by the Shops of Riverton, LLC., for Minor Subdivision Approval and All Required Variances and Waivers and Other Relief As Needed to permit approval of redefining the current four lots into three lots at 700-716 Broad Street, (Block 1501, Lots 20, 21, 22, & 23)** – Suzanne Wells asked if the members had reviewed the resolution and if there was any discussion. There was none and Muriel Alls-Moffat motioned and Joseph Creighton seconded that the board adopt the resolution referenced by title. There was no further discussion and a poll vote of the members present and eligible to vote approved the motion by a vote of 6 to 0 as follows:

|             |     |                  |     |
|-------------|-----|------------------|-----|
| Mrs. Wells  | aye | Mrs. Alls-Moffat | aye |
| Mr. Martin  | aye | Mr. Smyth        | aye |
| Mrs. Lodato | aye | Mr. Creighton    | aye |

**Smart Growth Grant/Environmental Resource Inventory study** – Suzanne Wells updated the board on the schedule for the public meetings. October 10 will be the seniors meeting in the afternoon and the business community in the early evening. The meetings will be at the library. There was nothing further to report.

**Proposed Revisions to the Zoning Code by the Historical Society** – Discussion was tabled due to the chair’s absence.

**Revision to Sign Ordinance to Allow Sidewalk Signs** – Discussion was tabled due to the chair’s absence.

**Council Matters of Importance to the Board** – Councilman Smyth stated that the Post Office officials were present at the 9/12 Council meeting and discussed the plans to vacate the current building and locate to a smaller site in the Borough. Councilman Smyth reviewed the details with the board. Following an appraisal, the existing building goes on the market with right of first refusal going to the state, county, and borough in that order before it goes on the market for public sale. RFP’s are being prepared for the DVRPC grant for downtown revitalization study. Work continues with groups and meetings on the train horn abatement. The state and NJLOM are sponsoring an economic development forum and encourage participation by planning and zoning board members on 10/12/2007. The train and bus tours were discussed. The Pompeston Watershed Plan was also discussed.

**PUBLIC HEARING**

**Application by Cellco Partnership d/b/a Verizon Wireless, for Conditional Use and Site Plan Approval to collocate antennas on the T-Mobile Tower and Erect the Ground Facilities Located At the Borough of Riverton Waste Treatment Site – Third Street, (Block 1501, Lot 1)**

**NOTE: A court reporter retained by the applicant was present for this hearing. A copy of the transcript, when provided, will be appended to the minutes and serve as the official record of the hearing.**

**Summary:** Following determination that the application was jurisdictionally complete and could be heard, the attorney for the applicant introduced and had the applicant’s professionals sworn in. There followed testimony in which the board’s questions were addressed. The reviews of the board’s professionals were discussed and their concerns resolved. Concerns of the Environmental Commission were addressed. Following conclusion of testimony and board discussion, there was public comment. Following guidance from the board’s attorney a motion to approve the application as submitted was made, seconded, and unanimously approved by a poll vote as follows:

|               |     |                  |     |
|---------------|-----|------------------|-----|
| Mrs. Wells    | aye | Mrs. Alls-Moffat | aye |
| Mr. Wenig     | aye | Mr. Martin       | aye |
| Mr. Smyth     | aye | Mrs. Lodato      | aye |
| Mr. Creighton | aye |                  |     |

The chair declared a five minute recess.

**OLD BUSINESS**

**COAH Activity** – Muriel and Tamara reported on developments and the last meeting which was also attended by COAH officials. Additional members have been added to the committee. Plans are in the works to possibly form the committee as a non-profit organization which better enables it to pursue grants and funding to assist in acquiring properties for COAH rehabilitation efforts. The mayor commented that their were concerns among Council about a non-profit being able to act without seeking Council approval. Tamara reviewed the efforts and possible consequences of COAH’s efforts to revise and obtain court approval of its third round regulations. Tamara reviewed the advantages of the committee being a non-profit organization. Muriel commented that being a historic town has its benefits when seeking funding. There was considerable discussion regarding forming the non-profit.

**Environmental Commission** – Keith Wenig reported that there had not been a meeting since the last board meeting.

**Mandatory Education Update** – The secretary reviewed the latest course offerings form NJPO and that he had submitted the registration for the 9/29 session in Maple Shade. Ken also passed along the request from Mary Longbottom that she needed names from people by September 19, if they wished to register for the League Conference through her. Otherwise, you can register individually and submit the cost for reimbursement.

**Withdrawal of Application by Joe Rainer, for Preliminary and Final Site Plan Approval and All Required Variances and Waivers and Other Relief As Needed to Erect an Addition to 515 Main Street, (Block 803, Lot 9)** – Following the advice of Council, Muriel Alls-Moffat motioned, the mayor seconded, and the board unanimously approved a motion to accept the withdrawal of the application by Mr. Rainer. The letter from Mr. Rainer was discussed. Suzanne Wells wanted to go on the record that if it is inferred from the letter that the Board's stance regarding parking was the breaking point, she disagreed since she feels the board had worked hard to help the applicant arrive at a parking design that would best serve the ordinance and the applicant. Other members felt it was more likely the County's requirements regarding parking and site access that probably dissuaded Mr. Rainer from pursuing the application. While the board regrettably accepted the withdrawal after the time and effort spent by the applicant, the board also concurred that it felt it had treated the applicant fairly and had held him to no different standard than any other applicant.

## **NEW BUSINESS**

### **Vouchers and Invoices:**

1. 5/16/07, Stout & Caldwell, \$1,062.50, engineering services during March and April regarding Rainer, 515 Main Street site plan application. (PAY FROM ESCROW – ITEM HELD FROM JUNE, JULY & AUGUST MEETINGS – the chair has the original!)
2. 9/4/07, Raymond & Coleman, \$400.00, general business advice and August meeting attendance.
3. 9/4/07, Raymond & Coleman, \$455.00, Brandenburger Shoppes at Riverton minor subdivision application. (PAY FROM ESCROW)
4. 9/4/07, Raymond & Coleman, \$28.00, Cooper/Suter minor subdivision application. (PAY FROM ESCROW)
5. 9/5/07, Tamara Lee, \$855.00, Brandenburger Shoppes at Riverton minor subdivision application and easement work. (PAY FROM ESCROW)
6. 9/5/07, Tamara Lee, \$135.00, Rainer 515 Main Street site plan application. (PAY FROM ESCROW)

Due to the chair's absence, consideration of the Stout & Caldwell invoice was again tabled. There was no discussion on the other invoices and Mary Lodato motioned and Joseph Creighton seconded, and it was passed unanimously to pay the other items as presented. The board secretary will have them signed and submitted for payment.

**State Smart Growth Planning Assistance** – Councilman Smyth asked Mr. Coleman whether Riverton was a Planning Area 1 or 2 designation. Mr. Coleman discussed that permitted construction and availability of assistance is highest in Planning Area 1 and 2 communities. Tom Coleman explained the significance of the issue.

**PUBLIC COMMENT** – Joe Creighton motioned and the mayor seconded to open the meeting to public comment.

- Eric Saia, 401 Martha's Lane, commented that he agreed with the board's stance that it had to hold all applicants to the same burden of proof and compliance regarding site plan applications. He also feels the board and its professionals leaned over backwards to assist Mr. Rainer in his application. Commenting on concerns of the powers of the non-profit status of the Affordable Housing Committee, Eric stated that the mission statement and charter could control, define, and limit the powers of the committee.

There was no further comment and Muriel Alls-Moffat motioned and the mayor seconded to close the meeting to public comment.

**Meeting adjourned at 8:30 PM.**

**Next meeting is on 10/16/2007 at 7:00 pm in the Borough Hall.**

**Tape is on file.**

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