

RIVERTON BOROUGH ZONING BOARD
MINUTES
June 21, 2007

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 May 25, 2007.

ROLL CALL

PRESENT: Kerry Brandt, Edward Smyth, Ken Mills, Alfred DeVece, Craig Greenwood, and Janine Miller.

ABSENT: Richard Mood, William Corbi, and Patricia Manzi.

OFFICIALS: Secretary Ken Palmer was present.

MINUTES: A motion was made by Fred DeVece, seconded by Ed Smyth, and unanimously approved to adopt the minutes of May 16, 2007 as distributed.

OLD BUSINESS

Resolution, Case # 2007-02: Approval of the Application For Bulk Variance For a Fence On a Corner Property, By Raymond & Rebecca Reis, 306 Seventh Street, Block 1103, Lot 12– Only members who participated in the hearing may act 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 Ken Mills seconded that the resolution referenced by title be adopted and memorialized. The motion passed by a unanimous poll vote of the four members eligible to vote.

Mr. Smyth	aye	Mr. Mills	aye
Mr. DeVece	aye	Mrs. Miller	aye

Resolution, Case # 2007-03: Partial Approval and Partial Denial of the Application For Bulk Variances and Expanding a Nonconforming Structure, By Mark & Amy Thomas, 105 Main Street, Block 401, Lot 13 – Only members who participated in the hearing may act 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. Ken Mills motioned and Fred DeVece seconded that the resolution referenced by title be adopted and memorialized. The motion passed by a unanimous poll vote of the four members eligible to vote.

Mr. Smyth	aye	Mr. Mills	aye
Mr. DeVece	aye	Mrs. Miller	aye

Proposed Historic Preservation Changes to Chapter 128-Zoning Code – The secretary reported that the planning board is currently going to review the report from the ARC and thoroughly review the proposal by Mrs. Bruncker. This will be a topic for next month’s meeting. The planning board is concerned about the property maintenance issues of the proposal. Now that the reexamination of the Master Plan is complete, greater effort will be devoted to this topic.

Sidewalk Signs – The secretary reported that this matter has also been tabled until the reexamination of the Master Plan was completed. The matter will be brought up next month. The chair stated he was going to contact the planning chair on the matter.

Planning Board & Council Matters – The secretary reported that the planning board had completed and adopted the reexamination report of the Master Plan. It is now an official amendment to the plan. The chair asked what the report stated regarding the conditional use apartments over businesses in the NB district since he has heard there has been some opposition to allowing any more apartments in the Borough. The secretary reported that the report recommended that the issue be looked at as to whether the use needs to be revised or possibly rescinded. Work on the ERI study continues with the public meetings being pulled together. Council continues to pursue various grants. Council has approved placement of the Peace Pole in the park.

CORRESPONDENCE

- There was none.

NEW BUSINESS

Vouchers and Invoices:

- 6/20/07, Janet Zoltanski Smith, \$78.00, professional services during May and meeting attendance in May.
- 6/20/07, Janet Zoltanski Smith, \$279.00, for services connected with the Reis, 306 Seventh Street application. (To be paid from escrow.)
- 6/20/07, Janet Zoltanski Smith, \$416.00, for services connected with the Thomas, 105 Main Street application. (To be paid from escrow.)

Fred DeVece moved, Craig Greenwood seconded, and the vote was unanimous to pay the invoices as presented. The secretary will make sure they are signed and submitted for payment.

Subdivision Requiring Use Variance:

The secretary reviewed that Gary Ford has submitted a minor subdivision application for his property on Bank Avenue. During review it was noted that the property is an existing multi family use. As such the application will require a use variance because subdivision is considered an expansion of a nonconforming use. Case law supports that subdividing the property intensifies the nonconforming use because the density is increased by the subdivision. There are also bulk variances involved. Mr. Ford has indicated that he wishes to still pursue the application and has stated that he will republish and re-notice an amended application. He may try to be prepared for the July meeting. The chair commented that this will be an important application. He reviewed the code as he understood why the use variance is needed. He also stated that he would make sure the members had copies of the pertinent material for their review along with the application including the case referenced.

Condominiums – The chair and the board discussed the rumors that there appears to be interest in erecting condominiums in the NB district. The fact that they are not permitted anywhere in the Borough was discussed as well as the affordable housing aspects.

PUBLIC COMMENT ON GENERAL ZONING ISSUES

A motion was made by Fred DeVece and seconded by Janine Miller to open the meeting to public comment.

- Dorie Yezzi, 421 Elm Avenue, had questions about a variance for an above ground swimming pool. The chair discussed the matter in broad strokes; but, also informed her that she needs to review the matter with the code enforcement officer and that the board cannot render any opinion nor grant a variance unless it has an application before it to hear. The board also cannot state ahead of time whether a variance will or will not be granted.

There was no further comment and a motion was made by Fred DeVece and seconded by Ken Mills to close the meeting to public comment.

Meeting adjourned at 8:21 PM.

Tape is on file.

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