

**RIVERTON BOROUGH PLANNING BOARD  
MINUTES  
May 20, 2008**

The Public Session of the Planning Board was called to order at 7:00 PM by Chairman Joseph Katella. 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, 2008.
2. Required Service of notice and publication in the Burlington County Times on January 25, 2008.

**PRESENT:** Joseph Katella, Keith Wenig, Muriel Alls-Moffat, Mayor Robert Martin, Councilwoman Suzanne Wells, Mary Lodato, and Jeff Myers.

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

**ABSENT:** Joseph Creighton.

**MINUTES:** A motion was made by the mayor and seconded by Jeff Myers to adopt the minutes of the April 15, 2008 regular meeting as distributed. The voice vote was unanimous.

**CORRESPONDENCE/ANNOUNCEMENTS**

1. 3/22/08, Copy of Revised Residential Site Improvement Standards from the State.
2. 5/6/08, copy of Mayor's Fax Advisory from NJLM regarding the League's opposition to A-500 modifications to the Fair Housing Act. Copies to the board.
3. 5/7/08, copy of Mayor's Fax Advisory from NJLM regarding COAH Regulations, Affordable Housing. Copies to the board.
4. 5/15/08, copy of Mayor's Fax Advisory from NJLM regarding S-1783 Commercial Development Fee. Copies to the board.
5. 3 vouchers/invoices as presented under New Business.

**PUBLIC HEARING**

**Proposed Amendment to the Open Space and Recreation Element with the new Open Space and Recreation Element to the Master Plan**

The secretary attested that all jurisdictional requirements to properly notice the hearing had been complied with and the documentation is available for review. The chair turned meeting over to Tamara Lee who explained that the board had decided following adoption of the element that a change was needed to remove a reference to a boat ramp at the foot of Fulton Street on the Delaware River. This is the only change to the element. Copies of the amended element were distributed to the members for review as well as made available for public review. The chair asked if there were any comments/questions from the members and there were none. A motion was made by Muriel Alls-Moffat and seconded by Mayor Martin to open the hearing to public comment. There was none and Muriel Alls-Moffat motioned and Mary Lodato seconded to close the hearing to public comment. The chair stated that if the board did not have further discussion, he would entertain a motion to adopt the amended element.

Muriel Alls-Moffat motioned and Keith Wenig seconded that the board adopt the amended Open Space and Recreation Element. There was no discussion and a poll vote was taken and the motion passed by a vote of 6 to 0 as follows:

Mr. Katella	aye	Mr. Wenig	aye
Mrs. Alls-Moffat	aye	Mr. Martin	aye
Mrs. Lodato	aye	Mr. Myers	aye

Mrs. Wells arrived at the meeting after the above vote.

**SMART FUTURE GRANT/ENVIRONMENTAL RESOURCE INVENTORY STUDY**

**Status of Project** – Tamara Lee reviewed that the project is on schedule and maybe a little ahead if Council does not feel it needs to return the draft Stream Corridor Protection Ordinance to the board for revisions. Tamara feels the project will continue on schedule if the board agrees to vote on the ERI tonight and tackle the Riverfront Guidelines in June. The Riverfront Guidelines have been e-mailed to the board. The guidelines need to be endorsed by the board and Council. Muriel asked if the guidelines would necessitate any zoning changes. Tamara explained that the guidelines were intended to be just guidelines; however, if the Borough feels it is warranted, ordinances can be developed.

**Environmental Resource Inventory (ERI)** – Tamara explained that the inventory document is the primary piece that the state approved with the revised guidelines for using the smart future grant awarded to the Borough. Tamara reviewed that except for a few minor corrections and the addition of photographs, there are no other changes to the previously issued draft. Tamara also referenced several large maps prepared by the county. While technical and dry, the document was written to follow the style of other planning documents for the town such as the Master Plan. Tamara proceeded to review each of the sections of the document for the board and the public. Following Tamara’s review, the chair asked if there were any questions or comments from the board or if the matter should be opened to public comment. Muriel asked if the ERI would necessitate any zoning changes. Tamara explained that if the town felt it was needed, ordinances could be developed; but, it was not intended to. Suzanne Wells commented that she feels it is an excellent document and worth reading. There was no additional comment and Muriel Alls-Moffat motioned and Keith Wenig seconded to open the matter to public comment.

- James Moffat, 202 Fulton Street, asked how many varieties of trees were inventoried and Tamara replied 118.

There was no further comment and Keith Wenig motioned and Councilwoman Wells seconded to close the matter to public comment. The chair asked if there was any further discussion by the board or if the board was prepared to consider adopting the ERI. Muriel Alls-Moffat motioned and Councilwoman Wells seconded that the board adopt the final draft of the Environmental Resource Inventory. There was no discussion and a poll vote was taken and the motion passed by a vote of 7 to 0 as follows:

Mr. Katella	aye	Mr. Wenig	aye
Mrs. Alls-Moffat	aye	Mr. Martin	aye
Mrs. Wells	aye	Mrs. Lodato	aye
Mr. Myers	aye		

The chair thanked Tamara for the hard work and excellent results.

**MINOR SUBDIVISION APPLICATION**

**Robert Recchiuti, 101 Lippincott Ave., Block 305, Lot 13** – Tom Coleman briefed the board that there had been discussions by his office and the applicant’s counsel. The applicant had in March requested and was granted a continuance until tonight’s meeting. The applicant is not present and Tom stated he had not received any formal request from the applicant or his counsel to continue the application. Tom feels that unless the board objects he feels the board should adopt a motion dismissing the application. Tom stated he did get a call late today from the applicant’s counsel stating they were not planning on coming and he did not know where the matter is going to end up. Keith Wenig motioned and Councilwoman Wells seconded that the application be dismissed. There was the start of some basic discussion on the merits of the application, but Tom Coleman cautioned and the chair stated that the board should not discuss the matter any further except to clarify what the effect of the motion has on the application. Tom explained that a vote to dismiss the present application based on the absence of the applicant and no clear information on his current or future intentions means that if the applicant does decide to proceed, he will need to re-file a new application and pay all the fees and escrow required to submit the application. He will also be required to publish and notice property owners. There was no further discussion and a poll vote was taken and the motion passed by a vote of 6 to 1 abstention as follows:

Mr. Katella	aye	Mr. Wenig	aye
Mrs. Alls-Moffat	aye	Mr. Martin	abstained (recused)
Mrs. Wells	aye	Mrs. Lodato	aye
Mr. Myers	aye		

## **OLD BUSINESS**

**New Board Appointment** – The mayor reported that he has appointed Armand Bianchini as the new second alternate to the board and he would be present next month as he had a prior commitment at the time he was notified of his appointment.

**Council Matters of Importance to the Board** – The mayor reported that the budget is being kept essentially flat. Suzanne reported that the task force has continued to meet and hopes to make a report in June. They have included historic preservation and sidewalk signs in the study.

**2008 Budget** – The chair stated he would be receiving monthly or bi-monthly statements from the treasurer on budget expenses.

**Proposed Changes to Zoning Code for Historic Preservation** – This item remains tabled until the task force completes its review.

**Revision to Sign Ordinance to Allow Sidewalk Signs** – Mary Lodato reported she continues to table further action pending the task force review.

**Environmental Commission** – The chair stated he would be attending the upcoming meeting until a new board member is appointed. The mayor reported that he had discussed the mater plan element and the proposed riverfront guidelines with Michael Robinson. The differences of opinion regarding additional boat launching provisions have been resolved and the commission is in agreement that the riverfront should continue to be an available resource for the town without burdening the area or property owners with a large increase in traffic from outside the town.

**COAH Activity** – Muriel reported that COAH has developed a new computerized system to aid in filing the annual reports, but she is still waiting for the promised ID access number. She has taken mandatory free classes and they were very informative. Muriel feels the new system will greatly improve the reporting process.

## **NEW BUSINESS**

### **Vouchers and Invoices:**

1. 5/9/08, Raymond and Coleman, \$14.00, for work during April on the 101 Lippincott Subdivision application. (PAY FROM ESCROW)
2. 5/9/08, Raymond and Coleman, \$342.00, General business advice and April meeting attendance.
3. 5/9/08, Raymond and Coleman, \$42.00, for work during April on the Cellco-Verizon Conditional Use application. (PAY FROM ESCROW)

There was no discussion on the invoices and Councilwoman Wells motioned, Mayor Martin seconded, and it was passed unanimously to pay all the items as presented. The board secretary will have them signed and submitted for payment.

**Minor Site Plan Applications** – Mary Lodato reviewed that there have been concerns raised that the current practice of holding minor site plans until they can be reviewed in front of the entire board was causing undue delay in some applicants obtaining the approvals needed to close a lease and related business arrangements. The procedures for the minor site plan application because of the minor impact and essentially “by right” nature of the applications, allow the Code Enforcement Officer and Planning Board chairman to review and approve or deny the application as they are submitted. If an application is denied, the applicant can bring the matter before the entire board by filing a full site plan application. Councilwoman Wells feels that with the current stability of the Code Enforcement position and general calming of relations regarding board members, the application review process should be followed with the board receiving monthly updates as to any activity that has occurred. The chair agrees since he does not wish to unduly delay the process. The chair asked and the secretary reviewed the creation of the minor site plan process and the subsequent change in policy by the former chair of the board. Keith Wenig stated he feels the process should return to the procedures. Muriel objected saying she feels there may have been abuses by prior chairs and/or code officials in letting things through that should not have been.

Mary Lodato reviewed the tight requirements to qualify for a minor site plan application. The chair feels the town has a strong enforcement official and feels that monthly updates to the board should be allowed. If the board feels there are subsequent concerns or problems, they can request that all reviews be conducted before the board. The mayor feels Mary is doing a good job in the Code Enforcement position and feels things should go back to the process as designed. The board concurred.

**Tax Map/Zoning Map** – The mayor commented that in light of the discovery of the error on the current zoning map for 101 Lippincott Avenue, he wondered if there were other errors that may result in possible split zoning of properties. Tom Coleman and Tamara Lee both replied that they hope there are not additional instances; but without researching each and every deed, there is no way to say for certain. The mayor feels the map should correctly reflect that the property is not split zoned. It was discussed that the board should make a motion recommending that Council should have the zone district boundary line on the zoning map adjusted to properly reflect that the property is in one zone as intended when the boundary lines were last revised and not be split zoned. A motion was made by Joe Katella, seconded by Councilwoman Wells, and unanimously passed that the board recommends Council consider expeditiously correcting the zoning map to reflect that the entire property at 101 Lippincott Avenue, (Block 305, Lot 13) is within the R15 district. The secretary will follow up with Mary Longbottom.

**Selling Tax Map Information** – Muriel asked if anyone had further information about the Borough selling tax map information. The mayor and Suzanne replied that mortgage companies need publicly available tax map related information when properties are sold. Before this new service, it was only available by coming to Borough Hall. The Borough has recently entered an agreement to provide this information electronically to them. The Borough will be compensated for providing this information electronically.

**PUBLIC COMMENT** – Muriel Alls-Moffat motioned and Jeff Myers seconded to open the meeting to public comment.

- David Styer, 107 Lippincott Avenue, commented that he wanted it on the record that the zoning map needs to be corrected. He was informed that is exactly the action the board took earlier.

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

**Meeting adjourned at 8:20 PM. (motion by Suzanne Wells, second by the mayor)**

**Next meeting is on 6/17/2008 at 7:00 pm in the Borough Hall.**

**Tape is on file.**

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