

**RIVERTON BOROUGH PLANNING BOARD  
MINUTES  
March 17, 2009**

The Public Session of the Planning Board was called to order at 7:03 PM by Vice Chairman Keith Wenig. 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 21, 2009.
2. Required Service of notice and publication in the Burlington County Times on January 22, 2009.

**PRESENT:** Joseph Katella (arrived after roll call), Keith Wenig, Muriel Alls-Moffat, Mayor Robert Martin, Councilwoman Suzanne Wells, Mary Lodato, and Armand Bianchini.

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

**ABSENT:** Joseph Creighton and Jeff Myers.

**MINUTES:** A motion was made by Councilwoman Wells and seconded by Mayor Martin to adopt the minutes of the February 17, 2009 regular meeting as distributed. The voice vote was unanimous.

**CORRESPONDENCE/ANNOUNCEMENTS**

1. 2/25/09, Copy of letter to mayor from Burlington County Community Action Program, Inc., regarding their services in developing and managing affordable housing programs.
2. 3/4/09, copy of "Mayors Fax Advisory" bulletin from NJLM regarding progress and details of State Senate bill S-2485 regarding suspension of implementing the 2.5% development fee on new commercial construction.
3. 3/11/09, copy of letter to mayor from Lucy Vandenberg, Executive Director of COAH, requesting additional documentation by April 25, 2009 for the Borough's petition for continued certification. Copies distributed to board.
4. Four vouchers/invoices as presented under New Business.

**OLD BUSINESS**

(Mr. Katella assumed chairing the meeting.)

**COAH Matters** – Muriel Alls-Moffat stated she has received correspondence from Hector Alvarez, a licensed professional, offering to help the Borough in pursuing COAH opportunities. Muriel reported on conversations with the owner of 204 Main Street who appears to be unhappy with developments concerning turning his property into COAH units. Tom Coleman reported that he has been in contact with Mr. Burgess' former attorney as well as attempts to maintain contact with Mr. Burgess and was unaware of Mr. Burgess' feelings. He will continue to reach out to Mr. Burgess. Muriel stated she had been contacted by William Harris of BCCAP offering assistance with 204 Main Street. Muriel and Tamara Lee agreed that Mr. Burgess may have concerns over COAH standards and that there are concerns over the condition of the property. Muriel stated she has been contacted by Quality Management concerning COAH possibilities from the group home at 815 Homewood Drive and has invited them to talk to the board. Tom reported that there were no new developments concerning possible units at the Baptist Home.

Tamara Lee reported on the efforts needed to meet COAH's 45 day deadline to respond and comply with COAH's checklist to be deemed complete. If the petition is not deemed complete by COAH, they can decertify the Borough. Tamara stated her efforts should be to get COAH's completion notice. If the projects involved back out, this is a set back; but, can be resolved. Tamara stated the Borough can revise the petition to concentrate on the zoning changes proposed for the National Casein and Martha's Lane sites but that may bring up density issues that the Borough does not desire. Tamara is also concerned that round three seems to reverse the vacant land adjustment granted under round two. She feels this is a further manifestation of the problems COAH is encountering and the continued lawsuits against them. COAH may require rezoning or "market to affordability" action to comply with a strictly zoning approach. Both Muriel and the mayor commented that the Borough does

not want increased density. Muriel mentioned that the owner of the Cedar Lane Apartments still was considering offering units for COAH once his townhomes were completed. Planning and zoning secretary Ken Palmer reviewed that issues concerning the conditions needed to meet the final site plan approval for those townhomes remain unresolved. Tamara feels she can pull together the materials need to comply with COAH; but, requires direction on how to proceed. The consensus of the board is for Tamara to do all that is required to satisfy the checklist and to stay in compliance. If future developments require revision, they can be handled if and when they occur. The board stated Tamara should utilize any and all help available from the county to compile the resources/materials needed to pull together the Borough's response.

Muriel introduced Jeannie Drobit, CEO of Quality Management, who wished to present plans for the group home at 815 Homewood and the hope for Borough financial assistance to bring the project to fruition. It was discussed that if the Borough provides assistance from its housing funds, the project may well qualify as meeting some of the Borough's COAH needs as a "gut and rehab" and qualify as new units. The costs, funding available from county program(s), and additional funding from the Borough were reviewed. The county and state requirements were discussed concerning sprinkler installation/maintenance needs. If the Borough agrees to assist, Tamara reviewed the methods needed to amend the spending plan to resolve the changes. The board thanked Mrs. Drobit for her presentation. Tamara feels the COAH committee needs to meet and consider the best method to proceed. The board is concerned about entering maintenance related agreements, and Tamara stated COAH may not recognize maintenance related expenditures. The mayor reported that council has concerns about the project and Borough involvement. It was summarized that the COAH committee will meet to discuss the best way to proceed and also discuss alternate approaches for keeping COAH satisfied. Tamara stated she would keep the board and committee apprised. Tamara was excused from the meeting.

**Council Matters of Importance to the Board** – Suzanne briefed the board on developments with the Downtown Revitalization study grant/project and plans for the "visioning" meeting on March 25. The mayor reported that Council positively received the board's 2009 goals and objectives. Budget talks are continuing and it appears that municipal taxes will be held flat; but that does not speak to school and county taxes.

**Proposed Ordinance Establishing Revised Fees and Escrow Amounts for Planning and Zoning Applications** – Tom reported that Borough Solicitor Bruce Gunn had signed off on the draft copy which has been distributed to the board. If the board recommends, Bruce plans to introduce the matter at Council's meeting on April 8. Suzanne reviewed the revisions and the added escrow agreement. The chair asked if the board had any comments. The board concurred the draft was ready to go to Council. A motion was made by Muriel Alls-Moffat, seconded by the mayor, and unanimously approved by voice vote to recommend that Council consider adoption of the revised draft ordinance.

**Board Review of the Mayor's Task Force Report on Proposed Changes to the Zoning Code** – Suzanne Wells made sure all members had all the materials of the report. Suzanne asked if there were questions or concerns from the board. The chair proposed that the board conduct a general review tonight and discuss specific actions next month. Suzanne reviewed the report, zoning map, zoning districts, and the proposed new 20,000 square foot district (Attachment B). Also discussed was Tamara's general review of Chapter 128 – the Zoning Code. The chair stated that for next month, he would like to schedule a detailed discussion on the temporary sign issue and the changes regarding demolition covered in attachment C.

**Environmental Commission** – No report due to Jeff Myers absence.

**2009 Budget** – Suzanne and the mayor stated the budget will be the main topic at Council's April 1 meeting.

**2009 Goals and Objectives** – The chair stated that he had submitted the final revisions and that actionable items will be discussed/reported as needed.

**Minor Site Plan Applications** – Mary Lodato reviewed that the previously reported application to operate a home based accounting business was actually for a 1-person insurance office. Concerns had been resolved and the application had been approved.

**Delinquent Escrow Collections** – The chair and secretary reported that notifications are current and that the notified parties had until the end of the month to resolve their shortages. The chair reviewed the plans to escalate the two severely delinquent matters to the Borough solicitor if they remain unresolved. Tom Coleman reviewed that problems with former applications cannot be made part of how the board considers future separate submissions from the parties.

## **NEW BUSINESS**

### **Invoices and vouchers:**

1. 03/06/09, Raymond and Coleman, \$405.00, for general legal services and February meeting attendance.
2. 03/06/09, Raymond and Coleman, \$75.00, for COAH related issues in February.
3. 03/06/09, Raymond and Coleman, \$1,071.00, for work 12/18/08-02/17/09 on JRP ARCH site plan application. PAY FROM ESCROW
4. 03/17/09, Burlington County Times, \$42.68, for publishing the JRP Arch site plan notice of decision. PAY FROM ESCROW

A motion was made by Councilwoman Wells, seconded by Muriel Alls-Moffat, and unanimously approved to pay the vouchers as presented. The secretary will have them signed and submitted for payment.

**PUBLIC COMMENT** – The chair noted for the record that there were no members of the public present.

**Meeting adjourned at 8:30 PM. (motion by Muriel Alls Moffat and second by Suzanne Wells)**

**Next meeting is on 4/21/2009 at 7:00 pm in the Borough Hall.**

**Tape is on file.**

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