

**RIVERTON BOROUGH PLANNING BOARD
MINUTES
May 19, 2009**

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 21, 2009.
2. Required Service of notice and publication in the Burlington County Times on January 22, 2009.

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

Also Present: Solicitor Tom Coleman and Secretary Ken Palmer.

ABSENT: Keith Wenig, Joseph Creighton, and Armand Bianchini.

MINUTES: A motion was made by Mayor Martin and seconded by Councilwoman Wells to adopt the minutes of the April 21, 2009 regular meeting as amended (typo). The voice vote was unanimous.

CORRESPONDENCE/ANNOUNCEMENTS

1. 5/6/09, copy of letter to Borough and COAH from Eugene and Beth Burgess, owners of 204 Main Street, stating that there is no final agreement regarding plans or offers to designate 204 Main Street as affordable housing. Copies distributed to the board
2. 3 vouchers/invoices as presented under New Business.

OLD BUSINESS

Adopt and Memorialize Application by MetroPCS Pennsylvania, LLC, for Conditional Use and Site Plan Approval to collocate antennas on the T-Mobile Tower and Erect Ground Facilities Located At the Borough of Riverton Waste Treatment Site – Third Street, (Block 1501, Lot 1) in the General Business District – The chair referenced the resolution by title, confirmed that the members had received a copy, and asked if there were any comments. The mayor motioned that the resolution referenced by title be adopted and memorialized. The motion was seconded by Jeff Myers and passed by a unanimous voice vote of the members eligible to vote on the matter.

COAH Matters – Muriel reported on Tamara's letter that proposes additional affordable housing inclusionary zones for the Borough as a means of meeting COAH needs if the current proposals either do not come to fruition or are denied by COAH. Suzanne helped explain the proposal. The new areas would provide 1 or 2 units in each area. Any units in an area must maintain the character of the area. The reason for the proposal now was to be ahead of the game if COAH says revise or mediate the current plans and since they do not provide a large time window to respond to objections and requirements to revise the plan. The board discussed the pros and cons of each area. The difference between an inclusionary zone and an overlay zone was explained. The Burgess' letter was discussed and its possible impact. The chair commented that Tamara's e-mail explaining the letter was very thorough and fully explained the proposal. Suzanne stated that Tamara deserves a lot of credit for her thorough analysis and proactive efforts.

Council Matters of Importance to the Board – Suzanne reported that the Escrow/Fee Ordinance had passed second reading and is now in effect. The Off Street Parking & Storage of Construction Equipment Ordinance has also passed second reading and is now in effect. There is no new news on the 2009 budget. The housing Fund has enough to cover COAH developments.

Board Review of the Mayor's Task Force Report on Proposed Changes to the Zoning Code – The chair requested that the topic be tabled until next month. Suzanne stated she has seen examples of temporary signs that may be suitable but may not meet the current draft requirements. Muriel commented that she feels there are

already too many signs and that should be addressed also. The chair stated that is all part of the detailed review process and should be discussed next month.

Environmental Commission – Jeff Myers reported that there has not been a meeting between last month’s board meeting and this month’s meeting. The next meeting is the 21st. He stated that the commission was very grateful for the Borough’s assistance in distributing the flyer and they were pleased at the cooperative efforts to develop the stormwater flyer.

Minor Site Plan Applications – Mary Lodato reported that no new applications had been submitted.

Delinquent Escrow Collections – The secretary reported that notifications are current and follow up notices will be sent as necessary. The chair requested he be kept apprised and receive copies of correspondence.

NEW BUSINESS

Invoices and vouchers:

1. 5/4/09, Tamara Lee, \$360.00, for MetroPCS application work during April. PAY FROM ESCROW
2. 5/14/09, Stout & Caldwell, \$250.00, for continued final site plan review for JRP Arch during April. PAY FROM ESCROW
3. 5/14/09, Stout & Caldwell, \$613.75, for MetroPCS application work during April. PAY FROM ESCROW

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

Changes to the Beneficial Bank Site Plan – Tom Coleman explained the proposed changes referencing a colorized set revised elevations submitted by the bank’s architects. The bank is proposing to install flush mounted solar panels and make some revisions to the landscape plan to accommodate the proposed panels. The bank’s counsel hopes that the changes could be treated as a field change and not require the submission and hearing of an amended site plan. The reasons for the late notice of the changes were discussed. The impact/effect of a field change versus an amended application was discussed. Board planner Tamara Lee feels the changes are more than a field change and should require a revised submission and public hearing. Board comments were pro and con regarding whether it is a field change or merits a revised application. The consensus was that while there may be many positive merits to the change, the scope exceeds a field change and should require an amended filing and public hearing. The chair stated that while from an engineering standpoint it might be a field change, he agrees with Tamara that the type of change needs to be discussed and reviewed via an amended application and public hearing. Tom Coleman stated he would contact Mr. Germano, the bank’s counsel. The chair asked Tom and the secretary to offer to help expedite the matter if asked.

Alternate Engineer – Recognizing that the board requires an alternate or conflict engineer to hear any matters related to Beneficial Bank, the chair asked if there was a motion to appoint an alternate engineer. It was noted that Bill Long of the Alaimo Group was appointed the alternate engineer last year, that Alaimo was the board engineer of record regarding Beneficial Bank matters, that they had previously expressed their interest in being reappointed, and that the town has used the firm’s services and were pleased with their work. Suzanne Wells motioned and the mayor seconded that the board reappoint Bill Long of the Alaimo Group as the board’s alternate engineer and that the required resolution be prepared and published. There was no further discussion and the appointment was approved by a unanimous voice vote. The secretary was asked to prepare and publish the required resolution and request a contract from them.

PUBLIC COMMENT – A motion was made by Muriel Alls-Moffat and seconded by the mayor to open the meeting to public comment.

- Mark Austin, 210 Penn Street, asked for details on “Devastation University” a professional wrestling studio that he had heard was opening on Howard Street. He stated that he was against this type of establishment

and did not think it was in the character of the town to have such a business in the town's neighborhood business district. Code Enforcement Officer Mary Lodato explained that while the owners of Devastation U are proposing to open such an establishment at 523 Howard, they would require variances. They have not yet submitted any application and have been instructed that they cannot open without a business license and CO, both of which cannot be issued until any required variances have been approved.

- Bill Gutherie, 212 Penn Street, also voiced his strong disapproval of something like Devastation U in the neighborhood business district. Both gentlemen were informed that any request for a variance would be published and noticed and that they should attend the hearing to make their feelings known. Suzanne stated that a primary goal of the current downtown revitalization grant study was to determine what types of businesses best suited the downtown and how to attract them.

There was no further comment and a motion was made by Muriel Alls-Moffat and seconded by Mary Lodato to close the meeting to public comment.

Meeting adjourned at 8:50 PM. (motion by Suzanne Wells and second by Muriel Alls Moffat)

Next meeting is on 6/16/19/2009 at 7:00 pm in the Borough Hall.

Tape is on file.

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