

**RIVERTON BOROUGH ZONING BOARD**  
**MINUTES**  
**April 16, 2009**

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 January 21, 2009.
2. Posting notice and publication in the Burlington County Times of this meeting by the applicants.

**ROLL CALL**

**PRESENT:** Kerry Brandt, William Corbi, Craig Greenwood, Charles Veasey, Robert Kennedy, and Deborah Weaver.

**ABSENT:** Edward Smyth, Ken Mills, and Joe Della Penna.

**OFFICIALS:** Solicitor Janet Zoltanski Smith and Secretary Ken Palmer were present.

**REORGANIZATION**

The chair announced that Charles Veasey had been appointed a regular member to replace Janine Miller and the new 1<sup>st</sup> and 2<sup>nd</sup> alternates were Robert Kennedy and Deborah Weaver respectively. The three members were sworn in by Janet Smith prior to the roll call.

**MINUTES**

A motion was made by Bill Corbi, seconded by Craig Greenwood, and unanimously approved to adopt the minutes of the February 19, 2009 regular meeting as distributed.

**PUBLIC HEARINGS**

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**Variance Application by Cheryl Messa Progin, 712 Thomas Avenue, Block 1203, Lot 3, for various bulk variances to replace a deteriorating deck with a brick paver patio.**

**Introduction:** The chair reviewed the application. The secretary stated that all jurisdictional requirements were complete. Janet concurred the hearing could proceed. No members recused themselves from the matter. Cheryl Progin, Michael Allenbaugh, and Stephen Katz of Young's Landscape Management were sworn in. Attorney for the applicant Brian Heun, Ridgeway and Ridgeway Law Firm was introduced. The chair and Mr. Heun reviewed the variances being requested. Mr. Heun stated that all were pre-existing and will not be exacerbated by the proposed construction. Mr. Heun reviewed that they were applying for lot size, side yard setback total and one side, lot frontage, and percent impervious coverage. After review with Janet it was determined that since patios are not part of the structure, the only bulk variance needed was for percent lot coverage of approximately 56% which exceeds the permitted 35% in the R8 district. The proposed patio while of a different shape at the most may cause a de minimis increase in lot coverage. The existing deck is seriously deteriorating and needs to be replaced. The applicant wishes to replace the deck with a paver patio which they feel is more in keeping with the traditional landscaping style of when the house was built. Mr. Katz reviewed the plans for the patio. The terrain of the property as well as the proposed grading of the patio will not result in drainage issues for neighboring properties. The applicants offered a set of photos showing the lot and the existing condition of the deck. Mr. Katz reviewed pertinent construction details that will promote maximum drainage on the patio itself and minimize runoff into the yard. Chick Veasey felt that the patio being lower to the ground than the deck provided less of an impact on neighboring properties and the grading and retaining wall should remove any drainage concerns onto neighboring properties. There being no further testimony or comments from the board, the chair entertained and a motion was

made by Kerry Brandt and seconded by Craig Greenwood to open the hearing to public comment. There was none and the Craig Greenwood motioned and Bill Corbi seconded to close the hearing to public comment. There was no further discussion and following guidance from Janet, Craig Greenwood motioned that the board grant a variance for approximately 56% impervious coverage where 35% is allowed to permit replacing a deck with a brick paver patio as per the plans submitted. Bill Corbi seconded the motion and the motion was approved by a unanimous poll vote of 6 to 0 as follows:

Mr. Brandt	aye	Mr. Corbi	aye
Mr. Greenwood	aye	Mr. Veasey	aye
Mr. Kennedy	aye	Mrs. Weaver	aye

Mr. Brandt feels a hardship exists and that the design minimizes any impact. Mr. Corbi feels a hardship exists. Mr. Veasey feels it will be a professional installation and a positive impact. Mrs. Weaver agrees that the design was carefully thought out and did not present a negative impact.

### **OLD BUSINESS**

**Planning Board & Council Matters** – The secretary stated there was no information from the planning board since they do not meet until next week. The fee ordinance has had a first reading in Council.

**2009 Budget** – The chair stated he had submitted the budget and had no new details.

### **CORRESPONDENCE**

None received.

### **NEW BUSINESS**

#### **Vouchers and Invoices**

None received.

### **PUBLIC COMMENT ON GENERAL ZONING ISSUES**

The chair stated for the record that no members of the public were present.

**Meeting adjourned at 8:08 PM (motion by Bill Corbi, second by Craig Greenwood).**

**Tape is on file.**

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