

RIVERTON BOROUGH ZONING BOARD
MINUTES
February 19, 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, Edward Smyth, Ken Mills, William Corbi, Joe Della Penna, Craig Greenwood, and Charles Veasey.

ABSENT: Janine Miller.

OFFICIALS: Alternate Board Solicitor Charles Petrone of Raymond and Coleman and Secretary Ken Palmer were present. Board Solicitor Janet

REORGANIZATION

The chair announced that Joe Della Penna had been appointed a regular member replacing Pat Manzi and Charles Veasey had been appointed as the new 1st alternate. Don Deitz has also resigned and Kerry announced that the second alternate would be Bob Kennedy once his appointment was announced by the mayor.

MINUTES

A motion was made by Ken Mills, seconded by Craig Greenwood, and unanimously approved to adopt the minutes of the January 15, 2009 regular meeting as distributed. A motion was made by Ken Mills, seconded by Craig Greenwood, and unanimously approved to adopt the minutes of the January 22, 2009 special meeting as distributed.

PUBLIC HEARINGS:

Variance Application by Mark P. Vink, 403 Main Street, Block 802, Lot 6, for variance to expand a nonconforming use to install a hot tub on a property used as an apartment.

Not Jurisdictionally Complete: During review of the notices to property owners it was discovered there was no proof of mailing to one of the owners. The applicant was given time to see if they could obtain the needed proof from the property owner; but that was not possible. After conferring with the solicitor, the chair announced that because the proof of noticing was not complete under the Municipal Land Use Law, the matter cannot be deemed jurisdictionally complete and the matter could not be heard. Further, the applicant must republish the notice in the paper and re-notice the property owners of the new date of the hearing. The applicant stated he understood the rulings and requirements and that he intended to re-notice for the March 19, 2009 meeting.

OLD BUSINESS

Planning Board & Council Matters – The chair stated that he needed a volunteer from the board to participate on a council subcommittee tasked to review a proposed commercial property maintenance code and/or if state or federal codes already exist to cover the requirements. The chair explained that the proposed code is essentially the same proposed code that was reviewed several years ago by the planning board and was tabled. The chair stated he has read the document and he feels it basically duplicates the state code. This code proposes an additional enforcing provision at the local governing level and the chair feels it may be an unneeded fiscal burden on the

community. Several members expressed interest in volunteering but were concerned they may have existing conflicts. The chair stated he would contact the members with additional details to help determine if a member could volunteer. The secretary reviewed that the Downtown Revitalization Committee continues to meet.

Mandatory Education – The secretary explained the requirements to Mr. Veasey and announced that two board members were signed up to attend the March 7th session. Mr. Veasey stated he was interested in attending the March 7th course if his schedule permits.

2009 Budget – The secretary reported that preliminary meetings had started on reviewing 2009 budget proposals and that he had no further details.

Mr. Smyth was excused from the meeting.

CORRESPONDENCE

None received.

NEW BUSINESS

Vouchers and Invoices

None received.

Review of the Mayor’s Task Force on Changes to the Zoning Code – The secretary had distributed draft copies of the report to the members. The chair stated he needed to review the report and asked the members to address any comments to him. The secretary gave a brief overview of the report.

Review of the proposed Fee/Escrow Ordinance – The secretary had distributed draft copies of the ordinance to the members. The secretary reviewed the purpose of the ordinance to establish/revise fee and escrow requirements for site plan, subdivision, and variance applications. The chair feels that the fees for variance applications should remain as current and he supports raising initial escrow requirements to more closely approximate the actual professional charges accrued against the accounts. The chair asked the members to review the proposed ordinance and address any comments to him.

PUBLIC COMMENT ON GENERAL ZONING ISSUES

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

Meeting adjourned at 8:20 PM (motion by Craig Greenwood, second by Ken Mills).

Tape is on file.

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