

**RIVERTON BOROUGH ZONING BOARD  
MINUTES  
August 19, 2010**

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 7:35 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 25, 2010.
2. Timely notice published by the applicants in the Burlington County Times.

**ROLL CALL**

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

**ABSENT:** Joe Della Penna, Robert Kennedy, and Barry Wells.

**OFFICIALS:** Solicitor Janet Zoltanski Smith, Councilman Joe Katella, and Secretary Ken Palmer were present.

**MINUTES**

The chair asked if everyone had received and reviewed the minutes. There was no comment and a motion was made by Ken Mills, seconded by Bill Corbi, and unanimously approved to adopt the minutes of the July 15, 2010 regular meeting as distributed.

**PUBLIC HEARINGS**

**Case #2010-04, Variance Application by Robert and Mary Carpenter, 616 Thomas Avenue, Block 1003, Lot 1, for front yard setback relief to replace the concrete steps with a landing and steps.**

**Testimony:** The chair announced the matter and the secretary stated that all jurisdictional requirements have been met. No members needed to recuse themselves from the matter and Janet Smith stated the hearing could proceed. Mary and Robert Carpenter were sworn in. Mrs. Carpenter explained the project. The applicants wish to replace the existing front steps with a landing and new steps. The current steps are in need of repair, lack railings, and are considered too steep. The project will extend the steps into the front setback by approximately an additional four feet. Currently the steps are approximately 18 feet from the front property line where 20 feet is required in the R4 district. The bottom of the new steps will be approximately 14 feet from the front property line. The landing will be 4 feet deep by 8 feet wide. The steps will be 4 feet deep by approximately 7½ feet wide. The lack of a landing presents an unsafe condition for using the front entrance since when exiting the door one is immediately on the steps. The landing will allow a safe transition from the door to the steps. The depth of the landing is the minimum for a safe landing area. The new steps will have wrought iron or aluminum railings. The applicants feel there is a minimum impact of having a portion of the landing and the steps extend further into the front setback, and providing a safe entrance is a benefit not a detriment, and the project will enhance the property. The board elicited further details of the project and reviewed the survey to determine the encroachment. The board determined that the steps would be no closer than 14 feet from the property line. The chair asked if there was additional testimony or questions from the board. There being none the chair requested the hearing be opened to public comment. Ken Mills motioned and Craig Greenwood seconded to open the hearing for public comment. There was none and Ken Mills motioned and Craig Greenwood seconded to close the hearing to public comment.

**Deliberation:** Following discussion of what the approval should require, Janet suggested the board might approve the application and grant a variance to allow construction of new steps and a landing that will encroach

into the front yard setback no closer than 14 feet from the front property line. Ken Mills motioned and Chick Veasey seconded to approve the application as suggested. The motion was approved by a poll vote of 6 to 0 as follows:

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

Various members commented that they felt the variance was minimal, that a hardship exists, there is a safety issue, and there is minimal impact on neighborhood. The chair and the secretary reviewed the next steps of the process with the applicants and when they could apply for permits.

**Case #2010-05, Variance Application by Brooks and Kim Paulsen, 401 Cinnaminson Street, Block 900, Lot1.01, for side yard setback relief to replace a deteriorated fence along the rear yard line that extends to the property line at the street side of a corner lot.**

**Testimony:** The chair announced the matter and the secretary stated that all jurisdictional requirements have been met. No members needed to recuse themselves from the matter and Janet Smith stated the hearing could proceed. Brooks and Kim Paulsen were sworn in. The applicants wish to replace an existing 4 foot picket fence along their rear yard property line with a new 4 foot bamboo fence similar to the fencing of their neighbor. The existing fence is very deteriorated and sections are collapsing. The fence will extend approximately 21 feet beyond the side building set back to join an existing wrought iron fence along the street to enclose the backyard. The fence will keep the rear yard secure and provide privacy. The applicants feel there is no detriment to maintaining the existing fence lines and the new fence will improve the neighborhood. The applicants supplied photographs to document the deteriorated condition of the existing fence as well as documentation showing the new fence. The chair and the board reviewed that only the 21 feet of fence from the building line to the side street property line. There appears to be a hardship in that the existing fence needs to be replaced rather than repaired, that the application will not change the height of the fence or existing fence lines, and that a new fence will actually improve the property and neighborhood. The chair asked if there was additional testimony or questions from the board. There being none the chair noted for the record that there were no members of the public present for public comment on the application.

**Deliberation:** Following discussion of the merits of the application, Ken Mills motioned and Craig Greenwood seconded to approve the application and grant a variance to permit a new 4 foot bamboo along the rear property line to extend 21 feet beyond the side yard building line to tie into the existing wrought iron fence at the Cinnaminson Street side property line. The motion was approved by a poll vote of 6 to 0 as follows:

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

Various members commented that they felt the variance was minimal, that a hardship exists, there is a security issue, and there it will improve the existing street view of the property. The chair and the secretary reviewed the next steps of the process with the applicants and when they could apply for permits.

**OLD BUSINESS**

**Planning Board & Council Matters** – Councilman Katella reported that Council had informally concerns that the board's engineer appeared to be rather "aggressive" in its billings for the BWC "post office" application. The secretary reported that the planning board had not yet recommended any new changes to the zoning code, that there is no news on the COAH submission, and that the site plan for the former Beneficial Bank building on Main Street had been approved.

**Progress on final signoff of the BWC Site Plan and Subdivision for the former post office site** – The secretary reviewed that the compliance reviews continued both with the board professionals and the county.

**CORRESPONDENCE**

None

**NEW BUSINESS**

**Vouchers and Invoices**

1. 08/10/10, Remington, Vernick & Arango, \$3,045.00, for completeness and compliance review of revised site and subdivision plans for BWC Realty Assoc. LLC (old post office) 6/16-7/15/10. PAY FROM ESCROW

There was some discussion again over the amount of the charges by the engineer except the hours appear relevant. A motion was made by Craig Greenwood, seconded by Chick Veasey, and passed by unanimous voice vote to pay the invoice as presented. The secretary will make sure it is signed and submitted for payment.

**PUBLIC COMMENT ON GENERAL ZONING ISSUES**

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

**Meeting adjourned 9:00 PM (motion by Mills, second by Corbi)  
Tape is on file.**

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