

**RIVERTON BOROUGH PLANNING BOARD**  
**MINUTES**  
**August 16, 2011**

The Public Session of the Planning Board was called to order at 7:00 PM by Chairman Joseph Creighton. 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 26, 2011.
2. Required Service of notice and publication in the Burlington County Times on January 31, 2011.

**PRESENT:** Joseph Creighton, Joseph Threston, Cheryl Progin, Mayor Robert Martin, Mary Lodato, Robert Bednarek, and Tracy Foedisch.

**Also Present:** Solicitor Tom Coleman and secretary Ken Palmer.

**ABSENT:** Councilwoman Suzanne Wells.

**MINUTES:** Tracy Foedisch, Mary Lodato, and Cheryl Progin requested minor corrections to the minutes. There being no further additions or corrections, a motion was made by Joseph Threston and seconded by Cheryl Progin to adopt the minutes of the July 19, 2011 regular meeting as amended. The voice vote was unanimous.

**CORRESPONDENCE/ANNOUNCEMENTS**

1. 8/1/11, copy of NJLM "Membership Advisory" advising the League's opposition to bills S-2950/A-4128 which allows modifications to land use approvals because of changed economics.
2. 1 voucher/invoice as presented under New Business.

**Impact of S-2950/A-4128** – Tom Coleman reviewed the possible impact of the bills as to how they would, because of changed economics, allow wholesale modifications to previous land use approvals without the normal review of development applications. He supports the opposition since it appears the proposed legislation would permit modifications to previous land use approvals without the changes having to meet the same rigorous review and approval criteria that were applied to the original approval.

**OLD BUSINESS**

**Council Matters of Importance to the Board** – The mayor and reported that Council is prepared to consider possibly combining the current Planning Board and Zoning Board of Adjustment as a Joint Land Use Board and is seeking input and endorsement from the planning board. The mayor asked Tom Coleman to review the process, requirements, and impacts related to such a change. Tom reviewed the provisions under the Municipal Land Use Law allowing municipalities to choose the structure of the planning and zoning board functions, his professional opinions on the merits of each choice, as wells as his personal experiences. The requirements and duties of a joint board were discussed including which members could here certain matters specifically use variances. Members questioned Tom as well as provided their own personal opinions/experiences with both types of boards. The recommended time table for taking action was discussed. The mayor asked if Tom might make himself available to address Council on the subject at their September meeting and Tom agreed. Tom informed the board that to proceed further, Council needed an endorsement and/or direction from the board to proceed in the form of a motion and approval from the board. A motion was made by the mayor, seconded by Joseph Threston, and passed by unanimous voice vote that the board endorses Council to proceed in the matter of possibly changing the code to provide for a Joint Land Use Board instead of the current separate Planning Board and Zoning Board of Adjustment. If adopted, such action should hopefully occur as close as possible to the start of a calendar year when both boards normally conduct their reorganizations. Following this topic, Tracy Foedisch was excused from the meeting.

**COAH** – Cheryl Progin reported that the state had requested additional information on the Borough's trust account submissions. Cheryl also reported that there is an organization of affordable housing professionals in the state that she feels would be worthwhile belonging to. Membership costs \$85.00 a year. It was discussed that this is properly a Borough Council issue and should be discussed with them in her position as the Borough's Affordable Housing Official. The mayor suggested that since the budget year is already approaching its last quarter and the Borough is attempting to remain within budget for the year, as well as the current lack of any definitive activity at the state level; that Cheryl hold off further discussion with Council until after the first of the year.

**Zoning and Related Land Use Code changes** – The mayor reported that Suzanne Wells had advised him that there is no new activity to discuss.

**Environmental Commission** – Joe Threston reported that as of the last meeting the commission is doing some additional fundraising activity hoping to provide for some additional plantings at the school's project. The additional planting would occur during the Fall. The commission will probably discuss the new state regulations on fertilizers at its next meeting.

**Minor Site Plan Applications** – Mary Lodato reported that she and the chair had approved an application from the owners of 415 Thomas Ave. to operate a home occupation business to provide professional planning, zoning and landscape architecture services. Mary stated that the proposed use met the requirements of the code.

**Vice Chair Position** – It was discussed that with Armand's resignation, the vice chair position is currently unfilled. The mayor asked if there was no objection that he moved to nominate Joe Threston as the new vice chair. Mary Lodato seconded the motion, there was no discussion, and the motion was approved by a unanimous voice vote.

## **NEW BUSINESS**

### **Invoices and vouchers:**

1. 8/3/11, Raymond, Coleman & Heinold, LLP, \$150.00, prepare and attend July meeting. PAY FROM GENERAL BUDGET

Following a brief discussion that due to the calendar schedule of board and Council meetings there is often a previously approved unpaid balance when the new invoice is submitted, a motion was made by Joseph Threston, seconded by Cheryl Progin, and unanimously approved to pay the submitted item as presented. The secretary will have it 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 7:35 PM. (motion by Threston, second by Lodato)**

**Next meeting is on 9/20/2011 at 7:00 pm in the Borough Hall.  
Tape is on file.**

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