

RIVERTON BOROUGH ZONING BOARD
MINUTES
May 19, 2011

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 Vice Chairman Ken Mills.

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 31, 2011.
2. Publication and notice of this same meeting by the applicants.

ROLL CALL

PRESENT: Ken Mills, Craig Greenwood, Robert Kennedy, and Deborah Weaver.

ABSENT: Kerry Brandt, William Corbi, Joe Della Penna, Charles Veasey, and Barry Wells.

OFFICIALS: Substitute Solicitor Berge Tumaian from Raymond, Coleman, Heinold, LLP and Secretary Ken Palmer were present.

MINUTES

The vice chair asked if everyone had received and reviewed the minutes. There was no comment and a motion was made by Craig Greenwood, seconded by Bob Kennedy, and unanimously approved to adopt the minutes of the January 20, 2011 regular meeting as distributed.

PUBLIC HEARING

Case #2011-01, Variance Application by John and Terri Laverty, 616 Main Street, Block 1102, Lot 7, for various bulk variances for alterations to their home and property.

Introductions: The vice 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 Berge Tumian stated the hearing could proceed. John Laverty, the applicant was sworn and testified.

Testimony: John reviewed that he and his wife are requesting approval for a variances to permit altering their 3-story single family residential dwelling by constructing front and rear porches and by adding concrete pavement for additional off-street parking. Similar variances were previously granted by the board but the owners were unable to make the improvements until now and the time period for acting on the prior approvals had expired. The proposed additions to the house are in keeping with the existing aesthetics of the home as well as nearby homes, and that the additions further enhanced the aesthetics and the character of the neighborhood. The Applicant also testified that to the best of his knowledge, a full front porch existed on his home in 1950. The existing front stoop is in need of repair. John testified that the requested front yard setback relief was in keeping with the porches on neighboring properties and similar to the footprint of the originally existing full porch. The front porch, according to John will not impact the sight line of the neighbor's backing up from their driveway. The side yard relief requested for the two porches is no greater than the existing structure and permits the addition to maintain the style and lines of the existing structure. Shifting the location of the rear porch is not possible because of the location of the rear entrance and the location of the parking. The additional parking is to permit additional hard surfaced off-street parking for up to four vehicles used by the four adult drivers in the house. Additionally there is no on-street parking in front of the home and parking in that area of Main Street is restricted. In support of the increased impervious coverage, John testified that all increased water drainage will be properly piped and/or graded to an existing large, capped dry well that is on the property and that it is more than sufficient to provide for underground retention and absorption. John concluded that he does not feel the proposed improvements will have a negative impact on the neighbors, are in keeping with the character of homes in the area and will improve the property.

Public Comment: Following questioning from the Board, Deb Weaver motioned and Bob Kennedy seconded to open the hearing to public comment. There was none and Craig Greenwood motioned and Deb Weaver seconded to close the hearing to public comment.

Deliberation: There was no further discussion and Craig Greenwood motioned and Bob Kennedy seconded to approve the application as presented in the plans, and testified to, and conditioned that connections be made to

utilize the existing drywell. The motion was approved by a unanimous poll vote of 4 to 0 as follows:

Mr. Mills aye Mr. Greenwood aye
Mr. Kennedy aye Mrs. Weaver aye

Comments were made by members as to why they approved the application. Approvals were based on: that the porch is an improvement and in keeping with the neighborhood and historic nature of the homes and that careful consideration was made to handle any increased stormwater run off.

OLD BUSINESS

Appoint Engineer for 2011 – The board reviewed the previous discussions and concurred that: the board should retain an engineer for new projects; the planning board as well as the Borough use the firm; and the firm is familiar with the area and town. Following additional discussion, a motion was made by Bob Kennedy, seconded by Deb Weaver, and approved by unanimous voice vote to appoint David V. Denton, of Land Engineering & Surveying Co., Inc., 100 Wave Rd., Mt. Laurel, NJ 08054, for engineering services during 2011.

Planning Board & Council Matters & 2011 Budget –The secretary updated the board on the adoption of the zoning map correction and revision to building height. He also mentioned Council matters he had heard at Tuesday's planning board meeting. There is nothing new to report on COAH. The secretary reported that he understands that the budget has been approved.

CORRESPONDENCE – None received.

NEW BUSINESS

Vouchers and Invoices – None received.

Annual Report of Applications and Recommendations – The secretary reviewed that he had prepared and distributed Resolution Z2011-03 which is the annual report to the planning board and Borough Council of applications heard and recommendations for amendments to the zoning code. He needs the recommendations and approval of the board to send it to Council and the planning board. The board reviewed and discussed the resolution. A motion was made by Deb Weaver and seconded by Craig Greenwood to adopt and forward the report to the planning board and Council. The motion was approved by a unanimous voice vote.

Appointment of Engineer for 2011 – Resolution Z2011-04 announcing the appointment of an engineer was reviewed by the secretary. A motion was made by Craig Greenwood, seconded by Bob Kennedy, and passed unanimously to accept the resolution, have it published in the Burlington County Times, and mailed to the professionals.

PUBLIC COMMENT ON GENERAL ZONING ISSUES

The chair asked that the meeting be opened to the public. A motion to same was made by Craig Greenwood and seconded by Bob Kennedy. Frank Longbottom of Lippincott Avenue asked the board why the size of garages in the R8 district were restricted limited to 500 square feet. He wishes to erect a two-car garage similar in size to other older two-car garages that exist on other properties in the area; but needs a variance to do so. It was explained that the zoning board cannot change the zoning rules, only grant a variance if warranted. The planning board is tasked with recommending the zoning code and they are adopted for the entire zoning district and reflect the desired goals regarding density and lot coverage. It is quite possible the existing garages predate the current code. Mr. Longbottom was encouraged to bring his concerns before the planning board. There being no further comment, a motion was made by Bob Kennedy and seconded by Deb Weaver to close the meeting to public comment.

Meeting adjourned at 8:30 PM (motion by Weaver, second by Kennedy)

Tape is on file.

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