

**RIVERTON BOROUGH PLANNING BOARD
MINUTES
July 21, 2015**

The Public Session of the Planning Board was called to order at 7:00 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 on the official bulletin board in the Borough Office on January 21, 2015.
2. Required Service of notice and publication in the Burlington County Times on January 23, 2015.

PRESENT: Kerry Brandt, Ken Mills, Craig Greenwood, Joseph Threston, Mayor William Brown, Councilman Joseph Creighton, Mary Lodato, Deborah Weaver, Robert Martin and John Kohms.

Also Present: Solicitor Chuck Petrone for Tom Coleman and secretary Ken Palmer.

ABSENT: Joe Della Penna, Robert Kennedy, and Richard Gaughan.

MINUTES: A motion was made by Joseph Threston and seconded by William Brown to adopt the minutes of the June 16, 2015, regular meeting of the planning board as distributed. The voice vote was unanimous.

CORRESPONDENCE/ANNOUNCEMENTS

None

REVIEW/CONSIDER INVOICES & VOUCHERS

1. 7/2/15, Tamara Lee Consulting LLC, \$315.00, for continued work on the draft housing element and fair share plan during June. (COAH/AFFORDABLE HOUSING BUDGET)
2. 6/5/15, Raymond Coleman Heinold & Norman, LLP, \$182.00, for services rendered during May preparing for and attendance at Board's May meeting. (PLANNING BOARD PROFESSIONAL SERVICES)
3. 6/5/15, Raymond Coleman Heinold & Norman, LLP, \$252.00, for preparation and conducting the Biehl variance application hearing during May. (BIEHL 616 ELM TERRACE ESCROW)
4. 6/5/15, Raymond Coleman Heinold & Norman, LLP, \$168.00, for review and continued work during May regarding plans to comply with affordable housing/COAH mandates. (COAH/AFFORDABLE HOUSING BUDGET)

A motion was made by Craig Greenwood, seconded by Joe Threston, and unanimously approved to pay the vouchers as presented. The secretary will have them signed and submitted for payment.

OLD BUSINESS

Adopt & memorialize Resolution P2015-05, for Case# 2015-02, variance application by Penny Biehl, 616 Elm Terrace, Block 1005, Lot 1 for relief from corner lot setback requirements for a rear yard fence –

The chair asked if everyone had received a copy of the resolution and if there were any questions or comments.

There were none and a motion was made by Deb Weaver and seconded by Ken Mills that reading of the resolution be suspended and the resolution referenced by title be adopted and memorialized. There was a unanimous approval by voice vote of the six members present who approved the application and are eligible to vote on the matter.

Adopt & memorialize Resolution P2015-06, for Case# 2015-03, variance application by Andrew & Jennifer Comerford, 712 Linden Ave., Block1204, Lots 5&6 for rear yard setback requirements to replace a deteriorated deck with a new screened porch on the back of the home. The house is a nonconforming structure due to insufficient rear yard setback. The proposed porch will occupy the same space as the existing deck – The chair asked if everyone had received a copy of the resolution and if there were any questions or comments. There were none and a motion was made by Deb Weaver and seconded by Joe Threston that reading of the resolution be suspended and the resolution referenced by title be adopted

and memorialized. There was a unanimous approval by voice vote of the seven members present who approved the application and are eligible to vote on the matter.

Adopt & memorialize Resolution P2015-07, for Case# 2015-04, variance application by Keith & Muriel Betten, 404 Main St., Block 801, Lot 18, for accessory building setbacks to replace an existing deteriorated nonconforming garage with a new slightly larger structure but retain the nonconforming setbacks to allow vehicular access to the new structure – The chair asked if everyone had received a copy of the resolution and if there were any questions or comments. There were none and a motion was made by Craig Greenwood and seconded by Joe Threston that reading of the resolution be suspended and the resolution referenced by title be adopted and memorialized. There was a unanimous approval by voice vote of the eight members present who approved the application and are eligible to vote on the matter.

Affordable Housing – Chuck Petrone reviewed that on July 8, Tom Coleman had filed on behalf of the Borough a request for declaratory action on the fair share plan and for continued immunity from builders remedy suits. A hearing has been scheduled for August 1, which may or may not occur. To date nothing further has been heard from the court. There was discussion about what will possibly occur and the merits of signing on with the expert witness from Rutgers. It was agreed that the board and Borough should maintain a wait and see on the actions filed with the court. Deb Weaver reported that additional development fees have been collected since the last spending plan had been filed.

Council Matters of Importance to the Board – Councilman Creighton and Mayor Brown reported that action has been undertaken to clean up conditions at 410 Main St. A new Chief Financial Officer has been appointed and a new treasurer hired. A new police officer has been hired and an additional hire is being sought to report a dismissed officer and one who is leaving. The recently received \$250,000 freeholder grant for park improvements was reviewed.

Environmental Commission – Joe Threston reported that the commission has reenergized the "green team" that will participate in the state's environmental program and the commission is asking for community involvement.

Minor Site Plan Applications – Mary Lodato reported there were none in the last month.

Subcommittee for Accuracy of the Zoning and Related Ordinances – Joe Della Penna had notified the secretary that there was nothing new to report.

NEW BUSINESS

Escrow Refund Request by Latimer and Lewis, Inc. – The secretary reviewed that a request has been received by Latimer and Lewis, Inc. for a refund of any unused escrow funds from their site plan account for 202 Broad Street. A review has shown that a separate escrow account exists for the maintenance agreement. Final C/O's have been issued on the project and it appears there are no future charges against project. There is an over \$5000 balance in the account. A resolution, P2015-08, has been prepared authorizing the refund of unused escrows in the account. There was no discussion and Joe Threston moved that the resolution be adopted by title. John Kohms seconded the motion and it was adopted by unanimous voice vote. The secretary will forward the signed resolution to the Borough Treasurer.

PUBLIC COMMENT – The chair stated for the record that there were no members of the public present.

Meeting adjourned at 7:30 pm. (motion by Mills, second by Threston)

Next meeting is at 7:00 pm on 8/18/2015

Tape is on file for one year.

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