



# BASS RIVER TOWNSHIP

## (Burlington County)

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### Bass River Township Planning Board Meeting

October 19, 2022

The regular meeting of the Bass River Township Planning board was held on October 19, 2022 in-person only, Zoom call-in was not available. It was called to order at 7:00 PM. The meeting was opened with the flag salute. In accordance with the Sunshine Law, notice of the meeting was posted in The Beacon and the Atlantic City Press.

Planning Board members present were: Mrs. Cope, Mr. Capriglione, Mr. Neuweiler, Mrs. Ruffo, Mr. Steele and Ms. Delois.

Mr. Christopher Norman attended as legal representative. Mr. Joe Gray and Mr. John Hess attended as engineering representatives.

Mr. James (Jay) Renwick was present at Mrs. Cope's request to answer any questions about Tax Assessments.

The minutes of the regular meeting of September 21, 2022 were available for the board and the public. Mrs. Cope questioned the Forest Zone density of 15 acres per lot which was later verified as 15 on Bass River Schedule of District Regulations (Ordinance 89-8 Article VII).

Ms. Delois made a motion to approve the minutes from September 21, 2022 and Mrs. Cope seconded the motion. The members were in favor with Mr. Capriglione abstaining and none opposed, and the motion was passed.

Correspondence List was read by Mrs. Ruffo.

**New Business:** None.

### **Informal Business:**

Planning Board Secretary presented question from call-in Mr. Casey Quinn asking if property at 5790 Route 9, Block 26 Lot 6, owned by James Dunn, can have a Pole Barn built, approximately 30' x 40' to be used as a woodshop for personal and possible commercial use. He also asked what Zone the property is in, because he has gotten different answers from other sources.

Tax Assessor Mr. Renwick replied that a Pole Barn would not be able to be coded as an accessory to a primary residence because the existing structure was severely damaged during Hurricane Sandy and cannot be inhabited without extensive repairs. If the home were to be left in disrepair or demolished, the pole barn would be coded as a primary dwelling.

This property goes up to Jobs Creek. The front section adjacent to Route 9 is coded Highway Commercial, and the back (eastern) part of the property is Coastal Wetlands.

**Old Business:**

- Board discussion of Zoning and any other Engineering updates in preparation for Final Submission of the Master Plan Reexamination Report (MPRR).

Mr. Norman addressed large number of the public in attendance reminding them that this meeting is for review only, and we are not taking any ACTIONS at this time.

Mr. Hess clarified that this Reexamination Report was sent to The Pinelands Commission early this summer. Pinelands replied with comments in August, specifically stating that they do not support taking property out of protected areas, but that if Bass River conforms to their suggested tract changes, we are okay with moving forward. Infill Residential (IR) Zone will be changed to Infill Commercial (IC).

**7:18 PM** A motion to open the meeting to the public so that they can participate in the discussion about Zoning was made by Mr. Neuweiler and was seconded by Ms. Delois. All were in favor and the motion was passed.

Village Commercial (VC) minimum requirement is being changed from 3.2 acres to 1 acre, on request of several property owners who want to build but have been restricted by size requirements in the past.

Board members discussed suggested permitted uses within the VC and IC Zones. These uses are found on current page 31 of the MPRR. Antique Shops will be added to VC as item L. IC items a. Retail, trade and service establishments and b. Convenience stores will also be added. They will be on both VC and IC lists.

Items being removed from IC and added to VC: c. Business or professional office; d. Civic, social, and fraternal organizations.

Ms. Moyer asked if item d will impact existing Hunting & Fishing Clubs in the IC Zone. Mr. Norman replied that they will remain non-conforming uses that are already in place. Mr. Gray stated that most hunting clubs are located in Forest Zone, where low intensity recreation, including low intensity campground and gun clubs are permissible uses.

Items already on VC uses, but will be removed from IC uses: f. Day nursery; g. Funeral homes; i. Automotive filling stations; j. Automotive repair garages; k. Vehicle body shops; l. Ambulance dispatch service (no on-site maintenance); n. Medical/Recreational Cannabis Dispensary (Retail); and o. Small boat sales (limited service).

Bill Van Orden, of 5881 Route 9, asked why sections of Forest Zone are being changed to Highway Commercial when the owners do not want it changed. Mrs. Cope replied that right now, there are only a few parcels along Route 9 that will be affected by the change. Some requests were made by property owners who want to build but have been restricted by minimum lot sizes of 3.2 acres. There are also a few owners who have been operating businesses for many years under the assumption that they are on Highway Commercial, but there is no legal distinction on record that their properties are such. These include Amon Construction and Howard Rothschild. Designating their properties as Highway Commercial will officially align them with their ongoing use.

Highway Commercial will extend from the Village of New Gretna to Jobs Creek along Route 9. Pinelands Commission reviewed the proposals and added their recommendations, which have been incorporated into the current proposal.

Harry Nogowski, of 5857 Route 9, asked what minimum lot size will be for HC. Mrs. Cope said it will be 1 acre.

Roger Dillon, of 5856 Route 9, stated that he and his neighbors moved to be in the Forest Zone. They don't want to be in Highway Commercial.

Howard Rothschild asked about 9 buildable lots by the lake behind Offshore Manor. Mr. Gray said they are not in Pinelands Preservation Zone, so would not have to go through the Pinelands Commission, but will need to go through CAFRA (Coastal Area Facility Review Act).

Eric Nagel, of 5838 Route 9, asked which other properties are being changed to HC. Mrs. Cope said William and Jenny Stevens, Dorfy's and a property that used to be an antique store. She then went on to state, "If any majority of residents don't want to be included in the Highway Commercial changes, we can pull that whole area out of the proposed change."

Bass River Township Tax Assessor, Jay Renwick was asked to comment on how the changes to Highway Commercial may impact the property owners. There will be no immediate change to taxable rates. Property can be designated to any zone, but if it is not built and used on the property as a commercial use, there will be no changes to the taxes.

Mr. Neuweiler pointed out the former Rustic Inn and New Gretna House properties in the center of town. He said a tremendous amount of work was done on the septic system for the New Gretna House, but it is not taxed as commercial until someone uses it. Mr. Renwick affirmed that, and he added that we will wait and see what variables the new owner, Winn Allen, brings to the Rustic Inn property.

With no further questions from the Board or the public for Mr. Renwick, Mrs. Cope released him from the meeting.

Terri Suarez, of 5901 Route 9, said that she owns 20 acres in Forest Zone across from Amon Construction, and she cannot subdivide it to build a home for her son to live in. Forest requires a density of one lot per 15 acres. Mr. Norman said she can apply for a Variance, but Pinelands Commission will not allow any residential variances in the Forest Zone without buying PDC credits, which can be expensive.

Mrs. Suarez asked how soon will it be until the proposed changes are made. Mrs. Cope said we plan to formally present the changes next month. Mr. Hess specified that they will be presented to the Public at the November 20<sup>th</sup> Planning Board Meeting. Mr. Norman explained that the Master Plan Reexamination Report had to be approved before any Zoning changes will occur, and that the November meeting will be to approve that report. Mr. Neuweiler estimated that the changes may go through in the spring of 2023.

Mr. Van Orden asked for confirmation of the area that will be “blotted out” from the proposed Highway Commercial proposal. Mrs. Cope provided a map of the proposed changes, and they identified the area the residents want removed. Mr. Hess confirmed that the next map of proposed zoning changes will eliminate that section.

Timothy Bush of 192 North Maple Avenue, asked if we received Pinelands Commission approval to change the section of North Maple Avenue to the church to Highway Commercial. It was clarified that that change will be to Village Commercial, not to Highway Commercial, and that all changes have been vigorously reviewed by PC.

Mr. Nogowski asked about Commercial uses, specifically Cannabis Sales. Mrs. Cope said Cannabis businesses will be discussed at the next Commissioners Meeting on November 7.

Mr. Norman spoke about last month’s complaints about parties where attendees were charged admission. He said that parties are not a Zoning Board issue, they are under Police Powers. He suggested that the Township Commissioners could pass an ordinance restricting payments as that may be considered a business use. Mr. Nogowski said the neighbors can keep submitting complaints as violations occur, but are there ordinances already in place? Mrs. Cope said there is an 11:00pm Noise Ordinance, but not any ordinances about charging admission at parties. Mr. Capriglione stated that there are ordinances, for example, when the Firehouse held their Clam Bake fundraisers, there were ordinances for 1-day additional insurance requirements, and safety regulations. He stated that Township Commissioners can set ordinances for donation and/or profit fundraisers on personal property, as well.

**7:52 PM** A motion to close the meeting to the public was made by Mr. Capriglione, and it was seconded by Ms. Delois. All were in favor and the motion was passed.

**7:52 PM** Being no other business at this time, a motion was made by Mr. Capriglione to adjourn the meeting, and it was seconded by Mr. Neuweiler. All were in favor and the meeting was adjourned.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Laura Moyer". The signature is written in black ink and is positioned above the printed name and title.

Laura Moyer  
Planning Board Secretary