



BASS RIVER TOWNSHIP

(Burlington County)

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Bass River Township Planning Board Meeting **January 18, 2023**

The regular meeting of the Bass River Township Planning board was held on January 18, 2023 with seven members present. It was called to order at 7:08 PM. Flag salute and Sunshine announcement were done during preceding Reorganization session.

Planning Board members present were: Mrs. Cope, Mr. Capriglione, Mr. Bien, Mrs. Ruffo, Mr. Steele, Ms. Delois and Ms. Gormley. Mr. Neuweiler arrived late and was not called on for the voting.

Mr. Christopher Norman attended as legal representative. Mr. Joe Gray attended as engineering representative.

The minutes of the regular meeting of December 21, 2022 were available for the board and the public.

Ms. Delois made a motion to approve the minutes from December 21, 2022 and Mrs. Ruffo seconded the motion. The members were in favor with none opposed, and the motion was passed.

Correspondence List was pulled for client privilege items to be removed.

New Business:

Review Township of Bass River Ordinance # 2-2023, an ordinance of the Township of Bass River amending Title 17 of the Bass River Township Code in response to the completion of the Master Plan Reexamination Report. Compose letter to the Mayor and Board of Commissioners stating that the Planning Board has reviewed the ordinance and agree with the amendments and that they are consistent with the Master Plan.

Mr. Gray stated that the ordinance needs some refinement, and he advised the Planning Board to hold off on agreement until the ordinance can be reviewed in more detail and amendments made to conform more precisely to the Master Plan.

A motion to table the Zoning Change agreement was made by Mr. Capriglione and Seconded by Mrs. Cope. All were in favor with none opposed, and the motion was tabled until the next Planning Board Meeting scheduled for February 15, 2023.

Informal Business: None.

Old Business:

Updates and clarifications on Mitigation Bank project:

Mr. Gray said last Planning Board meeting set a condition of an escrow account in order to return the property to at least current condition was made. To determine that escrow, Mr. Gray met with someone from the Evergreen Mitigation team on-site. They noticed that someone had taken core samples from the roadway. Based on markings around the cores, research was done, and it was discovered that the New Jersey Department of Transportation is responsible for approximately 1,500 feet of the paved roadway, so it is not in the township's jurisdiction to hold an escrow. Agreements with other outside agencies are already requiring return to a grass state on this roadway. An escrow requirement as a condition of approval should be null and void.

Mr. Norman stated that the original Mitigation Bank Resolution has been revised to reflect no maintenance or escrow requirement.

Mr. Capriglione asked if we can have a bond to protect for additional purposes, such as problems we are currently having with the electric company.

Mr. Norman said that a bond can only be made for township property, and since the land is privately owned and the road is maintained by the Department of Transportation, a bond cannot be held by the township.

Mrs. Cope asked about the public's concerns over potential mud and water spillage on the roadways, as well as the amount of contamination.

Mr. Gray said the application shows that soil samples were analyzed and the results are noted in the application.

Mr. Bien read a statement from Evergreen and AKRF:

Excavated marsh soils will be staged on site and dewatered prior to loading on to trucks for transport to the disposal facility. Water content in the soil to be transported is an environmental as well as a disposal and economic concern. The added weight of water increases transport and disposal costs that are charged in units of tons as well as environmental concerns including those of the disposal facility. The excavation of soils on site will be conducted in accordance with the Burlington County Soil Conservation District's Certification of the Soil Erosion, Sedimentation, and Related Stormwater Management Control Plan. The transport of all soil material will be conducted in accordance with NJDOT trucking regulations and State environmental regulations as it pertains to soil transport of materials including some with low levels of DDT. The trucks to be used for soil transport are approved for the intended use but are not specifically fitted with

waterproof linings. These measures are designed to ensure water content will be minimal in the transported soil and water will not leak from the transport trucks.

Mr. Bien briefly summarized the application as: to remove the berm, dike and soil around it, returning the land back to meadow; to restore tidal flow; for the unpaved portion to be worked out with Bass River; to be done by April; to continue paying any taxes and/or fees; to comply with engineers' reports; to return to grass at end of project; to obtain and maintain any permits.

A motion to Approve the Evergreen Environmental LLC Mitigation Bank Resolution # 2023-001 was made by Mrs. Ruffo and seconded by Ms. Delois.

Mrs. Cope, Mr. Capriglione, Mr. Bien, Mrs. Ruffo and Ms. Delois voted Yes. Mr. Bien, Mr. Steele and Ms. Gormley recused themselves. The motion was passed and PB Resolution # 2023-001 is Approved.

Update on Master Plan Reexamination Report status and any other Engineering updates:

Mr. Gray said the Pinelands Commission needs to review the Township Ordinance along with the Master Plan in order to approve it, and that he and Mr. John Hess expect to have a draft ordinance completed by next week.

Mr. Norman noted that the Ordinance will need to be reviewed by the Commissioners before it can come before the Planning Board.

Mrs. Cope said that if the Ordinance can be reviewed by the Commissioners at their next meeting on February 6, there must be 2 weeks for the Planning Board members to review it, which would be February 20 or 21, which will fall after the February 16th Planning Board Meeting.

Mr. Gray said it may also need to be reintroduced if any material changes are made during the Commissioners Meeting, so it may be the March 15th Planning Board Meeting or later.

7:29 PM A motion to open the meeting to the public was made by Mr. Capriglione, and it was seconded by Mrs. Cope. All were in favor and the motion was passed.

Mr. Leo Assur, of 106 North Maple Avenue, asked how this new Master Plan is different from the previous one.

Mrs. Cope said the set-backs are different, the zoning maps are updated, and she proceeded to list several specific pages which show differences (30% maximum lot coverage, boarding and keeping of animals and adding kennels and animal hospitals to usage, water quality, sewage requirements, etc).

Mr. Assur asked how long it will take for the approval from the Pinelands Commission.

Mr. Gray explained that the Pinelands Commission has been part of the development, so we don't expect a lot of push back.

Mr. Norman said since they have already done an informal review, it shouldn't take too long. Another town completed their submission in December, and it was just approved, so it only took about one month.

Mr. Assur asked if the cannabis parts of the Master Plan were removed due to the federal status of legality.

Mrs. Cope said yes, and we can make adjustments if and when that status changes.

Bill Van Orden, of 5881 Route 9, asked for an explanation of what a mitigation bank is. Mr. Gray, Mr. Norman and Mrs. Cope briefly explained, and Planning Board Secretary Laura Moyer said that more detailed explanations will be available in the December 21, 2022 Planning Board Minutes, which will be posted to the township website now that they have been approved.

7:43 PM A motion to close the meeting to the public was made by Mr. Capriglione, and it was seconded by Mrs. Ruffo. All were in favor and the motion was passed.

7:44 PM Being no other business at this time, a motion was made by Mrs. Cope to adjourn the meeting, and it was seconded by Mrs. Ruffo. All were in favor and the meeting was adjourned.

Respectfully Submitted,



Laura Moyer
Planning Board Secretary

NOTE: Bass River Township's website <http://www.bassriver-nj.org> has a link on its Home page to a digital copy of the Planning Board approved Master Plan Reexamination Report, as well as Meeting Agendas and Minutes from Previous Meetings.