

**TOWNSHIP OF BASS RIVER  
LAND USE BOARD**

**RESOLUTION 2024-9  
PATRIOT GAMING & ELECTRONICS, INC.  
2014 HAMMONTON ROAD - (BLOCK 6, LOTS 10 & 11)**

**EXPANSION OF  
PRE-EXISTING NONCONFORMING USE VARIANCE APPROVAL AND  
MINOR SITE PLAN APPROVAL WITH PARKING VARIANCE TO  
PERMIT A 1,500 SQUARE FOOT WAREHOUSE ADDITION**

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**WHEREAS**, Patriot Gaming & Electronics, Inc. (“Applicant”) requests Expansion of Pre-Existing Nonconforming Use Variance Approval, pursuant to *N.J.S.A. 40:55D-70(d)(2)*, and Minor Site Plan Approval with Parking Variance to permit an expansion of its existing facility, including construction of a 1,500 square foot warehouse addition on its real property, which is more particularly described as Block 6, Lots 10 and 12 on the Tax Map of the Township of Bass River; and

**WHEREAS**, Applicant submitted the following exhibits in support of the Application:

- A-1 Application Form, dated April 19, 2023;
- A-2 Minor Site Plan, Lots 10 & 11, Block 6, 2014 Hammonton Road, Bass River Township, prepared by JCR Engineering, LLC, dated September 19, 2023, last revised to October 16, 2023;
- A-3 Plan of Survey, prepared by Land Line Surveyors, dated October 5, 2023;
- A-4 New Jersey Pinelands Certificate of Filing; dated October 24, 2023.
- A-5 Bass River Township Land Use Board Resolution of Use Variance Approval and Waiver of Site Plan Review, Resolution Number 2005-03, memorialized on July 14, 2005;
- A-6 Letter from John F. Ewert, III, Construction Official, dated June 18, 2009, finding the proposed warehouse storage of slot machines and gaming equipment permitted use.
- A-7 Report of the Bass River Land Use Board Engineer, Owen Little & Associates, dated January 2, 2024; and

**WHEREAS**, Applicant provided public and personal notice in accordance with the requirements of *N.J.S.A. 40:55D-12* and the Township Zoning Ordinance; and

**WHEREAS**, after hearing and considering the testimony of Applicant’s principal, Mark Nocco, its professional engineer, Robert A. Woodcock, P.E., the arguments of Applicant’s Attorney, Jennifer Johnson, Esq. of the Law Firm of Flaster Greenberg and the January 2, 2024, report and testimony of the Land Use Board Engineer, the Land Use Board finds as follows:

Applicant requests Expansion of Pre-Existing Nonconforming Use Variance Approval, pursuant to *N.J.S.A. 40:55D-70(d)(2)* and Minor Site Plan Approval with Parking Variance to permit an expansion of its existing facility, including construction of a 1,500 square foot warehouse addition on its real property at 2014 Hammonton Road. The subject property consists of 0.95 acres and is located on the Easterly side of Hammonton Road within the VR (Village Residential) Zoning District. Applicant's predecessor-in-interest was previously granted use variance approval and waiver of site plan review by Land Use Board Resolution 2005-03 for a cabinet-making business with related office use. On June 18, 2009, the Bass River Township Construction Official issued a letter confirming that the proposed warehouse use for storage of slot machines and gaming equipment is permitted use. (Exhibit A-6).

1. Applicant, Mark Nocco, testified that proposed site improvements would include two (2) concrete aprons at the existing driveway connections to Hammonton Road and placement of 1,100 square foot of additional paved surface. Applicant also proposes to remove approximately 3,500 square feet of existing impervious surface as required by the New Jersey Pinelands Commission in its Certificate of Filing.
2. Mr. Nocco testified that Patriot Gaming & Electronics has operated a warehouse for recycling slot machines and gaming equipment at the subject property since 2009. The proposed warehouse addition will provide additional storage area for gaming machines but will not require the hiring of additional employees. Mr. Nocco testified that the existing car park for his business has been more than adequate to meet his needs since his company occupied the site in 2009. Mr. Nocco further testified that there are no customer visits to his property.
3. The Land Use Board Engineer posed no objection to the granting of the requested expansion of nonconforming use and parking variance since the proposed addition is for storage purposes only and since no additional parking would be required.
4. The Land Use Board finds that the within application for Expansion of Pre-Existing Nonconforming Use Variance Approval, pursuant to *N.J.S.A. 40:55D-70(d)(2)*, and Minor Site Plan Approval with Parking Variance should be granted for the reasons set forth above.
5. The Land Use Board finds that the granting of the requested Expansion of Pre-Existing Nonconforming Use Variance Approval, pursuant to *N.J.S.A. 40:55D-70(d)(2)*, and Minor Site Plan Approval with Parking Variance should be granted based on the testimony adduced on the record by Mr. Nocco and that the proposed satisfies the terms and conditions of the Land Development Regulations of the Township of Bass River, subject to the conditions hereinafter set forth.

**NOW, THEREFORE, BE IT RESOLVED** by the Land Use Board of the Township of Bass River that the within application for Expansion of Pre-Existing Nonconforming Use Variance Approval, pursuant to *N.J.S.A. 40:55D-70(d)(2)* and Minor Site Plan Approval with Parking Variance to permit an expansion of its existing facility, including construction of a 1,500 square foot warehouse addition on its real property at 2014 Hammonton Road is hereby granted subject to the following conditions:

1. Applicant shall pay all taxes, fees and required escrow deposits which may be due and owing.
2. Applicant shall comply with the recommendations set forth in the Land Use Board Engineer's report of January 2, 2024.
3. Applicant shall obtain any required outside agency approvals, including a No-Call Up Letter from the New Jersey Pinelands Commission.

Certified to be a true and correct copy of a Resolution memorialized by the Planning Board at its Special Meeting of March 6, 2024.

DATED: March 6, 2024

TOWNSHIP OF BASS RIVER  
LAND USE BOARD

ATTEST:

*Natalie Lewis*

NATALIE LEWIS  
SECRETARY

*Abigail C. Spagnola*

ABIGAIL C. SPAGNOLA  
VICE CHAIR