



BASS RIVER TOWNSHIP

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WILLIAM "RICK" ADAMS
MAYOR

LOUIS BOURGUIGNON
DEPUTY MAYOR

JANE ALLEN
COMMISSIONER

JENNY GLEGHORN
TOWNSHIP CLERK

TOWNSHIP OF BASS RIVER LAND USE BOARD RESOLUTION 2025 – 8

RALPH P. HAGEN EAST GREENBUSH ROAD / NJSH ROUTE 9 - (BLOCK 35, LOT 2) BULK VARIANCE APPROVAL

WHEREAS, an application was submitted by Ralph Hagen for Bulk Variance Approval to permit a construction of a single-family dwelling with existing accessory pole-barn on real property, located at 48 Ishmael Road, more particularly described as Block 35, Lot 2 as shown on the Tax Map of the Township of Bass River Township; and

WHEREAS, a public hearing to consider the application was held on April 16, 2025, in accordance with public and personal notice requirements of the Township's Zoning Ordinance and *N.J.S.A. 40:55D-12 et seq.*; and

WHEREAS, the following exhibits were entered into the record:

- A-1 Land Use Application Form, dated February 27, 2025;
- A-2 New Single-Family Residence, Hagen Residence, 48 Ishmael Road, prepared by Zacs Engineering, Inc., dated 9/20/23;
- A-3 Boundary Survey, prepared by Maser Consulting, unsigned and dated 8/8/23 with updated plan showing pole barn;
- A-4 Pole Building Drawings, prepared by Shirk, LLC, dated 12/28/23; and
- A-5 Report of Land Use Board Engineer, Own Little & Associates, Inc., dated 3/11/25, 2024, consisting of three (3) pages; and

WHEREAS, after hearing and considering the testimony of Applicant and after considering the report and testimony of the Land Use Board Engineer, the Land Use Board finds as follows:

1. Applicant requests Bulk Variance Approval to permit a construction of a single-family dwelling with existing accessory pole-barn on an undersized 5.1 acre lot at 48 Ishmael Road. The subject property is in the F-Forest Zoning District, which requires a minimum lot size of 15-acres. The subject property is currently vacant, except for a 40' X 72' accessory pole barn that was constructed by the Applicant without permits.

2. Applicant testified that it is located adjacent to State Forest Land on one side. The other adjoining lot is 5.59 acres. Applicant testified that there is no adjoining property to acquire that would eliminate the need for bulk variance relief from the minimum 15-acre lot area requirement.
3. Mark Duym, son of the original owner of the lot, testified that the lot was created in 1976 before the existence of the Pinelands Commission and the Forest Zoning District and its 15-acre minimum lot size requirement.
4. The Land Use Board Engineer reviewed his March 11, 2025 report and noted that, contrary to his report which relied upon an outdated area map, the lot fronts on an improved street and will not require the Applicant to submit either a road improvement plan, or planning variance plan to demonstrate that fire safety and emergency vehicles can access the lot and dwelling to ensure fire emergency access. The Board Engineer further opined that Applicant need not present evidence of an updated Letter of Interpretation (LOI) for freshwater wetlands delineation since the wetland area depicted is significantly removed from the proposed site of the residence on the lot..
5. Based upon the forgoing, the Land Use Board finds that Bulk Variance Approval should be granted based upon undue hardship, due to the undersized nature of the lot that was created approximately 50 years ago. The Board further finds that the 5-acre lot can accommodate a residential dwelling that will otherwise conform with the Land Development Regulations of the Township of Bass River. The Board notes that similar sized lots exist in the neighborhood and directly adjacent to the subject lot, thus there will not be an impairment to the neighborhood, Zone Plan or Master Plan of Bass River Township. The subject property is not located in lands under the Pinelands Commission's jurisdiction.

NOW, THEREFORE, BE IT RESOLVED by the Land Use Board of the Township of Bass River that the within application for Bulk Variance Approval, as set forth above, 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 March 11, 2025, report of the Land Use Board Engineer, as amended to recognize the existing fully improved roadway providing access to the lot and the lack of need for an updated LOI delineating the location of wetlands.
3. Applicant shall apply for any permits required for the 40' X 72' existing accessory pole-barn.
4. Applicant shall obtain any required outside agency approvals, if required.

A motion was made and seconded to approve Resolution 2025-8.

- Motion: Steele
- Seconded: Turkish
- All present were in favor of the motion.
- Motion: Carried

BOARD MEMBERS	Yes	No	Abstain	ABSENT
1. William “Rick” Adams				x
2. Jane Allen				x
3. Cindy Ann Ruffo	x			
4. Robert Neuweiler				x
5. Richard Steele	x			
6. Stacy D. Turlish	x			
7. James McGettigan	x			
8. Barbara Dillion	x			
9. Malinda Fritz	x			
10. John Ewert				x
11. Carrie Crowley			x	

Adopted: May 21, 2025

Natalie Lewis

Administrator / Recording Secretary
Planning / Zoning Board
Natalie Lewis

Cindy Ruffo

Chair
Cindy Ruffo