



BASS RIVER TOWNSHIP

(Burlington County)

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Bass River Township Planning Board Meeting

July 19, 2023

The regular meeting of the Bass River Township Planning Board was held on July 19, 2023 in the Firehouse with ten members present. The meeting was called to order at 7:00 PM by Mr. Russell Bien, Chairperson for this meeting. Flag salute and Sunshine announcements were made.

Planning Board members present were: Mrs. Debbie Buzby-Cope, Mr. Nick Caprigilione, Mr. Russ Bien, Mrs. Cindy Ruffo, Mr. Bob Neuweiler, Mr. Rick Steele, Ms. Mary Delois, Mr. Winn Allen, Ms. Abby Gormley and Mrs. Bonnie Adams.

Mr. Christopher Norman attended as legal representative, and Mr. Robert Romano attended as engineer.

The minutes of the regular meeting of June 21, 2023 were available for the board and the public.

Mr. Neuweiler made a motion to approve the minutes from June 21, 2023 and Mr. Capriglione seconded the motion. Mr. Bien and Mr. Allen abstained. The remaining eight members were in favor with none opposed, and the motion was passed.

Correspondence List was read by Mr. Bien.

New Business:

Thomas Gormley – Land Use Bulk Application for garage at 9 Adams Avenue, Block 54 Lots 29 & 29.A. Existing garage is diagonally 7' and 9' from road. With triangularly shaped property having two "front yards," in order to meet the 40' setback variance, a new garage would need to be built in the center of the lot where the septic system is. Existing garage is cinder block, proposed garage will be a pole barn with concrete floor. It will have electric run to it, and it will be used for residential storage, for cars, a trailer, hopefully a boat in the future. Mrs. Adams asked if the house will also be rebuilt. Mr. Gormley said yes. Mr. Gormley agreed to make the garage and house exteriors match in an aesthetically pleasing way. Mr. Norman noted that the existing structure is already a non-conforming use. The public was asked to comment.

Joshua Collins of 5658 Route 9 expressed his concern that if you allow one, you allow everyone. The ordinances are there, and we should stick to what we have.

Amy Malatesta of 7 Adams Avenue noted that Mr. Gormley's property is so small that if he were to go back the 40' as per ordinance, his garage would block her view of the river, so she would like him to stay next to the road.

James Rupinski of 36 North Maple Avenue said that he lives on a street that borders one of Mr. Gormley's two front yards. He believes Mr. Gormley's plan will be an improvement of its current rundown condition.

Ashley Cramer of 5 Adams Avenue said that her garage is also next to the road, and she has no problem with Mr. Gormley's garage staying next to the road.

Public comments were ended. Mr. Norman advised that the application include the condition to ensure matching exteriors for the garage and the home.

A Motion was made to vote on PB Application # 2023-02 for a bulk variance on Thomas Gormley's garage setback from 40' to 10' with the condition to match exteriors of garage and home by Mrs. Ruffo and seconded by Mr. Steele.

Mrs. Buzby-Cope, Ms. Gormley and Mrs. Adams abstained. Mr. Neuweiler voted No. Mr. Capriglione, Mr. Bien, Mrs. Ruffo, Mr. Steele, Ms. DeLois and Mr. Allen voted Yes. The application was approved with the agreed upon condition.

Informal Business: None.

Old Business:

1. Update on Master Plan Reexamination Report status and any related Engineering updates. Mr. Norman explained that this report is mandated by the Pinelands Commission to be updated every 10 years, and that Bass River has been working on this review for several years. The Pinelands Commission requires that Zoning ordinances must be implemented along with any changes to the Master Plan. Mrs. Cope stated that the matching ordinances were approved at the July 10th Commissioners Meeting and are at the Pinelands Commission for their final approval, which we expect to receive in August or September.
2. Members of the public have attended previous Commissioners meetings and Zoning Board meetings in which ordinances were discussed. A few residents requested to change a section along Maple Avenue from Village Residential Zone to Village Commercial. That requested change was introduced at the July 10th Commissioners meeting so that it can be put before the board and the public for discussion at the August 7th Commissioners meeting.
3. Mitigation Bank project with Evergreen Environmental LLC, originally scheduled for completion in May, is delayed to end of August. Evergreen's co-owner, Mark Renna, replied by email to public questions presented at June's Planning Board meeting. Those replies were read by Secretary Laura Moyer.

New Business Part 2:

Maple River, LLC application removed from July 19 Agenda as per applicant's request. Mr. Norman stated that this application has been removed from the agenda, and it legally cannot be discussed at this meeting.

7:34 PM A motion to open the meeting to the public was made by Mr. Neuweiler and seconded by Mrs. Ruffo. All were in favor and the motion was passed.

Mr. Collins asked why the township is considering changing part of the town to Village Commercial. Mrs. Cope said it has been considered as part of the zoning and ordinance changes for the past 4 or 5 years.

Mr. Rupinski asked why he was beaten up for wanting a hot dog stand on his property, but now we want it to be commercial. Mrs. Ruffo said we had to abide by the ordinances at the time he applied, as well as Pinelands Commission and Burlington County guidelines.

John Turlish of 701 Stage Road asked if the Master Plan is required to have changes in it. Mr. Norman replied that it is not mandatory, it can be left as-is if that is what the township review decides.

Stacy Turlish of 701 Stage Road presented a zoning map from the Master Plan Review Report to the board and asked if the areas marked on the map as Village Commercial have already been made. Mrs. Cope said, yes, those are the areas along Route 9 that have been Village Commercial for many years. The only new changes on the map are some areas of Highway Commercial along Route 9 that were requested by the residents living there. Some wanted HC and others did not, so the map reflects changes that were requested and left the ones out who did not want it.

Kathy Harvey of 88 North Maple Avenue asked why the ordinance that includes the former elementary school wants to change from Village Residential to Village Commercial. Mrs. Cope replied that it is a block that was not formerly VC, and the request to change it to VC was made before the school was sold.

Mr. Neuweiler added that he was one of the requestors several years ago with the hope to raise tax rates and make it easier for business development. With the Rustic Inn bar and New Gretna House restaurants gone, he suggested that the Pinelands Commission might approve VC up to a block past the school so it could be used for businesses.

Mr. Norman explained that the process of formally changing a zone begins with it being introduced, which is what happened at the July 10th Commissioners Meeting. At the second reading, the public provides their input. That will take place at the August 7th Commissioners Meeting. Mrs. Cope added that the public voted for the 3 people whose job it is to introduce ordinances and put them before the residents. After listening to the public comments, the Board will decide based on the information it receives.

George McGeoch of 18 North Maple Avenue asked if any member of the public requested the change to Village Commercial. Mrs. Cope said yes. Mr. Norman added that it was requested via public input during the MPRR process.

Ed Bourguignon of 1766 Route 542 wondered what the benefit is of being VC over VR.

Weston Eckert of 116 North Maple Avenue asked if his property goes VC, would he be able to expand an old sawmill on his property to put in dorms or apartments, and all his neighbors could do is come to a meeting?

Mr. Norman responded that the decisions pertaining to Zoning and Land Use Variance applications are complicated and nuanced. An important part of the application process is to notify all neighbors within 200' of the property, and those neighbors can voice their concerns and offer input that will be fully considered by the Planning Board. This board listens to public concerns. If the residents are not happy with a board decision, they can challenge it by going to the State of New Jersey.

E.B. Kennedy of 14 Teaberry Lane and Chris Brower of 63 West Greenbush Road asked questions about the application that was removed from the agenda. Mr. Norman reminded them that we cannot discuss that application other than to say that they are asking for use variance relief. No discussion of details is authorized at this time.

Betty O'Brien of 196 Cedar Avenue spoke about the right for freedom of speech, and she read a prepared statement about the long family history of the area and her belief that restrictions on zoning and ordinances are the only defense to protect our quaint little town against developers. She talked about private education in other

municipalities resulting in fewer students and lower budgets for local public schools, and the impact of loss of jobs.

Karl Swanseen of 14 North Maple Avenue spoke in opposition to high density residential use. He believes it is not desirable for neighbors or beneficial to the town. He wants the school application to include more details of the overall plan before it is considered for any variance.

John Atcosta of 3 Frenchs Lane asked what impact would the change to Village Commercial have on his street? Will it expand to 2 lanes? Mrs. Cope replied that the ordinance is only considering from Route 9 to West Road for properties that touch both sides of North Maple Avenue.

Mr. Capriglione clarified that the Master Plan review is done and in its final phase of approval. The zoning change is just a question that came up, so it has been made an addendum, it is only up for discussion at the next Commissioners meeting, and no decisions have been made.

Bill Trapp of 20 Oak Lane is concerned about changing the ordinance from 3.2 acre buildable lots to 1 acre. Mrs. Cope explained that this change is to match our ordinances to Pinelands Commission regulation sizes which have changed in the past few years to allow 1 acre buildable lots only if certain high filtration septic systems are installed. Mr. Norman added that we remain subject to the Pinelands Commission's very restrictive Master Plan, and we are only allowed to adopt changes that meet their strict standards.

Pearl Koteles of 5 Plymouth Road said that she moved here 51 years ago, and this meeting has made her realize that she should be at more town meetings.

Benjamin Adams of Route 9 said that he has lived here 68 years, and he shared a story from the 1990's when he was one of the residents who stopped a bus parking lot from being developed. He wanted to show that residents' opinions and efforts do make a difference.

Mr. Collins asked if the zoning for his property were to be changed to commercial, would he be allowed to live in trailers on his property? He said that development of Kazuba's junk yard won't take long because the soil is sampled 6 times a year at random, and there are 4 wells on the property that get tested. The soil and water are already verified to be clean, so it will be easy for developers to begin building.

Mr. Swanseen asked if the township intends to let the Pinelands Commission make these decisions for us. It should be the citizens who decide our own issues.

Mr. Norman said we are not minimizing the zoning issues. Owners have to apply to the Pinelands Commission for a Certificate of Filing before they apply for any changes to the property site plan. Renovations inside existing buildings are not required to go to the PC. With an application for a Zoning Permit, if our ordinances permit the designated use in that zone, then we approve it. If not, then we disapprove it, and that's when it may come back as a request for variance, in which public comments are part of the decision making process.

Leo Assur of 106 North Maple Avenue stated that he spoke to the current owners of Kazuba's junk yard, and they told him it is NOT sold, so these concerns being voiced at this meeting are not based on facts.

Nancy Snyder of 18 Frenchs Lane asked if she had heard correctly, and is Kazuba's sold? Mrs. Cope replied no. The owner is reapplying for their license, and there has been no change of ownership as of this date.

K.C. Raven of 37 North Maple Avenue asked about anonymity of complaints. She recently submitted complaints and the person she complained about was given access to who and what was said. Mrs. Cope said this is best addressed at the Commissioners Meeting on August 7th, as it is not a Planning Board issue.

Someone asked when the meetings are. Planning Board meetings are the 3rd Wednesday of the month at 7pm, and Commissioners meetings are the 1st Monday of the month that does not fall on a holiday, at 7pm.

Frederick Quigley of 5541 Route 9 complained about Evergreen Mitigation Bank trucks leaving a mess of mud and gravel behind. He said he heard that New Jersey State Troopers are supposed to be on the job site at all times. He said the state has had to clean the road twice, and there have been accidents on the road from the mess. (This is a state managed road, and Bass River Township has no authority over their management of it).

8:27 PM A motion to close the meeting to the public was made by Mr. Capriglione and seconded by Mr. Steele. All were in favor and the motion was passed.

8:27 PM Being no other business at this time, a motion was made by Mrs. Ruffo to adjourn the meeting and seconded by Mr. Neuweiler. All were in favor and the meeting was adjourned.

Respectfully Submitted,



Laura Moyer
Planning Board Secretary