

Bass River Township Planning Board

March 21, 2013

The regular meeting of the Bass River Township Planning board was held on March 21, 2013 in the Municipal Building and was called to order at 7:10 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: Mr. Brower, Mr. Pennella, Mr. Shuff, Mr. Neuweiler, Mr. Mathis, Mr. Hazard, and Mr. Steele. Attorney Chris Norman swore in a new member- Henry Gomez as the Class 2 member.

The minutes of the regular meeting of February 27, 2013 were available for the board and the public. A motion to approve said minutes was made by Mr. Shuff and was seconded by Mr. Neuweiler. All were in favor and said minutes were approved. Mr. Mathis abstained.

Correspondence: Correspondence was gone over, reviewed and discussed by the Board.

New Business:

Informal Discussion Block 26 Lot 4- regarding Auto sales/repairs. Richard Cassidy would like to sales and service on this property. Tom Cramer is the owner of this property. This property is approved for repairs but not for sales. Apparently cars were sold there in the past- but not for approximately 15 years. Chris Norman asked if the use had stopped and if not- could Mr. Cassidy or Mr. Cramer provide proof that it was approved for the use of sales in the past. It was suggested that a site plan might be necessary and a Certificate of Non-conformity. Section 17.24.120 of the Township Ordinance was read. It contains the guidelines and requirements for an auto sales business.

Schmutz- 2013-01 Public Hearing- Planning Board member recused himself from this hearing. Attorney Norman swore in John Pettit. He is a Professional Planner representing Joe Schmutz. This is Block 54 Lot 44. The applicant wants approval to sell cars where it had previously been a furniture store. The applicant wants to use 400 sq feet of the 700 sq foot building for office space and using the remaining space for storage. This zone does not permit auto sales and that is why they have applied for a use variance. The positive criteria were stated – since this use is not inherently beneficial. No residential component, no increase in population density. No detriment to the public good. A fence would be put in the front – closer to Route 9- so the cars will not be visible from the road.

It was stated that it would not have an effect on the traffic flow. Mr. Pettit stated it would not have a negative impact on the zone plan in the zoning ordinance since the cars will be in the back of the property and the area will be screened. Negative criteria – “Any development in NJ is going to have a negative impact but what the board has to weigh is - is it a substantial negative impact on the community”. There may be an increase in traffic, but this is on a state highway and it was stated that the increase would not have a negative impact. The zone does permit some commercial development. The road frontage of this property is only 75 feet. It is approximately 450 feet long. The garage is about 200 feet from the road. The cars will be located behind the garage and it will be approximately 20-30 cars. A sketch was submitted with the application but there is no survey. There is a residential house on the property that is rented, 2 structures and a shed. There was a question if there is a bathroom in the office area. There is not. The applicant stated that it was grandfathered in and that the bathroom in the home can be used. Attorney Norman stated that it was grandfathered for the Furniture Sales, this is a change or use and a non-conforming use so the use for the bathroom is not grandfathered anymore.

Patty Groff- 159 Leektown Road New Gretna was sworn in. She wants to rent the lot from Mr. Schmutz. She will have 2 employees and it will be open approximately 30 hours per week. She stated the state of NJ does not require a bathroom. She stated there are already existing lights. There will be 3 or 4 parking spots for customers. No changes to the entrance are planned. The bathroom issue came up again and was explained that it is required- there is no grandfathering. She would need to go to the county for approval to proceed with the bathroom. This business would strictly be sales, no repairs. The applicants and Planner took a 5-minute recess. They requested that this be carried until the May 16th meeting.

8:15 -This hearing was opened to the public. David Southwick was sworn in and spoke on behalf of his wife. He suggested looking at the evolution of the property. Will there be guidance on how this property will be run? If the auto sale shop opens, there will then be 2 commercial uses on this property. He mentioned that there was very little discussion about the road frontage, the setbacks etc. He also stated there would be traffic intensification and that there is a bend in the road right before the entrance to the property.

8:20 - Public portion closed

Steve- the Engineer from Kluk Consultants stated that if the variance application is improved, this would require a site plan. It would need to be submitted to the Fire Chief for review. The Health Department would need to be contacted regarding the bathroom.

Mr. Pettit stated that he is unsure if Pinelands would approve another septic system on that lot.

If the meeting needs to be carried further than May 16, 2013- the applicant would need to re-advertise.

Old Business: N/A

Public Portion: The meeting was opened to the public at 8:37. Joan and Joe Fritz spoke. Because of Hurricane Sandy- they need a new roof on their home. They want to put an addition on the front of the house. The property is in the Preservation Zone. The addition would not leave enough room for the required front yard setbacks. They were given an application at this meeting.
Public Portion was closed.

Mr. Mathis suggested we request additional copies of applications. We will now request 15 copies.

Also, new members need code books. This will be requested from the Township Clerk. The Secretary is going to notify the board members if there are applications submitted so they can review them prior to the meeting.

8:42 PM- Being no other business at this time, a motion to adjourn the meeting was made by Mr. Pennella and was seconded by Mr. Shuff. All were in favor and the motion was passed.

Respectfully Submitted,

Elizabeth Godfrey
Planning Board Secretary