

BASS RIVER TOWNSHIP LAND USE BOARD
RESOLUTION # 2022-04

Adoption Of 2022 Master Plan Reexamination Report

WHEREAS, the Bass River Township Land Use Board ("Land Use Board") is statutorily required to periodically reexamine its Master Plan at least every ten (10) years, pursuant to the statutory requirements of *N.J.S.A. 40:55D-89*; and

WHEREAS, the Land Use Board previously adopted its last iteration of its Master Plan in January 2019; and

WHEREAS, a public hearing was held on December 21, 2022 by the Land Use Board to review the 2022 Master Plan Reexamination Report, last revised on November 30, 2022, prepared by John Hess, P.E. and P.P. and Malvika Apte, P.P., A.I.C.P., of CME Associates; and

WHEREAS, the Land Use Board thoroughly reviewed the aforesaid 2022 Master Plan Reexamination Report at the December 21, 2022 public hearing and fully endorsed the findings and conclusions therein;

NOW, THEREFORE, BE IT RESOLVED by the Land Use Board of the Township of Bass River that it hereby adopts the 2022 Master Plan Reexamination Report in accordance with *N.J.S.A. 40:55D-89*.

DATED: *December 21, 2022* TOWNSHIP OF BASS RIVER
LAND USE BOARD

ATTEST:


LAURA MOYER, SECRETARY


RUSSELL BIEN, CHAIRMAN
NICK CAPRIGLIONE

MASTER PLAN REEXAMINATION REPORT:
BASS RIVER TOWNSHIP

PREPARED FOR:



Bass River Township Planning Board
Burlington County, New Jersey

November 30, 2022

Prepared By:



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The original of this report was signed and sealed in accordance with N.J.S.A. 45:14A-12.

Acknowledgements

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I. Introduction

Bass River Township is Burlington County's third-largest municipality with 78.34 square miles of area, falling behind only Washington and Woodland Townships in size. The entirety of Bass River Township is located within the federally-designated Pinelands National Reserve with major portions of the Township falling within the state-designated Pinelands Area. In addition to falling within the Pinelands Area, the Township's southeastern portion also falls under the jurisdiction of the Coastal Area Facility Review Act of 1973 (CAFRA). The CAFRA regulated portion of the Township includes all lands outside of the Pinelands Area.

The Bass River Township adopted its last comprehensive Master Plan Update in January of 1982. Following that, the Township adopted subsequent Master Plan Reexaminations in March of 2002, March of 2008, and January of 2019.

With this Reexamination Report, the focus is on major problems and challenges affecting of the Township since the last comprehensive Master Plan Reexamination Report, which was adopted in 2019.

The municipal Master Plan is a document that establishes the policies for land development and redevelopment for a municipality. It is the principal document concerning land use, and guides both public and private development in making decisions regarding land use. The Master Plan forms the legal foundation for the zoning ordinance and zoning map. The zoning ordinance and map constitute the primary law governing the use of land at the municipal or local level.

Per N.J.S.A. 40:55D-89, a Planning Board is required to prepare a periodic reexamination of its master plan every ten (10) years. A Reexamination Report is a review of previously adopted master plans, amendments, and local development regulations to determine if the policy guidelines set forth herein are still applicable. This report will reexamine the master plan and local development regulations throughout the entirety of the Township.

The findings and recommendations contained in this Reexamination are based upon the review of the following documents:

2. Land Use Ordinance;
3. Zoning Ordinance;
4. 2008 Master Plan Reexamination Report;
5. 2002 Master Plan Reexamination Report;
6. 1982 Comprehensive Master Plan Update;
7. 2010 U.S. Census Data;
8. 2020 U.S. Census Data;
9. 2020 American Community Survey (ACS) 5-year Estimates;
10. Pinelands Protection Act & Comprehensive Management Plan (CMP); and

11. Rezoning/changes to land use and zoning ordinance.

Per Municipal Land Use Law (MLUL), the Reexamination Report shall state:

12. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last Reexamination Report;
13. The extent to which such problems and objectives have been reduced or have increased subsequent to such date;
14. The extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for the Master Plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition, and recycling of designated recyclable materials, and changes in State, County, and Municipal policies and objectives;
15. The specific changes recommended for the Master Plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared; and
16. The recommendations of the Planning Board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," P.L. 1992, c.79 (C.40A:12A-1 et al.) into the land use plan element of the municipal master plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.

Per N.J.S.A. 40:55D -89.1, the absence of the adoption by the Planning Board of a reexamination report shall constitute a rebuttal presumption that the municipal development regulations are no longer reasonable.

II. Major Problems and Objectives relating to land development at the time of adoption of the last Master Plan

The first provision of N.J.S.A. 40:55D-89 of the MLUL states that the Reexamination Report shall include:

“The major problems and objectives relating to land development in the municipality at the time of the adoption of the last Reexamination report.”

Update The Land Use / Zoning Map

The 2019 Master Plan Reexamination indicated that a Land Use/ Zoning Map was generated December 2012. Since then, several parcels have been sold to the State of New Jersey to fill in State Forest sections. The Map needs to be updated to reflect these changes. It was therefore recommended in 2019 that the Township update the Land Use Map to reflect current State Forrest sections.

Revise Height Restrictions For Houses Being Elevated In Flood Zone

In October 2012, Superstorm Sandy inflicted widespread flooding in the Bass River area. Homes flooded were eligible for funds to raise them on pilings above the flood zone. Federal Emergency Management Agency (FEMA) Grants, under the Hazard Mitigation Grant Program (HMGP) Elevation Program, were beneficial in helping homeowners with house rising cost. The HMGP Elevation Program is to encourage and financially assist in the elevation of existing primary single-family detached homes to reduce the risk of loss of life and property from a future storm.

Elevated homes may exceed the maximum height restriction of thirty-five (35) feet. (Ord.17.20.260). It was recommended in 2019 that the Township amend residential height restrictions to include provisions for elevated homes in designated flood zones.

Remove New Gretna Village From Pinelands Comprehensive Management Plan

The Pinelands Protection Act designated the Garden State Parkway as the eastern boundary of the state-designated Pinelands Area between Port Republic to the south and Westcunk Creek to the north. By using the parkway as a boundary, the majority of New Gretna Village was allocated into the state-designated Pinelands Area. This results in any growth, rebuilding, or expansions of new and existing commercial and residential buildings so restrictive that development has lain idle for years waiting for Commission approval.

New Gretna Village has been an important community since the 1700's. First as a stagecoach stop to important iron mills in the pinelands, and then along state highway

Rt. 4 in the 1920's, and then Rt. 9 in the 1940's. The formation of the Pinelands Preservation Area was delineated to by-pass communities along Rt. 9 since it is a major travel way between New York City, New Jersey beaches and resorts, and Atlantic City. Unfortunately, the New Gretna Village was not excluded. The Rt. 9 corridor has always provided restaurants, shopping, and amenities to travelers through the town.

It was proposed in 2019 that the Pinelands Area boundary be relocated west of the village to ease the burden of having the most restrictive designation of the Preserve. The new boundary would start at GSP Exit 50 and follow the south boundary of the Village to Robinson Rd. From Robinson Rd it would follow the Wading River north to Charcoal Landing Rd. From the Wading River, it would go north to Rt. 679. Following Rt. 679 northeast to Stage Rd. Along Stage Rd. to east to the intersection of the Bass River, then follow the Bass River south to Sherwood Rd. and back east to GSP Exit 52 and existing boundary.

This would take approximately 6,000 acres of previously developed area out of the Pinelands Area. The boundary is defined to use natural landmarks for ease of understanding. This boundary move does retain 4,000 acres that will remain protected forest and wetlands. Figure 3 shows a map depicting the proposed boundary.

Pinelands Areas

In addition to the above goals and objectives specific to Bass River Township, the majority Bass River Township falls within the Pinelands Area and, as such, is subject to the rules and regulations of the Pinelands Comprehensive Management Plan (CMP). There are multiple zones outside of the State-designated Pinelands Area including the Coastal Wetlands (CW), Highway Commercial (HC), Village Residential (VR), Residential (R-1), and Forest (F) Zones. However, this portion of the Township is recognized as part of the Pinelands National Reserve, where Pinelands Commission has limited regulatory jurisdiction. Considering a major portion of the Township falls within the Pinelands Area, Bass River Township's master plans and land use ordinances must conform to the CMP where the management area overlays. The CMP has been in effect since 1981 and the main goal and purpose of the CMP is to implement the Pinelands Protection Act which is a legislative determination that manages and protects the essential character and ecological values of the Pinelands. The Pinelands CMP includes a Land Capability Map that designates various Pinelands Management Areas. Permitted land uses and intensities vary between these different Pinelands Management Areas. Within the Pinelands Management Areas, different land uses and intensities of development are permitted. Bass River Township's Development Regulations and Zoning Map implement the Pinelands management area designations through creation of municipal zoning districts that conform to the CMP. The following states the Goals and Objectives of the Pinelands Management Areas, as taken from the Pinelands Comprehensive Management Plan, Section 7:50-5.13.

1. Preservation Area District, Section 7:50-5.13(a)

The Preservation Area District is the heart of the Pinelands environment and represents the most critical ecological region in the Pinelands. It is an area of significant environmental and economic values that are especially vulnerable to degradation. This large, contiguous, wilderness-like area of forest, transected by a network of pristine wetlands, streams, and rivers supports diverse plant and animal communities and is home to many of the Pinelands' threatened and endangered species. The area must be protected from development and land use that would adversely affect its long-term ecological integrity. Approximately 80% of Bass River Township consists of this District within the Pinelands Management Area District.

2. Forest Area, Section 7:50-5.13(b)

The Forest Areas are similar to the Preservation Area in terms of their ecological value, and along with the Preservation Area, serve to provide a suitable ecological reserve for the maintenance of the Pinelands environment. These undisturbed, forested portions of the Protection Area support characteristic Pinelands plant and animal species and provide suitable habitat for many threatened and endangered species. These largely undeveloped areas are an essential element of the Pinelands environment, contain high quality water resources and wetlands, and are very sensitive to random and uncontrolled development. Although the overall types and level of development must be strictly limited, some parts of the Forest Areas are more suitable for development than others, provided that such development is subject to strict environmental performance standards. The Southern portion of Bass River Township consists of a Forest Area District.

3. Agricultural Production Area, Section 7:50-5.13(c)

Agricultural Production Areas are areas of active agricultural use, together with adjacent areas of prime and unique agricultural soils or soils of statewide significance, which are suitable for expansion of agricultural operations. In order to maintain agriculture as an essential element of the Pinelands region, the level and type of development must be controlled to prevent incompatible land uses from infringing upon these important land resources. The Township does not contain any lands designated as an Agricultural Production Area.

4. Special Agricultural Production Area, Section 7:50-5.13(d)

Special Agricultural Production Areas are discrete areas within the Preservation Area District which are primarily used for berry agriculture or horticulture of native Pinelands plants. They represent a unique and essential element of the Pinelands economy and, because they are generally compatible with the ecological values of the Preservation area, are a part of the essential character of the Pinelands. In order to maintain these agricultural uses in a manner which recognizes their integral relationship to the Preservation Area, very strict limits on non-agricultural land uses are necessary. There is one (1) Special Agricultural Production Area District within Bass River Township which surrounds the "Sim Place" tract along the Oswego River Tributary in the Township.

5. Rural Development Areas, Section 7:50-5.13(e)

Rural Development Areas are areas which are, on an overall basis, slightly modified and may be suitable for limited future development subject to strict adherence to the environmental performance standards of N.J.A.C. 7:50-6. They represent a balance of environmental and development values that is intermediate between the pristine Forest Areas and existing growth areas; however, some parts are more suitable for development than others due to existing development and an absence of critical ecological resources. There are two (2) area that are part of the Township which fall within a Rural Development Area District. Both of which are in the southern portion of the Township, where one is north of the Merrygold neighborhood along Stage Road (Burlington County Route 655) and the other is along the southeastern border of the Township where the Rural Development Area falls within both Bass River Township and Little Egg Harbor Township in Ocean County.

6. Pinelands Villages and Towns, Section 7:50-5.13(f)

Pinelands Villages and Towns are existing spatially discrete settlements in the Pinelands. These traditional communities are appropriate for infill residential, commercial and industrial development that is compatible with their existing character. Out of fifty-one (51) villages within the Pinelands Area, there is one (1) that falls within Bass River Township. This singular village is the Village of New Gretna, which is one of the most historic areas of the Township, being over 300 years old.

7. Regional Growth Areas, Section 7:50.5.13(g)

Regional Growth Areas are areas of existing growth or lands immediately adjacent thereto, which are capable of accommodating regional growth influences while protecting the essential character and environment of the Pinelands, provided that the environmental objectives of Subchapter 6 (Management Programs and Minimum Standards) are implemented through municipal master plans and land use ordinances. There are no Regional Growth Areas within Bass River Township.

III. The extent to which problems and objectives have been reduced or have increased.

The second provision of N.J.S.A. 40:55D-89 of the MLUL states that the Reexamination Report shall include:

“The extent to which such problems and objectives have been reduced or have increased subsequent to such date.”

While no sweeping changes to the overall Goals and Objectives in the 2008 Master Plan Reexamination were proposed, the 2019 Master Plan Reexamination Report included several updates and recommendations that had not been considered prior. These updated recommendations that are outlined above are as follows:

- Update The Land Use / Zoning Map
- Revise Height Restrictions For Houses Being Elevated In Flood Zone
- Remove New Gretna Village From Pinelands Comprehensive Management Plan

The following objectives from the 2019 Master Plan Reexamination pertaining to Land Use and Conservation and the extent these problems have been reduced is as follows:

1. Update The Land Use / Zoning Map: The Township's most recent Land Use Map was produced in 2012. As noted above, since that time there have been a number of property sales where the State of New Jersey purchased land to be incorporated into State Forrest sections. As of 2022, there does not appear to be any updates to the Land Use Map. As part of this Reexamination Report, the Township is hopeful to update their Zoning Map.

2. Revise Height Restrictions For Houses Being Elevated In Flood Zone: As it was noted in the 2019 Master Plan Reexamination, the effects from Superstorm Sandy allowed the Township to see that some of the regulations for building height may be inappropriate for some areas that could be at-risk during high flooding events and storm surges. However, it does not appear that these height regulations have been revised or amended. As of 2022, it does not appear that this problem has been addressed by the Township since the last Master Plan Reexamination Report recommended a revision of the height restrictions in flood zones.

3. Remove New Gretna Village From Pinelands Comprehensive Management Plan: At the time of the 2019 Master Plan Reexamination, it was noted that coordination with both the Pinelands Commission and the Federal Government was needed in order to actualize this goal. In July of 2019, the Pinelands Commission notified the Township that its 2019 Master Plan Reexamination Report would be deemed incomplete until such time that the plan's implementing ordinances were adopted and submitted to the Commission. The letter also indicated that the Commission could not approve a master plan or land

use ordinance that does not comport with the existing Pinelands Area boundary. The Pinelands Commission does not have the authority to change the Pinelands Area boundary. A boundary change could only be accomplished through an act of the New Jersey legislature. As of 2022, it does not appear that this problem has been addressed by the Township since the last Master Plan Reexamination Report recommended the Township work to remove New Gretna from the Pinelands Area.

As noted above, considering this goal is a multi-governmental-agency effort, it should be expected that this goal would take a considerable amount of time following the 2019 Master Plan Reexamination Report. Should this goal persist as a recommendation of *this* Master Plan Reexamination, the Township's discussions with the Pinelands Commission over the past several years should give an indication as to next steps to accomplish this goal.

IV. Significant changes in assumptions, policies, and objectives, forming the basis for the Master Plan or Development Regulations since the 2008 Master Plan Reexamination

The third provision of 40:55D-89 of the MLUL requires that a Reexamination Report address:

"The extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition and recycling of designated recyclable materials, and changes in state, county and municipal policies and objectives."

Housing Economic and Demographic Characteristics:

Following a slight decrease of 1.77% in population from the 1990 to the 2000 census, the population of Bass River Township continued to decline from 2000 to 2010, decreasing from 1,552 to 1,443 persons. This decrease accounts for a 7.02% decline in population, or 109 persons in total. From 2010 to 2020, the population in Bass River continued to decline, decreasing by 6.10%. In this time period, the population of Bass River decreased from 1,443 to 1,355 persons (88 person decrease in total). This decline came at a time period when both New Jersey and the United States experienced population increases.

Population density is a measure of the number of people residing within a given land area. New Jersey has the highest population density in the nation, with an average of over 1,263 persons per square mile. According to 2020 US Census data, Bass River Township, with a density of 17.3 persons per square mile, is significantly less dense than the average for the State of New Jersey as a whole. Over the course of the past 30 years, the Township has experienced consistent population decline.

As illustrated in Table 1 below, the age cohort breakdown of Bass River Township has changed slightly since 2010. A breakdown of population by age for the Township and County is provided in Table 2.

Table 1: Age Distribution				
Age	2010		2020	
	Number	Percent	Number	Percent
Under 5 years	64	4.37%	29	2.37%
5 to 9 years	83	5.67%	41	3.35%
10 to 14 years	132	9.01%	75	6.12%
15 to 19 years	88	6.01%	66	5.39%

Table 1: Age Distribution				
Age	2010		2020	
	Number	Percent	Number	Percent
20 to 24 years	94	6.42%	62	5.06%
25 to 34 years	173	11.81%	144	11.76%
35 to 44 years	196	13.38%	121	9.88%
45 to 54 years	258	17.61%	172	14.04%
55 to 59 years	122	8.33%	125	10.20%
60 to 64 years	75	5.12%	118	9.63%
65 to 74 years	142	9.69%	119	9.71%
75 to 84 years	30	2.05%	36	2.94%
85 years and over	8	0.55%	117	9.55%
Total Population	1,465	100%	1,225	100%
Source: 2010 Decennial Census, Table P12 & 2020 American Community Survey 5-Year Population Estimate, Table DP05				

According to the 2020 American Community Survey (ACS), Bass River's largest age cohort is between 45 to 54 years of age. The second largest age grouping is seen in the 25 to 34 age range, with the 55 to 59 age cohort close behind. This data survey also indicates that the median age of Bass River Township is 50.1 years of age, which is significantly older than Burlington County's median age of 41.6 years of age as shown in Table 2 below.

Table 2: Age Distribution in 2020				
Age	Bass River Township		Burlington County	
	Number	Percent	Number	Percent
Under 5 years	29	2.37%	22,967	5.15%
5 to 9 years	41	3.35%	25,605	5.74%
10 to 14 years	75	6.12%	27,216	6.10%
15 to 19 years	66	5.39%	26,732	5.99%
20 to 24 years	62	5.06%	27,730	6.21%
25 to 34 years	144	11.76%	55,866	12.52%
35 to 44 years	121	9.88%	55,306	12.39%
45 to 54 years	172	14.04%	63,712	14.28%
55 to 59 years	125	10.20%	35,266	7.90%
60 to 64 years	118	9.63%	29,980	6.72%
65 to 74 years	119	9.71%	42,963	9.63%
75 to 84 years	36	2.94%	22,759	5.10%
85 years and over	117	9.55%	10,199	2.29%
Total Population	1,225	100%	446,301	100%
Median Age (years)	50.1	-	41.6	-
Source: 2020 American Community Survey 5-Year Population Estimate, Table DP05				

Bass River Township has seen a decrease in the number of family households since 2010, where the number of family households once prior comprised 81.0% of the occupied households in the Township. In 2020, 71.1% of households were classified as families and 28.9% were classified as non-families. Approximately 6.2% of householders 65 or older live alone within the Township in non-family households, and 1.8% of householders 65 and over do not live alone within Bass River Township. Household characteristics from the 2020 ACS can be found in Table 3 below.

Table 3: Housing Characteristics		
Subject	2020 ACS	
	Number	Percent
Number of Households	488	100%
Family Households	347	71.11%
Married-Couple Family	289	59.22%
Non-Family Households	141	28.89%
65+ Living Alone	30	6.15%
65+ Not Living Alone	9	1.84%
Source: 2020 American Community Survey 5-Year Population Estimate, Table S2501		

According to 2020 ACS, Bass River Township has a lower income base when compared to all Burlington County. This is illustrated by the 2020 estimated median income in Bass River township being nearly \$20,000 annually than the entirety of Burlington County. The distribution of households by income for Bass River Township and Burlington County is presented within Table 4, titled Households by Income in 2020.

Table 4: Households by Income in 2020				
Income	Bass River Township		Burlington County	
	Number	Percent	Number	Percent
Less than \$5,000	11	2.25%	2,528	1.50%
\$5,000 to \$9,999	14	2.87%	2,344	1.39%
\$10,000 to \$14,999	23	4.71%	3,281	1.95%
\$15,000 to \$19,999	38	7.79%	4,303	2.56%
\$20,000 to \$24,999	0	0.00%	4,871	2.90%
\$25,000 to \$34,999	16	3.28%	8,827	5.25%
\$35,000 to \$49,999	31	6.35%	16,292	9.69%
\$50,000 to \$74,999	117	23.98%	26,428	15.71%
\$75,000 to \$99,999	77	15.78%	24,177	14.37%
\$100,000 to \$149,999	78	15.98%	33,328	19.82%
\$150,000 or more	83	17.01%	41,816	24.86%
Total Households	488	100%	168,195	100%
Median Household Income	\$71,618		\$90,329	
Per Capita Income	\$36,139		\$44,735	
Source: 2020 American Community Survey 5-Year Population Estimate, Table S2503 & B19301				

The 2020 ACS 5-year estimate data indicates that the median household income in Bass River Township was \$71,618. This was lower than both Burlington County (\$90,329 in 2020, or \$18,711 higher than Bass River) and the entire state of New Jersey (\$85,245 in 2020, or \$13,627 higher than Bass River). In addition, census data also states that the per capita income for Bass River Township was \$36,139, which is significantly lower than the entirety of Burlington County's per capita income or \$44,735.

Employment Characteristics

The 2020 ACS also reports on work activity for the Township's residents who are sixteen (16) years of age or older. A total of 651 civilian employees age 16 years or over are employed in Bass River Township. As indicated in Table 5 below, 12.6%, or 82 workers, are considered government employees while the majority of workers are employed in the private sector.

Table 5: Classification of Workers in 2020		
Class	Bass River Township	Percentage of Workers
Private Wage and Salary	527	80.95%
Government Workers	82	12.60%
Self Employed	36	5.53%
Unpaid Family	6	0.92%
Total	651	100%
Source: 2020 American Community Survey 5-Year Population Estimate, Table S2408		

Bass River Township maintains a relatively diverse workforce where three (3) main sectors contain over 60% of those that are employed in the Township. These sectors are: Educational, Health and Social Services (21.66% of Employed Population), Construction (21.04% of Employed Population), and Arts, Entertainment, Recreation, Accommodation and Food Services (19.20% of Employed Population). The least common employment sector in 2020 for Bass River Township was Information, where just over 1%, or 7 employees, worked in said sector. A complete breakdown of the employment sectors in the Township can be found in Table 6.

Table 6: Workforce by Sector in 2020		
Sector	Employees	Percentage of Workers
Agriculture, Forestry, Fisheries and Hunting, and Mining	8	1.23%
Construction	137	21.04%
Manufacturing	20	3.07%
Wholesale Trade	12	1.84%
Retail Trade	76	11.67%
Transportation, Warehousing and Utilities	18	2.76%
Information	7	1.08%
Finance, Insurance and Real Estate	14	2.15%

Table 6: Workforce by Sector in 2020

Professional, Scientific, Management, Administrative and Waste Management Services	37	5.68%
Educational, Health and Social Services	141	21.66%
Arts, Entertainment, Recreation, Accommodation and Food Services	125	19.20%
Other Services	35	5.38%
Public Administration	21	3.23%
Total	651	100%

Source: 2020 American Community Survey 5-Year Population Estimate, Table DP03

Housing Characteristics

According to the 2020 ACS, Bass River Township's housing stock is moderately-aged. While over 30% of the Township's housing stock was constructed prior to 1939, the Township did see a significant increase in housing stock construction between the years 1970 and 1999. In this 30-year timeframe, over 50% of the Township's housing stock was constructed (52.6% or 284 homes). Table 7 below contains an inventory of the Township's housing stock by age.

Table 7: Age of Housing Stock		
Timeframe	2020 ACS	
	Number	Percent
1939 or Earlier	162	30.00%
1940-1949	10	1.85%
1950-1959	25	4.63%
1960-1969	30	5.56%
1970-1979	140	25.93%
1980-1989	85	15.74%
1990-1999	59	10.93%
2000-2009	27	5.00%
2010-2013	2	0.37%
2014 or Later	0	0.00%
Total Housing Units	540	100%

Source: 2020 American Community Survey 5-Year Population Estimate, Table DP04

Analysis of Housing Unit

Based upon the 2020 ACS estimates, Bass River Township contains approximately 582 total housing units. The overwhelming majority of these housing units are single family units, where 87.46% of the total housing stock is considered single-family detached units. In addition to the detached single-family units, 2.23% of all housing units were considered single-family attached units, commonly referred to as duplexes or townhomes. This additional single-family unit stock indicates that approximately 90% of all housing units in

the Township are single-family units (89.69% or 522 total units). The next largest housing unit type in the Township in 2020 was Mobile Homes, which account for 8.76% percent of Bass River housing units. Refer to Table 8 below to review the total dispersion of housing units.

Table 8: Type of Housing Stock				
Structure Type	2010		2020	
	Number	Percent	Number	Percent
1 Unit				
Detached	509	87.46%	471	87.22%
Attached	13	2.23%	4	0.74%
2 Units	6	1.03%	0	0.00%
3 or 4 Units	3	0.52%	0	0.00%
5 to 9 Units	0	0.00%	0	0.00%
10 to 19 Units	0	0.00%	0	0.00%
20 or more units	0	0.00%	0	0.00%
Mobile Home	51	8.76%	65	12.04%
Boat, RV, Van, etc.	0	0.00%	0	0.00%
Total Housing Units	582	100%	540	100%

Source: 2010 & 2020 American Community Survey 5-Year Population Estimate, Table DP04

Bass River Township has a high number of owner-occupied housing units, higher than that of Burlington County as a whole. The Township's owner occupied units comprised 88.11% of the occupied housing stock in 2020, while 11.89% of the housing stock was made up of renter-occupied units. This number of owner-occupied units is higher than Burlington County, where 75.1% of occupied housing units are owner-occupied. This percentage of owner-occupied housing units is similar to the adjacent Woodland Township, where 85.7% of occupied housing units were owner-occupied in 2020. Refer to Table 9 below for housing occupancy data within the Township from 2010 to 2020.

Table 9: Housing Occupancy				
Unit Type	2010		2020	
	Number	Percent	Number	Percent
Number of Units	582	100%	540	100%
Occupied Housing Units	501	86.08%	488	90.37%
Owner-occupied	427	85.23%	430	88.11%
Renter-occupied	74	14.77%	58	11.89%
Vacant Housing Units	81	13.92%	52	9.63%
Average Household Size	Number		Number	
Average Household Size (Owner)	2.76		2.58	
Average Household Size (Renter)	3.88		1.98	

Source: 2010 & 2020 American Community Survey 5-Year Population Estimate, Table DP04

Cost of Housing Stock

According to the 2020 ACS, the median value of housing sales in Bass River Township was \$233,100. The majority of the housing stock in the Township was valued in between \$200,000 to \$299,999, at approximately 27.67%. The three next-highest value ranges were all similar in terms of the percentage of owner-occupied homes accounted for with \$300,000 to \$499,999 comprising 17.44%, less than \$50,000 comprising 15.12%, and \$150,000 to \$199,999 comprising 14.65%. This data breakdown is shown within Table 10, Value of Housing Sales.

Table 10: Value of Housing Sales in 2020		
Home Value Range	Total Units in Range	Percent of Total
Owner-occupied units	430	100%
Less than \$50,000	65	15.12%
\$50,000 to \$99,999	20	4.65%
\$100,000 to \$149,999	24	5.58%
\$150,000 to \$199,999	63	14.65%
\$200,000 to \$299,999	119	27.67%
\$300,000 to \$499,999	75	17.44%
\$500,000 to \$999,999	18	4.19%
\$1,000,000 or more	46	10.70%
Median Value	\$233,100	--
Source: 2020 American Community Survey 5-Year Population Estimate, Table DP04		

For rental units, the median gross rent in Bass River Township was estimated at \$1,030 according to the 2020 ACS. In 2020, it was estimated that all rental units in Bass River had a gross rent between \$500 and \$1,499 monthly. Gross rent not only accounts for the amount of rent paid, but also additional costs such as utilities and water. Table 11 displays all renter-occupied units and associated cost of rent within the Township.

Table 11: Gross Rent in 2020		
Renter Value Range	Total Units in Range	Percent of Total
Occupied units paying rent	55	100%
Less than \$500	0	0.00%
\$500 to \$999	25	45.45%
\$1,000 to \$1,499	30	54.55%
\$1,500 to \$1,999	0	0.00%
\$2,000 to \$2,499	0	0.00%
\$2,500 to \$2,999	0	0.00%
\$3,000 or more	0	0.00%
Median Rent	\$1,030	--
Source: 2020 American Community Survey 5-Year Population Estimate, Table DP04		

State Level Changes:

Since the adoption of the 2008 Master Plan Reexamination for Bass River, the State has adopted several bills that impact the Municipal Land Use Law, how various meetings are

conducted, and how municipalities are meant to approach supplying affordable housing. The following sections detail these policies and regulations:

Master Plan Reexamination Requirements

On May 4, 2011 Governor Christie signed into law Assembly Bill Number 3272 titled “An Act concerning municipal land use planning, and amending the Municipal Land Use Law, P.L.1975, c.291.” This law changed the requirement to provide for a general reexamination of the master plan from every six years to every ten years.

State Development and Redevelopment Plan

The State Strategic Plan is the revision to the 2001 State Development and Redevelopment Plan. The document sets forth a vision for the future of New Jersey along with strategies to achieve that vision. A Final Draft of the updated Strategic Plan was released to the public in early November of 2012. The following day, the State Planning Commission voted to table the final adoption of the Draft Plan in order for a revised plan to include amendments concerning the impacts of Hurricane Sandy, which took place a few weeks prior to the release of said draft plan. It does not appear that the Commission has released a Draft Plan since the decision to table final adoption.

The draft final State Strategic Plan has four (4) overarching goals along with ten (10) “Garden State Values”. The four (4) overarching goals are as follows:

- Targeted Economic Growth – Enhance opportunities to attract and grow industries of statewide, regional and international importance.
- Effective Regional Planning - Guide and inform regional planning to enable each region of the State to experience appropriate growth, preservation and protection based on its assets and desires.
- Preservation, Protection and Enhancement of Critical State Resources - Ensure that strategies for growth include preservation, protection and enhancement of our State's critical natural, agricultural, scenic, recreation, and historic resources, recognizing their role in economic growth and the quality of life for New Jersey residents.
- Tactical Alignment of Government - Prioritize effective resource allocation, coordination, cooperation and communication among entities that play a role in meeting the Plan's mission.

The ten (10) “Garden State Values” include:

- **Concentrate Development and Mix Uses** - Promote mixed-use development in Priority Growth and Alternate Investment Areas that is compact, conserves land, offers shopping and services, and provides culturally enriching experiences within convenient walking distance of home and jobs. Build with suitable designs and densities that support walking, biking and public transportation.
- **Prioritize Redevelopment, Infill, and Existing Infrastructure** - Strengthen cities, towns and neighborhoods by prioritizing redevelopment, the reuse and remediation of existing sites and structures, and construction on infill sites that are compatible with surrounding uses. Upgrade existing infrastructure where needed, before adding new capacity. Encourage development that incorporates green design and construction principles and opportunities for clean and renewable energy and efficiency measures.
- **Increase Job and Business Opportunities** - Provide opportunities for investment near housing, infrastructure and transportation. Support economic growth by addressing the land use and infrastructure needs of targeted industries and areas, consistent with these principles.
- **Create High-Quality, Livable Places** - Work with communities to offer an environmentally healthy place to live, work and recreate. Enhance community character and design, especially in historic areas, by reusing significant buildings, reinforcing architectural styles, incorporating art, and providing pedestrian-friendly streetscapes. Improve community plazas, public performance spaces and parks and connections to waterfront areas.
- **Provide Transportation Choice and Efficient Mobility of Goods** - Maintain and enhance transportation options that improve access, safety, affordability and air quality for all users: pedestrians, bicyclists, transit-users, ride-shares and drivers. Improve strategic freight and public transportation infrastructure that supports sound economic growth. Encourage options for low emission and alternate fuel vehicles.
- **Protect Equity** - Consider the impact to equity for property owners. Where the goals, objectives and strategies of this Plan implemented by county and local governments affect the reasonable development potential of private property or is determined to disproportionately affect the equity of other citizens, government agencies at all levels should identify feasible remedies, including, for example, compensation programs, that help mitigate such impacts as appropriate.

- Diversify Housing Opportunities- Support construction and rehabilitation of homes that meet the needs of households of all sizes and income levels, located near jobs, transit and where services are available.
- Provide for Healthy Communities through Environmental Protection and Enhancement - Protect and restore the environment, sensitive lands, ecosystems and natural resources. Ensure healthy places through an increase in the quantity and quality of preserved land. Reduce energy use, carbon emissions, water degradation and other impacts of development.
- Protect, Restore and Enhance Agricultural, Recreational and Heritage Lands - Support agriculture and locally-grown food consumption through protection and preservation of farmland. Protect agricultural lands, and historic sites and landscapes. Provide accessible neighborhood parks and recreational systems.
- Make Decisions within a Regional Framework - Maintain up-to-date, coordinated local, regional and State functional plans that reflect these principles and can provide a regional framework for making decisions about capital investments, programs, regulations and development applications. Gather and consider public input during planning and implementation.

Wireless Co-location

On January 17, 2012, Governor Christie signed into law Senate Bill Number 2989 titled "An Act concerning the collocation of wireless communications equipment and supplementing P.L.1975, c.291." This law amends the MLUL to allow for an application for development to collocate wireless equipment to not be subject to site plan review provided the application meets certain requirements.

Non-contiguous Cluster Development

On August 7, 2013 Governor Christie signed into law Assembly Bill Number 3761 titled "An Act concerning municipal land use approval, amending and supplementing P.L. 1975, c.291." This new law permits communities to offer alternatives to traditional development, through the use of equitable and effective planning tools including clustering, transferring development rights, and lot- size averaging in order to concentrate development in areas where growth can best be accommodated and maximized, while preserving agricultural lands, open space, and historic sites. The new law defines contiguous and non-contiguous clustering and, via non-contiguous clustering, allows development on one tract and preservation of another tract elsewhere in the community.

Local Redevelopment and Housing Law Changes

On September 6, 2013 Governor Christie signed into law Assembly Bill Number 3615 titled “An Act concerning procedures and powers under the Local Redevelopment and Housing Law and amending P.L.1992, c.79.” This new law amended Criterion E regarding productivity and adding language to the criterion. The law also requires the resolution authorizing the Planning Board to undertake the preliminary investigation to state whether the redevelopment area determination authorizes the use of eminent domain or not. This created a non-condemnation redevelopment and a condemnation redevelopment area and outlined certain noticing requirements.

On August 9, 2019, Governor Murphy signed into law Assembly Bill 1700 titled “Expands Eligibility Criteria for Designating Certain Areas as Being in Need of Redevelopment amending Section 5 of P.L.1992, c.7”. This bill was to amend and expand criterion “B” for an Area in Need of Redevelopment. The amendment expanded the criteria within letter b by including a statement that it may apply to a single building or buildings, included retail buildings, office parks, and shopping malls expressly as commercial facilities, and states that such may meet this criterion if it has experienced significant vacancies for at least two consecutive years. This amendment is important because it establishes a new threshold for redevelopment qualification – a commercial building that has been “significantly vacant” for at least two consecutive years.

Affordable Housing

On March 10, 2015, the Supreme Court ruled that the New Jersey Council on Affordable Housing (hereinafter “COAH”) failed to act and as a result, the Courts would be assuming jurisdiction over the Fair Housing Act. The Order divided municipalities into one of three categories – those that achieved Third Round Substantive Certification, those that filed or petitioned COAH and those that had never participated in the COAH process.

The transitional process created by the Supreme Court tracked the Fair Housing Act procedures for compliance. In this regard, the process permitted municipalities to file a Declaratory Judgment Action during a thirty- day window between June 8 and July 8, 2015 that sought an adjudication as to their fair share. This enabled a municipality to comply voluntarily with its constitutional obligation to provide a realistic opportunity for the construction of affordable housing.

On January 18, 2017, the Supreme Court ruled that municipalities are responsible for obligations purportedly accruing during the so-called “gap period,” the period of time between 1999 and 2015. However, the Court stated that the gap obligation should be calculated as a never-before calculated component of Present Need (also referred to as Rehabilitation Obligation), which would serve to capture Gap Period households that were presently in need of affordable housing as of the date of the Present Need calculation (i.e. that were still income eligible, were not captured as part of traditional present need, were still living in New Jersey and otherwise represented a Present affordable housing need).

Since the 2015 decision, Bass River has not adopted a Housing Element and Fair Share Plan.

Affordable Housing Foreclosure Revisions

On June 24, 2019 Governor Murphy signed into law Senate Bill Number 362 entitled “An Act concerning affordability controls on affordable housing and amending P.L.1995, c.244.” This law provides that deed restrictions on affordable housing units are not extinguished by foreclosure proceedings

Affordable Housing Marketing

On July 1, 2020 Governor Murphy signed into law Senate Bill Number 2527 titled “An Act concerning the online marketing of affordable housing units and supplementing P.L. 1985, c.111.” This law requires developers, owners, property managers, and/or administrative agents to post notices of available affordable housing on the Housing Resource Center website at least 60 days prior to conducting a lottery.

Long-Term Tax Exemptions

On January 13, 2020, Governor Murphy signed into law Senate Bill Number 538 titled “An Act concerning long-term tax exemptions on certain low-income housing, amending P.L.1983, c.530, and supplementing P.L.1991, c.431 (C.40A:20-1 et seq.).” This law allows long-term tax exemption extensions for certain low-income housing. Previously, a property tax exemption could be granted to an affordable housing project for a maximum of 35 years, or until a loan provided by the new Jersey Housing and Mortgage Finance Agency was fully paid. This legislation permits a municipal governing body to continue a tax exemption for a State or federally subsidized housing project beyond the date of the payoff of the existing first mortgage as long as the project remains subject to certain affordability controls.

Statement of Strategy

On January 8, 2018 Governor Murphy signed into law Assembly Bill Number 4540 titled “An Act concerning smart growth, storm resiliency, and environmental sustainability and amending P.L.1975, c.291.” This new law requires any land use element adopted after the effective date to include a climate change-related hazard vulnerability assessment. The content of these vulnerability assessments shall include the following provisions:

17. Consider environmental effects and extreme weather-related events associated with climate change, including, but not limited to, temperature, drought, and sea-level rise. Additionally, contain measures to mitigate reasonably anticipated natural hazards, including, but not limited to, coastal storms, shoreline erosion, flooding, storm surge, and wind, following best management practices recommended by the Federal Emergency Management Agency;

18. Analyze current and future threats to the municipality associated with climate change-related natural hazards;
19. Include a build-out analysis of future residential, commercial, industrial, and other development in the municipality, and an assessment of the threats and vulnerabilities associated with a build-out;
20. Identify critical facilities, utilities, roadways, and other infrastructure that is necessary for evacuation purposes and for sustaining quality of life during a natural disaster, to be maintained at all times in an operational state;
21. Analyze the potential impact of natural hazards on relevant components and elements of the master plan;
22. Provide strategies and design standards that may be implemented to reduce or avoid risks associated with natural hazards;
23. Include a specific policy statement on the consistency, coordination, and integration of the climate-change related hazard vulnerability assessment with any existing or proposed natural hazard mitigation plan, floodplain management plan, comprehensive emergency management plan, emergency response plan, post-disaster recovery plan, or capital improvement plan; and
24. Rely on the most recent natural hazard projections and best available science provided by the New Jersey Department of Environmental Protection.

New Jersey Land Bank Law

On July 11, 2019, Governor Murphy signed into law Senate Bill Number 1214. Bill 1214 is known as the New Jersey Land Bank Law, which will allow New Jersey towns and cities to designate a land bank entity to obtain vacant, abandoned, and neglected properties for productive reuse purposes. This law provides municipalities with a tool to revitalize and reuse properties for public benefit. The law provides for accountability to local communities through the requirement for community advisory boards with mandatory access to certain information and opportunities for the board to comment on the land bank entity's decisions. Land bank entities will further be required to develop and maintain an online, publicly accessible database of current and former land bank properties. The community advisory board must issue an annual report on the accuracy, integrity, accessibility, and comprehensiveness of the land bank entity's online database.

Innovation District Designation Program

On August 8, 2019 Governor Murphy signed into law Assembly Bill Number 5111, creating the Innovation District Designation Program. The program, established within the New Jersey Commission on Science, Innovation, and Technology, encourages development of innovation districts within New Jersey. Innovation districts promote the development or redevelopment of an area in a manner that facilitates collaboration between government, higher education institutions, and private enterprises, and are a strategic way to promote development in science and technology throughout the State.

Municipalities may apply individually or jointly for designation of an area as an innovation district.

Temporary Supplemental Zoning Board

On August 9, 2019 Governor Murphy signed into law Senate Bill Number 3212 titled “An Act concerning municipal zoning boards of adjustment, supplementing P.L.1975, C.291, and amending P.L.2005, c. 133 and P.L.1991, c.256.” The law allows a municipality to establish a temporary, supplemental zoning board to address any backlog of applications. A municipality that determines a need for a supplemental zoning board must adopt an ordinance to establish one.

Virtual Public Meetings

On March 20, 2020 Governor Murphy signed into law Assembly Bill Number 3850 titled “An Act concerning the conduct of public meetings during periods of emergency and supplementing P.L. 1975, c.231.” This law allows public meetings, including zoning and planning board meetings, to be conducted electronically during a public health emergency.

Adult-Use Recreational Cannabis

On February 22, 2021 Governor Murphy signed into law Assembly Bill Number 21 titled “An Act concerning the regulation and use of cannabis, and amending and supplementing various parts of the statutory law.” The law legalizes recreational personal use of cannabis for adults and provides municipalities with 180 days from the date the law was signed to prohibit or establish zoning provisions regulating the six classes of cannabis – cultivation, manufacturing, wholesaling, distribution, retail, and delivery. Municipalities that do not act within the 180-day period will be “locked in” for a five-year period to standards established by the law.

Certain Housing Exempt from Zoning Regulations

On June 30, 2021 Governor Murphy signed into law Senate Bill 1676 titled “An Act concerning hospitals and supplementing P.L.1971, c.136 (C.26:2H-1 et seq.).” The law allows hospitals to construct housing for individuals who are homeless or housing insecure and deems such housing as a permitted use in all residential and non-residential districts of a municipality and exempt the use from local zoning restrictions.

Electric Vehicle Charging “Make-Ready” Parking Space Requirements

On July 9, 2021 Governor Murphy signed into law Senate Bill 3223 titled “An Act concerning electric vehicles supply equipment and make-ready parking spaces and amending and supplementing P.L.1975, c.291 (C.40:55D-1 et seq.).” This law amends the MLUL’s definition of inherently beneficial to include electric vehicle charging infrastructure. It also amends the law to permit electric vehicle supply equipment as a permitted accessory use and structure in all zoning districts within a municipality and precludes variances. The law states that an application for the installation of electric

vehicle supply equipment at an existing gas station, retail establishment, or any other existing building shall not be subject to site plan or other land use board review provided it does not violate any bulk requirements. Moreover, all applications involving five or more multi-family units must provide 15% of the parking spaces as “make-ready” spaces and install electric vehicle supply equipment in at least one-third of the 15% of “make-ready” spaces. There are also requirements for parking lots containing certain numbers of spaces to provide “make-ready” and/or actual charging equipment. The act took effect immediately and any development applications filed after July 9, 2021 will be subject to these requirements.

V. Specific changes recommended for the Master Plan and/or development regulations

The fourth provision of N.J.S.A. 40:55D-89 of the MLUL states that the Reexamination Report shall include:

“The specific changes recommended for the Master Plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.”

Master Plan Recommendations

The following updates to the Township's Master Plan are recommended at this time:

1. Production of an Updated Land Use Map/Zoning Map/Official Map: The 2002 and 2008 Master Plan Reexamination Reports identified a recommendation that the Township consider establishing an official Land Use Map for the lands within the Township, citing NJSA 40:55D-32 D. However, NJSA 40:55D-32 relates to the creation and adoption of an Official Map, and not specifically a Land Use Map. Should the Township pursue an amended and updated Land Use Element, the creation of a Land Use Map would be appropriate, though that does not appear to be the case.

This Reexamination Report also recommends that the Township work to be in accordance with NJSA 40:55D-32, but rather than a Land Use Map, the Township should consider the adoption of an Updated Official Map. The official map shall be deemed conclusive with respect to the location and width of streets and public drainage ways and the location and extent of flood control basins and public areas, whether or not such streets, ways, basins or areas are improved or unimproved or are in actual physical existence.

2. Review and Update a Statement of Goals, Objectives, and Assumptions: While this was recommended as part of the 2008 Master Plan Reexamination, the Township has not taken further action to update and bolster the Statement of Goals, Objectives, and Assumptions that were included in the 1982 Master Plan. Thus, the following Statement of Goals and Objectives is recommended as part of this Master Plan Reexamination:

MASTER PLAN GOALS:

The following Goals are recommended to be added the specified elements of the Township Master Plan.

Land Use Element Goals

Encourage municipal action to guide the appropriate use of lands within the township in a manner which will promote the public health, safety, morals, and general welfare.

To secure safety from fire, flood, panic, and other natural and man-made disasters.

To provide adequate light, air, and open space.

Encourage continued economic development and investment in commercial and light industrial activities within the Township where appropriate, permitted, and would cause minimal to no damage to natural resources.

Housing Plan Goals

Protect residential areas within a zone from intense non-residential uses in that zone.

Provide affordable housing options to those with low- or moderate-income levels in appropriate areas of the Township

Circulation and Transportation Goals

Encourage the location and design of transportation routes which promote multi-modal forms of transit for pedestrians in developed portions of the Township, such as the Village of New Gretna.

Conservation Plan Goals

Encourage and regulate development of the Pinelands Village of New Gretna to be consistent with the style and scale of an historic town.

Protect existing wildlife habitats.

Encourage more sustainable practices at the site-plan-level for development in the Township such as encourage solar energy generation or Electric Vehicle Charging Stations.

MASTER PLAN OBJECTIVES:

The following Objectives were based off of the 1982 Master Plan Update from each of the Master Plan Elements' Guiding Policy Statements:

Land Use Element

The Township of Bass River is committed to maintaining a community with low density housing and industry, with healthful and satisfying environmental quality and with abundant natural recreation opportunities.

Housing Element

Appropriate housing types and values should be encouraged consistent with other policies and goals of the master plan and the Pinelands Comprehensive Management Plan.

Circulation and Transportation

The transportation or circulation system, presently considered adequate for a community without regional growth aspirations, should be maintained and developed to provide efficient movement to and through the village(s) of New Gretna (and Wading River). The need for regional sewage services is not foreseen for the Township in the next twenty years.

Recreation Plan

Bass River Township is an area of great' natural beauty abounding with numerous amenities. The residents have expressed their desire to retain and enhance this setting with a variety of recreational opportunities that will result in little or no adverse environmental impact.

Conservation

Bass River Township possesses abundant natural resources. The municipality contains some of the most pristine fresh and tidal waters along the East Coast. The acidic waters and soils support nearly all of the characteristic Pine Barrens flora and fauna. Habitat currently exists within Bass River Township for many unique and rare species that have been extirpated elsewhere within their former range. The Conservation Plan is designed to retain and enhance these resources as well as to provide for a variety of compatible uses of the land.

3. Revise Height Restrictions For Houses Being Elevated In Flood Zone: This goal was outlined in the last Reexamination Report which was adopted in 2019. As of 2022, it does not appear that the Township has taken significant steps to accomplish this goal. As such, this remains a recommendation in *this* Master Plan Reexamination Report.

4. Removal of New Gretna Village From the State-Designated Pinelands Area/ Coordinate with Pinelands Commission to Expand Development in New Gretna: As described in the 2019 Master Plan Reexamination Report, the Township was hopeful at the time to coordinate with the Pinelands Commission to effectively “remove” the New Gretna Village area of Bass River from the Pinelands Area which would then help spur further development in the Township. The Pinelands Commission has stated that they do not have the ability to alter or change the boundaries of the Pinelands Area, as the boundaries are dictated by the New Jersey Pinelands Protection Act of 1979. The Pinelands Commission has noted that, should the Township continue these efforts to remove New Gretna from the Pinelands Area, an act of New Jersey New Jersey legislature shall be required. It has also stated that it would not support the effort to amend the Pinelands Protection Act.

Considering the nature of the efforts required to remove the New Gretna Village from the Pinelands Area, the Township may want to pursue maximizing development potential within the Village of New Gretna and elsewhere in the Township consistent with the Pinelands CMP. The Pinelands Commission been working with the Township to identify such opportunities to increase development potential consistent with requirements of the Pinelands CMP.

The Township's 2019 Master Plan Reexamination stated that the health and future of the New Gretna Village is suffering under the restrictions of the Preservation Area. Business and residential properties are significantly hampered in attempts to rebuild or expand. Thus, it is recommended at this time that the Township decide which option they would like to pursue, either looking to pass new State legislature to amend the boundaries of the Pinelands Area, or pursue coordination with the Pinelands Commission to maximize development within the New Gretna Village consistent with the Pinelands CMP. In either case, the Township will continue to ensure that its master plan and land use ordinances are consistent with Pinelands CMP and applicable state law.

Areas of Proposed Zoning Changes

As part of the 2008 Master Plan Reexamination Report, there were three (3) recommendations that pertained to amending standards and uses within the Township's Commercial Districts. This recommendation can also be linked to a recommendation in the 2002 Master Plan Reexamination, where it was recommended the Township correct zone descriptions in the zoning ordinance due to not all of the metes and bounds zone descriptions in the zoning ordinance being correct. As such, and as a means to address the 2002 and 2008 recommendation, the following uses in the Village Commercial district are being recommended to be added to the Township's Zoning Ordinance. These zoning

changes would not only address a prior recommendation, but also help to advance Goal 1 of the 1982 Master Plan Update. Per the plan:

Goal 1: The Township of Bass River, through this Master Plan, desires to modify its ordinances so that municipal regulations will conform to the New Jersey Pinelands Comprehensive Management Plan in all sectors of the Township.

As both the Village Commercial (VC) and proposed Infill Commercial (IC) districts fall within the Pinelands Area, the following changes are recommended in the commercial district in order to boost economic development and increase tax retables in the following commercial districts of the Township.

1. Village Commercial (VC)

It is recommended that the following uses be added to the Township's Zoning Ordinance as permitted uses within the Village Commercial (VC) zoning district:

- a. Bed and breakfast inns and tourist homes;
- b. Day nursery;
- c. Funeral homes;
- d. Restaurants;
- e. Automotive filling stations;
- f. Automotive repair garages;
- g. Vehicle body shops;
- h. Ambulance dispatch service (no on-site maintenance);
- i. Roadside stands for the retail sale of garden produce, similar goods and related supplies and products;
- j. Medical/Recreational Cannabis Dispensary (Retail);
- k. Small boat sales (limited service);
- l. Antique shops;
- m. Retail, trade and service establishments; and,
- n. Convenience stores.

2. Infill Commercial (IC)

It is recommended that the Township's Zoning Ordinance be amended to establish an Infill Commercial (IC) zoning district in the area surrounding the intersection of Chatsworth Road and Leektown Road wherein the following uses shall be considered permitted uses:

- a. Retail, trade and service establishments;
- b. Convenience stores;

- c. Bed and breakfast inns and tourist homes;
- d. Restaurants; and,
- e. Roadside stands for the retail sale of garden produce, similar goods and related supplies and products;

Recommended Land Use and Zoning Ordinance Amendments

The following are recommendations for general amendments or modifications to the zoning, subdivision, and site plan regulations for Bass River Township:

25. On February 22, 2021, Governor Phil Murphy signed the “New Jersey Cannabis Regulatory, Enforcement, and Marketplace Modernization Act”, known as “CREAMMA” into law, which permitted cannabis production and sales throughout the State. The production and sales of cannabis are broken up into Classes 1-6 of cannabis licensure. Details of these licenses include:

- a. Class 1 Cannabis Cultivator – grows, cultivates, or produces cannabis. Can sell or transport to other businesses, but is not permitted to sell at retail to consumers.
- b. Class 2 Cannabis Manufacturer – processes and packages cannabis into products that can be used by the consumer. Can sell or transport to other businesses, but is not permitted to sell at retail to consumers.
- c. Class 3 Cannabis Wholesaler – purchases and stores cannabis or cannabis products. Can sell or transport cannabis or cannabis products to other businesses, but is not permitted to sell at retail to consumers.
- d. Class 4 Cannabis Distributor – transports cannabis or cannabis products from one licensed establishment to another, and may include temporary storage to facilitate the transportation process. No retail sales are permitted to consumers.
- e. Class 5 Cannabis Retailer – purchases usable cannabis products from a manufacturer, wholesaler, or distributor, and may sell these products to consumers directly from a retail store. May be permitted to include a delivery service.
- f. Class 6 Cannabis Delivery Service – provides courier services for consumer purchases of cannabis products fulfilled by a cannabis retailer.

It is recommended that the Township consider permitting these uses where they may be appropriate and conforming to the surrounding character within the Township. The incorporation of cannabis sale/production as a basis for economic growth is the subject of ongoing discussion within the Pinelands Area and the Township should look to remain flexible and act accordingly with what is permitted

within the jurisdiction of the Pinelands Commission. The consideration of integrating cannabis facilities as permitted uses can help to increase the Township's economic base and capitalize on an expanding market and demand within the State. Cannabis sales/production is a growing industry in New Jersey and can provide economic development, a more diverse economic basis, and the revitalization of older retail structures.

26. **Revise Zoning Regulations:** At the time of the 2008 Master Plan Reexamination, there were a number of zoning adjustments recommended. Prior to the adoption of this Master Plan Reexamination, zoning regulation changes have been proposed and have been progressing in coordination between the Township and the Pinelands Commission. Specific recommended Zoning Regulations and their status to the extent these problems have been reduced are as follows:

- a. Revise Zoning Ordinance to include provisions governing cell towers;
- b. Revise Zoning Ordinance to update definition of a "home occupation" and evaluate requirements or design standards, if required;
- c. Revise Zoning Ordinance to increase minimum required landscaping buffers as part of commercial and industrial uses;
- d. Update current landscaping requirements contained in the Zoning Ordinance;
- e. Update the definition for industrial uses;
- f. Revise Zoning Ordinance to include design guidelines especially for lighting and other site amenities; and,
- g. Develop zoning regulations related to the use of tractor trailer bodies as storage units for residential, commercial, industrial developments, while providing exclusions and exceptions for agricultural uses.

27. **Revised Zoning Map:** As mentioned above, there were recommendations as part of the 2002 Master Plan Reexamination Report for the Township to correct the zone description in the Bass River Township Zoning Ordinance. As a means to act upon these recommendations, the following updated zoning map is recommended for adoption:

1. Preservation Area District:

This corresponds to the Preservation Area district (PP), Infill Residential district (IRD), and Coastal Wetlands district (CW) in the Township Zoning Ordinance. The purpose of the zoning regulations governing this district is to protect the large, contiguous forest areas, pristine wetlands, streams and rivers, and the plant and animal species they support, from development and land uses that would adversely affect their long term ecological integrity. Proposed changes within this area include the establishment of the Infill

Residential, Leektown-Chatsworth Road district which fall within the Pinelands Preservation Area in the Township. This district is aimed to permit general commercial uses that are aligned with those that are permissible within the Pinelands Management Area.

2. Forest Area

This corresponds to the Forest district (F), Highway Commercial district (HC), and Forest district (F-5) in the Township Zoning Ordinance. The purposes of the zoning regulations governing this district are to ensure the long-term integrity of the township's undisturbed forested lands and plant and animal species they support and to protect these areas from random and uncontrolled development by providing for development subject to strict environmental performance standards. No changes to these zoning districts are proposed.

3. Special Agricultural Production Area

This corresponds to the Special Agricultural Production district (SAP) in the Township Zoning Ordinance. The purpose of the zoning regulations governing this district is to allow for the continuation or expansion of agricultural operations where lands are actively farmed or where lands are characterized by soils classified as prime, unique or of state-wide significance. No change to this district is proposed.

4. Rural Development Area

This corresponds to the Rural Development district (RD) in the Township Zoning Ordinance. This district is located in an area where Rural Development is permitted, per CMP, and these correspond to where industrial activities are already occurring, where siting of commercial and industrial would be appropriate based on location and proximity to roads, where existing institutional facility is located and appropriate intensity uses are permitted. No change to this district is proposed.

5. Pinelands Village

This corresponds to the Village Commercial district (VC), Village Residential district (VR), and Highway Commercial district (HC) in the Township Zoning Ordinance. These locations are adjacent to a public road, or intersection of roads, where retail or convenience shopping facilities, residential development at one (1) dwelling unit per acre, and Light Industrial would be suitable. Minor commercial uses are designed to meet the convenience shopping and service needs of the nearby population. Proposed changes within these zoning districts include amending and adding several uses to the permitted uses within the Village Commercial district. These proposed uses are contingent on the alignment of these uses with the permitted uses within the Pinelands Management Area regulations.

Recommended Zoning Boundary Amendments

A. Boundary Amendments within the Pinelands Area portion of the Township

- New Infill Area Zones:
 - Infill Residential (IR)
 - Infill Commercial (IC)

*Infill area boundaries and permitted uses in the Pinelands Area District are limited by the Pinelands CMP (N.J.A.C. 7:50-5.22(b)7). The CMP permits infill areas in the Pinelands Area District management area as follows:

- Residential dwellings and commercial uses on lots existing as of January 14, 1981 of at least one acre in size within an area designated by a municipality in its ordinance in accordance with the following criteria:
 - (i) The area must have direct access to an existing improved public road;
 - (ii) The area must exhibit a compact pattern of existing development, generally exhibited by more than 20 principal structures and the boundary shall generally conform to that of the existing developed area so that extensive amounts of adjoining vacant land are not included;
 - (iii) The area must contain vacant lots of at least one acre in size or smaller lots which could reasonably be assembled into one acre or greater lots; and
 - (iv) Commercial uses shall be limited to those specific portions of the area which are predominantly occupied by existing commercial uses.
 - Village Commercial (VC)/Village Residential (VR) Zoning Boundary Adjustment to align with lot lines.
- B. Boundary Amendments within the Pinelands National Reserve portion of the Township
- New Forest-5 (F-5) Zone
 - New Residential-1 (R-1) Zone
 - Expanded Highway Commercial (HC) Zone

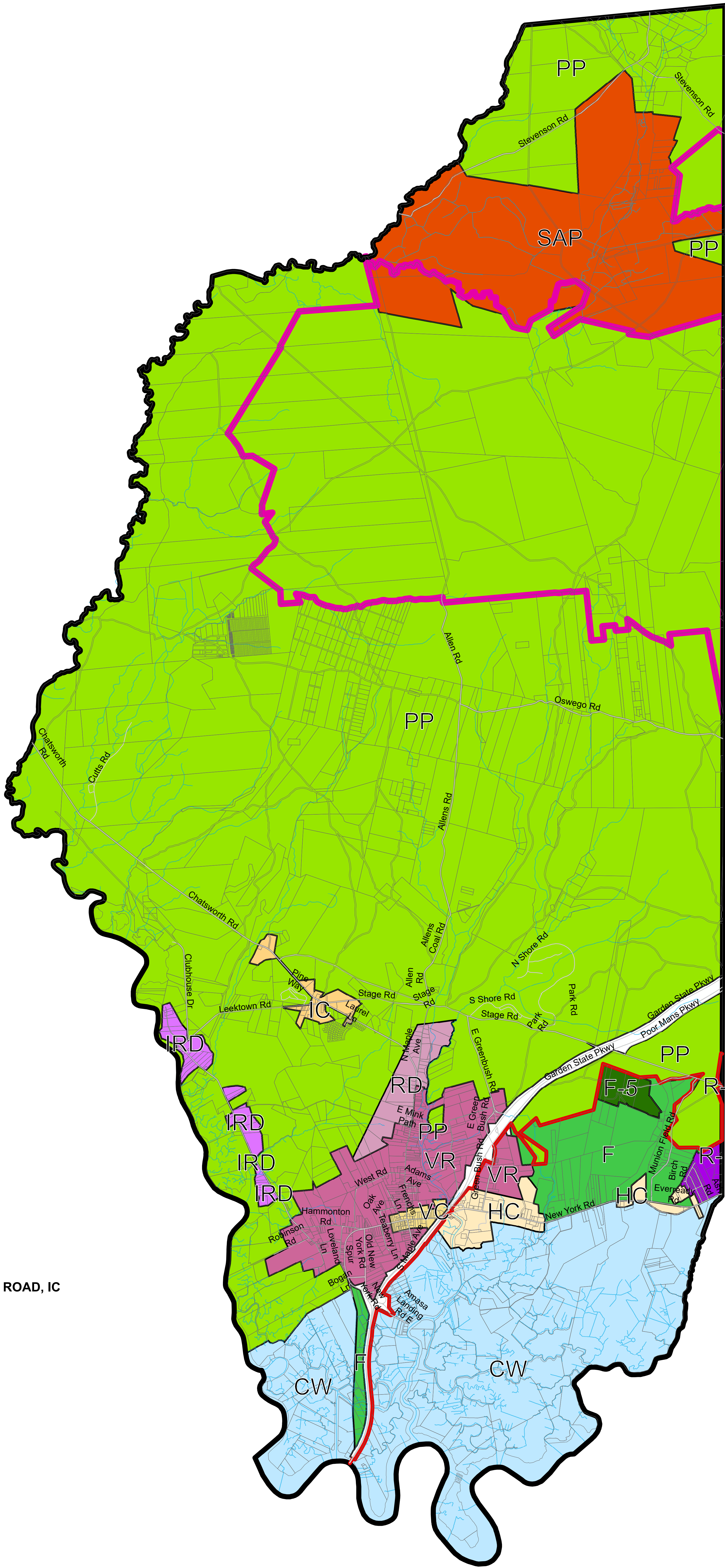
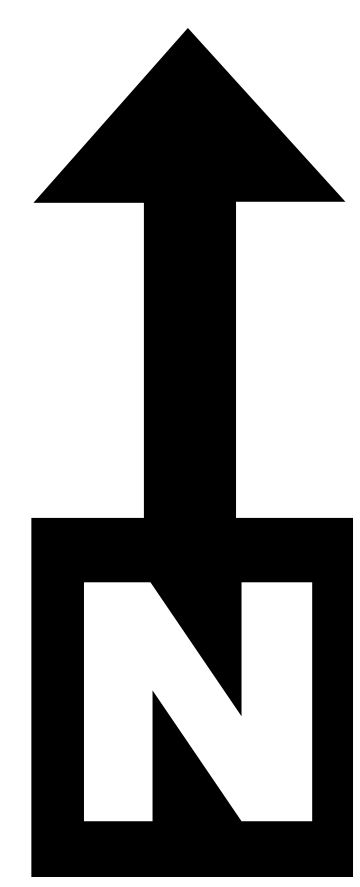
Recommended Zoning Regulation Amendments

- A. New zoning district regulations for the:
- IR Zone

- IC Zone
 - F-5 Zone
 - R-1 Zone
- B. Repeal or replacement of the outdated schedule of district regulations (based on whether the Township wants to maintain a distinct schedule of district regulations or simply rely on the individual district regulation sections within the code).
- C. Reduction of minimum lot sizes in the Village Residential (VR) Zone from 2 acres to 1 acre.
- D. Amending water quality standards based upon 2020 amendments to the Pinelands CMP.
- E. Elimination of metes and bounds descriptions of zoning districts (Section 17.08.090) in favor of zoning map only.
- F. Zones permitting Cannabis-related business.

ZONE MAP

BASS RIVER TOWNSHIP

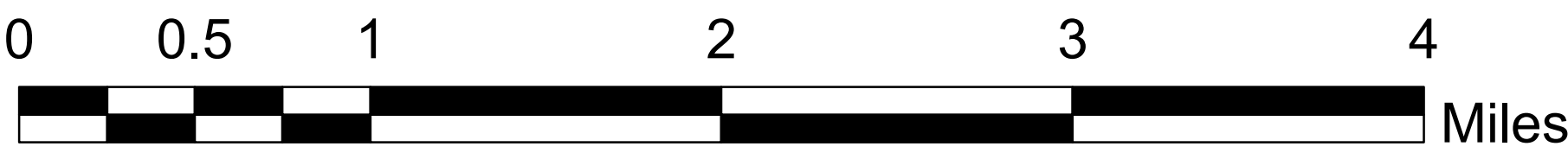


LEGEND

- BASS RIVER TOWNSHIP PAVED ROADS
- PINELANDS BOUNDARY LINE
- BASS RIVER TOWNSHIP RIVER FLOWS
- BASS RIVER TOWNSHIP OUTBOUND
- WARREN GROVE BOMBING RANGE

- ZONE NAME, ABBREVEATION
- COASTAL WETLANDS, CW
 - FOREST, F
 - FOREST, F-5
 - HIGHWAY COMMERCIAL, HC
 - INFILL COMMERCIAL DISTRICT, LEEKTOWN-CHATSWORTH ROAD, IC
 - INFILL RESIDENTIAL DISTRICT, IRD
 - PINELANDS PRESERVATON, PP
 - RESIDENTIAL, R-1
 - RURAL DEVELOPMENT, RD
 - SPECIAL AGRICULTURAL PRODUCTION, SAP
 - VILLAGE COMMERCIAL, VC
 - VILLAGE RESIDENTIAL, VR

Map Sources: NJDOT, NJGIN, Pinelands, Bass River Township Official Zone Map DD December 2012



Consulting & Municipal
ENGINEERS

CONSULTING & MUNICIPAL ENGINEERS
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DATE	SCALE	LAST REVISED	CREATED BY
December 2012	1 in = 2,500 feet	11/28/22	DE

VI. Recommendations of the Planning Board concerning the incorporation of Redevelopment Plans into the Land Use Element and local development regulations

Currently, there are **zero (0)** areas within the Township that have been designated as Areas in Need of Redevelopment pursuant to the New Jersey Local Redevelopment and Housing Law (LRHL).

Considering the Development patterns that have persisted throughout Bass River Township throughout the municipality's history, the lack of Areas in Need of Redevelopment is typical. Per the 2008 Master Plan Reexamination:

"Bass River Township was established in 1864. Many of the Township's buildings date back to this original time. These structures have their own charm and add to the quality of Bass River Township's 'small town' feeling and strong attachment to history. Most of the dwellings are well maintained.

...

As structures age, the need for repairs often becomes paramount to the building's survival. Bass River Township is no exception. While some of the buildings may benefit from cosmetic repairs and enhancements in the form of restoration or rehabilitation, there does not appear to be a concentration of these dwellings in any one portion of the municipality. This pattern of disbursement does not lend itself to the creation of [designated Areas in Need of Redevelopment]."