

City of Millville Planning Board

January 11th, 2021

Teleconference

6:30 PM

1. Open Public Meetings Act Statement Of Conformance:Teleconference

"This meeting is being conducted by teleconference due to the COVID-19 PANDEMIC. Governor Murphy has declared a state of emergency via Executive Order 103 in response to the coronavirus outbreak. Executive Order 107 institutes various restrictions on public places and gatherings. As such this meeting was advertised, posted, and made available to the public to attend and provide public comment during the public portion of the meeting in accordance with the Open Public Meetings Act, Chapter 231, Public Laws of 1975, as required by Statute. The secretary is directed to include a statement in the minutes of this meeting."

1.1. To Join The Meeting, Please Follow These Simple Instructions:

Please join my meeting from your computer, tablet or smartphone.

<HTTPS://GLOBAL.GOTOMEETING.COM/JOIN/645672285>

You can also dial in using your phone.

United States: +1 (669) 224-3412

Access Code: 645-672-285

New to GoToMeeting? Get the app now and be ready when your first meeting starts:

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Be sure to check back to the website at <HTTP://MILLVILLENJ.GOV/310/PLANNING> prior to the meeting for any updated information or procedures during this period of emergency. No additional notices will be published unless procedures change prior to January 11, 2021. If a member of the public does not have access to a computer, please contact Kristine Klawitter, Board Secretary, to make arrangements to access agenda items at (856) 825-7000 ext. 7288 or KRISTINE.KLAWITTER@MILLVILLENJ.GOV.

Samantha Silvers, Planner

1.1.i. PB Agenda

Documents:

[PLANNING JANUARY 11TH, 2021.PDF](#)

2. Roll Call

Bob Gallaher Jr. Chairman

(11/08/22)

Larry Malone

(11/08/21)

Wayne
Caregnato

Edward Kasuba, Vice Chairman

(11/08/21)

Denise Arrigo

(11/08/20)

Commissioner Ashleigh Udalovas

Mayor Michael Santiago

Jay Laubengeyer

(11/08/20)

Edward Gallagher

(12/08/24)

Jose Silva, Jr, Alt I

(09/03/21)

Vacant Alt II

(01/16/21)

3. MINUTES OF THE PREVIOUS MEETING

3.I. Regular Planning Board Meeting – December 14th, 2020

Documents:

[PLANNING BOARD DECEMBER 14 \(GOTOMEETING\).PDF](#)

3.II. #02-2021 Annual Planning Board Meeting Dates

Documents:

[RESOLUTION 2021 MEETING DATE.PDF](#)

4. CORRESPONDENCE

4.I. 4.1 The Commission Approved Jose Silva, Jr. As Alternate Member #1 To The Planning Board Expiring Date 12/1/22.

4.I.i. 4.2 Re-Appointed Mr. Jay Laubengeyer As A Member Of The Planning Board Expired Date 11/11/24.

4.I.i.1. 4.3 Re-Appointed Ms. Denise Arrigo As A Member Of The Planning Board Expired Date 11/11/24.

5. RESOLUTIONS

5.I. Memorialize Resolution # 1-2021 Approving Reorganization And Appointment Of Professionals.

A. Pennoni Associates, Inc., Engineer Consultant

B. CME Associates, Planning Consultant

C. Nathan VanEmbden, Esquire, Solicitor

D. Kristine Klawitter, Board Secretary

Documents:

[PB_RESOLUTION 01-2021 REORG.PDF](#)

6. APPLICATIONS

6.I. Nabb Solar I, LLC- Nabb Avenue And U.S. Rt. 49 In Block 2 Lot(S) 31,35, And 36 And Block 3 Lot(S) 54,57, And 59 Stephen Nehmad, Esq. Representing Nabb Solar I, LLC At Nabb Avenue And U.S. Rt. 49 In Block 2 Lot(S) 31,35, And 36 And Block 3 Lot(S) 54,57, And 59 In An AC Agricultural Conservation District Requesting Preliminary And Final Site Plan And Minor Subdivision With Conditional Use Pursuant To Section 30-183.1.B Approval.

6.I.i. Nabb Solar I Documents

[LINK TO NABB SOLAR I DOCUMENTS](#)

6.II. Agriterra, LLC- 501 Bogden Blvd In Block 125.03 Lot(S) 11 Lou Magazzu, Esq. Representing Agriterra, LLC Of 501 Bogden Blvd In Block 125.03 Lot In An I-3 Industrial Zone Requesting Preliminary And Final And Minor Subdivision And Major Site Plan Approval.

6.II.i. Agriterra LLC Documents

[LINK TO AGRITERRA LLC DOCUMENTS](#)

7. OTHER BUSINESS

City of Millville Planning Board
January 11th, 2021
Teleconference due to Covid-19 Pandemic
6:30 PM

1. Open Public Meetings Act Statement of Conformance:

“This meeting is being conducted by teleconference due to the COVID-19 PANDEMIC, was advertised, posted, and made available to the public to attend and provide public comment during the public portion of the meeting in accordance with the Open Public Meetings Act, Chapter 231, Public Laws of 1975, as required by Statute. The secretary is directed to include a statement in the minutes of this meeting.”

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2. ROLL CALL

Bob Gallaher Jr. Chairman	(11/08/22)
Larry Malone	(11/08/21)
Wayne Caregnato	
Edward Kasuba, Vice Chairman	(11/08/21)
Denise Arrigo	(11/08/20)
Commissioner Ashleigh Udalovas	
Mayor Michael Santiago	
Jay Laubengeyer	(11/08/20)
Edward Gallagher	(12/08/24)
Jose Silva, Jr, Alt I	(09/03/21)
Vacant Alt II	(01/16/21)

3. MINUTES OF THE PREVIOUS MEETING:

3.1 Regular Planning Board Meeting – December 14th, 2020

4. **CORRESPONDENCE:**

- 4.1 The commission approved Jose Silva, Jr. as Alternate member #1 to the Planning Board expiring date 12/1/22.
- 4.2 Re-appointed Mr. Jay Laubengeyer as a member of the Planning board expired date 11/11/24.
- 4.3 Re-appointed Ms. Denise Arrigo as a member of the Planning board expired date 11/11/24.

5. **RESOLUTIONS:**

5.1 Memorialize Resolution # 1-2021 Approving reorganization and appointment of professionals.

- A. Pennoni Associates, Inc., Engineer Consultant
- B. CME Associates, Planning Consultant
- C. Nathan VanEmbden, Esquire, Solicitor
- D. Kristine Klawitter, Board Secretary

5.2 Memorialize Resolution # 2-2021 Approving 2021 Schedule of Meeting Dates.

6. **APPLICATIONS:**

6.1 Agriterra, LLC- 501 Bogden Blvd in Block 125.03 Lot(s) 11

Lou Magazzu, Esq. representing Agriterra, LLC of 501 Bogden Blvd in Block 125.03 Lot in an I-3 Industrial Zone requesting Preliminary and Final and Minor subdivision and Major site plan approval.

6.2 Nabb Solar I, LLC- Nabb Avenue and U.S. Rt. 49 in Block 2 Lot(s) 31,35, and 36 and Block 3 Lot(s) 54,57, and 59

Stephen Nehmad, Esq. representing Nabb Solar I, LLC at Nabb Avenue and U.S. Rt. 49 in Block 2 Lot(s) 31,35, and 36 and Block 3 Lot(s) 54,57, and 59 in an AC Agricultural conservation District requesting Preliminary and Final site plan and Minor subdivision with conditional use pursuant to section 30-183.1.B approval.

OTHER BUSINESS

City of Millville Planning Board

December 14th, 2020

Teleconference due to Covid-19 Pandemic

6:30 PM

Open Public Meetings Act Statement of Conformance:

“This meeting is being conducted by teleconference due to the COVID-19 PANDEMIC, was advertised, posted, and made available to the public to attend and provide public comment during the public portion of the meeting in accordance with the Open Public Meetings Act, Chapter 231, Public Laws of 1975, as required by Statute. In attendance were Vice-Chairman Kasuba, Chairman Gallaher, Commissioner Udalovas, Mr. Gallagher, Ms. Arrigo, Jay Laubengeyer, Mr. Malone, and Mr. Caregnato. Also present was Mr. Van Embden, Planning Board Solicitor, Samantha Silver, City of Millville Planner.

MINUTES OF PREVIOUS MEETING:

Vice-Chairman Kasuba made a motion to approve the May 11th, 2020 minutes and seconded by Commissioner Ashleigh Udalovas. The following board members voted yes, Vice-Chairman Kasuba, Chairman Gallaher, Mr. Malone, Commissioner Udalovas, Mr. Gallagher, and Vice-Chairman Kasuba.

Mr. Gallagher made a motion to approve the special meeting on May 18th, 2020 minutes and seconded by Commissioner Ashleigh Udalovas. The following board members voted yes, Vice-Chairman Kasuba, Chairman Gallaher, Mr. Malone, Commissioner Udalovas, Mr. Gallagher, and Mr. Caregnato

CORRESPONDENCE:

Vice-chairman Kasuba received and files Cumberland County Farmland Preservation Plan correspondence and seconded by commissioner Udalovas.

Vice-chairman Kasuba received and files NJDEP submitted correspondence of CCMCD information, review, and possible further action and seconded by commissioner Udalovas.

RESOLUTIONS: N/A

APPLICATIONS:

Robert and Elizabeth Schwegel 621 and 631 Carmel Road in Block 28 Lot(s) 4 & 4.06 in a R-15 Residential Zone requesting Minor subdivision for redivision of Lot line approval.

Nathan sworn in Robert Schwegel of 621 Carmel Road in Millville, NJ. The applicant proposed to relocate the lot line between the existing lot(s). Each lot contains a single-family residence along with driveway, and carports. The pole barn will no longer have solar panels, they were moved to the house. There is a septic system and well for each property, that did not change. The applicant complies with all the requirements of the engineer report. The Cumberland County considered the application deemed approved. The planning board agrees to the redivision of 621 and 631 Carmel Road.

Mr. Kasuba made a motion for the minor subdivision for redivision of lot line approval and was seconded by Mr. Malone. All present voted yes.

Mr. Caregnato made a motion to close the December 14th, Planning Board meeting.

**Resolution
of the
City of Millville Planning Board
of Adjustment
Cumberland County, N.J.**

RESOLUTION NO. 02-2021PB

**SCHEDULE OF PLANNING BOARD MEETINGS - 2021
DESIGNATION OF OFFICIAL NEWSPAPER**

WHEREAS, NJSA 10:4-18 requires that every public body give notice concerning the schedule of regular meetings of the City of Millville Planning Board of Adjustment during the succeeding year and the time and date of each meeting; and

WHEREAS, Pursuant to Governor Murphy's issuance of Executive Order 107 due to the COVID-19 Pandemic, it has been strongly encouraged to conduct all public meetings subject to the Open Public Meetings Act exclusively using communications equipment (e.g., telephonic conference call-in connections, internet streaming, etc.) for the foreseeable future without providing a physical meeting place.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of Adjustment of the City of Millville, County of Cumberland, State of New Jersey, as follows:

1. The allegations of the preamble are incorporated herein by reference.
2. Regular meetings of the City of Millville Planning Board of Adjustment shall be held on the 2nd Monday of each month unless otherwise indicated in accordance with the following schedule:

2021 SCHEDULE – MEETINGS

January 11, 2021 – 6:30 p.m.
February 8, 2021 - 6:30 p.m.
March 8, 2021 - 6:30 p.m.
April 12, 2021 - 6:30 p.m.
May 10, 2021- 6:30 p.m.

June 14, 2021 - 6:30 p.m.
July 12, 2021 - 6:30 p.m.
August 9, 2021 - 6:30 p.m.
September 13, 2021 - 6:30 p.m.
October 13, 2021 - 6:30 p.m. * Wednesday
November 8, 2021 - 6:30 p.m.
December 13, 2021 - 6:30 p.m.
January 10, 2022-6:30 p.m.

3. To access the meeting, please join from your computer, tablet or smartphone using the following link: <https://global.gotomeeting.com/join/645672285>. You can also dial in using your phone: +1 (669) 224-3412. The Access Code: 645-672-285. The Board Secretary will be taking the names of those members of the public who wish to comment via teleconference accepted in accordance with the rules of the Planning Board of Adjustment. Please be sure to mute your phone using *6 after providing the Secretary with your name to limit outside noise during the call. The agenda will be published on the City of Millville website located at <http://millvillenj.gov/313/Planning> prior to the meeting. No new matters will be commenced after 11:00 p.m. Meetings shall be open to the public unless the matter in discussion involves one or more matters set forth at NJSA 10:4-12(b).

4. No new matters will be commenced after 11:00 p.m. Meetings shall be open to the public unless the matter in discussion involves one or more matters set forth at NJSA 10:4-12(b). In the event that such matter is discussed, the public shall be excluded from that portion of the meeting pursuant to resolution which shall be adopted in accordance with NJSA 10:4-13. At the conclusion of the closed session, the meeting shall be reopened to the public.

5. In the event of the necessity for holding a meeting of the City of Millville Planning Board of Adjustment in addition to the meeting scheduled set forth in Paragraph 2 of this Resolution, the Board Secretary shall give written advance notice of at least forty-eight (48) hours giving the date, time, location, and, to the extent known, the agenda of any regular/special or rescheduled meeting. This notice shall state whether formal action may or may not be taken. Such notice shall be:

- A. Prominently posted on the bulletin board in City Hall, 12 S. High Street, Millville, New Jersey;

- B. Mailed, telephoned, telegraphed, e-mailed or hand delivered to two newspapers circulating in the municipality, one of which shall be The Daily Journal, which is hereby designated as the official newspaper of the City of Millville Planning Board of Adjustment;
- C. Filed with the City Clerk's Office.

6. The Board Secretary shall either post a copy of this Resolution or a copy of the scheduled meetings for the current year on the bulletin board in the Municipal Building and, in addition, shall publish same in (2) newspapers including the official newspaper of the City of Millville Planning Board of Adjustment as stated in Paragraph 5(B) & (C), above.

By: _____
Robert Gallaher, Chairman

Kristine Klawitter, Board Secretary

ROLL CALL

Motion to Approve:
Seconded:

MEMBER	YEA	NAY	ABSENT	ABSTAIN	EXCUSED
Chairman Gallaher					
Vice-Chairman Kasuba					
Commissioner Udalovas					
Mayor Santiago					
Larry Malone					
Wayne Caregnato					
Denise Arrigo					
Jay Laubengeyer					
Edward Gallagher					
Jose Silva, Jr., Alt I					
Vacant, Alt II					

AND BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the applicant and to all who request a copy for a reasonable fee. In addition, a copy of this Resolution shall be filed in the Office of the Clerk of the City of Millville.

By: _____
Kristine Klawitter, Board Secretary

By _____
Robert Gallaher, Chairman

Dated:

CERTIFICATION

The foregoing is a true copy of a Resolution adopted by the Planning Board of Adjustment of the City of Millville at a meeting of January 11, 2021 memorializing action Board at that meeting.

Kristine Klawitter, Board Secretary

**Resolution of the
City of Millville Planning Board
Cumberland County**

**RESOLUTION #1- 2021PB
ANNUAL REORGANIZATION - 2021**

WHEREAS, pursuant to the New Jersey Land Use Law, specifically NJSA 40: 55D-69, a municipality's Planning board shall elect a chairman and vice chairman from its regular members and select a secretary, who may or may not be a member of the board of adjustment or a municipal employee. Alternate members may participate in all matte; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the City of Millville on this 11th day of January 2021 that the following persons have been appointed for the positions set forth below for the calendar year 2021:

Robert Gallaher _____, Chairman;
Edward Kasuba _____, Vice-Chairman;
Pennoni Associates, Inc. _____, Engineer Consultant;
CME Associates _____, Planning Consultant;
Nathan VanEmbden, Esquire _____, City Solicitor;
Kristine Klawitter _____, Board Secretary;

AND BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the applicant and to all who request a copy for a reasonable fee. In addition, a copy of this Resolution shall be filed in the Office of the Clerk of the City of Millville.

By: _____
Kristine Klawitter, Board Secretary

By _____
Robert Gallaher, Chairman

Dated: _____

C E R T I F I C A T I O N

The foregoing is a true copy of a Resolution adopted by the Planning Board of Adjustment of the City of Millville at its regular meeting of January 11, 2021.

By: _____
Kristine Klawitter, Board Secretary