

Zoning Board of Adjustment

City of Millville

September 2nd, 2021

4th Floor Commission Chamber

6:00 PM

1. Open Public Meetings Act Statement Of Conformance:

"This meeting is being conducted in accordance with the Open Public Meetings Act of 1975, was advertised, posted, and made available to the public as required by Statute. The secretary is directed to include this statement in the minutes of this meeting."

2. ROLL CALL

John Worthington, Chairman	(12/31/22)
Robert Conner, Vice-Chairperson	(12/31/21)
Veronica Chainey	(12/31/22)
Pauline Velez	(12/31/24)
George LaTore	(12/31/22)
Timothy Carty	(02/07/21)
Sheila Roselle	(12/19/21)
Alt. I	(08/01/21)
Sharleen Johnson, Alt. 2	(01/02/22)
Vacant, Alt. 3	(01/02/19)

3. MINUTES OF THE PREVIOUS MEETING

3.I. Minutes

Regular Zoning Board Meeting Minutes August 5th, 2021.

Documents:

[AUGUST 5TH ZB MINUTESX.PDF](#)

4. RESOLUTIONS

4.I. Resolutions

Resolution #11-2021 Granted Liberty Village III approval for a Use Variance for relief to allow manufactured home community with the understanding that a site plan of the development will be presented to the zoning board for site plan approval in a permitted use in an AC-Agricultural Conservation and I-3 Airport Industrial District in Block 52 and Lot(s) 89,90.01,90.02, &91.

[RESOLUTION-LIBERTY-VILLAGE-III](#)

Resolution #12-2021 Granted Tom Fien approval for a Bulk "C" Variance for an additional 6-inch relief for a front yard 54-inch aluminum picket fence situated on a

two-story, single-family dwelling located at 460 Brenda Terrace, Block 70.04 Lot 26, in an R-15 Residential Zone.

5. APPLICATIONS

5.1. Applications

POSTPONED: The two applications represented by Matthew Robinson, Esq., Millville Savings Bank and Reythmno Enterprises, LLC will be postponed to the next Zoning board meeting on October 7th due to the board not having quorum for the use variances and the applicants feel uncomfortable proceeding given the vote count needed for use variances.

1. Millville Savings Bank- 100 Albertson St in Block 258 Lot 1 in a B-4 Business District. Matthew Robinson, Esq representing Millville Savings Bank. The applicant is requesting a Sign Variance and use variance approval for an upgrade of the current two signs on High Street and 2nd St two utilized digital signs of the same size in a B-4 Business district. Each sign size 48"x 145" and digital display 41"x145" sq. ft.

2.Reythmno Enterprises, LLC- 608-616 N High St in Block 313 Lot 1 in a B-1 Business District. Matthew Robinson, Esq representing Reythmno Enterprises, LLC. Applicant is requesting "D" Variance with minor site plan approval with an interior existing/proposed floor plan to convert the second floor of a commercial property to two 3- bedroom residential units.

Documents:

[MILLVILLE SAVINGS BANK APP.PDF](#)
[RETHYMNO APPLICATION.PDF](#)
[608 HIGH ST VARIANCE PLANS 7-28-21-A1.0.PDF](#)

6. OTHER BUSINESS

7. ADJOURNMENT

**Millville Zoning Board Meeting
Held August 5th, 2021
Minutes**

PUBLIC MEETING

Members of Millville's Zoning Board met on the above date for their regularly scheduled monthly meeting in the Richard C. McCarthy Chamber, 4th floor of City Hall. Chairman Worthington called the meeting to order at 6:00 PM and announced that this meeting was being conducted in accordance with the Open Public Meetings Act of 1975, was advertised, posted, and made available to the public as required by Statute. The Secretary called roll and found those in attendance were Chairman John Worthington, Vice-Chairman Robert Conner, Ms. Pauline Velez, Mr. Tim Carty, Ms. Sheila Roselle, and Ms. Sharleen Johnson were all present. Also, present were Mr. Van Embden, Zoning Board Solicitor, Wayne Caregnato, City of Millville's Zoning Officer, and Yazmin Moreno, City of Millville's Professional Planner-Trainee. Absent were Ms. Veronica Chainey and Mr. George Latore.

MINUTES OF THE PREVIOUS MEETING

Mr. Carty called a motion to approve the July 1st, 2021, minutes, and Ms. Velez second the motion. Ms. Velez, Ms. Johnson, Ms. Roselle, Vice-Chairman Connor, and Chairman Worthington all voted yes.

CORRESPONDENCE

The Millville Board of Education held a meeting to create a resolution to be added to the correspondence section of Millville's Zoning Board agenda. An official request by Millville's Board of Education asked that the Zoning Board hold in abeyance any decision regarding the housing development proposed for location 2410, 2416 & 2424 Cedar Street. Until such time, as the Board of Education's committee meets with the City of Millville's Board of Commissioners to discuss any potential issues regarding the housing development.

Chairman Worthington asked for a motion. Mr. Carty made a motion to received and file. Vice-chairman Connor seconded the motion.

RESOLUTIONS

Mr. Carty made a motion to memorialize Resolution #10-2021 Granting Jason Cossaboon approval for Bulk "C" Variance for rear set back relief for a pole barn on a property with a single-family dwelling and was seconded by Ms. Velez. All present voted yes.

Ms. Roselle made a motion to table the pending resolution #11-2021 for Liberty Village III, to memorialize the granted Use "D" Variance and has been postponed for next month's Zoning Board Meeting to be held September 2nd, 2021: Vice-Chairman Connor seconded. Ms. Velez, Ms. Johnson, Mr. Carty, Ms. Roselle, Vice-Chairman Connor, and Chairman Worthington all voted yes.

APPLICATIONS

Tom Fien 460 Brenda Terrace in Block 70.04 Lot 26 in an R-15 Residential Zone requesting a “C” bulk Variance approval for a 4 ½ foot aluminum picket fence posted 26 feet from the middle of road and requesting front and side yard setback relief of 24 feet at a single-family residence.

Nathan VanEmbden sworn in the applicant: Tom Fien of 460 Brenda Terrace of Millville. Mr. Fien would like to put up a 4 ½ foot opaque aluminum picket fence surrounding the property. Mr. Fien has an existing 6-foot fence that will be replaced with the aluminum picket fence. Mr. Fien provide the board with a survey drawing of the property indicating the six-foot fence is in 3 sections: first section runs from the middle of the two-story frame dwelling parallel to Brenda terrace toward lot 51, second section runs along the side property line connecting to the rear of the property, the third second runs along the rear yard, perpendicular to the 2-story frame dwelling toward Robert Lane. The applicant requests to finish enclosing their backyard and his pool. The applicant sought to put a 54-inch continuation of the fence along Robert Lane to return parallel to Brenda terrace and connect to the side of the house.

Wayne Caregnato, Millville’s Zoning Officer stated the reason for the applicant to stand before the board was because the property has two frontages, one on Brenda Terrace and the other on Robert Lane. The ordinance states anything that falls within the front yard setback even with an open fence cannot be over 4 feet. The applicant wished to have 54 inches to promote safety surrounding his pool. Mr. Caregnato’s stated the board’s main concern should be whether the fence will block the traffic site-triangle and be a hazard for traffic or people in the road/area. From what the applicant has presented before the board it does not seem that he will block the site triangle due to the fence opacity.

The fence presented in the exhibit is 23.5% opaque with a 3 - 13/16-inch bar spacing and 54 inches in height above ground: the proposed fence to be constructed in the applicant’s yard.

Chairman Worthington opened the meeting for public comment.

Chairman Worthington closed the public portion.

Vice-chairman and Chairman agree with the approving the C variance.

Mr. Carty made a motion to approve Tom Fien for a Bulk “C” Variance for an additional 6-inch relief for a an overall 54-inch aluminum picket fence situated on a two-story, single-family dwelling and was seconded by Ms. Roselle. All present voted yes.

OTHER BUSINESS

As a courtesy, Yazmin Moreno updated the Zoning Board with the updated application fee schedule and the zoning board had no objections to the fee changes.

With no further business, Vice-Chairman Connor made a motion to close the Zoning Board meeting and seconded by Mr. Carty.

Submitted by:
Kristine Klawitter

ROBINSON & ROBINSON

Attorneys At Law

2057 Wheaton Avenue
PO Box 788
Millville, New Jersey 08332
Phone 856/825-7700
Fax 856/825-4762

Arnold Robinson

*Member of NJ & PA Bar and
US District Court (District of NJ)*

ARobinson@robinsonlawllc.com

Matthew J. Robinson

*Member of NJ & PA Bar and
US District Court (District of NJ)*

MJRobinson@robinsonlawllc.com

August 2, 2021

Via Hand Delivery

City of Millville Zoning Board
City Hall
PO Box 609
Millville, New Jersey 08332

ATTN: Ms. Kristine Klawitter

**Re: Millville Savings Bank
Sign Variance Application
Block 258 Lot 1
City of Millville**

Dear Sir/Madam:

Enclosed please find the following:

- Original and 15 copies of Application to the Zoning Board of Adjustment for use variance
- Check in the sum of \$350.00 representing the filing and review fee

Please confirm that the application is complete and will be placed on the agenda for the next available meeting.

Thank you for your consideration in this matter.

Very truly yours,

ROBINSON & ROBINSON, LLC



Matthew J. Robinson

MJR
Enclosures

Date Application Received _____ Application # _____ Fee Paid _____

**CITY OF MILLVILLE
ZONING BOARD OF ADJUSTMENT**

APPLICATION FORM

Please type or print all information

1. Application Information

Name: Millville Savings Bank
Address: 100 Albertson St. Millville, NJ 08332
Millville, NJ 08332
Phone: (856) 825-0809

2. Applicant's Attorney Information

Name: Matthew J. Robinson, Esquire
Address: 2057 Wheaton Avenue, PO Box 788
Millville, New Jersey 08332
Phone: 856-825-7700

3. Property Information

Street Address: 100 Albertson St.

Block 258 Lot: 1 Zone: B-4

Lot Area 3.72 Acres Frontage 516 ft. Depth 314 ft.

4. The appropriate Plan has been filed with the Secretary of the Zoning Board of Adjustment of the City of Millville which may be examined at the Office of the Secretary on the 5th floor of City Hall 12 S. High Street, Millville, New Jersey between the hours of 8:30 AM and 4:30 PM Monday through Friday. The map or sketch indicates the existing locations of boundary lines and structures and the changes requested to be granted herein by this Application.

5. The present use of the land is: **Bank**

6. Description of proposed use or change to the property:

Owner is seeking to upgrade the current two signs on High St. and 2nd St. to utilize digital signs of the same size that can turn off and on during hours of operation and display messages or images (renderings, site map, and survey attached).

7. The changes requested are not permitted in this zone by the Development Regulations of the City of Millville. If permitted, set forth the Section of the Regulation by which such use is permitted.

Such use is permitted: **Zoning Regulations for B-4 permit signs, but not of this nature.**

8. Type of Variance requested:

A B C **D (d3)** (Circle appropriate variance type)

9. Set forth reasons why the Zoning Board of Adjustment should grant your application. Specify in detail all facts and reasons you intend to rely upon in support of the request.

Applicant submits that the replacement of these two signs on two large arterial streets would meet the positive and negative criteria analysis. The site is particularly suited and already has signs, there would be no detriment to the public or frustration to the zoning intentions since this location is heavily trafficked, non-residential, and signs are abundant.

10. Date(s) and result(s) of any previous application(s) to this Board for the above described property.

None

11. A hearing on this Application will take place at **6:00 P.M. on September 2, 2021** in the 4th floor Richard C. McCarthy Commission Chambers in Millville City Hall, 12 S. High Street, Millville, New Jersey.

Date: August 2, 2021

Millville Savings Bank – Applicant

By: _____

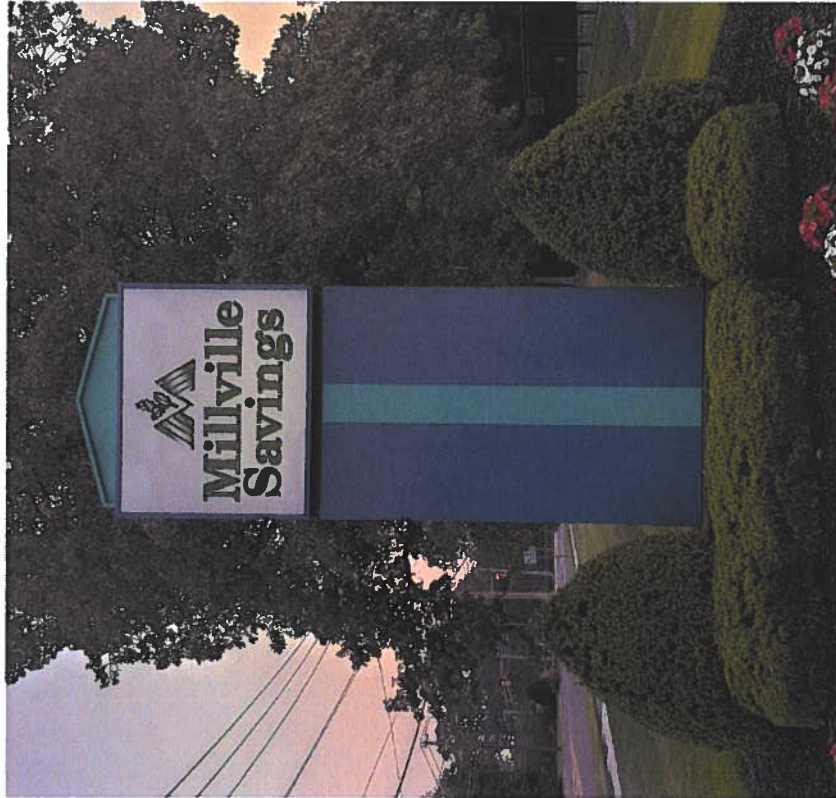

Matthew J. Robinson, Esquire
Attorney for Applicant

THIS IS TO CERTIFY THAT NO TAXES OR ASSESSMENTS FOR LOCAL IMPROVEMENTS ARE DUE OR DELIQUENT ON THE PROPERTY IN QUESTION – IF APPLICABLE.

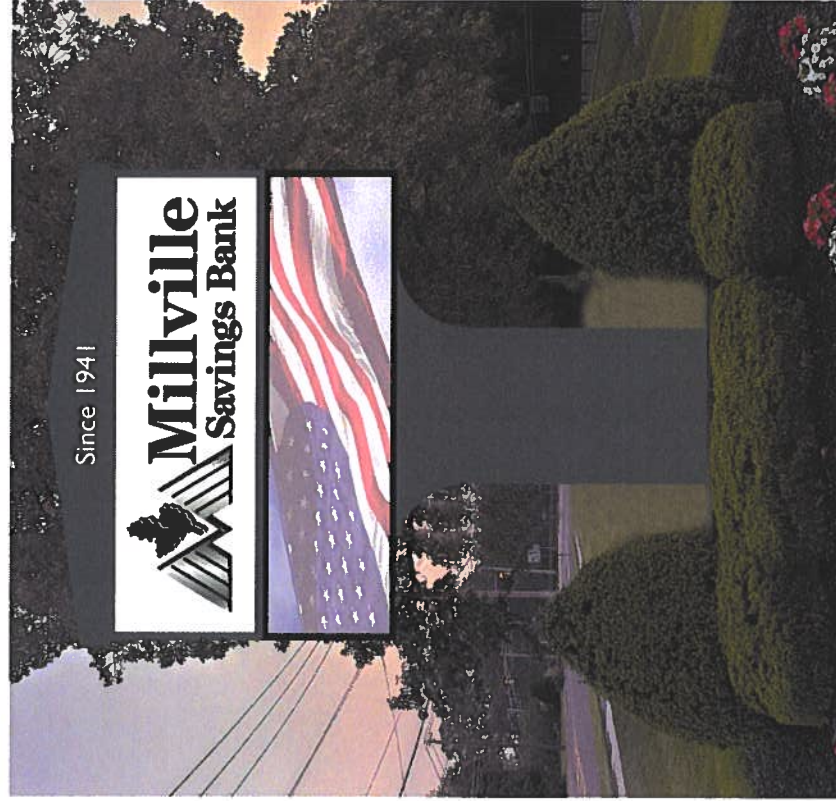
Signature of Tax Collector

MILLVILLE SAVINGS PROPOSED SIGN - ALBERTSON & HIGH STREET

EXISTING



PROPOSED



This design is submitted for your use with a permit being prepared for you by Parrish Sign Co., Inc. It is not to be used by anyone outside your organization. This design may not be used or exhibited in any fashion. This design is property of Parrish Sign Co., Inc. and cannot be used without permission. Sign fabrication and installation shall be in accordance with the High standards set forth by Parrish Sign Co., Inc.



Approved By: _____
Special Notice: _____

Date: _____

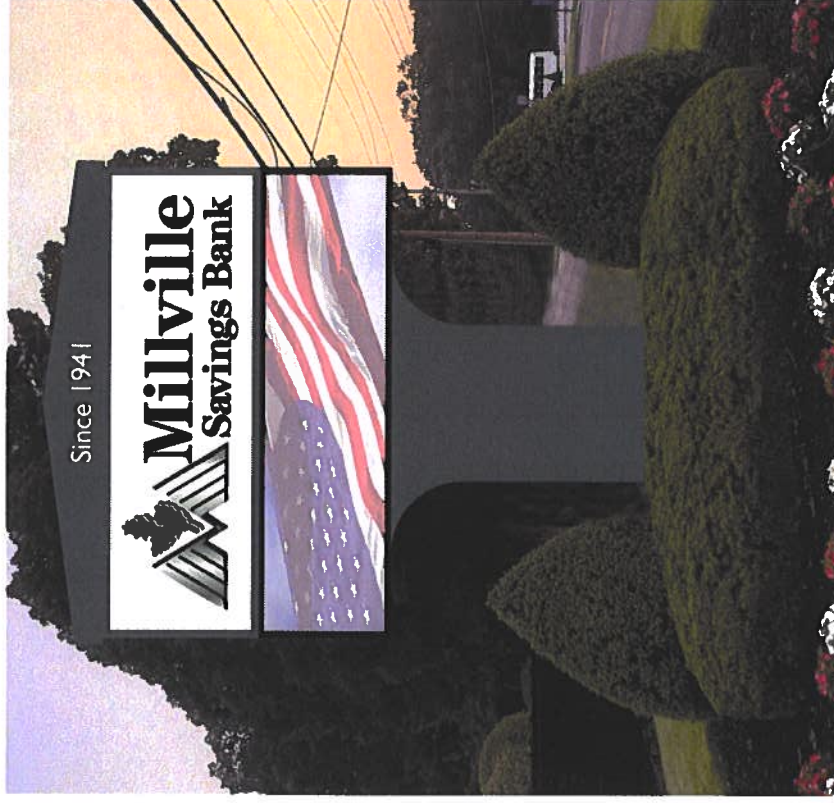
PARRISH SIGN CO., INC.
JOB: Millville Savings Bank
DATE: 07/07/21 FILE: Albertson & High 7r1

MILLVILLE SAVINGS PROPOSED SIGN - ALBERTSON & SECOND STREET

EXISTING



PROPOSED



This design is submitted for your use with a project being prepared by Parrish Sign Co., Inc. for the purpose of preparing to improve outside your organization. This design may not be used or exhibited in any fashion. This design is property of Parrish Sign Co., Inc. and cannot be used without permission. Sign fabrication and installation shall be in accordance with the IES standards set forth by Parrish Sign Co., Inc.



Approved By: _____

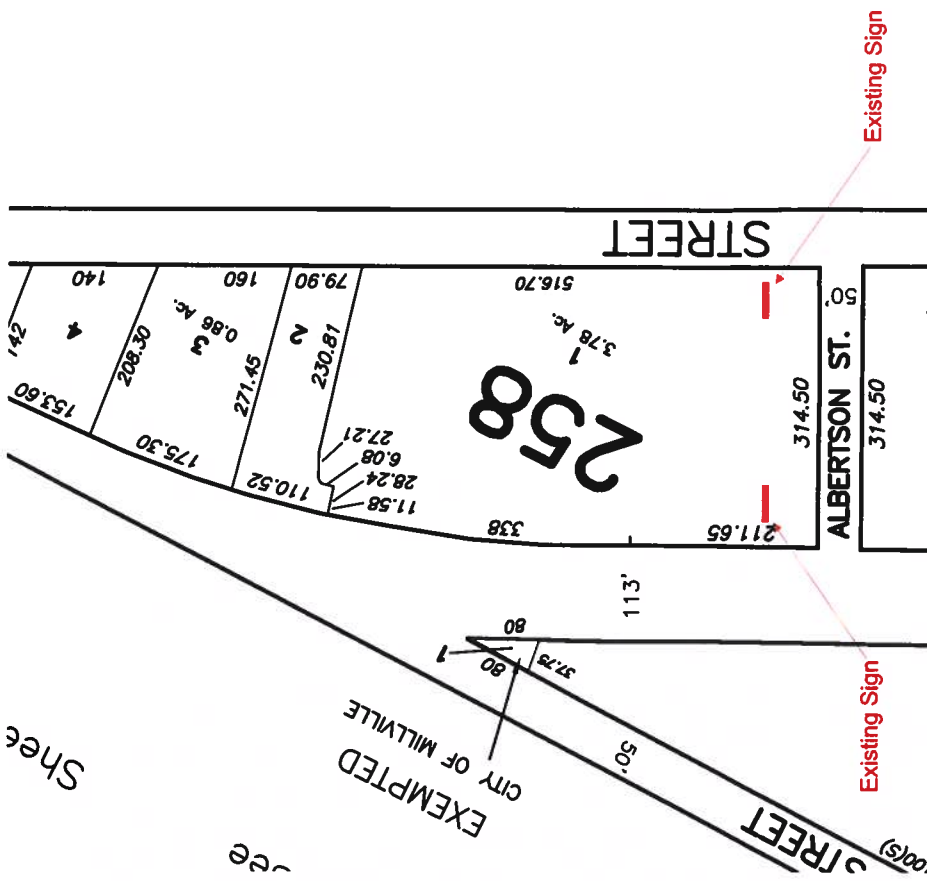
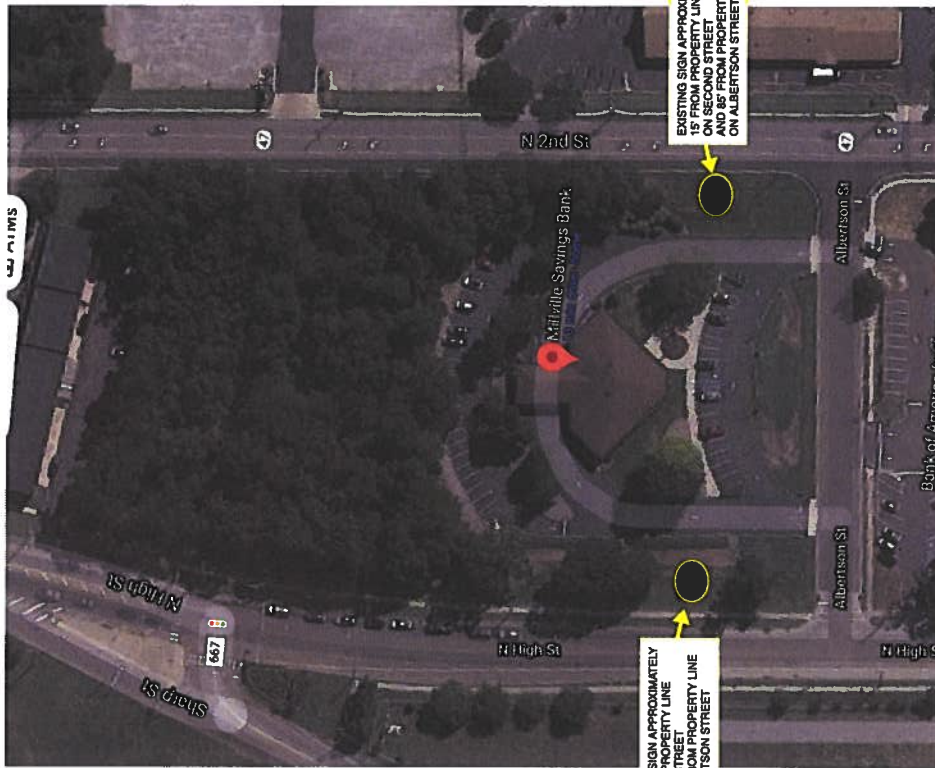
Date: _____

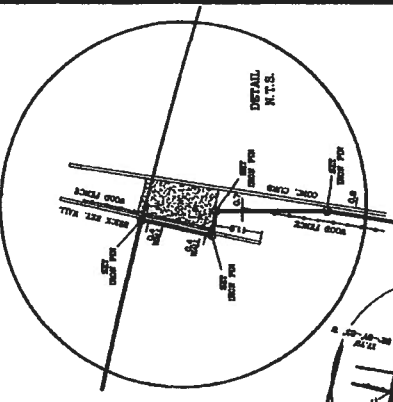
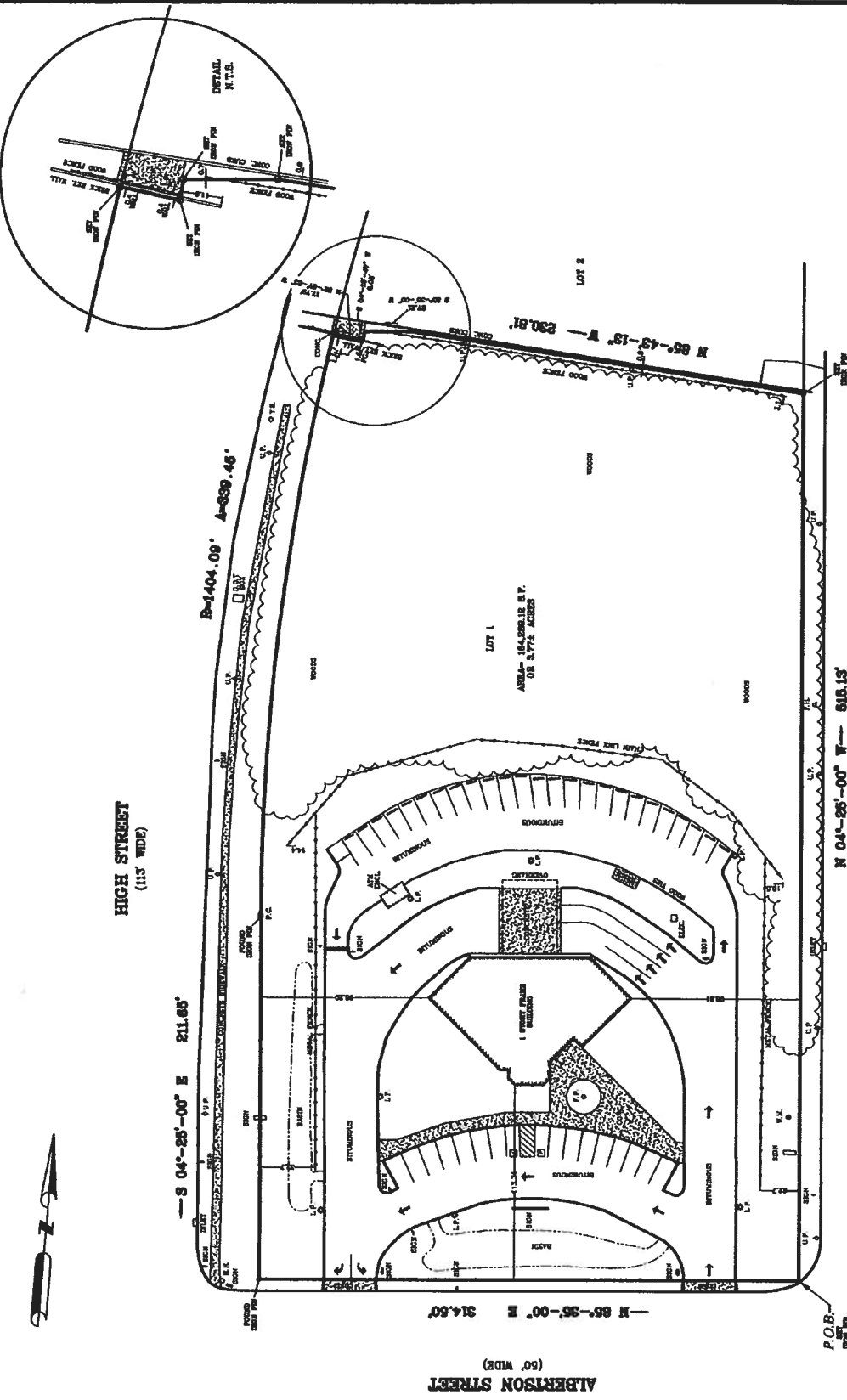
Special Notes: _____

PARRISH SIGN CO., INC.

JOB: Millville Savings Bank

DATE: 07/07/21 FILE: Albertson & Second 7r1





SURVEY OF PREMISES
 100 ALBERTSON STREET
 SITUATED IN
 CITY OF MILLVILLE
 COUNTY OF CUMBERLAND, NEW JERSEY
 DRAWN E.A.G. DATE 2/19/16 SCALE 1"=40'
EWING ASSOCIATES
 4005
 1000 N. JERSEY DRIVE, 2ND FLOOR, CLAYTON, N.J. 08402
 PHONE (908) 881-0077



NOTES:
 LOT DIMENSIONS REFER TO BLOCK 509 OF THE CITY OF MILLVILLE TAX MAP.

CERTIFIED TO:
 MILLVILLE SAVINGS AND LOAN
 ASSOCIATION



FEB. 18, 2016
 BRUCE A. EWING
 LAND SURVEYOR

4005

ROBINSON & ROBINSON

Attorneys At Law

2057 Wheaton Avenue
PO Box 788
Millville, New Jersey 08332
Phone 856/825-7700
Fax 856/825-4762

Arnold Robinson

*Member of NJ & PA Bar and
US District Court (District of NJ)*
ARobinson@robinsonlawllc.com

Matthew J. Robinson

*Member of NJ & PA Bar and
US District Court (District of NJ)*
MJRobinson@robinsonlawllc.com

August 2, 2021

Via Hand Delivery
City of Millville Zoning Board
City Hall
PO Box 609
Millville, New Jersey 08332

ATTN: Ms. Kristine Klawitter

**Re: Rethymno Enterprises, LLC
Use Variance Application
Block 313 Lot 1
City of Millville**

Dear Sir/Madam:

Enclosed please find the following:

- Original and 15 copies of Application to the Zoning Board of Adjustment for use variance
- Check in the sum of \$350.00 representing the filing and review fee

Please confirm that the application is complete and will be placed on the agenda for the next available meeting.

Thank you for your consideration in this matter.

Very truly yours,

ROBINSON & ROBINSON, LLC



Matthew J. Robinson

MJR
Enclosures

Date Application Received _____ Application # _____ Fee Paid _____

**CITY OF MILLVILLE
ZONING BOARD OF ADJUSTMENT**

APPLICATION FORM

Please type or print all information

1. Application Information

Name: Rethymno Enterprises, LLC
Address: 608-616 N. High St. Millville, NJ 08332
Millville, NJ 08332
Phone: (856) 825-7700

2. Applicant's Attorney Information

Name: Matthew J. Robinson, Esquire
Address: 2057 Wheaton Avenue, PO Box 788
Millville, New Jersey 08332
Phone: 856-825-7700

3. Property Information

Street Address: 608-616 N. High St.

Block 313 Lot: 1 Zone: B-1

Lot Area 14,700 sq/ft Frontage 146' Depth IRR

4. The appropriate Plan has been filed with the Secretary of the Zoning Board of Adjustment of the City of Millville which may be examined at the Office of the Secretary on the 5th floor of City Hall 12 S. High Street, Millville, New Jersey between the hours of 8:30 AM and 4:30 PM Monday through Friday. The map or sketch indicates the existing locations of boundary lines and structures and the changes requested to be granted herein by this Application.

5. The present use of the land is: **First Floor Doctor's Office, Second Floor Vacant office space.**

6. Description of proposed use or change to the property:

Owner is seeking to convert the second floor of this commercial property to two 3-bedroom residential units while the first floor would remain commercial. Attached to the application is a Use Variance Plan for the interior existing/proposed floor plan along with aerial image/Tax Map.

7. The changes requested are not permitted in this zone by the Development Regulations of the City of Millville. If permitted, set forth the Section of the Regulation by which such use is permitted.

Such use is permitted: **N/A**

8. Type of Variance requested:

A B C D (*Circle appropriate variance type*)

9. Set forth reasons why the Zoning Board of Adjustment should grant your application. Specify in detail all facts and reasons you intend to rely upon in support of the request.

Applicant submits that the upstairs conversion to two residential units would meet the positive and negative criteria analysis. The site is particularly suited for this use with adequate parking, ingress/egress, trash service, etc. There would be no detriment to the public or frustration to the zoning intentions since the property is surrounded by zoning districts that allow second floor residential apartments and in April 2021 the Zoning Board granted a full conversion of an office complex to residential units at 1601 N. 2nd St, which shows the recent permissibility of conversions in business districts.

10. Date(s) and result(s) of any previous application(s) to this Board for the above described property.

None

11. A hearing on this Application will take place at **6:00 P.M. on September 2, 2021** in the 4th floor Richard C. McCarthy Commission Chambers in Millville City Hall, 12 S. High Street, Millville, New Jersey.

Date: August 2, 2021

Rethymno Enterprises, LLC – Applicant

By: _____


Matthew J. Robinson, Esquire
Attorney for Applicant

THIS IS TO CERTIFY THAT NO TAXES OR ASSESSMENTS FOR LOCAL IMPROVEMENTS ARE DUE OR DELIQUENT ON THE PROPERTY IN QUESTION – IF APPLICABLE.

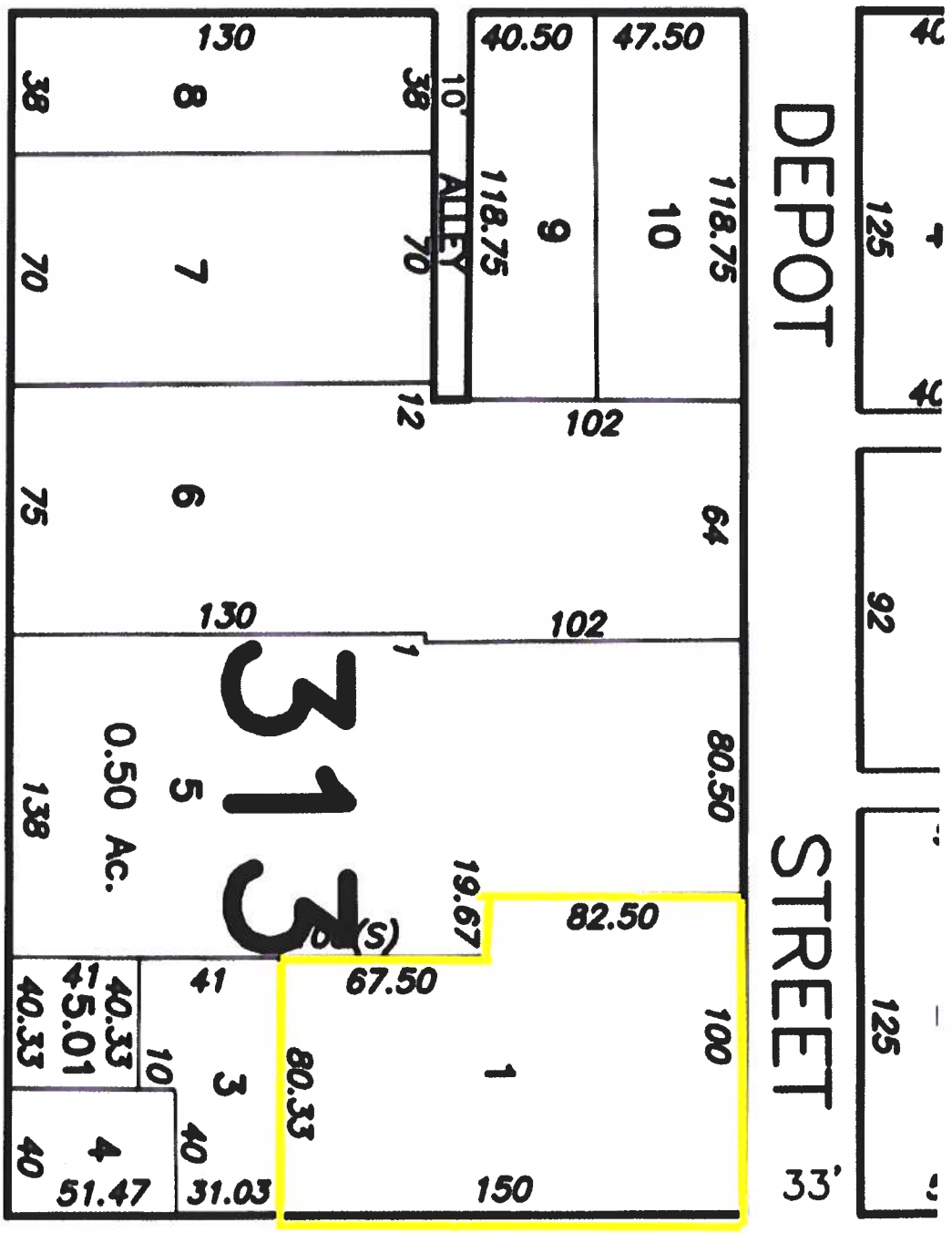
Signature of Tax Collector



49.5'

BUCK

20.8



DEPOT STREET

STREET

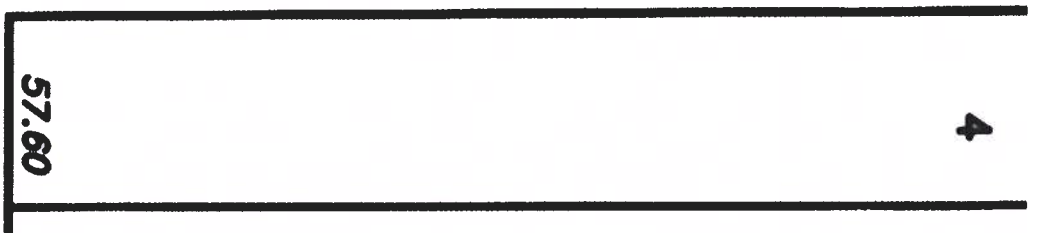
BROAD

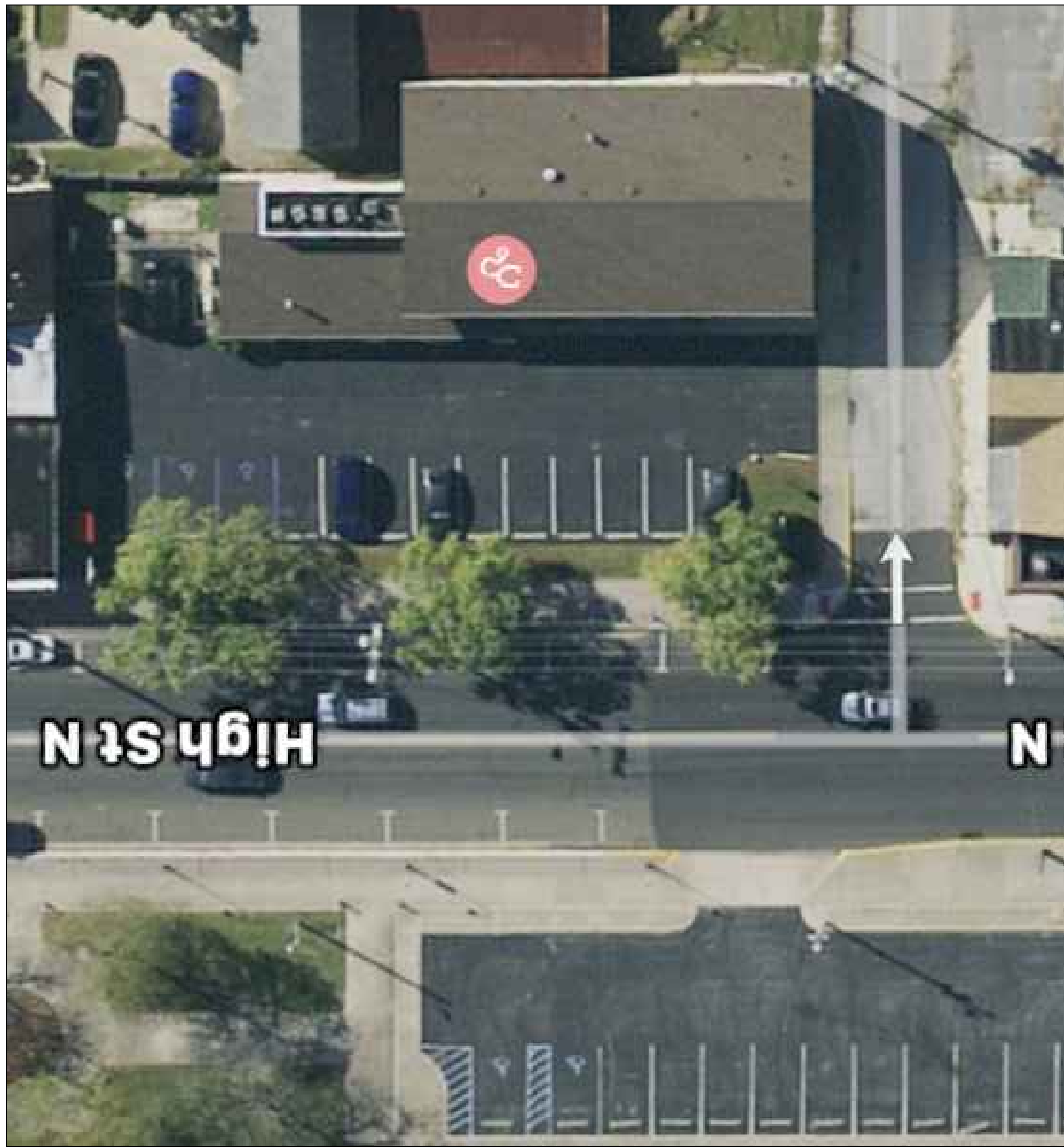
313

0.50 Ac.

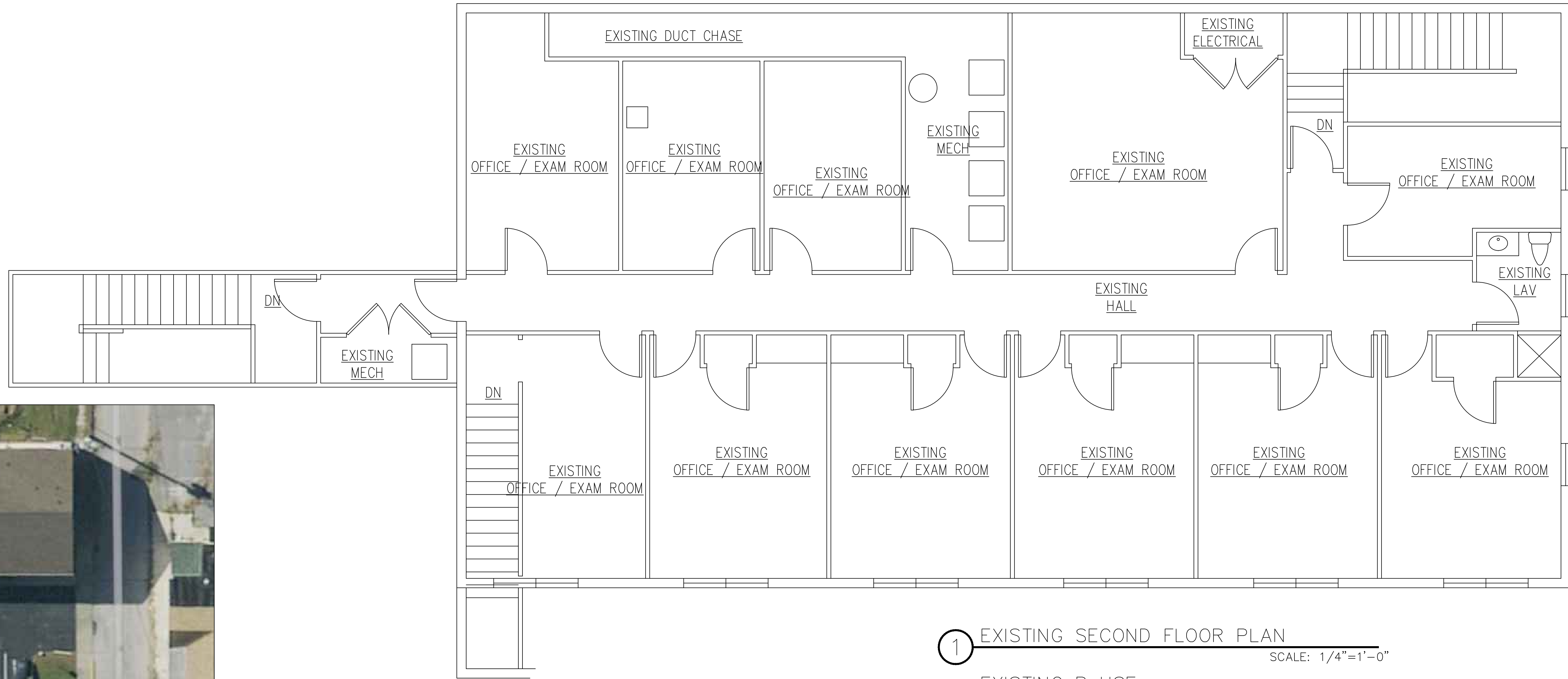
66'

HIGH

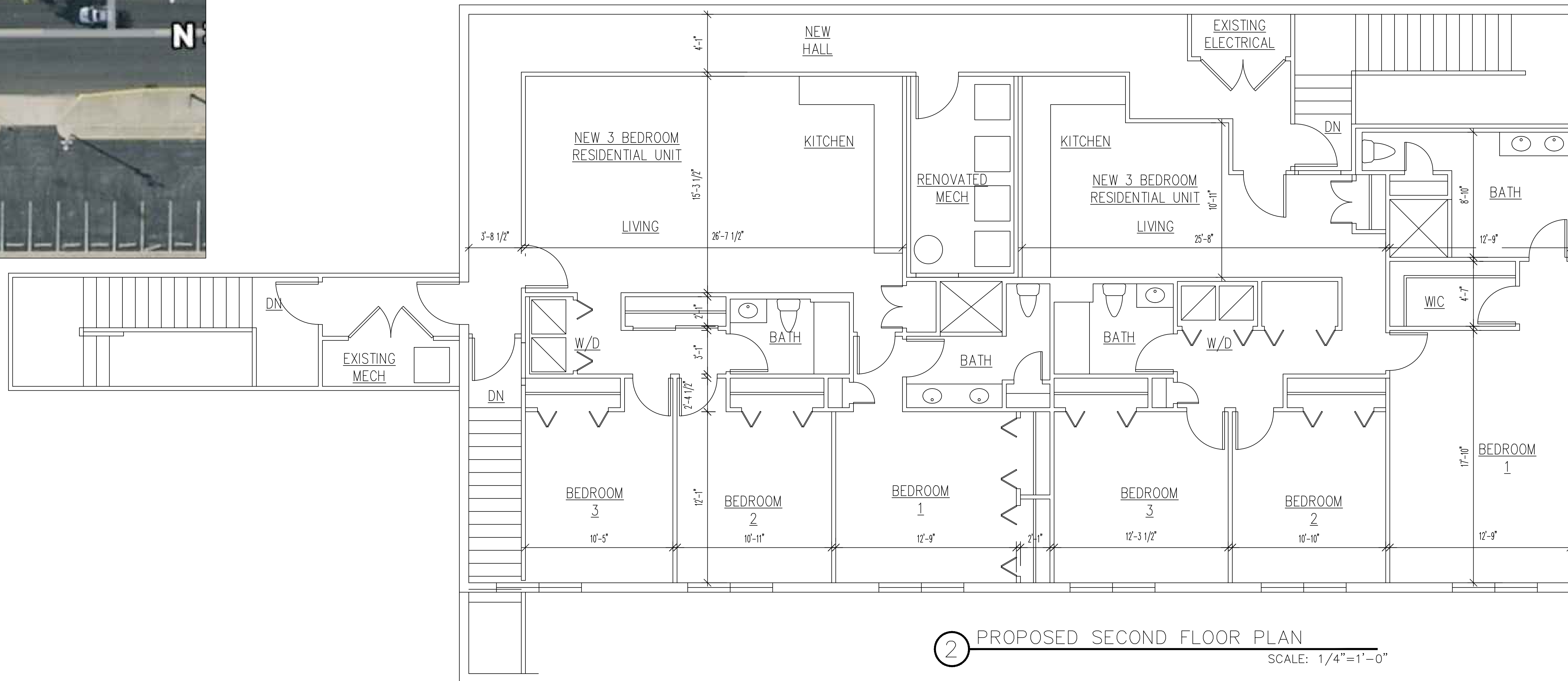




3 AERIAL SITE IMAGE



1 EXISTING SECOND FLOOR PLAN
SCALE: 1/4"=1'-0"
EXISTING B USE



2 PROPOSED SECOND FLOOR PLAN
SCALE: 1/4"=1'-0"
PROPOSED R USE

REPRODUCTION OF THESE PLANS WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT IS PROHIBITED BY FEDERAL LAW. VIOLATIONS ARE PUNISHABLE BY FINES UP TO \$5,000 AND/OR IMPRISONMENT. THE DESIGNER ACCEPTS NO LEGAL LIABILITY FOR THIS PLAN.

KEY OF B ARCHITECTURE, INC.
591 SHILOH PIKE • SUITE 7
BRIDGETON, NEW JERSEY 08302
(856) 327-6500 FAX (856) 327-6503 EMAIL SBURNLEY@KBA.ARCH.COM
WEB SITE: <http://www.kba-arch.com>
SCOTT J. BURNLEY A.I.A., N.C.A.R.B. PRESIDENT

KBA ARCHITECTURE, INC.

SECOND FLOOR RENOVATIONS
608 HIGH STREET - MILLVILLE NJ
RENOVATION PLANS

LOT

BLOCK

Job Number:	
Drawn by:	SJB
Checked by:	SJB
Date:	7-28-21
Revised:	
Revised:	
Revised:	

FLOOR PLANS
A1.0