

**CITY OF MILLVILLE  
ZONING BOARD OF ADJUSTMENT**

**MEETING MINUTES SUMMARY**

**February 6, 2025**

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**CALL TO ORDER:**

Members of the Millville Zoning Board met on the above date for their regularly scheduled monthly meeting in the Richard C McCarthy Chamber, 4<sup>th</sup> floor of City Hall. Justin White, Esquire 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.

**ROLL CALL:**

Itzel Torres, Board Secretary conducted roll call. There were seven members in attendance. There was a quorum, and the meeting proceeded.

**PRESENT:**

Paul Williams  
Timothy Carty  
William Beck  
Tamara Davis  
Andrew Van Hook  
Roy Sheppard  
Frank Dougherty

**ABSENT:**

Ricardo Lim  
Marissa Ranello

**PROFESSIONALS:**

Barbara Fegley – City Planner  
Justin White, Esq. – Solicitor  
Michelle Nothaft – Assistant Engineer  
Itzel Torres – Board Secretary

A motion was made by Mr. Beck and seconded by Mr. Carty, to reappoint Justin White, Esquire, as Solicitor. In favor – Mr. Carty, Mr. Williams, Mr. Beck, Ms. Davis, Mr. Van Hook, Mr. Sheppard, and Mr. Dougherty.

A motion was made by Ms. Davis and seconded by Mr. Williams, to reappoint Barbara Fegley, as City Planner. In favor – Mr. Williams, Mr. Carty, Mr. Beck, Ms. Davis, Mr. Van Hook, Mr. Sheppard, and Mr. Dougherty.

A motion was made by Ms. Davis and seconded by Mr. Williams, to reappoint Wayne Johnson, as Engineer. In favor – Mr. Williams, Mr. Carty, Mr. Beck, Ms. Davis, Mr. Van Hook, Mr. Sheppard, and Mr. Dougherty.

Tamara Davis was nominated for Chairperson by Mr. Beck and seconded by Mr. Van Hook. Ms. Davis accepted the role.

Timothy Carty was nominated for Vice-Chair by Mr. Beck and seconded by Ms. Davis. Mr. Carty accepted the role.

In favor – Mr. Williams, Mr. Carty, Mr. Beck, Ms. Davis, Mr. Van Hook, Mr. Sheppard, and Mr. Dougherty.

**ADOPTION OF MINUTES:**

Mr. Williams made a motion to approve December 5, 2024, regular board meeting minutes. Vice-Chair Carty seconded the motion. In Favor – Mr. Williams, Vice-Chair Carty, Chairperson Davis. Abstain – Mr. Beck, Mr. Van Hook, Mr. Sheppard, Mr. Dougherty.

**ADOPTION OF RESOLUTIONS:**

Resolution #03-2025ZB – The Rector, Granting Approval for a (D) Variance with conditions for 1209 W. Main Street, Block 48, Lot 25. First motion, Mr. Williams, seconded by Mr. Carty. In favor – Mr. Williams, Vice-Chair Carty, Chairperson Davis. Abstain – Mr. Beck, Mr. Van Hook, Mr. Sheppard, Mr. Dougherty.

**CORRESPONDENCE:**

No Correspondence

**VARIANCE APPLICATION:**

App #06-2024ZB  
Ecogy Energy NJ II LLC  
301 Riverside Drive, Block 123, Lot 2  
Seeking a D (1) Variance.

**FOR THE APPLICANT:**

Michael Butler, Esquire  
Michael Shelter – Ecogy Energy  
James Kyle - Planner

**PRESENTATION:**

Michael Butler, Esq. presented the application on behalf of the applicant. The applicant is seeking a D (1) use variance to install a solar panel array on top of an existing building located at Block 123, Lot 2. The previous proposed subdivision in September 2024 was never perfected. Therefore, the subject property is still known as Lot 2. Location of property is 4 condominiums, Building D. 51% of the solar energy obtained is required to go to low and moderate income housing. There is one bulk variance associated with application for a transformer pad, which will be approximately 6' x 3'-6', that will take energy from building and put it out into the grid. Mr. Shelter gave a brief history of his company. Ecogy is proposing a 240 kilowatt ac (alternating current) front of meter system. This program provides a 15% guaranteed discount to the subscribers' electric bills. Subscribing to Ecogy is free of charge to the consumer.

The proposed site plan will have solar arrays mounted on roof top. The secondary transformer will be located in the northwest corner of the building, which is the front yard. Panels will be mounted on a racking system, located approximately 8 – 9 inches above the roof line. Annual inspection on panels will take place. 24/7 monitoring of the solar panels. Camera placed on roof top for security purposes and to view condition of roof. Rapid shutdown switch is required to shut down system if necessary. Mr. Shelter proposes no more than 75% of building coverage. Mr. Shelter proposes 3 sides of coverage/landscaping of the transformer pad. Transformer will be just under 35 feet from the roadway. Wiring will be underground until it reaches the pole to carry the wires. Underground trenching will be encased in concrete, that runs under the road only. No tree removal is required. No added risk of fire or lightning strikes, no fluid or vapor by-products, no added noise to be generated after construction is complete. Projection to be completed within approximately 3-6 months. After system is complete and inspections are complete, the utility company will install meter and approval to operate will be given. Approximate cost of proposed project is approximately \$1,000,000 - \$1,500,000. Ecogy is fully responsible for any and all costs of the solar system. The project would start, after all approvals, approximately May or June, 2025 and will provide power to approximately 45 households.

James Kyle – Planner – Received Bachelor of Science in Environmental Planning and Design from Rutgers in 1996.

Two variances needed, D (1) Use Variance. The solar is not permitted as a principal or accessory use.

Bulk variance - The front yard setback requirement has been met for the transformer.

There is no impact to the public good or surrounding properties. Transformer is approximately 5 feet tall. The pad is approximately 4' x 6'.

**FOR THE CITY:**

Michelle Nothhaft – Requesting all conduits to be encased in concrete throughout the site, including the grassed areas up to the utility pole. Drawing number PV508, the trench detail in the plans, needs to be updated to reflect that concrete shall be at 3000 psi concrete in all areas.

**PUBLIC PORTION:**

No comments from the public.

**VERDICT OF APPLICATION**

Mr. Williams made the first motion to approve the D(1) Use Variance, along with the requested Bulk Variances under C(2), as well as Site plan approval subject to approval of perfected plan, seconded by Mr. Van Hook.

Paul Williams	Yes
Vice-Chair Carty	Yes
William Beck	Yes
Chairperson Davis	Yes
Andrew Van Hook	Yes
Roy Sheppard	Yes
Frank Dougherty	Yes

Vote Tabulation: (7) In Favor (0) Opposed  
Application was approved.

**OTHER BUISNESS:**

Chairperson Davis requested comments on the 2024 Zoning Board Annual Report:

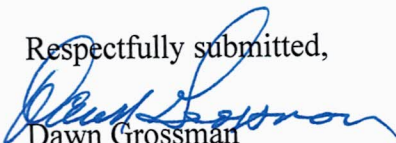
- Public/private parking clarification needs to be addressed.
- Live/work apartments need to be discussed by Planning Board and City Commission and clarified in annual report.
- Concerns about LED lights/signs
- Discussion about permitted pole barn height

**PUBLIC COMMENTS:**

None

Meeting Adjourned 7:49 pm.

Respectfully submitted,

  
Dawn Grossman  
Zoning Board Secretary