

**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

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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](mailto: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](#)

### 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](#)

#### 5.II. Memorialize Resolution # 2-2021 Approving 2021 Schedule Of Meeting Dates.

Documents:

[PB\\_RESOLUTION 02-2021 NVE.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.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.

## 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 14<sup>th</sup>, 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 14<sup>th</sup>, Planning Board meeting.

**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

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

**RESOLUTION #2- 2021PB  
AUTHORIZING CONTRACT WITH NATHAN VAN EMBDEN  
FOR PROFESSIONAL SERVICES**

**WHEREAS**, pursuant to the New Jersey Land Use Law, specifically NJSA 40: 55D-71, a municipality's Planning board is granted the power to employ, contract for and fix the compensation for professionals, experts and other service providers as it deems necessary for the effective completion of their appointed duties; and

**WHEREAS**, the Board had the opportunity to consider its needs for the calendar year 2021 and to review the professional services of certain persons and have considered them to be necessary and of sufficient expertise to provide guidance to the Planning Board during the forthcoming year; and

**WHEREAS**, the maximum amount of the contract is \$10,000 with provision for reimbursement for additional work required by the planning board at the rate of \$130.00 per hour, and funds are available in the appropriation to the planning board, and have been certified by the Chief Finance Officer; and

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the City of Millville on this 11th day of January 2021 as follows:

1. The chairman and secretary of the planning board are hereby authorized and directed to execute the attached agreement with Nathan Van Embden, Esquire.
2. This contract is awarded in compliance with the fair and open process as a professional service pursuant to N.J.S. 40A:11-5(1)(a) of the Local Public Contracts Law.
3. A notice of this action shall be printed once in the official newspaper of the City of Millville.

**AND BE IT FURTHER RESOLVED** that 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