

AMENDED RESOLUTION
of the
City of Millville Planning Board
Cumberland County
New Jersey

RESOLUTION NO. 06-2024PB

WHEREAS, Buckshutem Solar I, LLC of 191 University Boulevard, Suite 667, Denver, Colorado applied for and received site plan approval from the City of Millville Planning Board at its regular meeting of May 10, 2021 which memorialized its approval in Resolution No. 11-2021 on June 14, 2021 approving Buckshutem Solar I, LLC for Preliminary and Final Major Site Plan Approval and Conditional Use approval as well as a variance for fence height for property located at Block 135 Lots 1,2,3,4, and 5 and Block 139, Lots 1, 2, 3, 4, 5, 6, 7, 8, 22 and 25 on the Municipal Tax Map of the City of Millville and more commonly known as Silver Run and Dividing Creek-Millville Road, Millville, New Jersey and, said property at that time being located in the former LC Land Conservation District which zone permitted utility scale solar installation and resource extraction as conditional uses; and

WHEREAS, on May 8, 2023 the applicant made a formal application for three (3) one year extensions of the period of zoning protection pursuant to N.J.S.A. 40:55D-52a; and

WHEREAS, after a hearing on July 10, 2023, the Planning Board initially denied applicant's request; and

WHEREAS, at the request of the applicant, the Planning Board conducted a rehearing of applicant's request for an extension on October 10, 2023 at which time the Board reconsidered and granted applicant a two year extension of its period of protection pursuant to N.J.S.A. 40:55D-52a; and

WHEREAS, the applicant recited reasons including the COVID-19 pandemic, the permit extension act of 2020 and delays in the interconnection process between the applicant and Atlantic City Electric, as well as supply chain issues; and

WHEREAS, the applicant provided an update to the Board on the progress of the project and what Buckshutem Solar I has been working on in order to obtain other

governmental required approvals ; and

WHEREAS, the Board having reconsidered this request (which was originally spelled out in an May 8, 2023 letter from the applicant's counsel, Keith A. Davis,, Esquire) and the Board having heard additional testimony on October 10, 2023, which included an update on the project progression, and consequently determined that it could approve the request of relief for the reasons stated and voted to approve a two year extension of the period of protection through November 13, 2025 conditioned on the applicant's submission of a project schedule (subsequently received on October 24, 2023, but dated October 17, 2023) as well as all interconnection agreements with PJM Interconnection, LLC (subsequently received on October 24, 2023) and regular updates to be supplied every six (6) months in writing; and

WHEREAS, the Planning Board later memorialized its approval of the aforesaid extension by way of its Resolution No. 20-2023 adopted at its meeting of November 13, 2023; and

WHEREAS, by letters dated November 22, 2023 to the Board Attorney and January 24, 2023 to the City Attorney, applicant's attorney, Keith Davis, demanded that Resolution 20-2023 be amended to correct certain typographical errors; and

WHEREAS, after conducting an additional hearing at its meeting on February 12, 2024 the Planning Board decided to grant applicant's request and to amend its prior resolution; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby amends Resolution No. 20-2023 so as to grant Buckshutem Solar 1, LLC a two year extension of the period of zoning protection from November 13, 2023 through November 12, 2025 in order to protect and preserve its development rights under the final site plan, as approved in its prior Resolution No. 11-2021, pursuant to N.J.S.A. 40:55D-52a subject to conditions that it submit a project schedule as well as all interconnection agreements with PJM Interconnection, LLC and regular updates to be supplied every six (6) months in writing.

ROLL CALL

Motion to Approve:

Seconded:

MEMBER	YEA	NAY	ABSENT	ABSTAINED	EXCUSED
Chairman Robert S. Gallaher					
Jay Laubengeyer, Vice Chair					
Lisa Ormdorf, Class I					
Benjamin Romanik, Class III					
Robert Campbell, Class II					
Timothy Sparagna					
Thomas McGinty					
Larry Malone					
Edward Gallagher					
Erica Milbourne, 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 Planning Board Secretary of the City of Millville.

By: _____
Itzel Torres, Board Secretary

By _____
Robert S. Gallaher, Chairman

Dated:

CERTIFICATION

The foregoing is a true copy of a Resolution adopted by the Planning Board of the City of Millville at a meeting of October 10, 2023, memorializing action taken by the Board at a regular meeting of the Board held on February 12, 2024.

Itzel Torres, Board Secretary