

CITY OF VINELAND

ORDINANCE NO. 2017-68

ORDINANCE ADOPTING THE ENERGY AND MINERALS  
CONDEMNATION REDEVELOPMENT PLAN  
CONSISTENT WITH RESOLUTION 6234 OF THE  
PLANNING BOARD OF THE CITY OF VINELAND

WHEREAS, the City Council of the City of Vineland adopted Resolution 2016-23 directing the Planning Board of the City of Vineland to undertake a preliminary investigation to determine whether Block 7502 Lots 1, 2, 3 and 33, 35, 48, 49 and 50 should be designated as a Condemnation Redevelopment Area in accordance with NJSA 40A:12A-1 et seq. ; and

WHEREAS, after conducting a preliminary investigation and public hearing on December 9, 2015 in accordance with the said statute and thereafter adopted Resolution 6138 finding Block 7503 Lots 33, 35, 49, and 50 (Property) meet the standards to be considered a redevelopment area; and

WHEREAS, City Council of the City of Vineland adopted Resolution 2016-23 determining the Property to be a Condemnation Redevelopment Area; and

WHEREAS, on August 8, 2017 City Council directed the Planning Board to develop a plan for the Redevelopment Area; and

WHEREAS, after taking testimony of Kathleen Hicks, City Planner who submitted a proposed Redevelopment Plan and recommending the Energy and Minerals Condemnation Redevelopment Area be an overlay on the City Zoning Map replacing existing zoning designations as specified in the proposed Plan which is attached hereto and made a part hereof, the Planning Board adopted Resolution 6234 recommending City Council adopt the Energy and Minerals Condemnation Redevelopment Area Plan dated August 2017.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vineland as follows:

1. The Zone Map and Zoning Section of the Land Use Code of the City of Vineland be amended consistent with the Energy and Minerals Condemnation Redevelopment Plan attached hereto and made a part hereof.
2. The Energy and Minerals Condemnation Redevelopment Plan prepared by Kathleen Hicks, P.P., AICP dated August 2017 shall be adopted.

BE IT FURTHER ORDAINED that any Ordinance or portions thereof that are inconsistent herewith shall be deleted and void to the extent of such inconsistencies and the terms of this Ordinance shall supersede the same.

This Ordinance shall take effect upon adoption and publication according to Law.

Passed First Reading:

Passed Final Reading:

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President of Council

ATTEST:

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City Clerk

**RESOLUTION NO. 6234**

**RESOLUTION OF FINDING AND CONCLUSIONS AND  
DECISION OF THE VINELAND PLANNING BOARD**

**WHEREAS**, the City Council of the City of Vineland has by way of Resolution 2016-23 directed the Planning Board of the City of Vineland to undertake a preliminary investigation to determine whether or not certain areas of the City should be designated as a Condemnation Redevelopment Area in accordance with NJSA 40A:12A-1, et seq; and

**WHEREAS**, City Council directed the Planning Board to investigate the following areas: Block 7502, Lots 1, 2, 3 and 33, 35, 48, 49 and 50 located on the east side of Lincoln Avenue south of Sheridan Avenue; and

**WHEREAS**, the Planning Board conducted a preliminary investigation of the proposed area to be designated as a Condemnation Redevelopment Area; and

**WHEREAS**, the Planning Board conducted a public hearing on December 9, 2015, after newspaper notice and notification to the landowners of the property in question; and

**WHEREAS**, as a result of said public hearing, the Planning Board made recommendations to City Council by way of Resolution 6138 that Block 7503, Lots 33, 35, 49 and 50 be determined by the municipal governing body to be a redevelopment area. Following a review of the recommendation of the Planning Board, City Council adopted Resolution 2016-23 determining that Block 7503, Lots 33, 35, 49 and 50 are in need of redevelopment and further deemed said area to be a Condemnation Redevelopment Area; and

**WHEREAS**, on August 8, 2017, City Council directed the Planning Board to develop a plan for the Redevelopment Area; and

**WHEREAS**, the Board considered the sworn testimony of Kathleen Hicks, PP, a Professional Planner licensed by the State of New Jersey and Supervising Planner of the City of Vineland and considered the report of Kathleen M. Hicks, PP, and the Energy & Minerals Condemnation Redevelopment Area Plan, made the following factual findings:

1. Kathleen Hicks, PP, provided the following sworn testimony:
  - a) She is a licensed Professional Planner of the State of New Jersey and is the Supervising Planner for the City of Vineland.
  - b) She prepared the Plan for the Energy & Minerals Condemnation Redevelopment Area.
  - c) She recommends that the Planning Board adopt the Condemnation Redevelopment Area Plan as prepared and forward same to City Council.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Vineland Planning Board recommends to City Council that City Council adopt the Energy & Minerals Condemnation Redevelopment Area Plan dated August 2017 as prepared by Kathleen M. Hicks, PP, AICP.

The Planning Board incorporates by reference into this Resolution and Energy & Minerals Condemnation Redevelopment Area Plan dated August 2017 as prepared by Kathleen M. Hicks, PP, AICP.

The Planning Board further finds that all procedural aspects required of the Planning Board have been satisfied.

The foregoing is a true copy of the Resolution of decision adopted by the Planning Board of the City of Vineland at a meeting held on September 13, 2017, as reflected in the recorded minutes of said meeting.

ADOPTED DATE: 9-13-17

Attest:

  
YASMIN RICKETTS, Secretary

PLANNING BOARD OF THE  
CITY OF VINELAND

  
~~DAVID MANDERS,~~

Vice Chairperson Michael Pantalone

**ROLL CALL VOTE**

**VOTING IN FAVOR**

Michael Pantalone  
Keith Salerno  
Stephen Plevins  
Gary Stanker  
John Casadia

**ABSTAINING**

David Acosta  
David Manders

**ABSENT**

Maria Perez  
Christine Scarpa  
Sandy Velez

**OPPOSED**

None

**ENERGY & MINERALS  
CONDEMNATION  
REDEVELOPMENT AREA PLAN  
BLOCK 7503/LOTS 33, 35, 49 & 50**

**CITY OF VINELAND  
CUMBERLAND COUNTY, NEW JERSEY**

**AUGUST 2017**

**Prepared by:  
Kathleen M. Hicks, P.P., AICP  
License No.: LI-3067  
Vineland Planning Division**

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## VINELAND MAYOR & CITY COUNCIL

Anthony Fanucci, Mayor

Paul Spinelli, Council President  
David Acosta, Council Vice President  
Angela Calakos  
Ronald Franceschini, Jr.  
Albert Vargas

## PLANNING BOARD

David Manders, Chairman  
Michael Pantalone, Vice Chairman  
Anthony Fanucci, Mayor  
David Acosta, Councilman  
John A. Casadia, Jr.  
Maria Perez  
Stephen Plevins  
Christine Scarpa  
Sandy Velez  
Keith Salerno, Alternate #1  
Gary Stanker, Alternate #2

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**ENERGY & MINERALS  
CONDEMNATION  
REDEVELOPMENT AREA PLAN  
BLOCK 7503/LOTS 33, 35, 49 & 50**

**INTRODUCTION**

On October 27, 2015, City Council adopted Resolution No. 2015-429, which directed the Planning Board to undertake a preliminary investigation as to whether the Energy and Minerals site, along with some surrounding properties, qualified as an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, P.L. 1992, Chapter 79, hereafter referred to as LRHL. This resolution was subsequently amended on November 10, 2015 by Resolution No. 2015-441 because of the re-subdivision of one of the properties involved. The Study Area (Figure 1) included block 7503/lots 1, 2, 3, 33 (as approved by the Planning Board via Resolution No. 2015-14), 35, 48, 49 and 50. These properties are located on the east side of Lincoln Avenue, south of Sheridan Avenue.

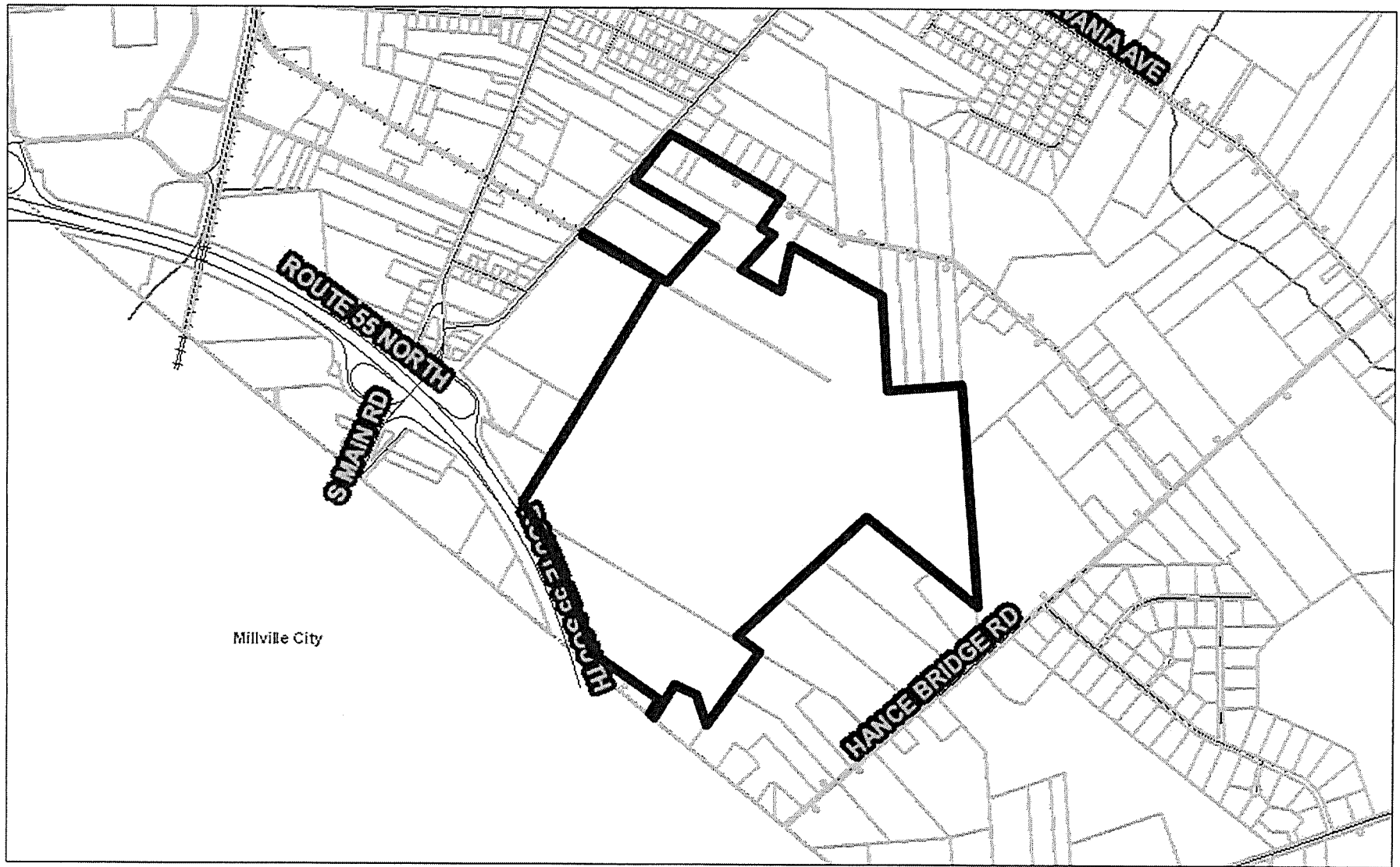
In accordance with N.J.S.A. 40A:12A-6(b)(5), following a public hearing held on December 9, 2015, the Planning Board recommended, via Resolution No. 6138, that block 7503/lots 33, 35, 49 and 50 be determined by the municipal governing body to be a redevelopment area. After reviewing the recommendation of the Planning Board, City Council adopted Resolution No. 2016-23 (Appendix A) determining that block 7503/lots 33, 35, 49 and 50 is in need of redevelopment. Additionally, City Council deemed block 7503/lots 33, 35, 49 and 50 to be a condemnation redevelopment area (Figure 2).

On August 8, 2017, City Council passed a motion directing the Planning Board to develop a plan for the Redevelopment Area (Appendix B). This document was written in response.

**OPPORTUNITIES AND CONSTRAINTS**

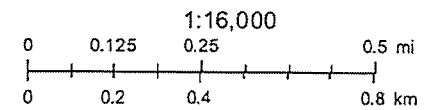
The Energy and Minerals Condemnation Redevelopment Area presents a number of opportunities for redevelopment. First, it is a large site, at 274.39 acres. This acreage could be further augmented with an additional 12.19 acres adjacent to the Redevelopment Area owned by the Cumberland County Improvement Authority and the City, resulting in a total tract of 286.58 acres. Tracts this size are a rarity in Vineland.

Adequately sized public water (for potable and fire suppression systems) and sewer lines are available in Lincoln Avenue to serve the Redevelopment Area, having already been installed utilizing a Federal Economic Development Administration grant. Natural gas is also available.

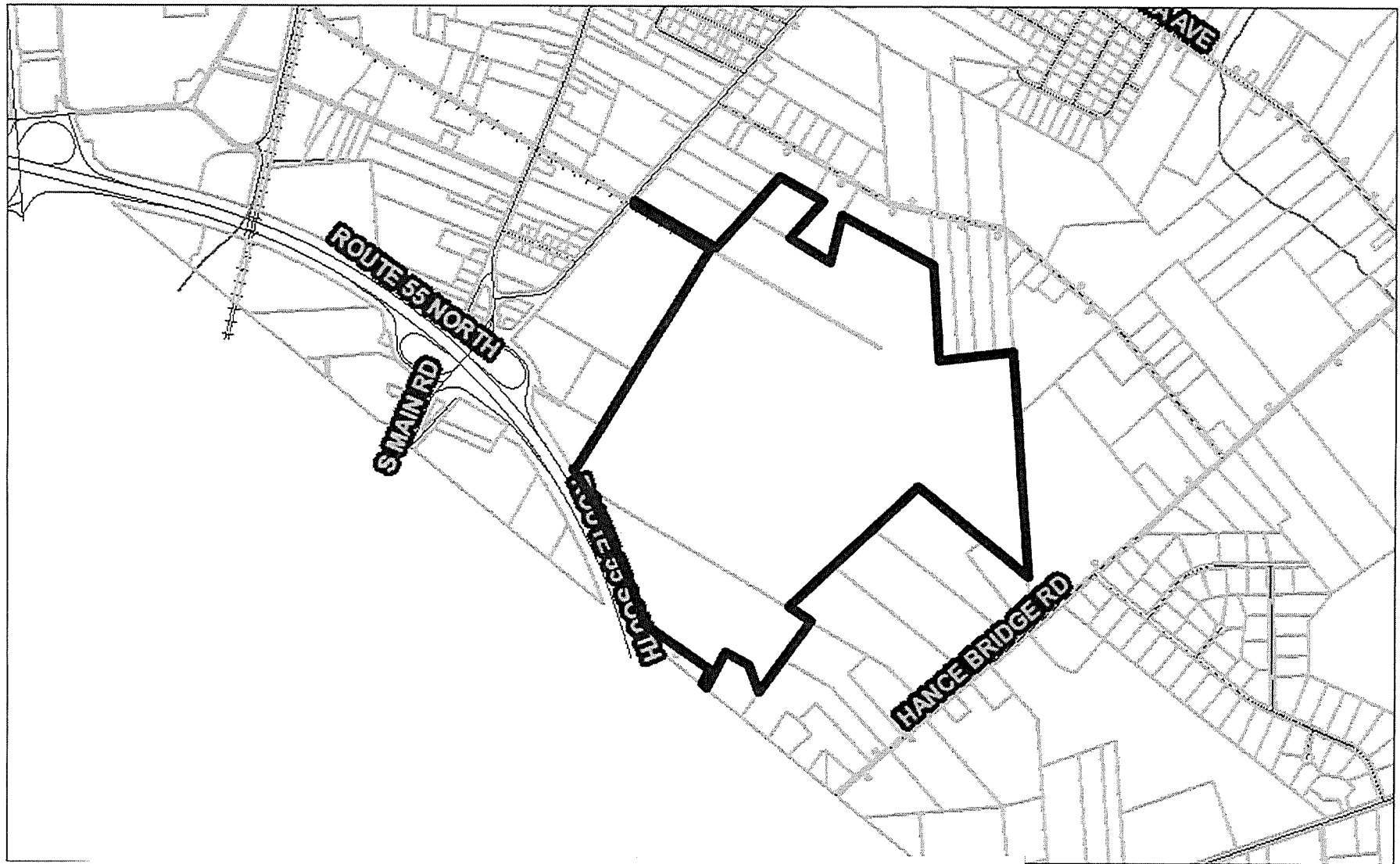


**Figure 1**

Site Study Area Map (Block 7503/Lots 1, 2, 3, 33, 35, 48, 49 & 50)

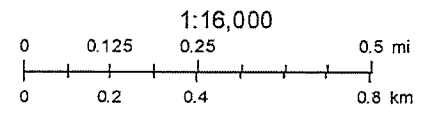






**Figure 2**

Condemnation Redevelopment Area (Block 7503/Lots 33, 35, 49 & 50)



The most significant opportunity offered by the Redevelopment Area, however, is location. It has access off of a minor arterial in very close proximity to an interchange of Route 55, a limited access highway. This is highly desirable for any commercial or industrial enterprise serving more than just a local market.

Lastly, being located in an Urban Enterprise Zone also offers benefits that can lower construction costs substantially.

If properly zoned, a large tract with adequately sized infrastructure, good location, and Urban Enterprise Zone benefits offers opportunities for redevelopment. The Redevelopment Area, however, also presents constraints, which must be addressed. Some of these constraints can be remedied, while some can't be.

While the Redevelopment Area is a large site, it is bisected by block 7503/lot 50, which is an undevelopable parcel dimensioning 15 feet by 2,766.49 feet, and by a major electric transmission line with a right-of-way that is 60 feet wide (Figure 3). The parcel can be acquired, but the electric transmission line will remain a constraint impacting the utilization and design of the site.

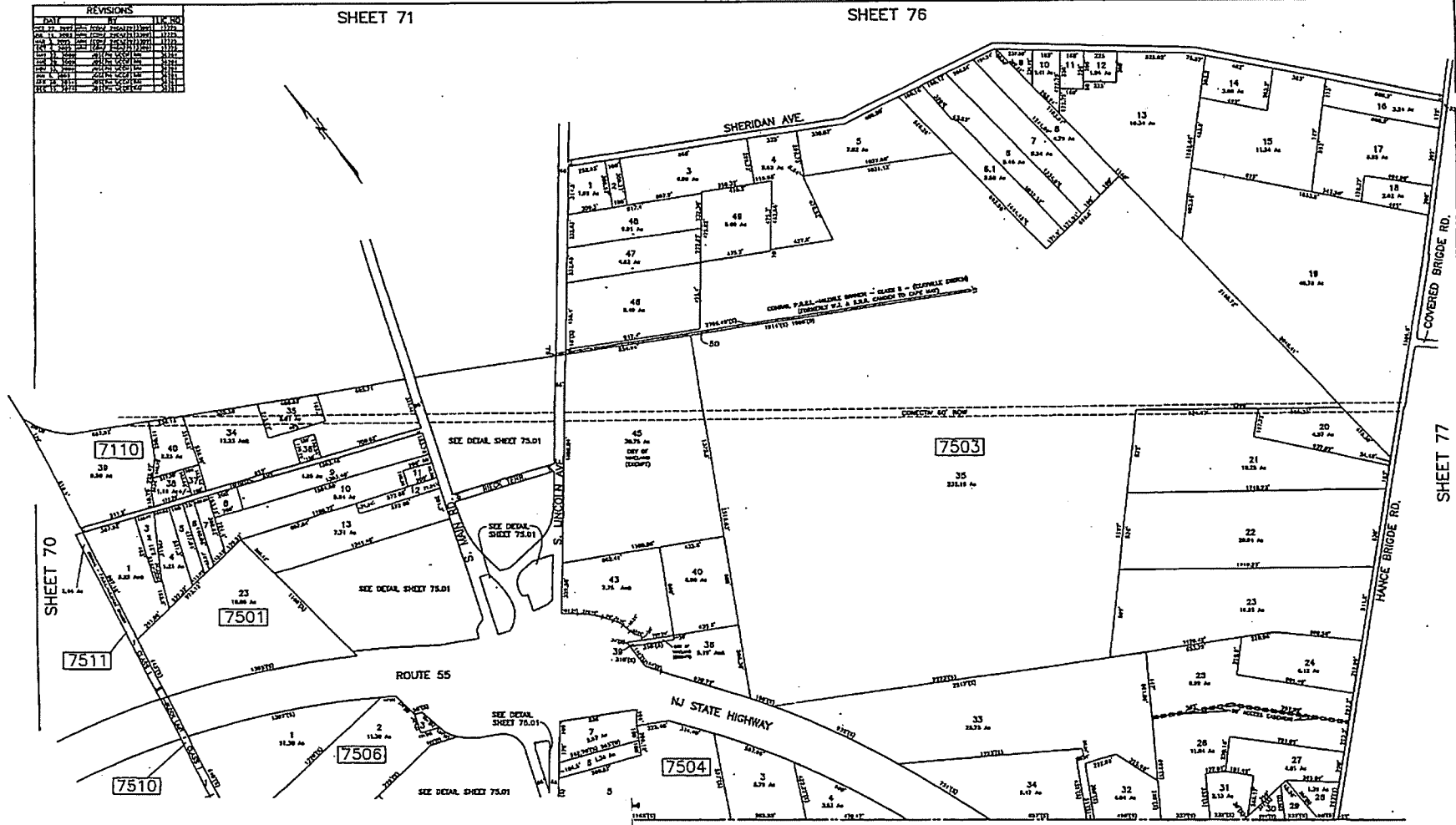
Because the bulk of the Redevelopment Area was previously mined, it presents a number of constraints. There is rather dramatic topography, alternating between mounds and borrow pits. Elevations range from 46 feet to 100 feet. The lack of uniform slope will necessitate extensive grading, which will escalate development costs. There is also a lack of topsoil over much of the area, which will further escalate development costs. The deeper excavations have transitioned into ponds and freshwater wetlands. While there may be the possibility to fill some small isolated freshwater wetlands, it is anticipated that NJDEP will regulate the larger freshwater wetlands areas and establish transition areas. This will remain a constraint further impacting the utilization and design of the site.

The Redevelopment Area has limited frontage as the bulk of the property is located 854.94 feet off of Lincoln Avenue behind block 7503/lot 45. The portion of the Redevelopment Area north of the Atlantic City Electric easement has 18 feet of frontage on Lincoln Avenue. The Cumberland County Improvement Authority and the City do own block 7503/lots 1, 2 and 48, which abut the Redevelopment Area and which could potentially be used to access the portion of the Redevelopment Area north of the Atlantic City Electric easement. These parcels, however, are partially developed. The balance of the Redevelopment Area south of the Atlantic City Electric easement has 51 feet of frontage in Millville. The property in Millville is unfortunately zoned residential, making any utilization for industrial use very unlikely. The City also owns block 7503/lot 45, fronting on Lincoln Avenue, which could potentially be used to access the portion of the Redevelopment Area south of the Atlantic City Electric easement. This parcel is also developed, with electric generation installations and a planned municipal well. While it may be possible to address some of the issues with access, there may still be problems if there are multiple redevelopers. Additionally, the lack of visibility from public roadways

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SHEET 71

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MILLVILLE CUMBERLAND COUNTY

Figure 3  
Redevelopment Area Tax Map

REVENUE DEPARTMENT OF THE TREASURY  
 OFFICE OF THE CITY ENGINEER  
 610 E. WOOD ST.  
 VINELAND, NEW JERSEY 08340

**TAX MAP**  
**CITY OF VINELAND**  
 SCALE: 1" = 50'  
 OFFICE OF THE CITY ENGINEER  
 610 E. WOOD ST.  
 VINELAND, NEW JERSEY 08340  
**DAVID J. BATTISTINI, PE & LS**  
 CITY ENGINEER  
 NEW JERSEY LICENSE NO. 1091

detracts from the attractiveness of the Redevelopment Area for many uses. While this constraint may be partially addressed with consideration of variances and waivers, it still will remain a constraint impacting the utilization and design of the site.

Lastly, while the location of the Redevelopment Area in close proximity to a Route 55 interchange is considered the most significant opportunity, access is a significant constraint because of the potential cost to remediate. First, even without the traffic that will be generated by the Redevelopment Area, the unsignalized intersection of Main Road and Lincoln Avenue is a problem. Southbound Lincoln Avenue traffic is controlled by a stop sign at Main Road. Entering Main Road is very difficult because of the volume and speed of the traffic on Main Road and because of a diminished sight line to the south created by the vertical curve for the Route 55 overpass. While consideration has been given to signalizing the intersection of Main Road and Lincoln Avenue, there may still be issues because of the diminished sight line to the south and because of the close proximity of the northbound Route 55 exit ramp. There has more recently been consideration of extending Burns Avenue, which currently runs from South West Boulevard to Main Road, to Lincoln Avenue. While the intersection of Main Road and Burns Avenue is already signalized, property acquisition would be required. As part of this project, the intersection of Main Road and Lincoln Avenue would also be reconstructed to prevent left turns off of Lincoln Avenue. While this constraint can be remedied with off-tract improvements, it will add significant cost to the redevelopment effort. These improvements, however, are needed irrespective of the redevelopment of the Energy and Minerals property.

In addition to the access problem presented by the intersection of Main Road and Lincoln Avenue, another problem is the southbound Route 55 exit ramp. Again, because of the volume and speed of traffic on Main Road and because of the diminished sight line to the north created by the vertical curve for the Route 55 overpass, making a left turn onto Main Road is very difficult, particularly for tractor trailers. While there had previously been plans to signalize this ramp, funds were diverted. To facilitate access to the Redevelopment Area, this exit ramp needs to be signalized. While this constraint can be remedied with off-tract improvements, it will also add significant cost to the redevelopment effort.

## **THE PLAN**

### **Introduction**

The bulk of the Redevelopment Area is comprised of the Energy and Minerals property. It is believed that sand mining began on this property in the 1920's. The earliest aerial photograph that could be found, dated 1931, depicts a well-established mining operation. Examining sequential aerial photographs of the area suggests that the mining operation was most active from the 1960's through the 1990's, which would have coincided with the construction of Route 55. It has been inactive for over a decade. It

qualifies as an area in need of redevelopment based upon criteria 'c', 'e', 'g' and 'h', as defined in N.J.S.A. 40A:12A-5.

The Energy and Minerals Condemnation Redevelopment Area Plan, developed in accordance with N.J.S.A. 40A:12A-7, for block 7503/lots 33, 35, 49 and 50, is intended to advance the physical, economic and environmental goals for the Redevelopment Area.

### **Redevelopment Goals and Policies**

The following goals, with associated implementing policies, are established for the Energy and Minerals Condemnation Area Redevelopment Plan:

Goal 1 – The Redevelopment Plan will advance the City of Vineland Master Plan and the design requirements contained in the Land Use Ordinance.

#### **Policies:**

1. The Redevelopment Plan will be utilized as an overlay replacing existing zoning. It will nevertheless be substantially consistent with the 2008 City of Vineland Master Plan and Re-examination Report.
2. All the provisions of the Land Use Ordinance will be applicable to any proposed project, unless said provisions are in conflict with the Redevelopment Plan.

Goal 2 – The Redevelopment Plan will endeavor to maximize the utilization of the Redevelopment Area.

#### **Policies:**

1. The Redevelopment Area may be subdivided, allowing for multiple redevelopers.
2. City Council (i.e., Redevelopment Authority) will work with any selected redeveloper to establish a project timeline in the Redeveloper's Agreement, recognizing existing and projected economic conditions.
3. The Redevelopment Plan won't impose unnecessary burdens on any redeveloper.

Goal 3 – The Redevelopment Plan will advance the City's Complete Streets Policy.

#### **Policies:**

1. The Redevelopment Plan will address pedestrian, bicycle, vehicular and transit travel modes.

Goal 4 – Redevelopment of the Energy and Minerals property will be done so as to not negatively impact surrounding areas and streets.

Policies:

1. Ingress into and egress out of the site will be given careful consideration during the review of any site plan applications for proposed projects.
2. Being zoned for industry, the movement of trucks will be of special concern.
3. Adequate parking will be provided for any proposed uses within the Redevelopment Area.

Statutory Requirements

N.J.S.A. 40A-12A-7 states that ‘the redevelopment plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate:

- (1) *Its relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.*

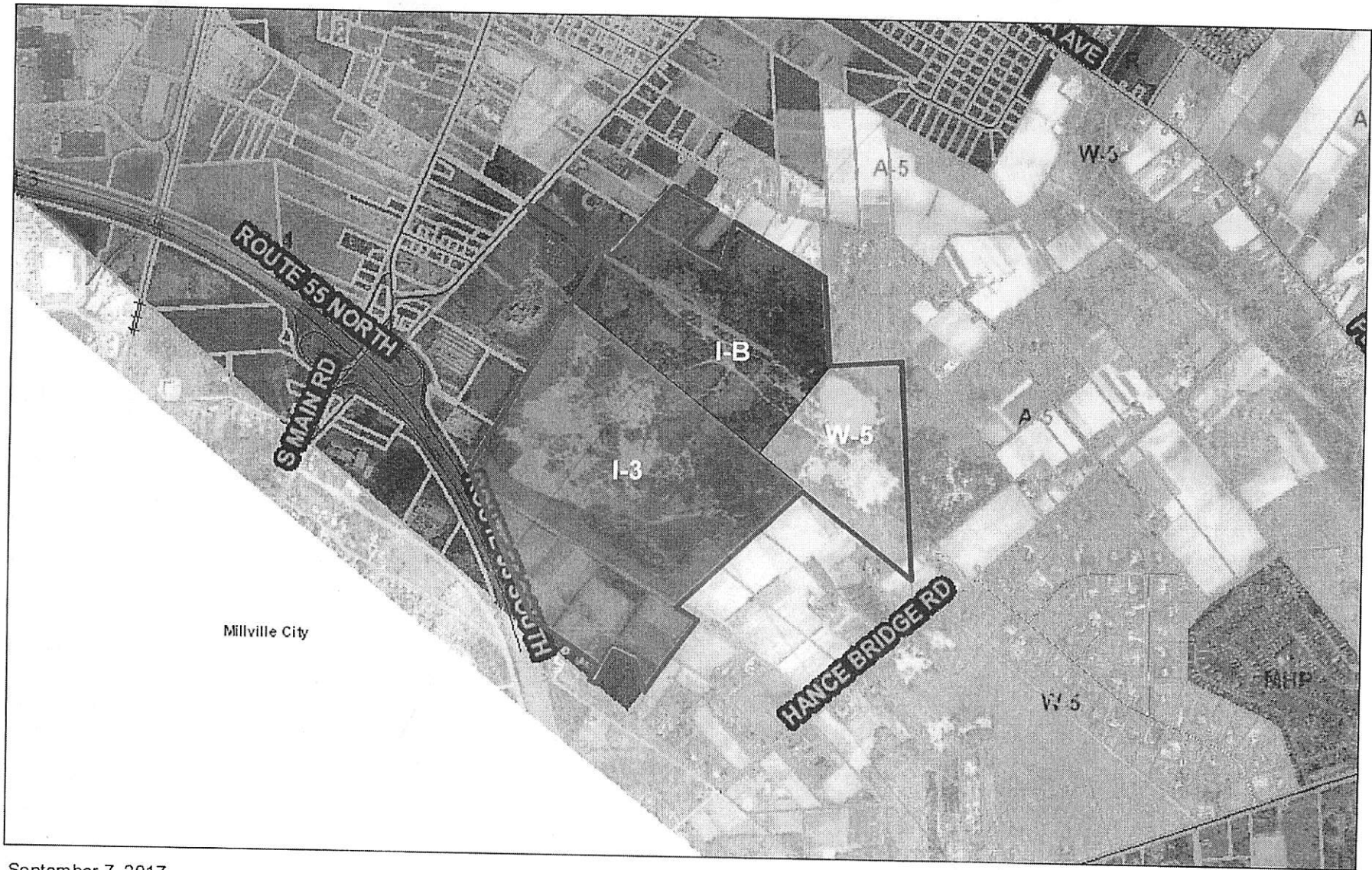
The 2008 Master Plan and Re-Examination Report supported industrial development for the Energy and Minerals property and surrounding area. This redevelopment plan further implements the provisions in the Master Plan by advancing the recommendations related to land use.

The City’s Complete Streets Policy will also be implemented to address the needs of alternative modes of travel. Pedestrian, bicycle, vehicular and transit travel modes will all be accommodated.

Redevelopment of the Energy and Minerals property will also advance public utility plans. The Wastewater Management Plan, developed by the Landis Sewerage Authority and approved by the NJ Department of Environmental Protection, includes the property in the sewer service area. Additionally, newly installed water and sewer lines in Lincoln Avenue and a proposed new municipal well on a parcel adjacent to the Redevelopment Area support continued public investment.

- (2) *Proposed land uses and building requirements in the project area.*

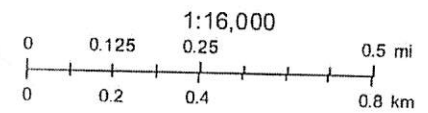
The Energy and Minerals Condemnation Redevelopment Area will be an overlay on the City Zoning Map replacing existing zoning designations. The property will be zoned I-3 Industrial, I-B Industrial Business and W-5 Woodlands (Figure 4). All the provisions of the Code Book of the City of Vineland, not only the Land Use Ordinance, will be applicable to any development application submitted for the property, unless in conflict with this plan. When there is an inconsistency



September 7, 2017

Street Names (Label)

**Figure 4**  
Redevelopment Area Zoning



between any provision of the Code Book of the City of Vineland and this plan, this plan shall prevail.

More particularly, the provisions in the Land Use Ordinance applicable to any project within the above-referenced zones shall be applicable to any project within the Energy and Minerals Condemnation Redevelopment Area, but for the following exceptions:

- a. Because the Redevelopment Area has very limited frontage, any proposed subdivision may result in frontages deficient of zone standards. While still considered variances, these frontages should be entertained to optimize development of the property, as long as appropriate access is provided.
- b. Because the portion of the Redevelopment Area being zoned I-3 Industrial will have minimal road frontage, sign location is problematic. While the Land Use Ordinance prohibits any signage oriented to Route 55, a single wall sign oriented to Route 55 should be entertained because of this unique condition. The distance between the Route 55 cartway and the building face should be considered when evaluating the variance.
- c. A buffer of 50 feet shall be required between any proposed commercial or industrial development in the Redevelopment Area and abutting residential properties or residential zones.
- d. To advance the City's Complete Streets Policy, pedestrian, bicycle, vehicular and transit circulation shall be addressed.
- e. Because of the dramatic topography of the Energy and Minerals property, it is recognized that extensive grading will be required. Projects proposed in the Redevelopment Area shall therefore be exempt from City Code §425-85 Conservation of Forests and Trees.
- f. For the portion of the Redevelopment Area being zoned I-3 Industrial, a single-family home shall be allowed as an accessory use. This single-family home shall be clearly incidental and related to the industry on site.

The Planning Board shall be empowered to grant relief to any provision of the Land Use Ordinance or the Redevelopment Plan, except as relates to use, or what would normally be a d-variance. Any relief as to use shall be processed as a plan amendment.

*(3) Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.*



With regard to this requirement, no temporary or permanent relocation of residents will be necessary as there are no homes in the Redevelopment Area. Consequently, there will be no displacement of residents necessitating the preparation of an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.

*(4) An identification of any property within the redevelopment area which is proposed to be acquired in accordance with the redevelopment plan.*

Block 7503/lot 50 needs to be acquired as it bisects the Redevelopment Area. It is a parcel, which if alone, has no development potential.

*(5) Any significant relationship of the redevelopment plan to (a) the master plan of contiguous municipalities, (b) the master plan of the county in which the municipality is located, and (c) the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act," P.L.1985, c398 (C.52:18A-196 et al.).*

While the City borders on 8 municipalities, only Millville abuts the Redevelopment Area. The land in Millville is residential, fronting on Whitaker Avenue. The Redevelopment Plan establishes a more stringent buffer requirement to insulate residential properties and residential zones.

This redevelopment plan is consistent with, and advances the redevelopment goals, of the State Development and Redevelopment Plan. The City was approved as a joint regional center along with the City of Millville. This portion of the City was designated Planning Area 2 - Suburban. This area was targeted for development. By reclaiming a formerly mined site, this plan further advances the policies of the State Development and Redevelopment Plan, which strongly encouraged redevelopment.

While Cumberland County doesn't have a master plan, the maps submitted to the State Planning Commission by the County for cross-acceptance continued to show the area-in-question as Planning Area 2 - Suburban, thereby being a de facto endorsement.

*(6) As of the date of the adoption of the resolution finding the area to be in need of redevelopment, an inventory of all housing units affordable to low and moderate income households, as defined pursuant to section 4 of P.L.1985, c.222 (C.52:27D-304), that are to be removed as a result of implementation of the redevelopment plan, whether as a result of subsidies or market conditions, listed by affordability level, number of bedrooms, and tenure.*

With regard to this requirement, there were no housing units within the project area. There is therefore no need to prepare a more extensive inventory of housing units affordable to low and moderate income households.

*(7) A plan for the provision, through new construction or substantial rehabilitation, of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last 18 months, that is subject to affordability controls, and that is identified as to be removed as a result of implementation of the Redevelopment Plan. Displaced residents of housing units provided under any State or federal housing subsidy program, or pursuant to the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.), provided they are deemed to be eligible, shall have first priority for those replacement units provided under the plan; provided that any such replacement unit shall not be credited against a prospective municipal obligation under the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.), if the housing unit which is removed had previously been credited toward satisfying the municipal fair share obligation. To the extent reasonably feasible, replacement housing shall be provided within or in close proximity to the redevelopment area. A municipality shall report annually to the Department of Community Affairs on its progress in implementing the plan for provision of comparable, affordable replacement housing required pursuant to this section.*

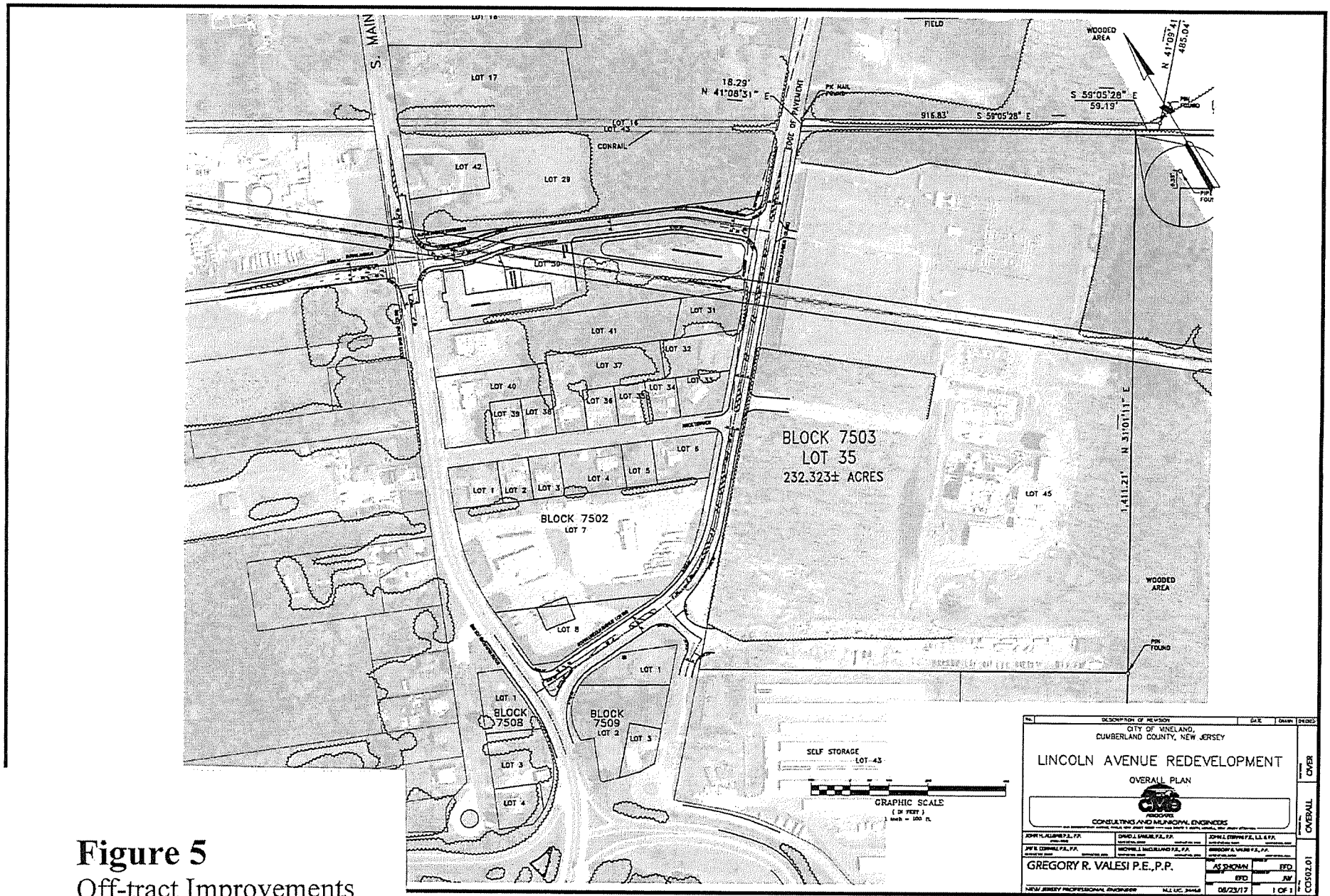
With regard to this requirement, since there are there are no affordable housing units being affected by the implementation of the Redevelopment Plan, there is no need to provide any affordable replacement housing.

### **Off-tract Improvements**

As mentioned previously, water and sewer infrastructure was extended on S. Lincoln Avenue utilizing a U.S. Economic Development Agency grant. To make the Energy and Minerals Condemnation Redevelopment Area viable, however, access needs to be addressed, which will necessitate additional, costly off-tract improvements.

First, access to the Redevelopment Area needs to be from Lincoln Avenue. To provide adequate width for an industrial driveway, sale of a portion of Block 7503/Lot 45 to the redeveloper is proposed. This property, owned by the City, is currently the site of an electric substation and is the proposed site of a new municipal well. The shared drive that accesses these uses should be sold to the redeveloper, with an encumbrance for an access easement to the benefit of the City.

Second, the problem with the existing intersection of Lincoln Avenue and Main Road needs to be addressed. While signalization of this intersection was considered, the proximity of the Route 55 interchange proved problematic. As an alternative, consideration of extending Burns Avenue between Lincoln Avenue and Main Road is considered a better alternative (Figure 5). It is thought that this would lessen problems with both the unsignalized intersection of Lincoln Avenue and Main Road and the cut



**Figure 5**  
Off-tract Improvements

DESCRIPTION OF REVISION		DATE	DRAWN	PROJECT
CITY OF SHRELAND, DUMFRIESLAND COUNTY, NEW JERSEY				
<b>LINCOLN AVENUE REDEVELOPMENT</b>				
OVERALL PLAN				
CONSULTING AND MUNICIPAL ENGINEERS				
JOHN H. LALORIO P.E., P.A.	DANIEL J. SAUER P.E., P.A.	JOHN J. EMERY P.E., LL & P.A.		
JIM R. CORNELL P.E., P.A.	MICHAEL S. HICKLING P.E., P.A.	STEPHEN A. VALESI P.E., P.A.		
<b>GREGORY R. VALESI P.E., P.P.</b>		AS SHOWN	EPD	
NEW JERSEY PROFESSIONAL ENGINEER		08/23/17	1 OF 1	CO1902.01

through traffic on Rieck Terrace, a small residential street that connects Lincoln Avenue and Main Road.

Third, currently the intersection of the southbound ramp of Route 55 and Main Road is controlled by a stop sign. There had previously been plans to signalize this ramp, but funding was diverted. To facilitate the anticipated traffic, particularly truck traffic, which will be generated by the redevelopment area, this intersection needs to be signalized.

These off-tract improvements will be costly, and will require a cooperative effort between the City, County and State.

### **Potential Funding Sources**

The City and the County will pursue available funding sources to advance the goals of this plan. Possible funding sources are:

1. U.S. Economic Development Agency
2. N.J. Economic Development Authority
3. U.S. Department of Transportation
4. N.J. Department of Transportation
5. Urban Enterprise Zone (2<sup>nd</sup> generation)
6. City of Vineland
7. Cumberland County
8. Cumberland County Improvement Authority

### **Property Acquisitions**

Acquisition of block 7503/lot 50 is required. The City may use eminent domain, if deemed necessary, to advance this redevelopment plan.

## **OTHER PROVISIONS**

### **Duration of the Condemnation Redevelopment Plan**

The Energy and Minerals Condemnation Redevelopment Area Plan shall be in full force and effect for a period of 10 years from the date of approval of this plan by Mayor and Council.

### **Amending the Condemnation Redevelopment Plan**

Upon compliance with the requirements of applicable law, the Mayor and Council of the City may amend, revise or modify the Condemnation Redevelopment Area Plan, as circumstances may make such changes appropriate.

### **Redevelopment Authority**

City Council shall act as the "Redevelopment Authority" pursuant to N.J.S.A. 40A-12A-4(c) for purposes of implementing the Energy and Minerals Condemnation Redevelopment Area Plan and carrying out redevelopment projects. In doing so, City Council shall have the powers set forth in N.J.S.A. 40A-12A-8 to effectuate all of its duties and responsibilities in the execution and implementation of this redevelopment plan.

### **Redeveloper Selection**

The Redevelopment Authority may select redevelopers for the redevelopment of the property as it deems necessary. The Redevelopment Authority shall select one or more redevelopers for one or more projects based on the entity's experience, financial capacity, ability to meet deadlines, flexibility in meeting market demands within the framework of the Condemnation Redevelopment Area Plan, and additional criteria that demonstrate the redeveloper's ability to implement the goals and objective of the Redevelopment Plan.

It is recommended that applicants wishing to be designated as redevelopers submit the following materials to the Redevelopment Authority for review and approval:

- Documentation evidencing financial responsibility and capability with respect to proposed development
- Estimated total development cost
- Fiscal impact analysis addressing the effect of the proposed project on municipal services and tax base
- Estimated time schedule for start and completion of development, per phase, if applicable
- Conceptual plan and elevations sufficient in scope to illustrate the design, architectural concepts, parking and traffic circulation for proposed uses

### **Implementation of the Condemnation Redevelopment Area Plan**

Controls on redevelopment are hereby imposed and shall apply notwithstanding the provisions of any zoning or building ordinance or other regulations now or hereafter in force. Appropriate covenants or provisions shall implement these conditions in redeveloper agreements and/or disposition instruments. This plan recognizes that there may or may not be multiple redevelopers.

1. Any redeveloper will be obligated to carry out specified improvements in accordance with the Redevelopment Plan and their respective redeveloper agreement.
2. Any redeveloper shall restrict uses to those permitted in this plan, or as permitted by amendment of this plan.
3. Until the completion of the improvements, as evidenced by the issuance of a certificate of occupancy and by the release of all performance and maintenance guarantees held by the City and the County, for which a redeveloper is obligated, the redeveloper shall not be permitted to sell or otherwise transfer or dispose of property

within the Redevelopment Area without prior written consent of the Redevelopment Authority. Redevelopment rights are specific to the named redeveloper and can't be transferred without written authorization of the Redevelopment Authority.

4. Upon completion of the required improvements, as evidenced by the issuance of a certificate of occupancy and by the release of all performance and maintenance guarantees held by the City and the County, the conditions determined to exist at the time the property was determined to be an area in need of redevelopment will no longer exist, and the land and improvements thereon shall no longer be subject to eminent domain as a result of those determinations.

5. No covenant, agreement, lease, conveyance or other instrument shall be effected or executed by any redeveloper or the Redevelopment Authority, or their successors, leases or assigns, by which the land in the Redevelopment Area is restricted as to sale, lease, or occupancy upon the basis of race, color, creed, religion, ancestry, national origin, sex or marital status.

**Severability**

If any provision or regulation of this condemnation redevelopment area plan shall be judged invalid by a court of competent jurisdiction, such order or judgment shall not affect or invalidate the remainder of the Redevelopment Plan, and such provision or regulation is hereby declared severable.

# **APPENDIX A**

City Council Resolution No. 2016-23

CITY OF VINELAND

RESOLUTION NO. 2016 - 23

RESOLUTION ADOPTING THE FINDINGS AND RECOMMENDATIONS OF RESOLUTION 6138 OF THE PLANNING BOARD OF THE CITY OF VINELAND THAT CERTAIN SPECIFIED PROPERTIES BE DECLARED AS AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE NEW JERSEY HOUSING AND REDEVELOPMENT LAWS

WHEREAS, pursuant to N.J.S.A. 40A:12A-6(a), the City Council of the City of Vineland (Council) directed the Planning Board of the City of Vineland (Planning Board) to undertake a preliminary investigation to determine whether Block 7503 Lots 1, 2, 3, 33, 35, 48, 49 and 50 (Study Area) should be designated as a Condemnation Redevelopment Area in accordance with NJSA 40A:12A-1, et seq.; and

WHEREAS, Kathleen Hicks, Supervising, Planner of the City of Vineland prepared a report entitled "Energy and Minerals Condemnation Redevelopment Area Preliminary Investigation" dated December 2015 and a map of the area to be investigated and a preliminary investigation of the proposed areas to be designated as redevelopment areas was presented; and

WHEREAS, the Planning Board conducted public hearings on December 9, 2015 at which time all interested individuals and property owners were provided the opportunity to address all their questions and concerns, and considered the sworn testimony of Kathleen Hicks and Sandra Forosisky, Director of Economic Development for the City of Vineland and Tom Pontano, a resident who farms along Sheridan and Hance Bridge Roads in Vineland; and

WHEREAS after careful study and deliberation of the statements and testimony made during the public hearing and the evidence presented during the course of the public hearing, the Planning Board recommended to City Council that Block 7503 Lots 1, 2, 3, and 48, do not meet the criteria and therefore should not be considered to be in need of redevelopment and that Block 7503, Lots 33, 35, 49 and 50 meet at least one of the criteria as set forth in N.J.S.A. 40A:12 A-5 and therefore are determined to be Lots in need of redevelopment .

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Vineland that it hereby adopts and approves the findings and recommendations made by the Planning Board as memorialized in Planning Board Resolution Number 6138, Resolution of Findings and Conclusions and Decision of the Vineland Planning Board, and hereby declares Block, 7503, Lots 33, 35, 49 and 50 is a Condemnation Redevelopment Area in accordance with NJSA 40A:12A-1 et seq. Specifically, Lots 33, 35, 49 and 50 meet the criteria of subsection e of N.J.S.A. 40A:12A-5, a total lack of proper utilization due to diverse ownership or other conditions; Lots 49, 50 any portion of 33 and 35 are also located within the Urban Enterprise Zone and therefore satisfies criteria g of the statute; Lots 35, 49 and 50 are unimproved vacant land that has remained so for a period of 10 years and lacks a means of access and the topography is such that the nature of the soil, makes it unlikely that the land can be developed; Lots 33, 35, 49 and 50 meet criteria H as all are located within the Suburban Planning Area.



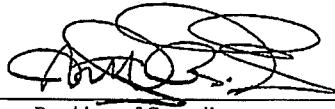
CITY OF VINELAND

RESOLUTION NO. 2016-23

BE IT FURTHER RESOLVED, that the City Council of the City of Vineland specifically does not designate Block 7503 Lots 1, 2, 3, and 48, as an area in need of redevelopment for the reasons set forth in the "Energy and Minerals Condemnation Redevelopment Area Preliminary Investigation" which is hereby adopted as if set forth herein at length.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

Adopted: January 26, 2016

  
\_\_\_\_\_  
President of Council arf


ATTEST:

  
\_\_\_\_\_  
City Clerk kp

CERTIFICATION

I, Keith Petrosky, RMC, Municipal Clerk of the City of Vineland, Cumberland County, New Jersey, do hereby certify that the foregoing Resolution is a true and correct copy of a Resolution adopted by the Council of the City of Vineland, at a meeting conducted on January 26, 2016 at City Hall, Vineland, New Jersey.

(SEAL)

  
\_\_\_\_\_  
Keith Petrosky, RMC  
Municipal Clerk

# **APPENDIX B**

## City Council Referral Motion



DEPARTMENT OF LAW  
RICHARD P. TONETTA, ESQUIRE  
Director and City Solicitor  
rtonetta@vinelandcity.org  
640 E. Wood Street  
Vineland, NJ 08360  
(856) 794-4000, ext. 4600  
(856) 405-4632 (Fax)

August 31, 2017

Att: Kathleen Hicks

Re: Energy and Minerals Redevelopment Plan

Dear Kathy,

On August 8, 2017 City Council of the City of Vineland unanimously passed the following motion:

MOTION TO DIRECT THE PLANNING BOARD OF THE CITY OF VINELAND TO PREPARE A REDEVELOPMENT PLAN FOR THE ENERGY AND MINERALS REDEVELOPMENT AREA IN ACCORDANCE WITH NJSA 40A: 12A-7

Kindly submit this to the Planning Board for formal action. Thank you

Richard P. Tonetta, Esq.  
Solicitor City of Vineland



*Special arrangements for persons with disabilities may be made if requested in advance by contacting the Business Administrator's Office at 856-794-4144.*

*Printed on Recycled Paper*