

CITY OF VINELAND

RESOLUTION NO. 2018-220

RESOLUTION AUTHORIZING THE EXECUTION OF A FOURTH AMENDMENT TO THE REDEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY COUNCIL OF THE CITY OF VINELAND AS REDEVELOPMENT ENTITY AND NEWCOMB MEDICAL ALLIANCE CENTER, LLC, NORTH HALEDON, NEW JERSEY

WHEREAS, on August 3, 2015, the City Council of the City of Vineland as the Redevelopment Entity and Newcomb Medical Alliance Center, LLC, A New Jersey Limited Liability Company with offices located at 12 Crest Court North Halden, New Jersey, as the Redeveloper entered into a Redevelopment Agreement for the redevelopment of the former campus of Newcomb Hospital known as Block 4216, Lots 1, 2 and 3 on the City of Vineland tax map (Redevelopment Agreement); and

WHEREAS, “Project Improvements” as defined in the Redevelopment Agreement included the construction of a three-story Assisted Living Building consisting of approximately 70 units, 2 three-story Independent Living Buildings of approximately 70 units and the renovation of the “Cunningham Wing” for use consistent with the Redevelopment Plan, among other uses as specified in the Redevelopers Agreements and its First, Second and Third Amendments; and

WHEREAS, due to changes in circumstances, the Redeveloper has requested City Council as the Redevelopment Entity consider a Fourth Amendment to the Redevelopment Agreement for the following purpose:

1. Authorize the Redeveloper to assign the redevelopment of a portion of the Redevelopment Area; to wit Block 4216 Lots 1.01 and 1.02 to a new Redeveloper known as Hans Lampart and Eastern Pacific Development LLC, Vineland New Jersey (Eastern Pacific) upon the payment of \$3,000,000.00 to the UEZ as partial payment of the outstanding loan obligation.

2. Permit the execution of a new Redevelopment Agreement with Eastern Pacific for the construction of 2 four-story affordable senior housing buildings upon Block 4216 Lots 1.01 and 1.02 consistent with the site plan review comments dated April 27, 2018 and plan attached hereto.

3. Amend the time schedules within which the Redeveloper shall renovate the “Cunningham Wing” for its use in accordance with the Redevelopment Agreement.

4. Amend the time schedules consistent with the new uses and in accordance with the time schedules set forth in the Redevelopers Agreement by and between the City Council of the City of Vineland as Redevelopment Entity and Hans Lampart and Eastern Pacific Development LLC.

WHEREAS, City Council of the City of Vineland finds it to be in the best interest of the City to execute a Fourth Amendment to the Redevelopment Agreement as specified herein above.

CITY OF VINELAND

NOW THEREFORE BE IT RESOLVED by the Council of the City of Vineland and as the Redevelopment Entity that the Council President is hereby authorized to execute the Fourth Amendment to the Redevelopment Agreement consistent herewith.

Adopted:

---

President of Council

ATTEST:

---

City Clerk

**FOURTH ~~THIRD~~ AMENDMENT TO THE  
REDEVELOPMENT AGREEMENT DATED AUGUST 3, 2015**

THIS ~~FOURTH-3RD~~ AMENDMENT TO THE REDEVELOPMENT AGREEMENT is dated and effective \_\_\_\_\_, 2018 and Amends ~~Section 3.2 (P) of~~ the Redevelopment Agreement dated August 3, 2015 by and between the VINELAND CITY COUNCIL, the Governing Body of the CITY OF VINELAND (“City”), a municipal corporation of the State of New Jersey, maintaining its principal offices at 640 E. Wood Street, Vineland, County of Cumberland, NJ 08362-1508, acting in the capacity of Redevelopment Entity pursuant to the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.*, and Newcomb Medical Alliance Center, LLC, a New Jersey Limited Liability Company with its principal office located at 12 Crest Court, North Haledon, New Jersey 07508 (“Redeveloper”). Together the City and the Redeveloper are the “Parties.”

**WHEREAS**, on August 3, 2015 the Parties entered into a Redevelopment Agreement for the redevelopment of the Former Campus of Newcomb Hospital, formerly known as Block 4216, Lot 1, Lot 2 and Lot 3 of the tax map of the City of Vineland (the “Redevelopment Agreement”) now known as Block 4216 Lots 1.01, 1.02, 1.03, 1.04, 1.05, 2 and 3 (collectively Property) on the Tax Map of the City of Vineland.

**WHEREAS**, the parties have previously entered into a First, ~~and~~ Second and Third Amendment to the Redevelopment Agreement.

**WHEREAS**, the parties wish to further amend the Redevelopment Agreement due to certain changes in circumstances, which will be beneficial to both parties.

**NOW THEREFORE**, for the promises contained herein and for other good and valuable consideration the Parties agree to amend ~~Section 3.2 (p) of~~ the Redevelopment Agreement as by replacing it with the following:

1. Article I Definitions “Project Improvement” (d) and (e) shall be replaced as follows: Development and construction of two-four story affordable senior housing facilities consisting of approximately 70 unit each constructed on Lots 1.01 and 1.02. Redeveloper shall be permitted to assign this portion of the Redevelopment Agreement to a new Redeveloper; Hans Lampart and Eastern Pacific Development LLC, Vineland, New Jersey, pursuant to a Purchase Agreement to Acquire Real Property entered into by and between Redeveloper and Hans Lampart and Eastern Pacific Development LLC approved by the City and conditioned upon the execution of a Redevelopers Agreement between the City and Hans Lampart and Eastern Pacific Development LLC (New Redeveloper). The sales price, for both lots 1.01 and 1.02 shall be one million five hundred thousand dollars each, which shall be payable to the City of Vineland Urban Enterprise Zone at closing of the sale to the new redeveloper to pay down any outstanding debt owed by the Redeveloper in accordance with loan documents evidencing the same. Should closing not take place for the sale of Lots 1.01 and 1.02 in accordance with the approved Purchase Agreement to Acquire Real Property within the time set forth therein, “Project Improvement” (d) and (e) shall revert to its prior definition as contained in the Redevelopment Agreement and enforceable in accordance therewith.

~~(p) Redeveloper shall, at all times, exercise due diligence in respect to demolition of the existing structures on Lots C, D and E, except for the Newcomb Hospital Emergency Room Structure and the three story 69,400 sq. ft. building on the westerly side of the Lot (the Cunningham Wing). The proposed subdivision of Lot E shall be approved by the City of Vineland Planning Board. The Redeveloper will construct and~~

~~fit out the EMT Station and the garage addition, at the City's expense, and in accordance with the August 30, 2017 proposal of Archetto Construction, subject to modification by the City. The actual cost of construction shall be subject to verification and approval by the City of Vineland but in no event shall the cost exceed \$2,180,425.00. Upon the issuance of a Certificate of Occupancy, or sooner if requested by the City, the Redeveloper shall deed the EMS Station and garage addition to the City for \$1.00. The required demolition on Lot C and the development of the EMS Station on new Lot E will proceed simultaneously. New Lot D shall consist of the remainder of the Newcomb Hospital Emergency Room Structure along with the Cunningham Wing as shown on Exhibit C. At all times Redeveloper shall maintain the structure and surrounding property on Lot D in good condition, and shall maintain the landscaping. The Redeveloper shall also take all reasonable steps to assure that the buildings are secured.~~

All of the remaining terms of the Redevelopment Agreement and all prior Amendments thereto, shall remain in full force and effect to the extent not inconsistent with the provisions of this Third Amendment to the Redevelopment Agreement.

This Amendment to the Redevelopment Agreement may be executed in counterparts, each of which shall be binding against the party whose signature appears thereon. All such counterparts, together, shall consist of one and the same document. This Amendment to the Redevelopment Agreement may be executed and delivered by exchange of facsimile or PDF copies showing signatures of all parties, and those signatures need not be affixed to the same copy. The facsimile or PDF copy showing the signatures of all parties will constitute originally signed copies requiring no further execution.

Witness:

**NEWCOMB MEDICAL ALLIANCE  
CENTER, LLC**, a New Jersey Limited Liability

Company:

\_\_\_\_\_

By: \_\_\_\_\_  
Name: Angelo J. Danza,  
Title: Managing Member  
Execution Date:

Witness:

**THE CITY OF VINELAND:**

\_\_\_\_\_

By: \_\_\_\_\_  
Name: Paul Spinelli  
Title: City Council President  
Execution Date:



REPORT TO: Planning Board

FROM: Ryan R. Headley, PE, PP, Principal Engineer

DATE: April 27, 2018

SUBJECT: Newcomb Senior Apartments – Easterly side of State Street, southerly side of Almond Street and westerly side of Howard Street, Block 4216, Lots 1.01 & 1.02, Tax Map Sheet #42, Project No. 18-00026

Review of the above referenced site plan application yields the following comments:

1. The applicant requests a preliminary major site plan approval to construct two (2) 4-story low and moderate income senior garden apartment buildings. Each building will consist of a total gross floor area of approximately 59,200 square feet (14,800 square feet per floor) with a total of seventy (70) 1-bedroom units.
2. The site is within a Residential Business (R-B-2) Zone. The property is also within the Newcomb Hospital Redevelopment District Overlay Zone.
3. The property previously received major site plan approval through Planning Board Resolution #6159 approved at the hearing dated April 13, 2016. The previous approval was for the entirety of the Newcomb redevelopment study area. However, this application only encompasses Lots 1.01 and 1.02 (a portion of former Lot 1) which were created via minor subdivision approval through the Planning Board Resolution #6158 approved at the hearing dated April 13, 2016. The previous site plan approval included two separate 3 story buildings each consisting of a total gross floor area of 60,500 square feet each with a total of 70 independent living units (60 one bedroom units and 10 studio units) each with a 1,117 square foot canopy in the area of current Lots 1.01 and 1.02.
4. The independent living use for seniors is listed as a permitted use in Figure 13, Section B of the Newcomb Hospital Redevelopment Study.
5. The site consists of approximately 137,858 square feet (3.164 acres) of land and consists of a vacant parking lot.
6. The plans utilized for review consists of the following:
  - a) Engineering Site Plan, Sheets 1 through 11, prepared by MidAtlantic Engineering Partners, LLC, dated April 11, 2018, (un-revised), entitled: "Preliminary Major

Site Plan, Newcomb Senior Apartments, Block 4216; Lots 1.01 & 1.02, City of Vineland, Cumberland County, New Jersey".

- b) Architectural Plan, Sheets A-100 and A-101, prepared by J.W. Pedersen Architect P.C., undated (unrevised), entitled: "New Project for: Newcomb Senior Housing, Vineland, NJ, Block 4216, Lots 1.01 & 1.02
  - c) Supplemental Engineering Plans, Sheets 1 through 3, prepared by MidAtlantic Engineering Partners, LLC, dated April 11, 2018 (unrevised), entitled: "Turning Analysis; Block 4216; Lots 1.01 & 1.02, Newcomb Senior Apartments situated in City of Vineland, Cumberland County, New Jersey"
7. The site plan requires the following variances from the area, yard, bulk and parking standards of the ordinance:
- a) Side buffer, Lot 1.01 (0 feet provided vs. 25 feet required from a residential zone).
  - b) Side buffer, Lot 1.02 (0 feet provided vs. 25 feet required from a residential zone).
  - c) On-site parking space amount (120 spaces provided vs. 252 spaces required).
  - d) Impervious lot coverage, Lot 1.01 (65.8% provided vs. 50% maximum allowed).
  - e) Impervious lot coverage, Lot 1.02 (71.2% provided vs. 50% maximum allowed).
8. The site plan requires the following waivers from the design standards of the ordinance:
- a) End island width (3 and 9 feet provided vs. 10 feet required).
  - b) End parking space back-up aisle width (3 feet provided vs. 5 feet required).
  - c) Parking space row length without a tree island break (19 space row provided vs. 12 space row maximum permitted).
9. The following required site improvements are not proposed, and shall be shown on the perfected plan unless specifically waived by the Board:
- a) Walkway shade and or ornamental trees (38 trees provided vs. 41 trees required at 1 per 50 lineal feet of walkways).
  - b) Landscape area shade or ornamental trees (133 trees provided vs. 126 trees required at 1 per 200 square feet of planted areas).  
*For this calculation, staff considered both trees and large shrubs in the provided count. Due to the nature of the development, we would recommend some additional ornamental trees and/or shrubbery.*
10. The site plan requires the following waivers from the Community Design standards (Section 425-86) of the ordinance:
- a) Number of Bicycle Parking Spaces (0 spaces provided vs. 2 spaces required)  
*The Community Design Standards require a minimum of two bicycle parking spaces for all uses with more than 10 vehicle parking spaces.*
11. The following comments are provided with regards to fences and signs:
- a) Fences: No fences are proposed with this application.
  - b) Signs: No signs are shown on the provided plan. It is assumed that any proposed signage will be in conformance with the ordinance. If the proposed signage exceeds the ordinance, the applicant would be required to submit a separate application requesting any necessary variances for the proposed signage.

12. The Newcomb Hospital Redevelopment District Overlay Zone has a "Purpose" section (Section A). Provision "2f" in the study under "Statutory Requirements" indicates that "Efforts should be made to preserve elements of the existing site that have historical significance (i.e. original building façade and Newcomb grave site)". The plan does show the existing "grave site" will be preserved. The previous application incorporated several aspects of the original building façade throughout the project. The applicant should address how these aspects will be incorporated into the proposed development.
13. The redevelopment plan requires that accommodations be made for "transit services (i.e. CATS)". The applicant shall address how the site can accommodate and is designed for the Cumberland Area Transit Service vehicles.
14. The Engineering Division will issue a separate Engineering Report. The applicant shall resolve stormwater drainage and all other Engineering concerns prior to submitting a perfected plan.
15. The on-site parking requirement for the proposed development is based on the standards for a residential garden apartment use. A 1-bedroom garden apartment use requires that 1.8 on-site parking spaces be provided for each unit. A total of 140 units is proposed. Therefore, 252 parking spaces are required on-site. The plan shows that 120 parking spaces (0.86 spaces per unit) will be provided on-site. The Newcomb Hospital Redevelopment plan indicates that adequate parking shall be provided within the study area. The applicant should address the adequacy of the provided parking for the project.
16. During preliminary meetings with the Planning Department staff, the applicant indicated that the project will be phased due to funding requirements. The applicant should provide a phasing delineation showing what improvements will be installed within each phase. The phasing plan will ensure that adequate improvements are provided for each phase.
17. The applicant shall comply with any applicable New Jersey barrier free standards with regards to handicapped parking spaces that may be required by the proposed development. Comments from the Construction Official shall be addressed on the perfected site plan.
18. In addition to any other required revisions/corrections or additional information listed in other factual findings of the resolution, the perfected plan shall show the following:
  - a) For corner lots, the property shall have two (2) front yards and two (2) side yards, the setback of the southerly property line should be revised to show a 20 foot side yard setback in lieu of a rear yard setback.
  - b) The zoning table on the cover sheet and site plan shall have the following revisions made:
    - i. The minimum lot depth should be removed from the table as it is not calculated for corner lots.
    - ii. The proposed rear setbacks for both lots are not applicable as corner lots do not have rear yards.
    - iii. The proposed side yard setbacks for both lots should be revised to 43.39 feet.

- iv. The max. building height should be revised to four (4) stories as allowed in the redevelopment plan.
  - c) The proposed street trees along Howard and State Streets should be relocated behind the sidewalk to avoid conflicts with the curbing and sidewalk and tree root system.
  - d) The Cover Sheet should be revised to provide the correct owner of the property in General Note 1.
  - e) The Cover Sheet should be revised to provide an up-to-date tax map showing the correct existing lots.
  - f) Indicate that all proposed shade trees will have a 2½" caliper at 4' above grade.
  - g) Provide a notation that the refuse area will provide for the collection and removal of trash and recyclable materials as stipulated by City Code.
19. At time of final submission, the plan is required to show the following omitted plan details:
- a) Indicate the on-site accessways and sight triangles, existing and proposed, with referenced dimensions.
  - b) Indicate the driveway openings, existing and proposed, with referenced location and width at the curb line and at the property line.
  - c) Include a note indicating, "Existing City of Vineland Monuments shall be preserved to the greatest extent practicable. Should the monumentation be damaged or destroyed, the responsible party shall reimburse the City of Vineland for the replacement of said monumentation."
  - d) Show wellhead protection area.
  - e) Provide hydrologic soil groups (HSG) and soil boring log information, including, but not limited to, soil profile, permeability rate, existing ground elevation, and elevation of seasonal high groundwater, on drainage/grading sheets.
  - f) Show storm sewer, existing and proposed, in profile.
  - g) For residential development subject to the New Jersey Residential Site Improvement Standards (RSIS), provide a certification of the design engineer, architect, planner, or surveyor, as applicable, of conformance of the plan and details to RSIS; identify any requested design waivers from RSIS; identify any requested de minimis exceptions from RSIS, and identify any improvements proposed to exceed RSIS.
20. The ordinance stipulates that the duration of approval shall be the same as the period of zoning protections provided under N.J.S.A .40:55D. Required site improvements shall be installed within the duration of approval. The time allowed for installation of the improvements for which a performance guarantee has been provided may be extended by the governing body by resolution.
21. The following standard requirements must be met before the Planning Division can clear the applicant to apply for permits:
- a) Perfected plan (6 paper copies and 1 digital copy).
  - b) Surety being posted in the amount as determined by the City Engineer.
  - c) Final Cumberland County Planning Board approval.



- d) Submission of disclosure statement as required by New Jersey Statutes.
- e) Proof of recorded cross easements (in a form as approved by the Board Solicitor) for access, storm water drainage and/or parking.
- f) Proof of recorded easements to allow public use of existing and proposed sidewalk along public streets that is located within private property.
- g) Payment of the required inspection fee to the Planning Division.
- h) Signature of the Tax Collector indicating that no taxes or assessments from local improvements are delinquent or due (to be determined at the time all other conditions are met).
- i) Proof of recorded sidewalk easement being granted to the City of Vineland (The applicant shall secure the applicable approvals for the easement in accordance with the policy, procedures and or ordinances of the City prior to recording the required easement).
- j) Items from Engineering report.

22. The applicant shall be advised of the following:

- a) Certification from the Cumberland/Salem Soil Conservation District will be required.
- b) Right-of-way opening permits, issued by the City Engineer's Office, will be required for all proposed work within the City right-of-way.
- c) Memorandum from the City of Vineland Water Utility
- d) Non-residential affordable housing development fee may be required (N.J.S.A. 40:55D-8.1).
- e) The City of Vineland Municipal Electric Utility should be contacted as soon as possible to arrange for service.
- f) Any required revision brought on by an outside agency or agencies, including but not limited to the County of Cumberland, NJDOT or NJDEP, may require a revised approval by the Board.

---

Ryan R. Headley, P.E., P.P., C.M.E.  
Principal Engineer  
City of Vineland

