

CITY OF VINELAND

RESOLUTION NO. 2022- 236

RESOLUTION ADOPTING THE FINDINGS AND CONCLUSIONS AND DECISION OF RESOLUTION NO. 6508 OF THE PLANNING BOARD OF THE CITY OF VINELAND THAT THE FORMER CITY LANDFILL KNOWN AS BLOCK 5501 LOT 1 BE DECLARED 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) adopted Resolution No. 2022-154 directing the Planning Board of the City of Vineland (Planning Board) to undertake a preliminary investigation to determine whether Block 5501 Lot 1 (Study Area) should be designated as a Non-Condensation 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 “Municipal Landfill Redevelopment Area Preliminary Investigation” (Study) dated April 2022 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 May 26, 2022 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

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 5501, Lot 1 meets three of the criteria as set forth in N.J.S.A. 40A:12 A-5 and therefore is determined to be an area in need of redevelopment, however further recommended that the existing 4 acre park and recreation area within Lot 1 be preserved as a public park/recreation area.

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 6508, Resolution of Findings and Conclusions and Decision of the Vineland Planning Board, and hereby declares Block, 5501, Lot 1 a Non-Condensation Redevelopment Area in accordance with N.J.S.A. 40A:12A-1 et seq. Specifically, Lot 1 meet the criteria of (1) subsection (a) of N.J.S.A. 40A:12A-5, the generality of the buildings are substandard and in extremely poor condition for reasons set forth in the Study; (2) subsection (c) of N.J.S.A. 40A:12A-5, the landfill closed in 1989 and this area has remained unimproved since that time and private development is unlikely; (3) subsection (h) of N.J.S.A. 40A:12A-5 as this area is targeted for growth in the State Development and Redevelopment Plan, the City Master Plan and the Landis Sewerage Authority Wastewater Management Plan with public water and sewer available.

BE IT FURTHER RESOLVED that the 4 acre park and recreation area within Lot 1 be preserved as a public park.

BE IT FURTHER RESOLVED that the area shall be designated as a Non-Condensation Redevelopment Area

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

Adopted:

President of Council

ATTEST:

City Clerk

**MUNICIPAL LANDFILL
REDEVELOPMENT AREA
PRELIMINARY INVESTIGATION
BLOCK 5501/LOT 1**

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

APRIL 2022

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Vineland Planning Division**

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PRELIMINARY INVESTIGATION REPORT

INTRODUCTION

Purpose

The purpose of this report is to determine whether the Municipal Landfill, located at 1271 S. Mill Road, qualifies as an area in need of redevelopment, as defined in the Local Redevelopment and Housing Law, P.L.1992, Chapter 79, hereafter referred to as LRHL.

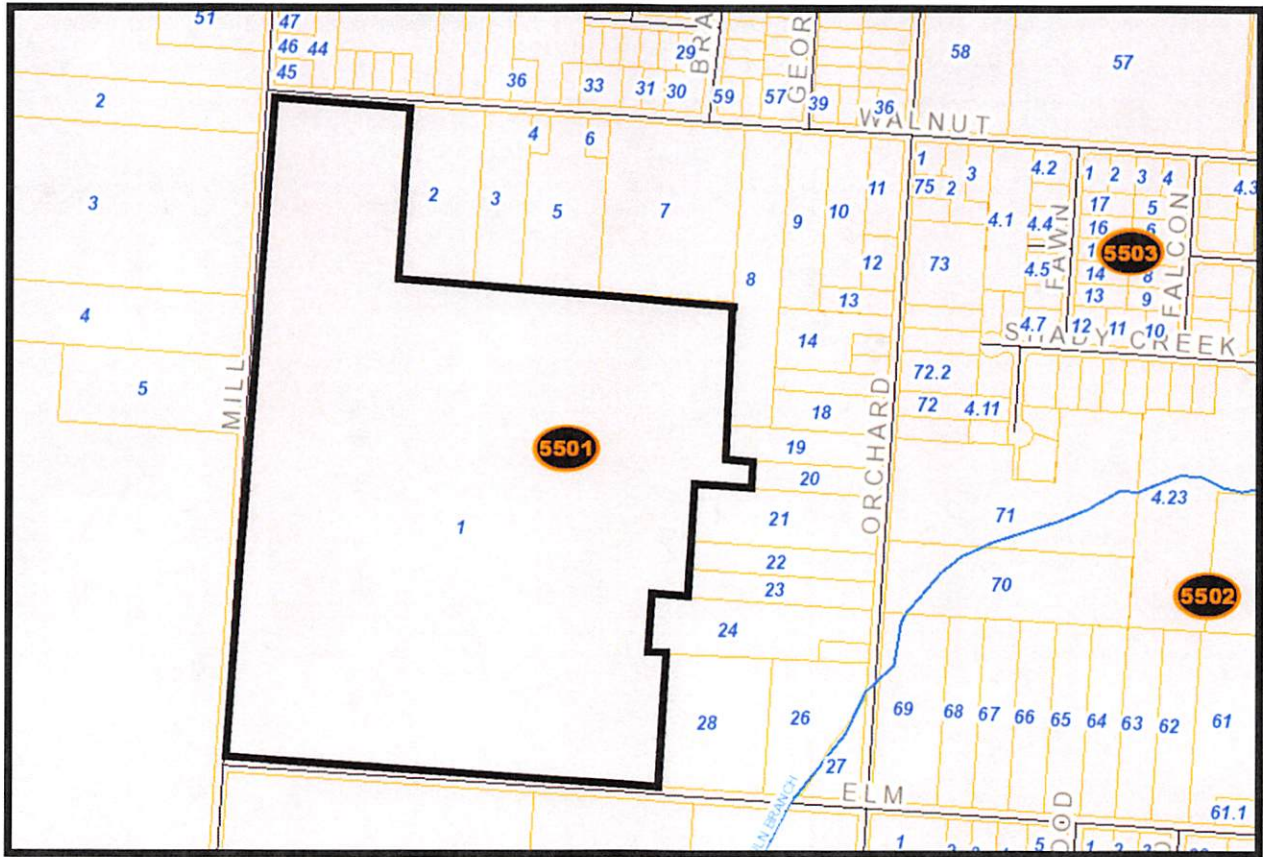
This report is written in accordance with N.J.S.A. 40A:12A-6(a), which says, ‘No area of a municipality shall be determined to be a redevelopment area unless the governing body of the municipality shall, by resolution, authorize the planning board to undertake a preliminary investigation to determine whether the proposed area is a redevelopment area according to the criteria set forth in N.J.S.A. 40A:12A-5....The governing body of a municipality shall assign the conduct of the investigation and hearing to the planning board of a municipality’.

Pursuant to this statute, on April 12, 2022, City Council adopted Resolution No. 2022-154, which directed the Planning Board to undertake a preliminary investigation as to whether the Study Area qualifies as an area in need of redevelopment pursuant to LRHL (Appendix A). This report includes the Site Study Area Map, developed by the Planning Board on April 13, 2022, which shows the boundaries of the Study Area, and which is the basis for conducting the investigation, as required by N.J.S.A. 40A:12A-6(b)(1) (Figure 1).

In accordance with N.J.S.A. 40A:12A-6(b)(5), following a public hearing, the planning board shall recommend that the delineated area, or any part thereof, be determined, or not be determined, by the municipal governing body to be a redevelopment area. After receiving the recommendation of the planning board, the municipal governing body may adopt a resolution determining that the delineated area, or any part thereof, is in need of redevelopment.

Study Area History

The bulk of the Study Area is devoted to the landfill, which had operated for over 18 years prior to its closure in 1989. A Closure and Post-Closure Care Plan was submitted to the NJ Department of Environmental Protection in July 1986 for the final closure and



**FIGURE 1
MUNICIPAL LANDFILL
REDEVELOPMENT STUDY
AREA**

BASIS FOR INVESTIGATION

The City of Vineland City Council instructed the Planning Board, on April 12, 2022, via Resolution No. 2022-154, to undertake a preliminary investigation as to whether Block 5501/Lot 1 can be designated an area in need of redevelopment, which would give City Council full authority to use all those powers provided by the Legislature in N.J.S.A. 40A:12A-1 et seq. for use in a redevelopment area, other than the use of eminent domain (Non-Condemnation Redevelopment Area).

The bulk of the property is a closed municipal landfill. Small portions of the site are currently used for composting and recreation. It is owned by the City of Vineland. The preliminary investigation will utilize criteria established in N.J.S.A. 40A:12A-5.

termination of waste disposal operations occurring at the facility. The plan was later revised in March 1988. As per N.J.A.C. 7:26-2A.9, the closure was followed by a post-closure care period that remained in effect for thirty (30) years. During that time, the maintenance, monitoring, and construction requirements specified in the approved Post-Closure Care Plan were followed to maintain compliance with solid waste regulations. In addition to the landfill, the northern end of the property, located at the corner of Mill and Walnut Roads, is a municipal park. This park is on the City's Recreation and Open Space Inventory, filed with the NJ Department of Environmental Protection.

Study Area Description

The Study Area includes a single parcel – block 5501/lot 1 (Figures 2 & 3). It totals 86.97 acres. Of this, approximately 46 acres, or 53%, had been used for the landfill. This area is predominantly grasslands with some scrub trees. An associated stormwater basin is approximately 8 acres, or 9% of the parcel. This area also has scrub trees. The municipal park is approximately 4 acres, or 5% of the parcel. This area is developed, but is separated from the landfill by a grove of more mature trees.

Surrounding Area

The Study Area is bound by Mill Road, Walnut Road, Orchard Road and Elm Road. The Landis Sewerage Authority facility and two (2) industrial properties are to the west of the Study Area. The two (2) industrial properties are both poultry processing plants, with one operational and one not. Residential properties are to the north and east of the Study Area. The Landis Sewerage Authority facility and a transmission tower are to the south of the Study Area (Figure 4).

Current Utilization of Property

As mentioned previously, the landfill ceased operation in 1989. There are, however, still some associated uses remaining at the site. At the Mill Road entrance to the landfill, there's a construction trailer, measuring approximately 140 square feet in size, that is utilized as a permanent, manned office for the distribution of residential trash and recycling containers; a large shed, measuring approximately 240 square feet in size; two (2) tractor trailer bodies used for storage; and bins for small amounts of separated construction materials. There is also a new building, measuring approximately 800 square feet in size, that was recently erected that is to be utilized for the disposal of electronics (e.g., televisions and computers). This portion of the site is also used for the temporary storage of City vehicles and equipment (Figures 5 & 6).

At the Elm Road entrance to the landfill, an area is devoted to composting leaves and brush. A small building, measuring approximately 760 square feet in size, is associated with this operation (Figures 7 & 8).

Lastly, the municipal park, located at the northern end of the Study Area, currently has a baseball/softball field, basketball and volleyball courts, and parking. The use of this

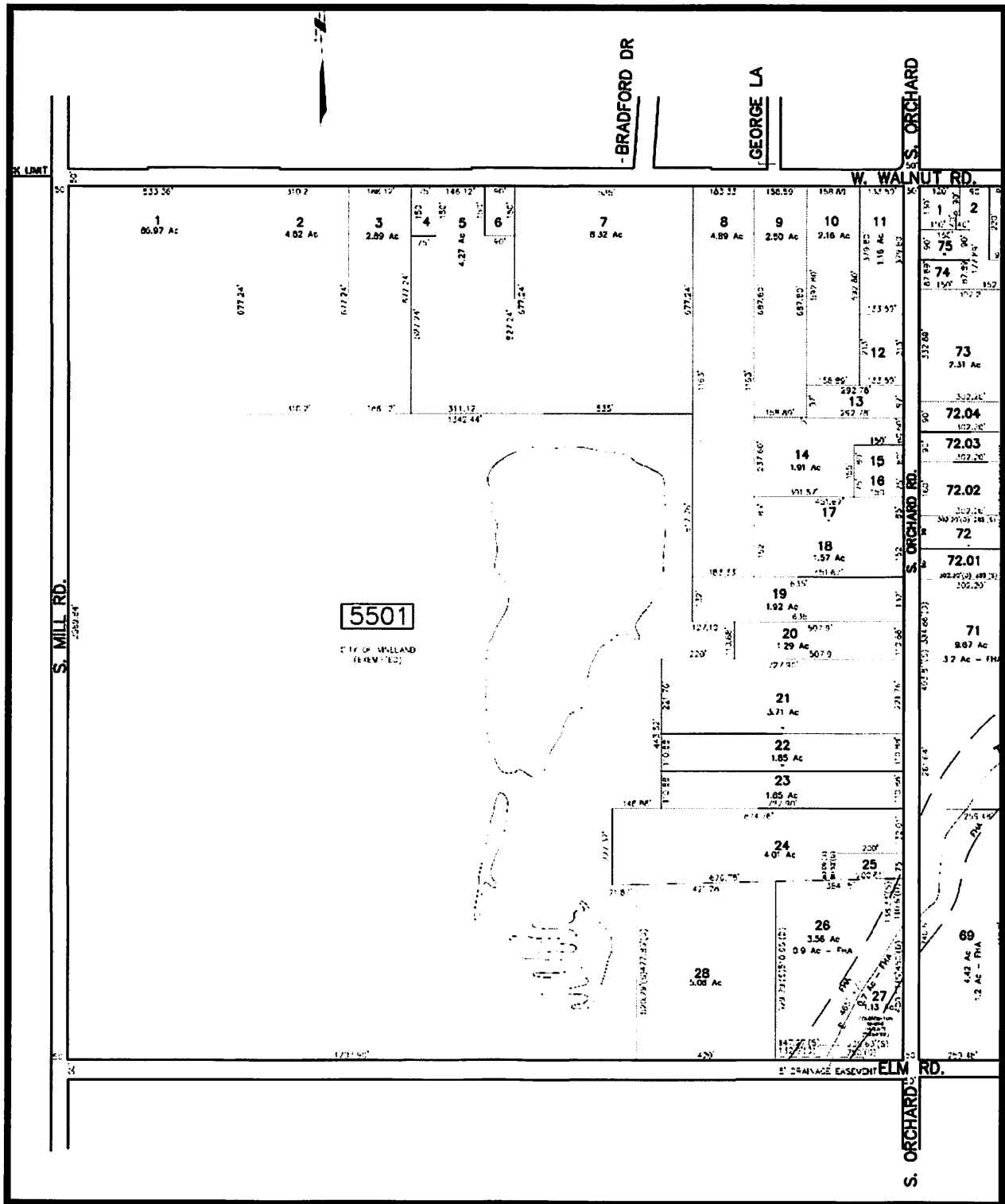


FIGURE 2
Municipal Landfill – tax map

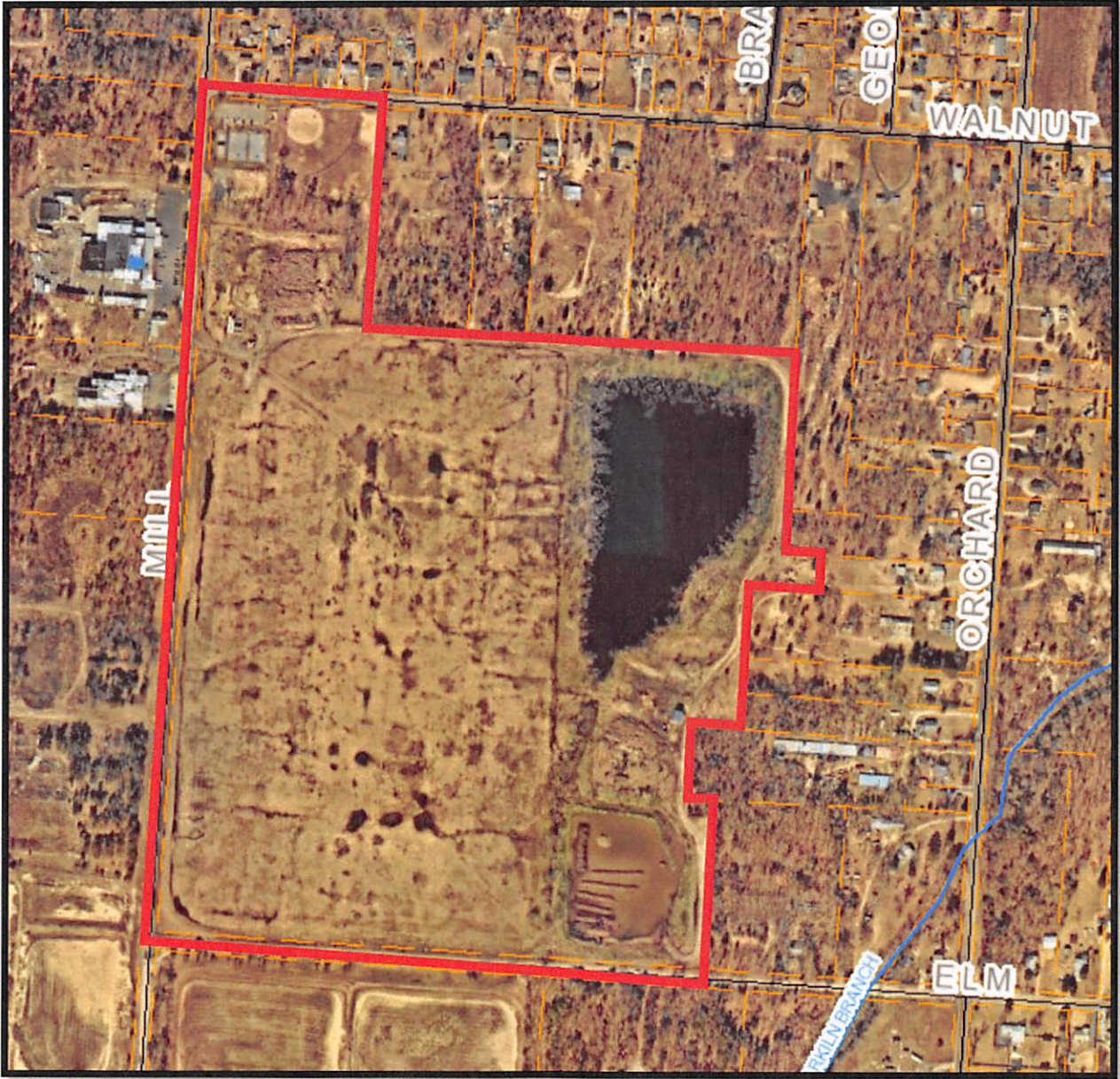


FIGURE 3
Municipal Landfill – aerial photograph

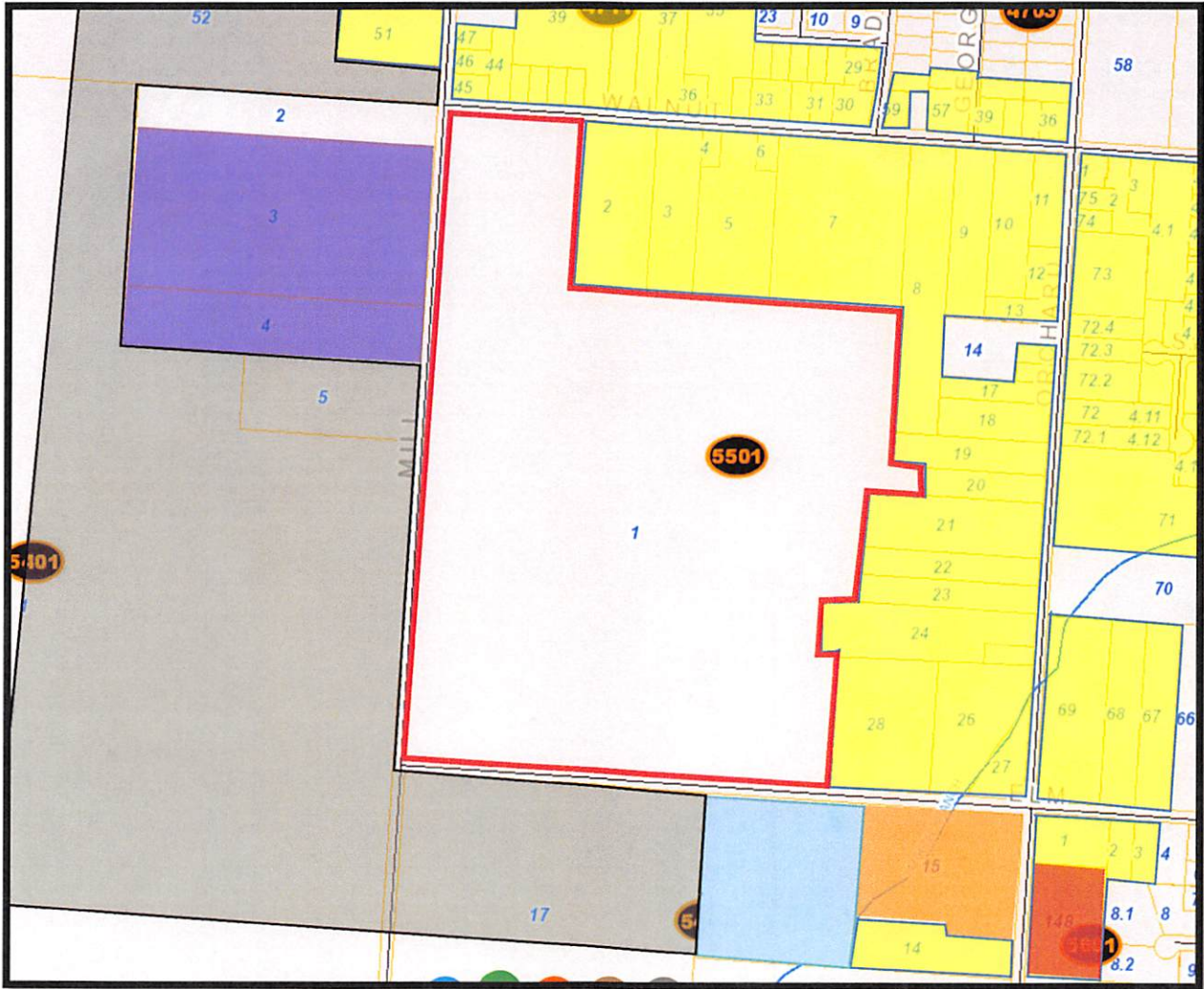


FIGURE 4
Municipal Landfill – land use

- White – vacant
- Yellow – residential
- Orange – religious institution
- Rust - commercial
- Gray/light blue – utility
- Purple - industrial



FIGURE 5
Municipal Landfill – Mill Road utility area



FIGURE 6
Municipal Landfill – Mill Road utility area street view



FIGURE 7
Municipal Landfill – Elm Road compost area



FIGURE 8
Municipal Landfill – Elm Road compost area street view

park changes over time to respond to differing demands for recreational activities (Figure 9).

AREA IN NEED OF REDEVELOPMENT ANALYSIS

Criteria for Area in Need of Redevelopment

As mentioned in the introduction, N.J.S.A. 40A:12A-5 sets forth the criteria to be used in the preliminary investigation to determine whether an area is in need of redevelopment. An area may be determined to be in need of redevelopment if it meets one or more of the following statutory criteria:

- a. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.
- b. The discontinuance of use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable.
- c. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.
- d. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.
- e. A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real property therein or other conditions, resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare.
- f. Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.
- g. In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act," P.L.1983, c.303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption



FIGURE 9
Municipal Landfill - park

by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant sections 5 and 6 of P.L.1992, c.79 (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L.1991, c.431 (C.40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L.1992, c.79 (C.40A:12A-1 et al.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.

- h. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

Findings

The Study Area meets three (3) of the criteria set forth in N.J.S.A. 40A:12A-5 that are to be utilized in the preliminary investigation to determine whether an area is in need of redevelopment.

Criterion 'a'

As mentioned previously, the Study Area only has four (4) structures. Of those, two (2) are in questionable condition. At the Mill Road entrance to the landfill, the construction trailer that is utilized as a permanent, manned office is old. Both the interior and exterior of the structure are in extremely poor condition. This office also isn't connected to utilities and relies upon a port-o-john. The shed, located in this same area, is also old, with very deteriorated siding and roof. Additionally, while not a building issue, the Study Area lacks typically required site improvements (e.g., paving).

Based on their condition, these two (2) buildings are deemed substandard and dilapidated. As a result, the recommended Redevelopment Area satisfies criterion 'a'.

Criterion 'c'

The Study Area is owned by the City. Additionally, since the landfill has been closed since 1989, that portion of the Study Area can be viewed as unimproved vacant land that has remained so for more than ten (10) years prior to the adoption of the resolution whereby City Council authorized the Planning Board to undertake a preliminary investigation, and that by reason of topography and nature of the soil (Figure 10 & 11), is not likely to be developed through the instrumentality of private capital.

An examination of the landfill portion of the Study Area supports this conclusion. With regard to topography, the elevation rises from 60 feet at the base of the landfill to



FIGURE 10
Municipal landfill - topography



FIGURE 11
Municipal Landfill – topography detail

116 feet at the top. While the top of the landfill is relatively flat, the slopes are steep. Additionally, with regard to the nature of the soil, the landfill was closed with a clay cap covered with topsoil to prevent water infiltration. The integrity of this cap must be maintained, meaning it can't be penetrated. Additionally, nine (9) acres of the site are devoted to the stormwater basin serving the landfill. These three (3) conditions limit development opportunities.

Based upon the above-cited reasons, the recommended Redevelopment Area satisfies criterion 'c'.

Criterion 'h'

The Study Area is in an area targeted for growth in the State Development and Redevelopment Plan (PA-2 Suburban Planning Area), the City Master Plan and the Landis Sewerage Authority Wastewater Management Plan, which has been approved by DEP. Public water and sewer are already available in Mill Road. While the landfill limits development opportunities, putting this land to some productive use will advance already established smart growth planning principles. As a result, the recommended Redevelopment Area satisfies criterion 'h'

To summarize, block 5501/lot 1 qualifies as an area in need of redevelopment based upon criteria 'a', 'c', and 'h' and is recommended as a Redevelopment Area.

APPENDIX A

CITY OF VINELAND, NJ

RESOLUTION NO. 2022- 154 '

A RESOLUTION AUTHORIZING A PRELIMINARY INVESTIGATION TO BE MADE BY THE PLANNING BOARD TO DETERMINE WHETHER THE AREA CONSISTING OF BLOCK 5501, LOT 1 IS IN NEED OF REDEVELOPMENT IN ACCORDANCE WITH N.J.S.A. 40A:12A-1, ET SEQ.

WHEREAS, Block 5501, Lot 1 has been used as a landfill, presently capped, as well as a collection site for brush and vegetation and has been under review by the Planning Division and Economic Development Offices in light of its present condition which may be considered an area in need of redevelopment pursuant to the local Redevelopment & Housing Law, N.J.S.A. 40A:12A-1; et seq; and

WHEREAS, the area may benefit from the Local Redevelopment and Housing Law should it meet the criteria and be determined to be an area in need of redevelopment; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-4, City Council may cause a preliminary investigation to be made to determine if the area is in need of redevelopment; and

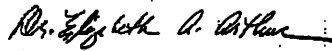
WHEREAS, pursuant to N.J.S.A. 40A:12A-6, should City Council adopt the Resolution, the Planning Board shall be entrusted with undertaking a public hearing process to hear testimony of individuals to determine if the area is in need of redevelopment, make a report to City Council for their approval or disapproval or modification; and

WHEREAS, City Council finds it in the best interest of the City to instruct the Planning Board to conduct a hearing and investigate whether the area or any part thereof constitutes a Redevelopment Area as defined in N.J.S.A. 40A:12A-5 and 6 with the City Council having the full authority to use all those powers provided by the Legislature for use in a redevelopment area referred to as a Non-Condensation Redevelopment Area and thereafter provide its findings and reports and recommendation to Council.

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

1. The Planning Board of the City of Vineland shall and the same is hereby authorized and directed to conduct hearings and investigations as required to determine whether the area designated as Block 5501, Lot 1 constitutes a redevelopment area as defined by N.J.S.A. 12A-1, et seq. Said hearings shall be held in accordance with N.J.S.A. 40A:12A-6 as a Non-Condensation Redevelopment Area.
2. Upon completion of such hearings and investigations, the Planning Board shall make recommendations and report to the City Council for approval, disapproval or modification regarding the area being considered for redevelopment and whether the area or any portion thereof constitutes a redevelopment area as defined in N.J.S.A. 12A-1, et seq.

Adopted: April 12, 2022



President of Council

eea

ATTEST:



City Clerk krp