

CITY OF VINELAND

RESOLUTION NO. 2022- 479

RESOLUTION ADOPTING THE FINDINGS AND CONCLUSIONS AND DECISION OF RESOLUTION NO. 6539 OF THE PLANNING BOARD OF THE CITY OF VINELAND THAT BLOCK 1909 LOT 50, OAK ROAD 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. 2022-315 directing the Planning Board of the City of Vineland (Planning Board) to undertake a preliminary investigation to determine whether Block 1909 Lot 50 (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 “Oak Road Redevelopment Area Preliminary Investigation” (Study) dated October 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 October 27, 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 1909, Lot 50 meets two of the criteria as set forth in N.J.S.A. 40A:12 A-5, Criteria “g” and “h” and therefore is determined to be an area in need of redevelopment and further recommended that the designation be a Non-Condensation redevelopment 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 6539, Resolution of Findings and Conclusions and Decision of the Vineland Planning Board, and hereby declares Block, 1909, Lot 50 a Non-Condensation Redevelopment Area in accordance with N.J.S.A. 40A:12A-1 et seq. Specifically, Lot 50 meet the criteria of (1) subsection (g) of N.J.S.A. 40A:12A-5, in that the area is located within an Urban enterprise Zone that was designated pursuant to the New Jersey Urban Enterprise Zone Act and (h) in that the area is targeted for growth in the State Development and Redevelopment Plan, the City Master Plan and the Landis Sewerage Authority Wastewater Management Plan and that public sewer and water are available.

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

CITY OF VINELAND

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

Adopted:

President of Council

ATTEST:

City Clerk

RESOLUTION NO. 6539

**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 2022-315 directed the Planning Board of the City of Vineland to undertake a preliminary investigation to determine whether or not a certain area of the City should be designated as an area in need of redevelopment in accordance with NJSA 40A:12A-1, et seq; and

WHEREAS, City Council directed the Planning Board to investigate the following area: Block 1909/Lot 50, located on the north side of Oak Road east of Main Road;

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

WHEREAS, the Planning Board conducted a public hearing on October 27, 2022, after newspaper notice and notification to the landowners of the property-in-question and properties within 200 feet; and

WHEREAS, the Planning Board considered the report titled Oak Road Redevelopment Area Preliminary Investigation, dated October 2022, and considered the sworn testimony of Kathleen Hicks, PP/AICP, Supervising Planner for the City of Vineland.

NOW, THEREFORE, BE IT RESOLVED, that the City of Vineland Planning Board recommends to City Council that City Council declare this a Non-Condensation Redevelopment Area.

The Planning Board finds that the area-in-question satisfies two of the criteria of NJSA 40A: 12A-5 as follows:

1. Criteria 'g': This area is located within an Urban Enterprise Zone that was designated pursuant to the "New Jersey Urban Enterprise Zones Act," P.L.1983, C. 303 (C.52:27H-60 et seq.)
2. Criteria 'h': 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. Public water and sewer are available.

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 October 27, 2022, as reflected in the recorded minutes of said meeting.

(Handwritten signature)

ADOPTED DATE:

Attest:

R. R. Hendley
Ryan R. Hendley
for YASMIN RICKETTS, Secretary

PLANNING BOARD OF THE
CITY OF VINELAND

DAVID MANDERS,
Chairperson

ROLL CALL VOTE

VOTING IN FAVOR

DAVID MANDERS
MICHAEL PANTALONE
STEPHEN PLEVINS
JOHN A. CASADIA, JR.
SANDY VELEZ
DOUG MENZ

OPPOSED

NONE

ABSENT

MAJOR ANTHONY FANUCCI
COUNCILMAN DAVID ACOSTA
CHRISTINE SCARPA
ROBERT ODOREZZI
SAMUEL FIORELLI
DAVID CATALANA

ABSTAINING

NONE

**OAK ROAD
REDEVELOPMENT AREA
PRELIMINARY INVESTIGATION
BLOCK 1909/LOT 50**

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

OCTOBER 2022

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

VINELAND MAYOR & CITY COUNCIL

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Dr. Elizabeth Arthur, Council President

David Acosta, Council Vice President

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PRELIMINARY INVESTIGATION REPORT

INTRODUCTION

Purpose

The purpose of this report is to determine whether block 1909/lot 50, located at 1890 E. Oak 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 July 26, 2022, City Council adopted Resolution No. 2022-315, 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 September 14, 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). City Council stipulated that the Study Area would be a Non-Condemnation Redevelopment Area if it qualifies.

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

As late as 1988, the Study Area was a small farm. There was a home, garage and chicken coop on the property. The rear was a tilled field.

Study Area Description

The Study Area includes a single parcel – block 1909/lot 50 (Figures 2 & 3). It totals 8.27 acres. Of this, approximately 3 acres at the rear of the parcel, or 37.5%, has been used for agricultural purposes. Approximately 3 acres in the middle of the parcel, or



FIGURE 1
OAK ROAD
REDEVELOPMENT
STUDY AREA
BLOCK 1909/LOT 50

August 2022

BASIS FOR INVESTIGATION

The City of Vineland City Council instructed the Planning Board, on July 26, 2022, via Resolution No. 2022-315, to undertake a preliminary investigation as to whether Block 1909/Lot 50 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-Condensation Redevelopment Area).

The bulk of the property is vacant land. A small portion of the site is currently used for a tele-communications tower. The land is privately owned. The preliminary investigation will utilize criteria established in N.J.S.A. 40A-12A-5.



FIGURE 3
Oak Road – Aerial Photograph

37.5%, is wooded. The remaining approximately 2 acres at the front of the parcel, or 25%, is cleared with some clusters of trees and a 130 foot tall tele-communications tower, the only structure on the site.

Surrounding Area

The Study Area fronts on Oak Road, approximately 1,436 feet east of Main Road. The eastern property line aligns with the centerline of Becker Drive. Pheasant Run Condominiums (100 units), a daycare center, two (2) single-family homes, and King's Crossing Condominiums (83 units) is to the east; single-family homes and farm fields are across Oak Road to the south; Vineland Produce Auction and Major Petroleum are to the west; and farm fields at the rear of commercial properties fronting on Vine Road are to the north (Figure 4).

Current Utilization of Property

As mentioned previously, a 130 foot tall tele-communications tower is the only structure in the Study Area. The rear of the property has been cultivated in the recent past, though it may now be fallow (Figures 5).

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.

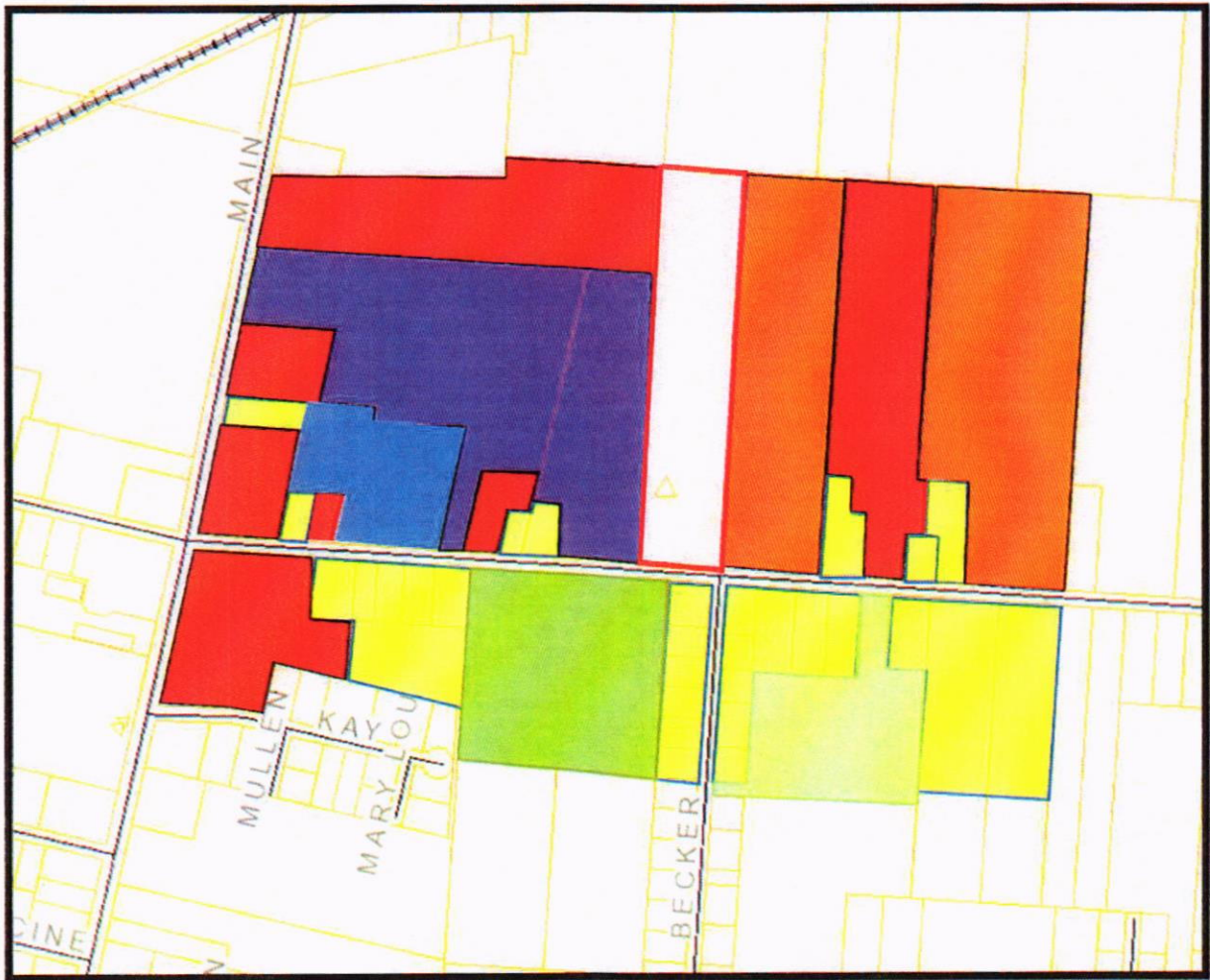


FIGURE 4
Oak Road – land use

YELLOW – residential
ORANGE – multi-family residential
RED – commercial
BLUE – government
PURPLE – industrial
LIGHT GREEN – park
DARK GREEN – agriculture



FIGURE 5
Oak Road – street view

- 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 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 two (2) 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 'g'

The Study Area is located in the Millville-Vineland Urban Enterprise Zone. As stated above in the previous section, 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 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 Study Area therefore satisfies criterion 'g'.

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. Development of an in-fill parcel will advance already established smart growth planning principles. As a result, the recommended Redevelopment Area satisfies criterion 'h'

To summarize, block 1909/lot 50 qualifies as an area in need of redevelopment based upon criteria 'g' and 'h' and is recommended as a Non-Condensation Redevelopment Area.

APPENDIX A

RESOLUTION NO. 2022- 315

A RESOLUTION AUTHORIZING A PRELIMINARY INVESTIGATION TO BE MADE BY THE PLANNING BOARD TO DETERMINE WHETHER THE AREA CONSISTING OF BLOCK 1909, LOT 50 IS IN NEED OF REDEVELOPMENT IN ACCORDANCE WITH N.J.S.A. 40A:12A-1, ET SEQ.

WHEREAS, Block 1909, Lot 50 is vacant property located within the City of Vineland Urban Enterprise Zone Designation 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-Condernation 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 1909, Lot 50 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-Condernation 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: July 26, 2022



President of Council

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ATTEST:



Deputy City Clerk

rgf