

**ORDINANCE NO. 2023- 47**

**ORDINANCE ADOPTING THE MUNICIPAL LANDFILL REDEVELOPMENT PLAN CONSISTENT WITH RESOLUTION 6581 OF THE PLANNING BOARD OF THE CITY OF VINELAND.**

**WHEREAS**, on April 12, 2022, the City Council of the City of Vineland adopted Resolution 2022-154 directing the Planning Board of the City of Vineland to undertake a preliminary investigation to determine whether Block 5501 Lot 1 should be designated as a Non-Condensation Redevelopment Area in accordance with NJSA 40A:12A-1 et seq. ; and

**WHEREAS**, after conducting a preliminary investigation and public hearing on May 26, 2022 in accordance with the said statute the Planning Board adopted Resolution 6508 finding Block 5501 Lot 1 (Property) meets the standards to be considered a redevelopment area; and

**WHEREAS**, City Council of the City of Vineland adopted the findings and conclusions of the Planning Board represented in Resolution 6508 and adopted Resolution 2022-236 determining the Property to be a Non-Condensation Redevelopment Area finding it met standards set forth in N.J.S.A. 40A:12A-5, more particularly, Criterion “a”, Criterion “c” and Criterion “h”.; and

**WHEREAS**, after the adoption of Resolution 2022-236, on June 13, 2023, City Council directed the Planning Board to develop a plan for the Municipal Landfill Redevelopment Area; and

**WHEREAS**, Kathleen Hicks, City Planner, provided testimony and submitted a proposed Redevelopment Plan dated June 2023 to utilize the Property as a solar array which would advance the City Master Plan, support preservation of farmland and open space by supporting the utilization of compromised land for the development of solar fields which in turn would advance federal, State and local initiatives to address the negative impacts of climate change and provide clean energy to the area; and

**WHEREAS**, the Planning Board found the Municipal Landfill Non-Condensation Redevelopment Plan (Plan) is consistent with existing zoning and with the Master Plan as specified in the proposed Plan which is attached hereto and made a part hereof; and

**WHEREAS**, the Planning Board adopted Resolution 6581 recommending City Council adopt the Municipal Landfill Non-Condensation Redevelopment Plan dated June 2023; and

**WHEREAS**, City Council finds that the Property meets three criteria set forth in N.J.S.A. 40A:12A-5, more particularly:

Criterion (a) as the structures on the Property are in an extremely poor and dilapidated condition with no site improvements or utilities.

Criterion (c) in that the Property consists of a closed municipal landfill with steep slopes with a clay cap covered with topsoil to prevent water infiltration, which cannot be penetrated

Criterion (h) in that the Property 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 with public water and sewer.

**WHEREAS**, City Council finds the Plan to utilize the Property to create a solar array as specified in the Plan outlines the planning and development necessary to address said Criteria and will advance the Master Plan to support preservation of farms and open space by utilization of compromised land for the development of solar fields and advance federal, State and local initiatives to address the negative impacts of climate change.

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

1. City Council adopts the findings, conclusions and recommendations set forth in Resolution 6581 of the Planning Board, attached hereto and made part hereof.
2. The Municipal Landfill Non-Condensation Redevelopment Plan dated June 2023 prepared by Kathleen Hicks, P.P., AICP shall be and is hereby adopted in its entirety.

CITY OF VINELAND

**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

Approved by the Mayor:

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Mayor

ATTEST:

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City Clerk

**MUNICIPAL LANDFILL  
REDEVELOPMENT STUDY  
BLOCK 5501/LOT 1**

CITY OF VINELAND  
CUMBERLAND COUNTY, NEW JERSEY

JUNE 2023

Prepared by:  
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License No.: LI-3067  
Vineland Planning Division

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# PART I

## 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 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



**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.



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**

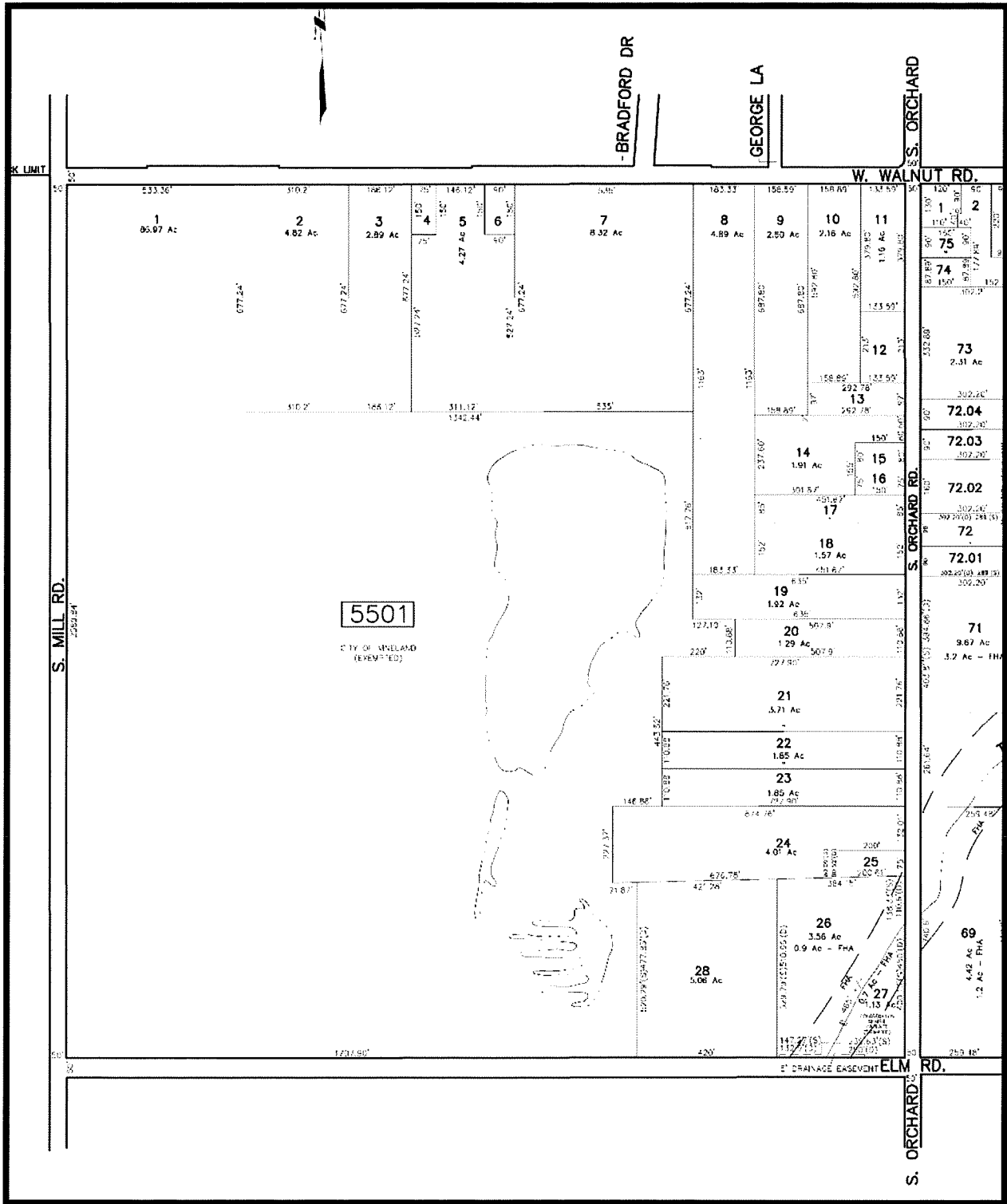
The Study Area is bound by Mill Road, Walnut Road, Orchard Road and Elm Road. The Landis Sewerage Authority facility and two (2) industrial properties are to the west of the Study Area. The two (2) industrial properties are both poultry processing plants, with one operational and one not. Residential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

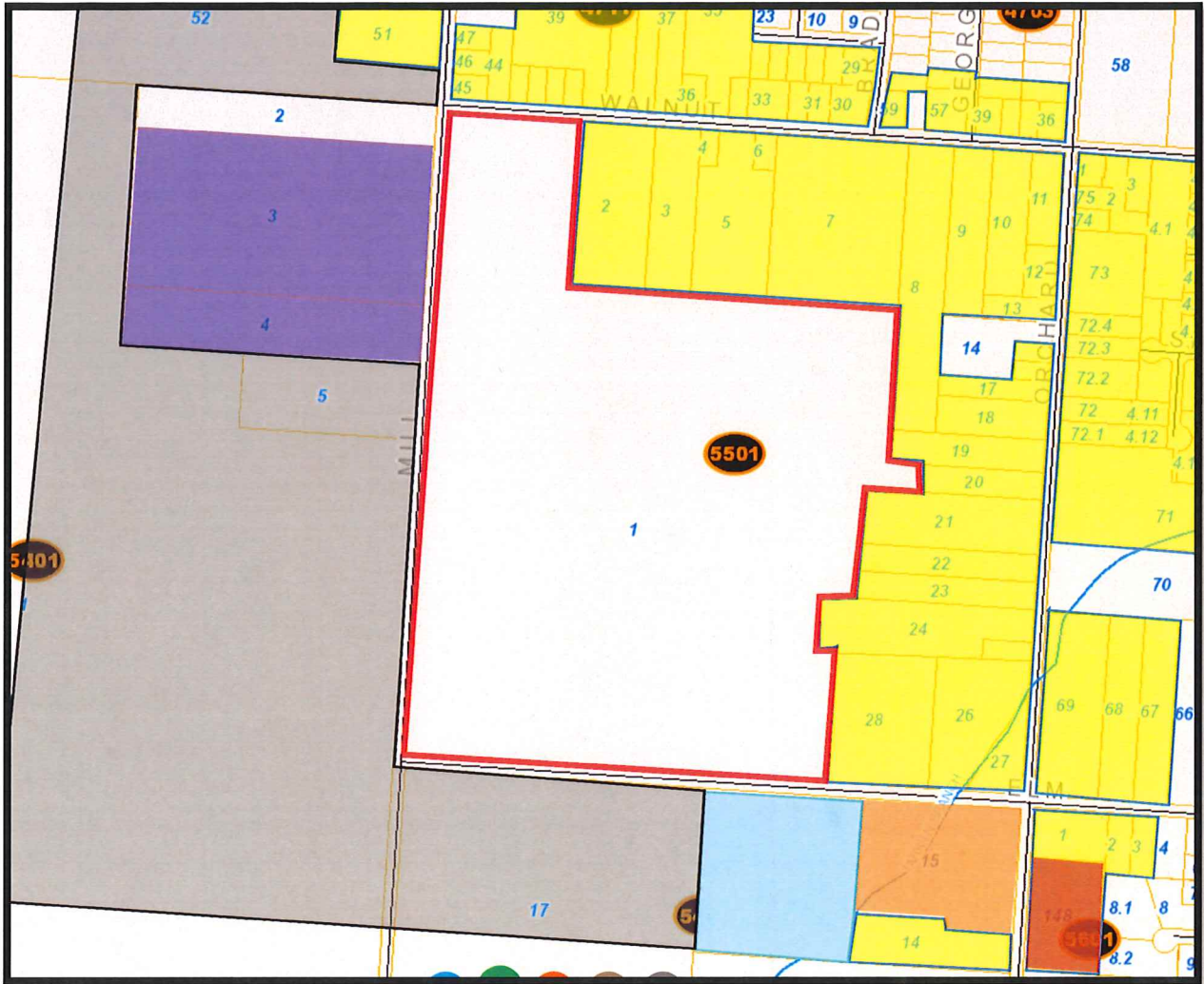
Lastly, the municipal park, located at the northern end of the Study Area, currently has a baseball/softball field, basketball and volleyball courts, and parking. The use of this park changes over time to respond to differing demands for recreational activities (Figure 9).



**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**



## **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 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



**FIGURE 9**  
**Municipal Landfill - park**

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'**

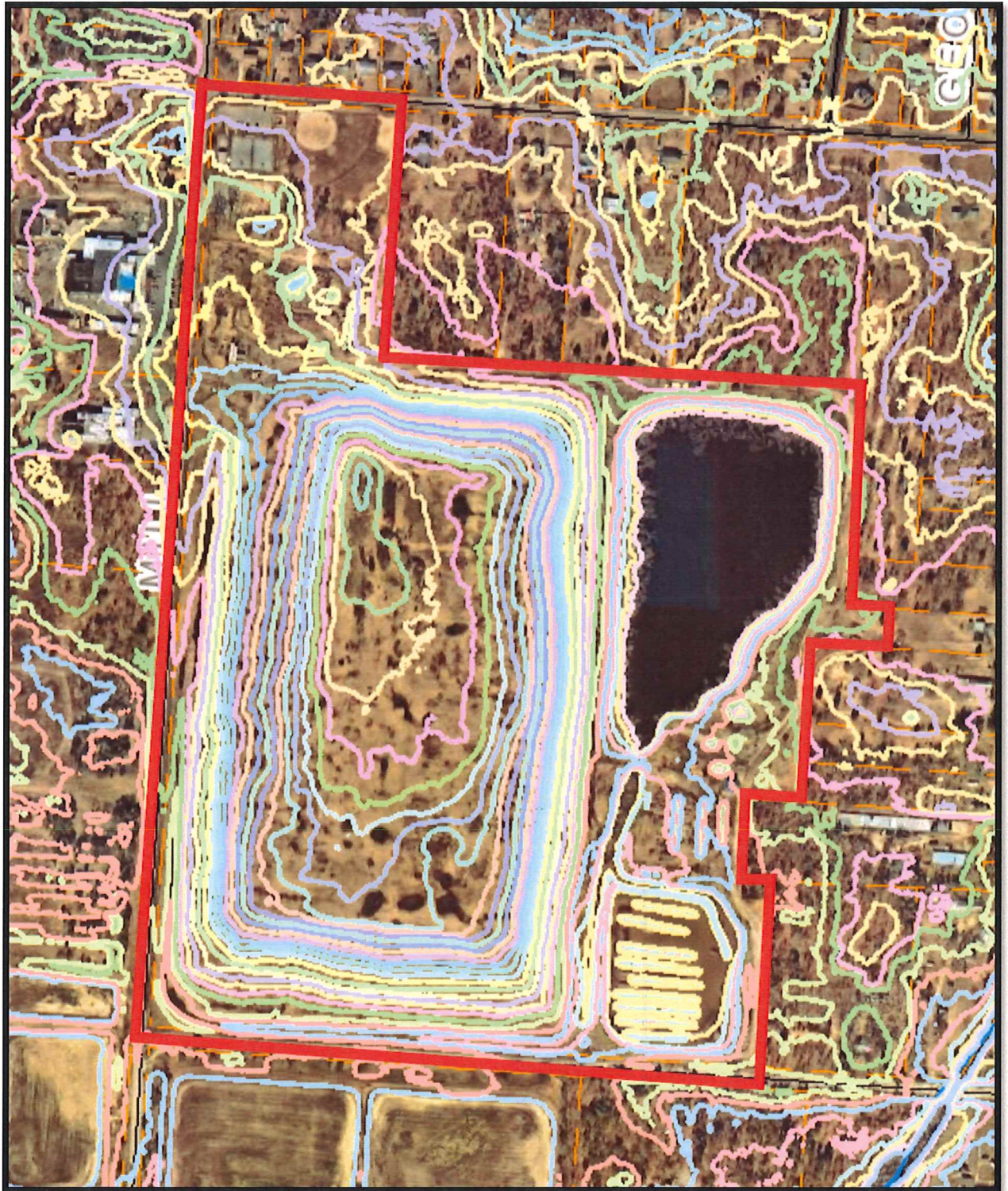
As mentioned previously, the Study Area only has four (4) structures. Of those, two (2) are in questionable condition. At the Mill Road entrance to the landfill, the construction trailer that is utilized as a permanent, manned office is old. Both the interior and exterior of the structure are in extremely 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'.

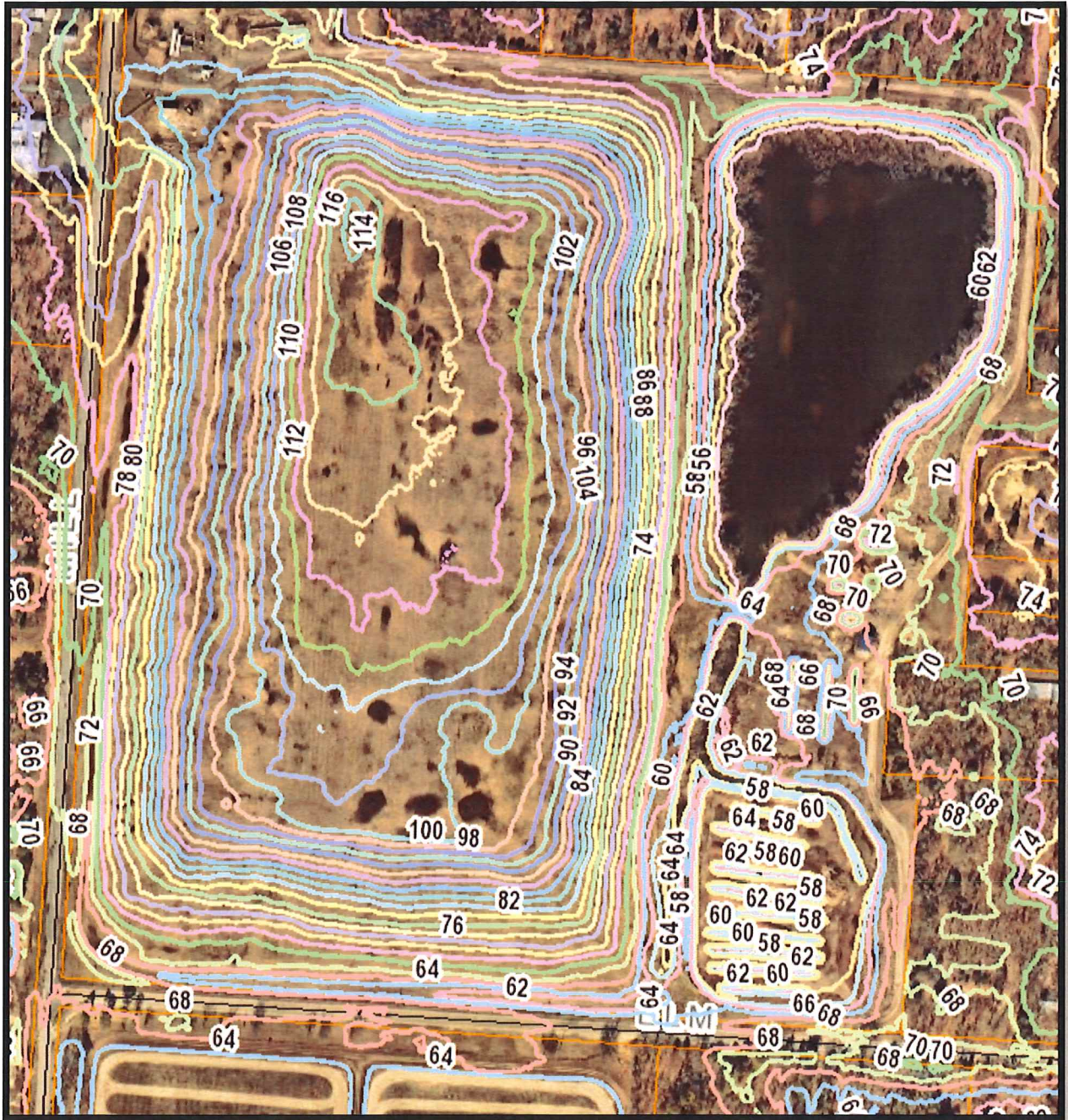
### **Criterion 'c'**

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 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



**FIGURE 10**  
**Municipal landfill - topography**



**FIGURE 11**  
**Municipal Landfill – topography detail**

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.**

## **PART II REDEVELOPMENT PLAN**

### **OPPORTUNITIES AND CONSTRAINTS**

The landfill property presents a number of opportunities (i.e., positive attributes) for redevelopment. First, at 86.97 acres, it offers a site that is free of any NJDEP mapped environmental constraints, such as freshwater wetlands and flood hazard areas.

Road access is readily available via either Mill or Elm Roads. Additionally, being located in an area that is built out also means that adequate infrastructure already exists. Public water is available in Mill Road, while public sewer is available in Mill and Elm Roads. While the area is built out, there nevertheless is minimal traffic because Mill Road is a dead end and most of the land in the vicinity of the landfill is owned by the Landis Sewerage Authority. As the Authority doesn't serve septic haulers, the roads accessing the facility have minimal traffic. This offers some protection from vandalism and other illegal activities.

Lastly, the most significant opportunity is the State's incentive program to redevelop properly closed sanitary landfills for solar fields. The Solar Act of 2012, N.J.S.A. 48:3-87(t), amended certain aspects of the statute governing generation, interconnection, and financing of renewable energy. It says that the Board of Public Utilities (BPU), in

consultation with the Department of Environmental Protection (DEP) and the Economic Development Authority (EDA), will establish a program to provide SRECs to owners of solar electric power generation facility projects certified by the Board, in consultation with DEP, as being located on a brownfield, on an area of historic fill or on a properly closed sanitary landfill facility. The Act further defines a 'properly closed sanitary landfill facility' as a sanitary landfill facility, or a portion of a sanitary landfill facility, for which performance is complete with respect to all activities associated with the design, installation, purchase, or construction of all measures, structures, or equipment required by the DEP.

The landfill property does, however, present major constraints. Just by virtue of it having been used to dispose of municipal solid waste, it is considered a brownfield. The closure plan for the landfill required that a clay cap be installed and maintained. This cap can't be penetrated as this could allow for water infiltration. This cap also can't support significant weight as this could cause cracking. The fragility of the clay cap severely limits future use.

In addition to the issues related to the clay cap, the topography of the landfill is another constraint. The elevation rises from 60 feet at the base of the landfill to 116 feet at the top. While the top of the landfill is relatively flat, the side slopes are steep.

Another constraint is that the northern portion of the landfill property is a municipal park listed on the State Recreation and Open Space Inventory. Any redevelopment of the landfill needs to recognize the sensitivity of this use to prevent any possible negative impact.

Lastly, the landfill is located in an I-4 Industrial Zone. Recognizing the other constraints, it would be difficult to utilize the property for any of the permitted uses in this zone.

## **THE PLAN**

### **Introduction**

Infinity Energy submitted an application to the Board of Public Utilities for certification for eligibility to generate Transition Renewable Energy Certificates, TRECs, on August 26, 2021. The company proposed a 14.9962 MWdc grid supply solar farm on the municipal landfill (Figure 12). Utilizing the Environmental Protection Agency's Greenhouse Gas Calculator, this is enough electricity to power 2,683 homes for one (1) year.

According to the application, the landfill property consists of 89.55 acres, with 45.90 acres having been used for the disposal and final cover of waste materials. The closure of the landfill was completed on August 26, 1994, meaning the landfill is currently in its 30-

# FIGURE 12



SYSTEM SIZE (DC)	14,993,550W
SYSTEM SIZE (AC)	11,550,000W
AZIMUTH	180 DEGREES
TILT	20 DEGREES
MODULES	(25630) CANADIAN SOLAR 585W
INVERTERS	(42) CHINT CPS SCH275KTL-D0US-800

NO.	PRINT ISSUE	DATE
1	ISSUED FOR SUBSECTION T APP ISSUED FOR I.C.	08/17/21
2		06/02/22

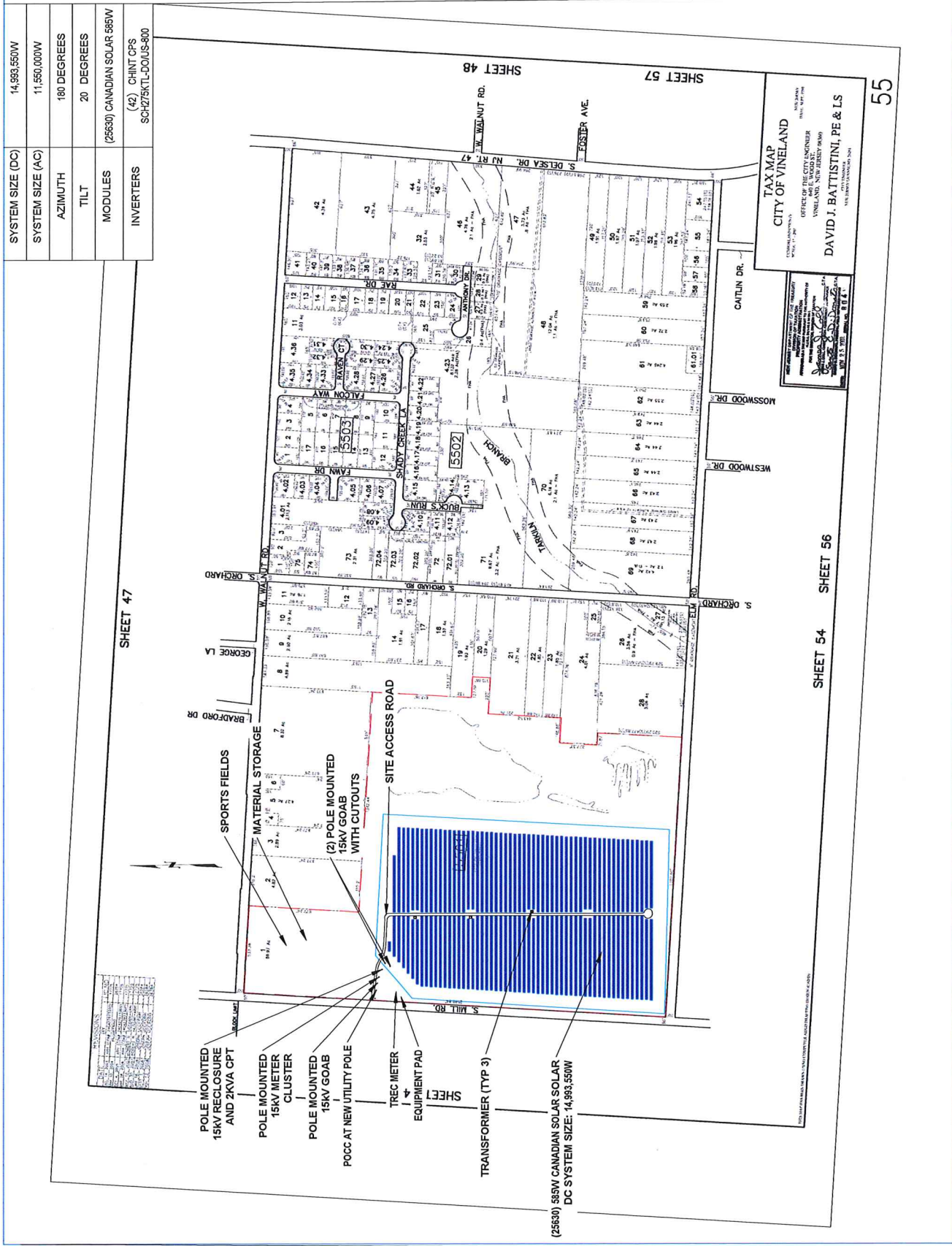
CODE	REVISION DESCRIPTION	DATE
1	USE AND INTERPRETATION OF THIS DRAWING: 1. SPECIAL DRAWING OF THE CHINESE AND CANADIAN SOLAR PANELS AND INVERTERS. THE CHINESE AND CANADIAN SOLAR PANELS AND INVERTERS ARE TO BE INSTALLED ON THE SITE AS SHOWN ON THIS DRAWING. THE CHINESE AND CANADIAN SOLAR PANELS AND INVERTERS ARE TO BE INSTALLED ON THE SITE AS SHOWN ON THIS DRAWING. THE CHINESE AND CANADIAN SOLAR PANELS AND INVERTERS ARE TO BE INSTALLED ON THE SITE AS SHOWN ON THIS DRAWING. 2. THE CHINESE AND CANADIAN SOLAR PANELS AND INVERTERS ARE TO BE INSTALLED ON THE SITE AS SHOWN ON THIS DRAWING. THE CHINESE AND CANADIAN SOLAR PANELS AND INVERTERS ARE TO BE INSTALLED ON THE SITE AS SHOWN ON THIS DRAWING. THE CHINESE AND CANADIAN SOLAR PANELS AND INVERTERS ARE TO BE INSTALLED ON THE SITE AS SHOWN ON THIS DRAWING. 3. THE CHINESE AND CANADIAN SOLAR PANELS AND INVERTERS ARE TO BE INSTALLED ON THE SITE AS SHOWN ON THIS DRAWING. THE CHINESE AND CANADIAN SOLAR PANELS AND INVERTERS ARE TO BE INSTALLED ON THE SITE AS SHOWN ON THIS DRAWING. THE CHINESE AND CANADIAN SOLAR PANELS AND INVERTERS ARE TO BE INSTALLED ON THE SITE AS SHOWN ON THIS DRAWING. 4. THE CHINESE AND CANADIAN SOLAR PANELS AND INVERTERS ARE TO BE INSTALLED ON THE SITE AS SHOWN ON THIS DRAWING. THE CHINESE AND CANADIAN SOLAR PANELS AND INVERTERS ARE TO BE INSTALLED ON THE SITE AS SHOWN ON THIS DRAWING. THE CHINESE AND CANADIAN SOLAR PANELS AND INVERTERS ARE TO BE INSTALLED ON THE SITE AS SHOWN ON THIS DRAWING.	

PROJECT TITLE:  
VINELAND CITY LANDFILL  
1271 S MILL ROAD  
VINELAND NJ 08360

DRAWING TITLE:  
LAYOUT

CLIENT:  
BELONGING NAME:  
DESIGNED BY: LAC  
DRAWN BY: LAC

DRAWING NO:  
A.2



year post-closure care period that requires ongoing maintenance and monitoring in accordance with the Solid Waste Rules, N.J.A.C. 7:26-2A.9 and the Closure and Post-Closure Approval.

NJDEP determined that approximately 37.7 acres of the landfill constitutes a properly closed municipal sanitary landfill facility. The BPU granted conditional certification for the solar installation. To obtain a full certification, the following considerations must be met:

- The City will need to obtain an approval from the DEP Division of Sustainable Waste Management, as well as any permits identified by the Department, prior to construction of the solar electric power generation facility. The approval for the construction of improvements on the closed landfill needs to address impacts on the environmental controls in place at the site, such as the protection/re-establishment of the final cap/cover, leachate collection, gas collection and stormwater collection systems, settlement, slope stability, and control of erosion, in addition to on-going maintenance and monitoring. Consistent with the above requirements, the City and the operator of the solar facility should ensure that all future operations continue to protect the integrity of the cap.
- All issues cited in the August 10, 2021 Bureau of Solid Waste Compliance and Enforcement Field Notice of Violation for the compost facility/recycling center operating on the same property shall be resolved.
- Infinity Energy needs to submit an initial TI Program application package within 14 days of the effective date of the order, May 31, 2023, and to complete construction within 30 months in accordance with N.J.A.C. 14:8-10.4(f)(4)(ii)(3) as modified by the TI Extension Order.

### **Redevelopment Goals and Policies**

The following goals, with associated implementing policies, are established for the Municipal Landfill Redevelopment Plan:

Goal 1 – The Redevelopment Plan will advance the City of Vineland Master Plan.

#### Policies

1. The Redevelopment Plan will support preservation of farms and open space by supporting the utilization of compromised land, such as the landfill, for the development of solar facilities.

Goal 2 - The Redevelopment Plan will advance federal, State and local initiatives to address the negative impacts of climate change.

#### Policies

1. The Redevelopment Plan will advance development of alternative sources of energy, in this case solar, to reduce greenhouse gas emissions contributing to the negative impacts of climate change.

### **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 Future Land Use Map designated block 5501/lot 1 as Public Use/Public Land. This redevelopment plan proposes that the City retain ownership, but makes the landfill available for lease for a solar farm. This property, along with surrounding lands, it is zoned I-4 Industrial. Both the prior use as a municipal landfill and the proposed use as a solar farm are permitted in an I-4 Industrial Zone as governmental or public utility facilities. The Land Use Ordinance defines a ‘public utility’ as any utility, authority, commission, special district or other corporate entity, whether regulated or not by the Board of Regulatory Commissioners, that provides gas, electricity, water, sewerage, telephone or cable television service. This redevelopment plan will maintain the existing zoning, with some modifications and augmentations for a solar farm project.

Development of a solar farm will have a positive impact on public utilities because it will contribute clean energy to the power grid. Because of the nature of the project, there are no anticipated impacts on density of population, traffic and public transportation, public utilities, recreational and community facilities and other public improvements.

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

The Municipal Landfill Redevelopment District will maintain the existing zoning, with some modifications. A solar farm will be regulated as an ‘industrial use’ rather than a ‘governmental or public utility facility’. More particularly, the provisions of the Zoning Schedule, Sheet 1 and §425-302 of the Land Use Ordinance for I-4 Industrial shall be utilized, except the minimum front yard shall be reduced to fifty (50) feet and the minimum side and rear yards shall be reduced to twenty-five (25) feet.

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

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 the project area wasn't used for residential development. 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.

No property acquisition is proposed in the Redevelopment District.

(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 eight (8) municipalities, none are in close proximity to block 5501/lot 1. There is therefore no significant relationship to the master plans of contiguous municipalities. This redevelopment plan is consistent with, and advances the redevelopment goals, of the State Development and Redevelopment Plan. The City recently went through the State Plan Endorsement process and had its regional center designation extended. This portion of the City is mapped as Planning Area 2 – Suburban. This area is therefore targeted for development and 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, 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.

### **Potential Funding Sources**

The City will support the redeveloper's pursuit of available funding to advance the goals of this plan. While no direct sources of funding have been identified, the City, being the owner of the property that is a properly closed sanitary landfill facility, will support the redeveloper with an application for certification for eligibility to generate Transition Renewable Energy Certificates (TRECS) for a proposed solar electric generation facility.

### **Property Acquisition**

The City owns Block 5501/Lot 1. It is the City's intent to retain ownership. There will therefore be no need to use eminent domain to advance this redevelopment plan.

## **OTHER PROVISIONS**

### **Duration of Redevelopment Plan**

The Municipal Landfill Redevelopment Plan shall be in full force and effect for a period up to twenty-two (22) years from the date of approval of this Plan by Mayor and Council. Within this period, the redeveloper shall have up to two (2) years to fully construct the project and have it operational. Subsequently, there shall be a twenty (20) year commitment to supply power.

### **Amending the Redevelopment Plan**

Upon compliance with the requirements of applicable law, the Mayor and Council of the City may amend, revise or modify the Redevelopment 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 Municipal Landfill Redevelopment 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**

City Council shall act as the “Redevelopment Authority” pursuant to N.J.S.A. 40A-12A-4(c) for purposes of implementing the Municipal Landfill Redevelopment 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.

### **Implementation of the Redevelopment 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.

1. The redeveloper will be obligated to carry out specified improvements in accordance with the Redevelopment Plan.
2. The 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, 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, the conditions determined to exist at the time the property was determined to be an area in need of redevelopment will no longer exist.
5. No covenant, agreement, lease, conveyance or other instrument shall be effected or executed by the redeveloper or 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 redevelopment plan shall be judged invalid by a court of competent jurisdiction, such order or judgment shall not affect or invalidate the remainder of the Plan, and such provision or regulation is hereby declared severable.

# APPENDIX A

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

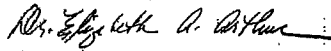
WHEREAS, pursuant to N.J.S.A. 40A:12A-6, should City Council adopt the Resolution, the Planning Board shall be entrusted with undertaking a public hearing process to hear testimony of individuals to determine if the area is in need of redevelopment, make a report to City Council for their approval or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



# APPENDIX B

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-Condemnation Redevelopment Area in accordance with N.J.S.A. 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.

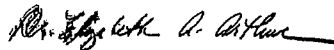
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Vineland that it hereby adopts and approves the findings and recommendations made by the Planning Board as memorialized in Planning Board Resolution Number 6508, Resolution of Findings and Conclusions and Decision of the Vineland Planning Board, and hereby declares Block, 5501, Lot 1 a Non-Condemnation 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-Condemnation Redevelopment Area

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

Adopted: June 14, 2022



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

eea

ATTEST:



\_\_\_\_\_  
Deputy City Clerk      rgf

# APPENDIX C



Richard G. Franchetta, RMC, EJD  
Deputy Municipal Clerk  
Rfranchetta@vinelandcity.org  
www.vinelandcity.org

640 E. Wood Street  
PO Box 1508  
Vineland, NJ 08362-1508  
Phone: (856) 794-4060  
Fax: (856) 405-4611

June 15, 2023

*Sent via e-mail*

TO: Kathleen Hicks, Principal Planner  
Yasmin Ricketts, Planning/Zoning Secretary

FROM: Richard G. Franchetta, RMC, EJD, Deputy Municipal Clerk

RE: City Council Motion

At their regular scheduled meeting conducted on June 13, 2023, Vineland City Council adopted a motion, *“to direct the planning board of the City of Vineland to prepare a Redevelopment Plan for the landfill redevelopment area in accordance with N.J.S.A. 40a:12a-7.*

Please allow this notification to serve as an official referral of said motion and a request to take the necessary action regarding this matter.

Thank you for your assistance.

Xc: Mayor Anthony R. Fanucci *(via email)*  
Robert E. Dickenson, Jr., Business Administrator *(via email)*  
Richard P. Tonetta, Esq., City Solicitor *(via email)*  
Keith Petrosky, RMC, Municipal Clerk *(via email)*

/RGF



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