

CITY OF VINELAND

RESOLUTION NO. 2025- 207

RESOLUTION IN OPPOSITION OF APPROVAL FOR THE OPERATION OF A CLASS B AND/OR CLASS C RECYCLING PERMIT TO DUN-RITE SAND AND GRAVEL COMPANY TO OPERATE ON 3765 MAYS LANDING ROAD, BLOCK 7801 LOTS 18 AND 19 LOCATED IN THE W-6 WOODLANDS ZONE IN THE CITY OF VINELAND.

WHEREAS, the City of Vineland is the owner of certain property located in the W-6 Woodlands Zone within 200 feet of property owned by Dun-Rite Sand and Gravel (Dun-Rite) known as Block 7801 Lots 18 and 19 (Property); and

WHEREAS, Dun-Rite is a company that extracts sand for sale with property frontage on Mays Landing Road; and

WHEREAS, the W-6 Woodlands Zone in which Dun-Rite is located, is described in Ordinance 425-284, which states “the purpose of these zones is to recognize and preserve the character of largely undisturbed forested areas which support habitat of native plant and animal species, which contribute to recharge of the aquifer and which protect and enhance the water quality within the watersheds contributing to river segments in the National Wild and Scenic Rivers System. These areas are viewed as an essential element of the environment and are very sensitive to development.”

WHEREAS, on January 21, 2025, Dun-Rite submitted an application to the City of Vineland Zoning Board of Adjustment for a Use Variance to allow them to operate a Class B and/or Class C Recycling Facility on the Property and the City of Vineland is an interested party as it owns land within 200 feet of the Property; and

WHEREAS, a Class B Recycling Permit would allow Dun-Rite to recycle, at the Property within the W-6 Woodlands Zone, concrete, asphalt, wood, trees and brush, tires, roof shingles, contaminated soil with low levels of petroleum contamination, among other recyclable materials; and

WHEREAS, a Class C Recycling Permit would allow Dun-Rite to recycle, at the Property within the W-6 woodlands Zone, food waste, vegetative waste and yard trimmings, among other recyclable materials; and

WHEREAS, the City of Vineland Environmental Commission has expressed its opposition to the granting of a D Variance and the issuance of a Class B and or Class C permit to operate a recycling facility within the W-6 Woodlands Zone; and

WHEREAS, the National Wild and Scenic River System was created by the United States Congress in 1968 to preserve certain rivers with outstanding natural, cultural and recreational values in a free-flowing condition for the enjoyment of present and future generations; and

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WHEREAS, in May of 1987, President Ronald Regan signed legislation authorizing the National Park Service to study the lower Maurice River and its principal tributaries, the Manumuskin, Menantico and Muskee Creeks for possible inclusion in the National Wild and Scenic River System and on December 1, 1993 the 103rd Congress of the United States adopted Public Law 103-162, An Act to include the Maurice River and its tributaries into the National Wild and Scenic Rivers System in accordance with the Wild and Scenic Rivers Act 16 U.S.C. 1274(a). Said legislation was signed into law by President Clinton; and

WHEREAS, the Property is located within the Maurice River Watershed and therefore any recycling activities permitted by a Class B and/or Class C permit would potentially impact the Maurice River Watershed and the Federally designated National Wild and Scenic Maurice River and its tributaries and further may fall within the River Corridor which is defined in Section 7 of the Wild and Scenic Rivers Act as “a river and the adjacent area within the boundaries of a designated river, or a river and the adjacent area within one-quarter mile of the banks of a congressionally authorized study river.”; and

WHEREAS, locating any recycling facility in the W-6 Woodlands Zone, especially at or near the Federally designated Wild and Scenic Maurice River and its tributaries, would be contradictory to the intent and purpose of the Wild and Scenic Rivers designation and contrary to the intent of the W-6 Woodlands Zone; and

WHEREAS, City Council finds that it is necessary to protect the W-6 Woodlands Zone from potential contamination by a recycling facility so as to protect the enjoyment by present and future generations of the habitat of native plants and animal species and the natural and recreational values of the Maurice River and its tributaries, as well as the Maurice River Watershed which contributes to recharging of the aquifer and to protect and enhance the water quality within the watersheds contributing to the National Wild and Scenic Rivers System..

NOW THEREFORE BE IT RESOLVED by the Council of the City of Vineland that the Council opposes the application of a Use Variance so as to allow Dun-Rite Sand and Gravel to operate a Class B and or Class C recycling facility on property known as 3765 Mays Landing Road, Block 7801 Lots 18 and 19 in the City of Vineland and further opposes the issuance of a permit to operate a recycling facility thereon.

Adopted: April 22, 2025

President of Council pfs

ATTEST:

City Clerk rgf