



Redevelopment Plan For 400 English Creek Road

Port Republic, New Jersey

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I. Introduction

The Project Area covered by this Redevelopment Plan is a single 27.55 acre lot located at 400 English Creek Road (Block 24, Lot 34) in the City of the Port Republic. It has been designated as an 'area in need of redevelopment' by the Port Republic City Council after a Preliminary Investigation Report prepared by the Planning Board in accordance with the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.) ("LRHL"). The lot has been owned by the City of Port Republic for 28 years since a tax lien foreclosure in September 1994.

This Plan anticipates the development of a solar array with the immediate intention of providing a community solar project.¹ This Plan further recognizes that due to the existing condition of Block 24, Lot 34 the immediate development of a solar array may not be practical. Therefore, this Plan also anticipates a land reclamation project as a feasible alternative redevelopment project. City Council expects that the adoption of this Redevelopment Plan will result in reutilization of a lot with limited development possibilities as well as promotion of the use of renewable energy for the benefit of residents. This is in accordance with Atlantic County's Master Plan Sustainability Element goal to "promote energy efficiency, alternative energy and micro-gridding to reduce the County's fossil fuel consumption, save money in the long run, and enhance resiliency in the face of grid disruptions." With that primary consideration, the City also maintains that, due to the lot's lack of previous development potential, it will remain receptive to other development ideas that would similarly benefit its residents and the same sustainability standards. As noted, such alternate development may include a land reclamation project.

II. Designation of Area and Plan Development

The City of the Port Republic, pursuant to N.J.S.A. 40A:12A-7, has prepared this Redevelopment Plan to support the redevelopment of the Project Area and provide benefits to its citizens. The City approved the conclusions of the Preliminary Investigation on January 9, 2023, and the Commissioner of the Department of Community Affairs approved the designation by letter of March 22, 2023.

This Redevelopment Plan will lay out the nature and type of development that the City envisions for this Redevelopment Area. The Preliminary Investigation concluded in its Report that the area is not likely to be developed without publicly initiated redevelopment due to its location, remoteness, and lack of means of access to developed sections of the City.

¹ The Community Solar Energy Pilot Program enables utility customers to participate in a solar energy project that is remotely located from their property. Electric utility customers who have previously been unable to go solar, due to a variety of factors including cost, unsuitable roof, or lack of roof control, can now access this renewable energy. It enables low- & moderate- income households and the environmental justice community greater access to clean energy and savings on their electricity bills.

A solar array at this location would be a constructive and economically positive endeavor for a developer and for City residents.

III. Statutory Requirements of Redevelopment Plan

A redevelopment plan must be prepared and adopted by ordinance prior to undertaking any redevelopment project in all or a portion of an area in need of redevelopment or rehabilitation. This process, which is consistent with applicable state statutes, was followed by Port Republic in the preparation of this Redevelopment Plan.

Pursuant to the LRHL, a redevelopment plan shall include an outline for the planning, development, rehabilitation or redevelopment of the area sufficient to indicate:

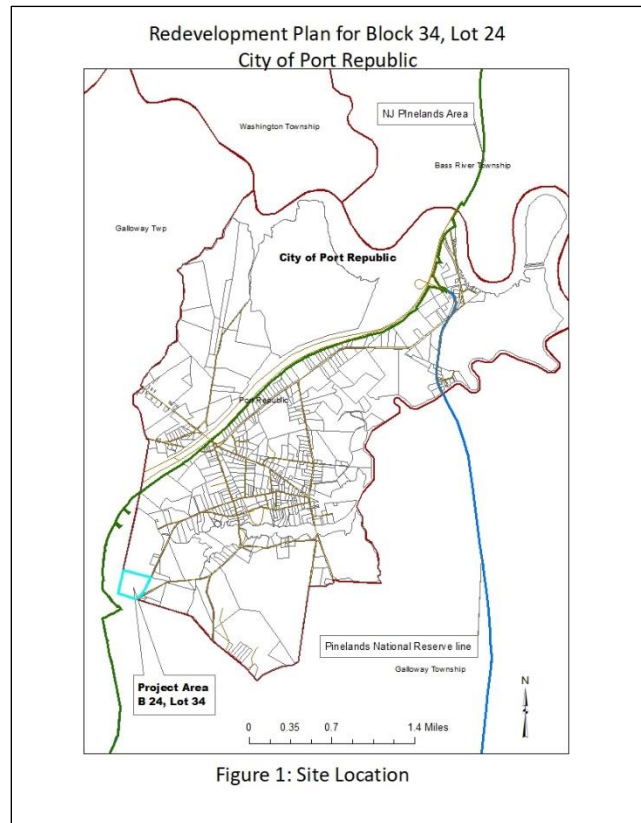
1. Its relationship to definite local objectives as to appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.
2. Proposed land uses and building requirements in the Project Area.
3. An identification of any property within the Project Area which is proposed to be acquired in accordance with the Redevelopment Plan.
4. Any significant relationship of the Redevelopment Plan to:
 - the Master Plans of contiguous municipalities;
 - the Master Plan of the County in which the municipality is located;
 - the State Development and Redevelopment Plan adopted pursuant to the “State Planning Act” PL 1985, C398 (C52:18A-196 et al.); and
 - the local ordinances and Master Plan.
5. A housing inventory of all affordable housing units to be removed as a result of implementation of the plan.
6. 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.
7. A plan for replacement of any affordable housing removed pursuant to the Redevelopment Plan.

IV. Description of Project Area

The Project Area consists of one lot (400 English Creek Road (Block 24, Lot 34)) in the far southwest corner of the City of Port Republic as shown in Figure 1. The lot is situated just east of the Garden State Parkway and is bordered by Pomona Road and the Galloway municipal boundary to the south and west, vacant land to the north, and English Creek Avenue to the east. The lot is owned by the City of Port Republic due to foreclosure by the city on September 24th, 1994. The lot is 27.55 acres. Between July 2013 and September 2021 the City leased the lot to Ole Hansen & Sons, Inc. for the stated purpose of gravel mining. Subsequent to the conclusion of the lease with Ole Hansen & Sons, Inc., the Project Area has remained idle in its excavated, re-seeded state.

The municipal zoning for the Project Area is: Agricultural-Residential. Pursuant to §160-49 of the Code of the City of Port Republic, uses under this zoning are:

- Principal Uses
 - Single family detached
 - Parks, playgrounds and other publicly operated recreational uses or structures, subject to Planning Board site plan design review.
 - Customary and conventional farming operations.
 - Public buildings of a governmental or cultural nature, subject to Planning Board site plan design review.
 - Public or private schools and institutions of higher learning, subject to Planning Board site plan design review.
 - Golf courses, but not less than a nine-hole regulation course containing not less than 3,000 yards.
- Conditional Uses
 - Places of worship, subject to design considerations set forth in Article XII.
 - Public utilities substations with exterior architectural design in keeping with other structures in the neighborhood and subject to other design considerations set forth in Article XII.
- Accessory Uses
 - Customary farm buildings for the storage of products or equipment or for the processing of farm products which are located on the same parcel as principal use.
 - Temporary roadside stands in connection with a farm operation for the purpose of display and sale of farm products during the season.



The area and bulk requirements for the Agricultural-Residential zoning district are:

- Lot size: five acres minimum.
- Lot width: 200 feet minimum.
- Lot coverage: 20% maximum.
- Lot depth: 200 feet minimum.
- Height.

- Principal building: 2 1/2 stories/35 feet maximum from grade.
- Accessory building: two stories/30 feet maximum from grade.
- Front yard setback: 50 feet minimum. In the case of corner lots, all yards fronting a street will be considered front yards.
- Side yard setbacks: 20 feet minimum each side.
- Rear yard setback: 20 feet minimum.
- Dwelling unit size: 1,000 square feet of floor area minimum for a one-story dwelling; 1,200 square feet of floor area minimum for a two-story dwelling, with a minimum of 800 square feet on first floor, excluding garages and porches.

The current state of the Project Area is partially wooded with mine restoration re-seeding as shown in Figure 2.

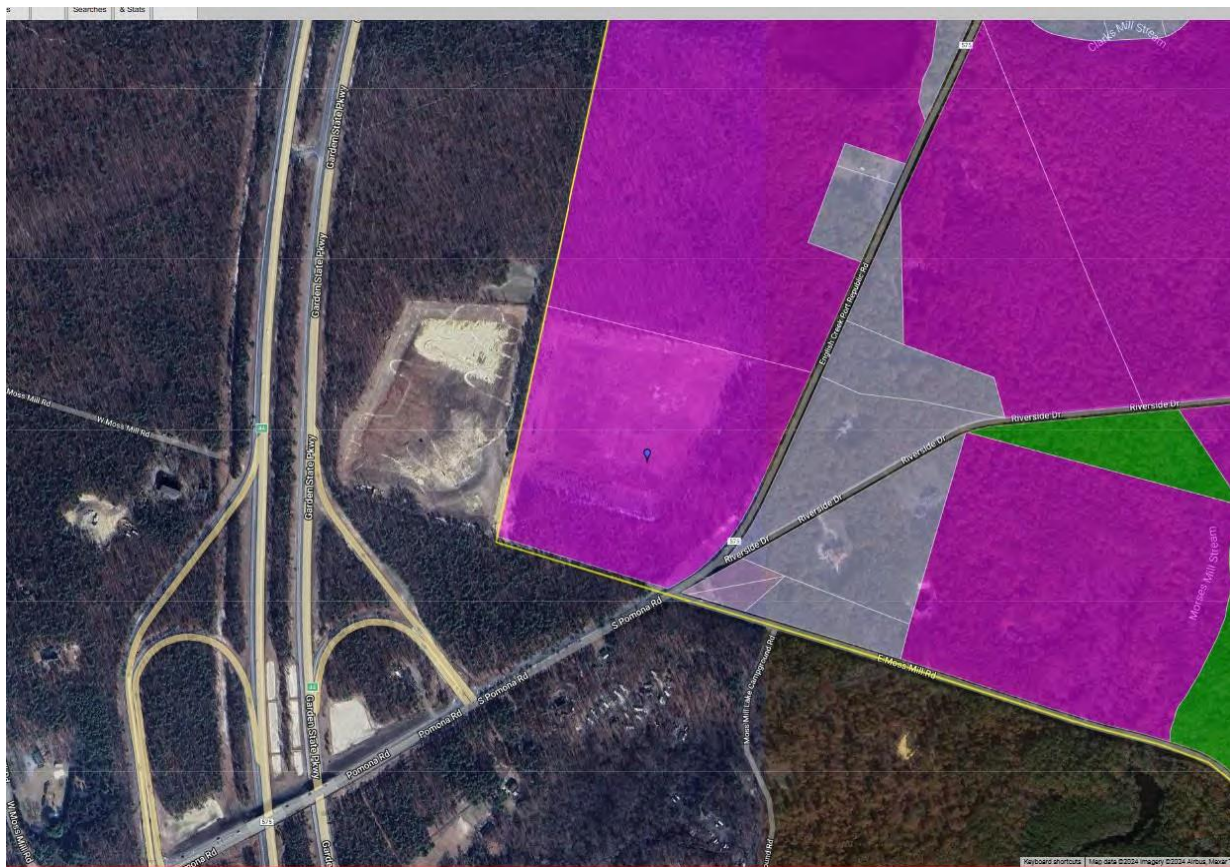


Figure 2: Redevelopment Site

The surrounding area demonstrates the parcel's remote location both spatially and in regard to surrounding uses.

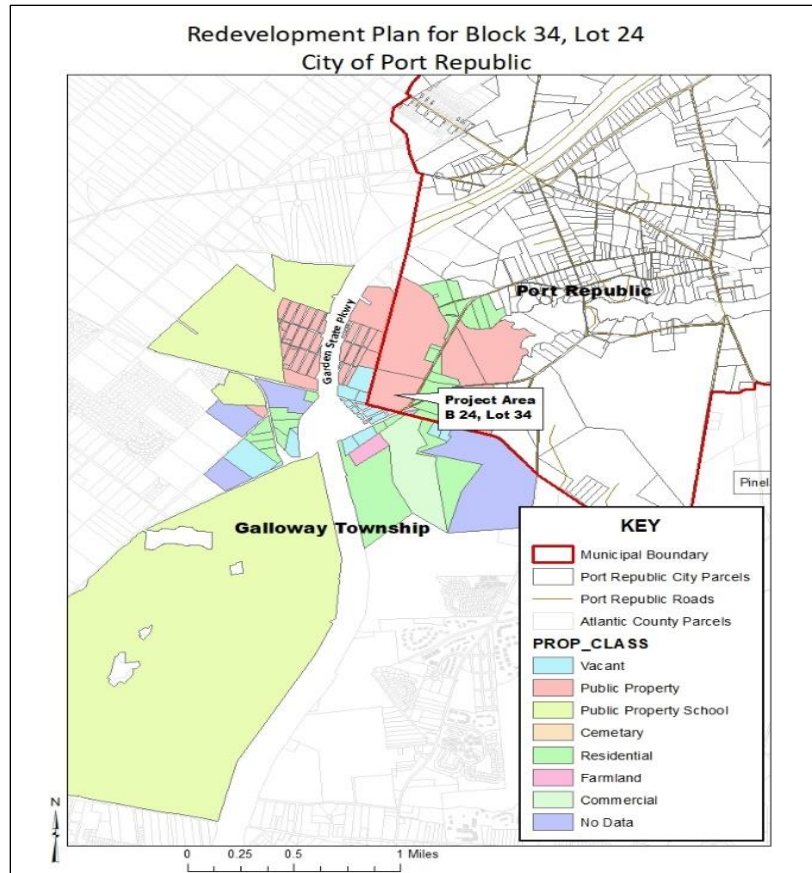


Figure 3: Surrounding Parcels Land Use

V. Statement of Goals and Objectives

Port Republic seeks to utilize this City-owned property in a manner that will fulfill New Jersey's energy goal to "...provide for the encouragement and promotion of the efficient use of natural resources and the installation and usage of renewable energy system." Furthermore, the possibility of instituting a community solar program as established by the State pilot program will benefit the City's residents.

To achieve this, the following goals and objectives have been established:

- The primary goal of this Redevelopment Plan is to utilize the vacant lot in a manner that maximizes its economic potential for residents;
- Gives priority to environmentally-friendly and sustainable initiatives;
- Offers incentives to residents and gives them the capability to have access to clean energy;
- Expands opportunities for involvement in the clean energy economy.

The City will remain open to proposals that equal or approach this utilization in terms of benefits to the City. Such proposals need not be confined to installation and usage of

renewable energy systems and the City will remain open to other proposals including, but not necessarily limited to, land reclamation proposals.

VI. Proposed Land Uses and Building Requirements

The existing use, bulk, design and performance standards, and all other standards, as currently set forth in Port Republic's Land Use Ordinance, and as adopted in the future, shall apply to the Project Area with the zoning overlay as set forth below.

Additional Permitted Use will be:

Principal Solar Energy Production Facility, defined as:

“an area of land or other area used for a solar collection system principally used to capture solar energy, convert it to electrical energy or thermal power and supply electrical or thermal power primarily for off-site use. Principal solar energy systems consist of one or more free-standing ground mounted solar collector devices, solar related equipment and other accessory structures and buildings including light reflectors, concentrators, and heat exchangers, substations, electrical infrastructure, transmission lines and other appurtenant structures.”

Land Reclamation Project defined as: “a project by which a previously excavated or mined parcel of land is reclaimed to its pre-excavation or pre-mined state by means of placing clean fill, or clean dredge fill, upon the subject parcel in accordance with standards established by any governmental entity having jurisdiction over the subject parcel of land.”

Area and Bulk Standards for the Solar Energy Production Facility overlay use are:

- Minimum lot area shall be 25 acres
- Setback to all roads shall be 100'
- All other setbacks shall be 75'
- A vegetated buffer of 75' on English Creek Road shall be maintained.
- Any substations/inverters installed shall be setback a minimum of 25' from any property line.
- Fencing shall be installed around the entire array with locked entrance gates equipped with Knox Boxes.
- The system shall be installed in compliance with the NEC 2017 Articles 690 and 691, as updated.
- The extent of tree removal necessary for the installation shall be shown on the site plan to be submitted to the Planning Board
- The operator shall provide a phone number and identify a person responsible within the City of Port Republic to contact with inquiries and complaints throughout the life of the project.

- The project shall submit a stormwater runoff analysis and meet all pertinent standards for stormwater control.
- The solar facility shall be accessible to typical emergency service apparatus, including fire equipment and ambulances. An emergency response plan should be developed and include:
 - Material safety data sheets of all components of the system that contain hazardous or flammable materials.
 - identification of potential emergencies,
 - a map/diagram of the system,
 - procedures to follow in the case of various emergencies.
- A Decommissioning Plan (based on end of lease and/or abandonment to be defined as “the cessation of the current use of the land for 6 continuous months by the operator with no intention of resuming or transferring the operation of the facility to another who will continue the use”) shall be submitted to the Port Republic City and to the Planning Board and shall include:
 - Provisions for the City to notify the Operator of abandonment and allow 60 days for the resumption of energy generation to at least 75% of its capacities prior to declaring it abandoned.
 - Provisions for the removal of all components of the facility/system from the site and the full restoration of the site to its predevelopment condition insofar as is feasible; and the safe disposal of all components of the facility/system, including the recycling of all recoverable materials, consistent with prevailing best practices relating to the disposal and recycling of photovoltaic waste at the time of decommissioning.
 - Requirement for a demolition permit within 60 days of notice of abandonment by the City. At the time of issuance of the demolition permit, the operator shall provide financial security in the form and amount acceptable to the City of Port Republic to secure the expense of complete dismantling and removing all equipment of the facility and the restoration of the land to its original condition.
 - Measures to provide for the protection of public health and safety and for protection of the environment and natural resources during both the removal and site restoration stages, as well as the schedule for the completion of all site restoration work in accordance with the decommissioning plan.

Area and bulk standards for a Land Reclamation Project overlay use are those that are set forth for principal permitted uses in the Agricultural-Residential District, as set forth in §160-49 of the Code of the City of Port Republic. Additionally, the Resource Extraction Restoration Standards that are set forth in §160-143D(1) – (10) of the Code of the City of Port Republic shall be applicable to all Land Reclamation Projects.

VII. Housing and Relocation

The Project Area has no residential units presently and the proposed redevelopment use as a solar facility does not include any residential component. Therefore, a relocation plan and provisions for affordable housing are not included in this Redevelopment Plan.

VIII. Property Acquisition

The entire Project Area is owned by the City. The City of Port Republic intends to lease the land to the approved redeveloper.

IX. Relationship of this Redevelopment Plan to Other Plans

A. Atlantic County Master Plan

The implementation of this community solar project will align with the goals on the Atlantic County Master Plan. The Master Plan includes Sustainability and Resiliency Elements. The goals of these initiatives are to promote energy efficiency and alternative clean forms of energy. The intention is to reduce the County's overall carbon footprint while also saving the county money over an extensive period of time.

B. 2019 New Jersey Energy Master Plan

In 2019 the State of New Jersey adopted the New Jersey Energy Master Plan (EMP). This plan laid out a timeline and goals that the State wishes to achieve by the year 2050. The EMP highlights its goal of "100% clean energy by 2050". This is defined as being 100 percent carbon neutral and relying on carbon neutral electricity generation and maximum electrification of the transportation and building sectors. These sectors are the highest contributor of carbon emissions in New Jersey. By doing so the State will be able to meet the requirements of the Global Warming Response Act.

This community solar project aligns with the EMP's goals of increasing development of in-state renewable energy generation and the interconnection of zero-emission distributed energy resources (DER). Strategy 6 of the EMP is to support Community Energy Planning and Action while also ensuring that people of low/moderate incomes and Environmental Justice Communities are offered the opportunities to participate in these programs. There will be steady growth in the amount of people that begin to transition towards sustainable forms of energy through benefit from the credits that these programs offer.

This proposed project anticipates using community solar in line with the NJ Board of Public Utilities program that promotes community solar projects across New Jersey. With the same focus on being inclusive to low- and moderate-income homes, this program has the capability to play a role in ensuring the State meets the goals of the New Jersey Energy Master Plan.

C. Relationship to the New Jersey Development and Redevelopment Plan

The Redevelopment Area is entirely in Planning Area#4, Rural. The policy objective for the Rural Area is:

The State Plan recommends protecting the rural character of the area by encouraging a

pattern of development that promotes a stronger rural economy in the future while meeting the immediate needs of rural residents, and by identifying and preserving farmland and other open lands. **The Plan also promotes policies that can protect and enhance the rural economy and agricultural industry, thereby maintaining a rural environment.**

This Redevelopment Plan is essentially consistent with the objective of the State Plan.

D. Relationship to other municipalities' Master Plans

This Redevelopment Plan is essentially consistent with Port Republic's planning and zoning ordinances. By developing the project as an overlay to the existing zoning, the City will protect the original intent of its ordinances thus allowing for a greater development potential for this lot.

The Redevelopment Area is contiguous with Galloway Township. The Township's September 2020 Re-examination Report demonstrates no conflict with the proposed use of the Redevelopment Area.

X. Proposed Redevelopment Actions

A. Redevelopment Authority

The Port Republic City Council shall act as the redevelopment entity pursuant to N.J.S.A. 40A:12A-4(c) for purposes of implementing and carrying out this Redevelopment Plan. In doing so, the Council shall have the powers set forth in N.J.S.A. 40A:12A-15 and 40A:12A-22, and all other relevant statutes and regulations to perform all their duties and responsibilities in the execution and implementation of this Redevelopment Plan.

B. Redevelopment Agreement

Pursuant to N.J.S.A. 40A:12A-8, the City of Port Republic may select one or more redevelopers for the implementation of one or more development projects within the Project Area as it deems necessary. Any development or construction within the Project Area shall be undertaken in accordance with a contractual Redevelopment Agreement between Port Republic and its designated redeveloper. All Redevelopment Agreements shall be consistent with the requirements of N.J.S.A. 40A:12A-9 and this Redevelopment Plan.

XI. Obligations of the Redeveloper

All property within the Project Area must be developed in accordance with the requirements of this Redevelopment Plan, City of Port Republic Ordinances and the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.). Any private Redeveloper(s) (an entity wishing to avail itself of the opportunities set forth in N.J.S.A. 40A:12A-1 et seq.) will be required to contact the Redevelopment Entity to present a proposal and shall enter into a contractual

Redevelopment Agreement with the Redevelopment Entity prior to grant of final approvals by the Port Republic Planning Board.

XII Deviations from Provisions of the Approved Redevelopment Plan

Pursuant to N.J.S.A. 40A:12A-13, all applications for development under this Plan shall be submitted to the Port Republic Planning Board for review and approval in accordance with the requirements for review and approval of subdivisions and site plans as set forth by ordinance adopted pursuant to the Municipal Land Use Law.

All applications requiring relief or deviations from this Plan or other development ordinances shall be governed by the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq. Except as provided below, nothing shall prevent the Planning Board from exercising its jurisdiction to grant variances from this Redevelopment Plan pursuant to the Municipal Land Use Law.

No deviations from the Redevelopment Plan shall be granted that result in any of the following effects or conditions:

- Allowing a use not specifically permitted within the Project Area;
- Deviating from contractual obligations of a redeveloper to the Redevelopment Entity.
- The grant of any variance pursuant to the provisions of N.J.S.A. 40:55D-70d.

For Projects where a private Redeveloper wishes to avail itself of the opportunities set forth in N.J.S.A. 40A:12A-1 et seq., execution of a Redevelopment Agreement with the City of Port Republic shall be a precondition to the grant of final approval of any land use application for a Redevelopment Project within the Project Area. For all such Redevelopment Projects, no permits for development shall be issued unless a copy of a fully executed Redevelopment Agreement with the City has been submitted.

XIII Amendments to Approved Redevelopment Plan

This Redevelopment Plan may be amended from time to time in accordance with the provisions of the LRHL, as amended.