

## **HOPEWELL TOWNSHIP PLANNING BOARD**

### **RESOLUTION NO. 17-024**

#### **RESOLUTION RECOMMENDING ADOPTION OF A REDEVELOPMENT PLAN FOR THE AREA IN NEED OF REDEVELOPMENT PLAN FOR BLOCK 85, Lots 3, 4, 5.01, 7 and 24 (ZAITZ) IN ACCORDANCE WITH N.J.S.A. 40A:12A-7 AND AMENDING CHAPTER XVII, “LAND USE AND DEVELOPMENT,” ARTICLE VIII, “ZONING-GENERAL PROVISIONS,” SECTION 17-138.b, “ZONING DISTRICTS” TO ADD SUB-PARAGRAPH 20 TO THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HOPEWELL**

WHEREAS, the Township Committee of the Township of Hopewell has prepared an ordinance adopting a Redevelopment Plan for Block 85, Lots 3, 4, 5.01, 7 and 24 (Zaitz) in accordance in accordance with N.J.S.A. 40A:12A-7 and Amending Chapter XVII, Land Use and Development, Article VIII, Zoning-General Provisions, Section 17-138.b, Zoning Districts, to add sub-paragraph 20 to the Revised General Ordinances of the Township of Hopewell; and

WHEREAS, the Redevelopment Plan is identified as the “Redevelopment Plan for Block 85, Lots 3, 4, 5.01, 7 and 24, Hopewell Township Mercer County dated November 2017 prepared by Banisch Associates, Inc (hereinafter the “Plan” or “Redevelopment Plan”); and

WHEREAS, the Township Committee at its meeting which took place on November 13, 2017, referred the Plan to the Hopewell Township Planning Board for its review and recommendation; and

WHEREAS, under N.J.S.A. 40A:12A-7e, the Plan must be referred to the Planning Board for identification of any provisions in the proposed Redevelopment Plan which are inconsistent with the Master Plan and recommendations concerning these inconsistencies and any other matters as the Board deems appropriate; and

WHEREAS, at its November 15, 2017 meeting, the Hopewell Township Planning Board reviewed the Plan as well as testimony of Francis Banisch of Banisch Associates, Inc, the Township Planner, along with a Memorandum prepared by Banisch Associates, Inc, dated November 14, 2017; and

WHEREAS, the Planning Board, pursuant to law, has made the following findings of fact and conclusions:

1. The 2002 Master Plan includes the following identified objective under the heading “Land Use and Management:
  - To provide for a reasonable balance among various land uses that respects and reflects the interaction and synergy of community life.

2. The 2002 Master Plan also includes the following objectives under the heading “Housing”:
  - To provide for a variety of housing types which respond to the needs of households of varying size, age, and income, persons with disabilities and emerging demographic characteristics.
  - To promote and support the development and redevelopment of affordable housing intended to address the Township’s fair share of the region’s lower income housing, particularly in areas served by public transportation which connect to areas of employment.
  - To provide a range of housing opportunities within the Township with densities and lot sizes that respond to the capabilities and limitations of natural systems and available infrastructure.
3. The Planning Board finds that the following objectives of the MLUL (N.J.S.A. 40:55D-2) which are objectives of the Hopewell Township Master Plan are also advanced by the ordinance, which purposes are identified below with commentary:
  - a. To encourage municipal action to guide the appropriate use or development of all lands in this state, in a manner which will promote the public health, safety, morals and general welfare.

Commentary: The proposed rezoning results in an appropriate use of land which contributes to the general welfare of the community and state, and is an appropriate response to the mandate to provide affordable housing through municipal zoning.
  - d. To ensure that the development of individual municipalities does not conflict with the development and general welfare of neighboring municipalities, the county and the state as a whole.

Commentary: The proposed rezoning does not conflict with the development or general welfare of any neighboring municipality, the county or the state as a whole and it provides a reasonable development option to address local affordable housing goals.
  - f. To encourage the appropriate and efficient expenditures of public funds by the coordination of public development with land use policies.

Commentary: The proposed rezoning provides affordable housing through inclusionary development without the expenditure of public funds and results in the efficient use of the available public infrastructure while curtailing the extension of such infrastructure.
  - i. To promote a desirable visual environment through creative development techniques and good civic design and arrangements.

Commentary: The proposed rezoning provides zoning requirements and standards that produce the opportunity to utilize creative development techniques in order to produce good civic design and arrangements, which are subject to further Planning Board review during the development application process.
  - m. To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land.

Commentary: The procedure followed in developing the proposed ordinance combines public and private procedures that result in an efficient use of land.

4. The Board has compared the proposed ordinance to the Land Use Plan Element of the 2002 Master Plan and the 2011 Housing Plan Element and finds that the intent of the proposed ordinance advances the goal for a balanced land use plan that can meet the constitutional mandate to provide for the Township's fair share of the regional need for affordable housing. Nonetheless, the specific proposal to construct a neighborhood of multi-family apartments within the OP zone is inconsistent with the nonresidential land uses programmed for this site in the Land Use Plan.
5. Notwithstanding this inconsistency, the Planning Board recommends that the Township Committee adopt the proposed ordinance, based on the following findings of the Planning Board:
  - The proposed ordinance improves the balance of land uses sought in the Master Plan.
  - The proposed development contemplated by the proposed zoning standards should result in a compact building layout and design.
  - The housing and mixed uses will diversify the employment node at Scotch Road and improve its long term viability.
  - While the nonresidential zoning which the proposed ordinance amends is consistent with the Master Plan, the proposed rezoning will advance the goal of diversifying the housing stock and providing affordable housing to meet the constitutional obligation.
6. For all of the above reasons, the Planning Board finds and concludes that while the proposed ordinance is technically inconsistent with the Land Use Plan element of the Master Plan, the proposed ordinance strikes a reasonable balance among the many planning considerations affected by the ordinance and provides a reasonable planning option for the property affected by the ordinance and therefore recommends adoption of the ordinance.
7. Notwithstanding the above findings, each member of the Planning Board reserves the right to present recommendations to the Township Committee relating to the Redevelopment Plan as an individual and interested party.

WHEREAS, at the conclusion of the hearing, based on the foregoing findings, the Board took action recommending to the Township Committee that the Plan be adopted with the following changes:

- Changing the zone name from IMF-X to IMF-1
- Adding Figure 4 and Figure 5 referenced in the Plan to the Plan

NOW, THEREFORE, BE IT RESOLVED on this 15<sup>th</sup> day of November, 2017, by the Planning Board of the Township of Hopewell, County of Mercer, New Jersey, that the Planning Board recommends that the Plan entitled "Redevelopment Plan for Block 85, Lots 3, 4, 5.01, 7 and 24,

Hopewell Township Mercer County dated November 2017 prepared by Banisch Associates, Inc, a copy of which is attached as Exhibit A be adopted by the Township Committee.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Board hereby directs the Assistant Secretary to forward this Resolution to the Township Clerk for Township Committee consideration.

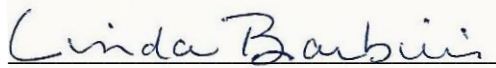
**ROLL CALL VOTE ON THE RESOLUTION – November 15, 2017**

Yes - 6      No - 1      Absent - 3      Abstain - 0      Not Voting – 0

Belmont:	Yes	Murphy:	Yes
Blake:	Absent	Parker:	Yes
Clarke:	No	Swanson:	Yes
Kiss:	Yes	Khare:	Absent
Kuchinski:	Absent	Peters-Manning:	Yes

**CERTIFICATION**

I hereby CERTIFY that the foregoing is a true copy of a Resolution adopted by the Hopewell Township Planning Board at a duly advertised meeting held on November 15, 2017, at which a quorum was present.

  
Linda Barbieri  
Assistant Secretary