

HOPEWELL TOWNSHIP PLANNING BOARD

RESOLUTION NO. 17-025

RESOLUTION GRANTING APPROVAL OF HOPEWELL TOWNSHIP'S THIRD ROUND HOUSING ELEMENT AND FAIR SHARE PLAN OF THE MASTER PLAN

WHEREAS, the Hopewell Township Planning Board is organized in accordance with N.J.S.A. 40:55D-23 and 24; and

WHEREAS, the Hopewell Township Planning Board has the statutory power to adopt and amend its Master Plan under N.J.S.A. 40:55D-25(1); and

WHEREAS, it has been determined that Hopewell Township needs to address its third round cumulative housing obligation for the period commencing in 1987 and extending to June 30, 2025; and

WHEREAS, the Housing Element of the Master Plan has been prepared by the Hopewell Township Planning Board with assistance from Banisch Associates, Inc, entitled "Hopewell Township Mercer County, New Jersey Third Round Housing Element and Fair Share Plan" dated October 2017 (hereinafter the "October Plan"); and

WHEREAS, the October Plan was presented by Francis J. Banisch, PP/AICP, the Township Planner, to the Planning Board at its meeting of October 18, 2017; and

WHEREAS, at that meeting, the Planning Board made certain amendments to the October Plan; and

WHEREAS, at the October 26, 2017 meeting, the Planning Board has tentatively approved the October Plan as amended and announced the scheduling of a public hearing to take place on the Housing Element and Fair Share Plan at the November 16, 2017 Planning Board meeting; and

WHEREAS, on October 26, 2017, the Planning Board adopted a resolution tentatively approving the October Plan as amended; and

WHEREAS, an updated and amended Housing Element and Fair Share Plan of the Master Plan has been prepared by the Hopewell Township Planning Board with assistance from Banisch Associates, Inc, entitled "Hopewell Township Mercer County, New Jersey Third Round Housing Element and Fair Share Plan" dated November 6, 2017 (hereinafter the "Plan"); and

WHEREAS, the Plan was reviewed by the Court Master who suggested that it be further supplemented and amended to specifically document compliance with COAH's site suitability criteria

for each of the targeted inclusionary sites even though this information has been thoroughly studied, examined and reviewed by the Planning Board and is already part of the public record; and

WHEREAS, the Plan has been prepared in accordance with the Municipal Land Use Law, specifically N.J.S.A. 40:55D-28b(3) and pursuant to the New Jersey Fair Housing Act, N.J.S.A. 52:27D-310, et seq.; and

WHEREAS, a public hearing on the Plan was duly noticed and held on November 16, 2017, at a regular meeting of the Planning Board; and

WHEREAS, Francis J. Banisch, PP/AICP, License No. 1686, presented the Plan to the Planning Board and the public at the November 16, 2017, meeting; and

WHEREAS, various members of the public participated in the hearing and provided their comments; and

WHEREAS, the Board has made the following findings of fact:

1. This Plan for Hopewell Township utilizes the Court-approved affordable housing obligation that resulted from settlement of lawsuits between Hopewell Township, Fair Share Housing Center (FSHC) and a number of interveners. The Township's affordable housing obligation per the settlement is as follows:
 - Prior round (1987-1999) – 520
 - Prospective need (2014-2024) – 1,141
 - Present need (Rehabilitation) -- 0
2. Hopewell Township is located in northwestern Mercer County, where it borders the Delaware River and is traversed by Interstate 95. The Township's diverse landscape spans a range from rural in the Sourland Mountain and the Hopewell Valley to suburban in the southern portion of the Township, where regional sewer service is available. It has been this infrastructure that has attracted growth to southern Hopewell, where most of the Township's affordable housing is situated. The Township of Hopewell received substantive certification of its Housing Element and Fair Share Plan from COAH on January 8, 1997.
3. The Plan includes a current inventory of Hopewell Township's housing units. The Plan also includes an analysis of the demographic characteristics of Hopewell Township, which data includes tables reporting population by age and sex 2010, comparison of age distribution for Township, County and State (percentage of persons 2010), persons in households 2010, comparison of persons in household for Township, County and State (% of households), persons

by household type and relationship 2010, 2011 – 2015 income for Township, County and State, comparison of poverty status for persons and families for Township, County and State 1999 to 2011-2015, residents in current dwellings prior to 2000 for Township, County and State 2011-2015, educational attainment for Township, County and State residents 2011-2015, means of transportation to work for Township, County and State residents 2011-2015.

4. The Board reviewed detailed information regarding Hopewell Township's resident population and the population's means of employment.
5. The Plan includes data setting forth the selected employment characteristics of Hopewell Township's resident population between 2011 and 2015 and further provides employment and wage information by industry in Hopewell Township as of 2016.
6. The Planning Board finds that the Housing Plan Element of the Plan does address Hopewell Township's cumulative housing obligation for the period commencing in 1987 and extending to June 30, 2025. It further finds that the Plan has been prepared pursuant to the New Jersey Fair Housing Act (N.J.S.A. 52:27D-310, et seq) which outlines the mandatory requirements for a housing plan element.
7. Regarding the Fair Share Plan Element of the Plan, the Planning Board has concluded that the Fair Share Plan utilizes the Court-approved affordable housing obligation for Hopewell Township and specifically finds as follows:
 - Hopewell Township delivered a total of 570 units of affordable housing during the period between 1987 and 1999 and qualified for a total of 669 affordable housing credits after the application of 99 bonus credits. This total provides 149 excess credits for the third round.
 - The Township does not have a present need (rehabilitation) obligation.
 - Hopewell Township will address the 1,141 unit third round obligation with a combination of 851 affordable units and 316 rental bonus credits. Of the 851 affordable units, 198 have already been constructed (49 at Hopewell Gardens plus 149 excess over the prior round).
 - Going forward, zoning for an additional 653 affordable units will completely satisfy the 1,141 unit third round obligation.
8. The municipal rental obligation is a required component of meeting the fair share obligation and is calculated at 25% of the prospective need. This calculation results in 130 rental units for the prior round ($520 \times .25$) and 285 affordable rental units in the third round ($1,141 \times .25$). There are a total of 170 rental units provided for the prior round, where 130 are required. 285 affordable

rental units are required in the third round and the Plan provides for a total of 445 rental units applicable to the third round.

9. Regarding family units, at least 50% of the third round prospective need units must be available to families (not age restricted or group home units), requiring at least 571 family units (1,141/2).
10. No more than 50% of the prospective need affordable units will be moderate income units and at least 50% of the prospective need affordable units will be affordable to low income and very low income households. Additionally, 13% of the prospective need units must be affordable to very low income households (less than 30% median income). The settlement agreements with inclusionary developers require this low-moderate split and these very low income units.
11. The maximum number of third round prospective need units that can be age-restricted is calculated at 25% (1,141 x .25) or 285 units.
12. Rental bonus credits are applied as provided in N.J.A.C. 5:93-5.1, which permits bonus credits for rental units up to 25% of the prospective need. For the prior round, this rule allowed up to 130 bonus credits and for the third round the total is 285 units. The combined potential for rental bonus units is 415 for both rounds. The Fair Share Plan applies a total of 415 bonuses.
13. The Township Planner provided testimony and introduced exhibits as to the site suitability of those sites included in the court settlement and compliance plan, which sites are identified in the Fair Share Plan as
 - CF Hopewell/Capital Health (east side) Scotch Road, Exhibit PB-2
 - Zaitz, Exhibit PB-3
 - Enourato, Exhibit PB-4
 - Woodmont, Exhibit PB-5
 - BMS, Exhibit PB-6
 - Spread sheet of densities for each included site, Exhibit PB-7
14. Based on the Township Planner's testimony and documentary evidence as well as a comprehensive review of site suitability of the inclusionary sites and detailed reports which have been in the public domain regarding the site suitability of the inclusionary sites between 2015 and 2017, the Planning Board finds and concludes that each of the compliance sites is suitable for inclusionary zoning.

15. Based upon the Township Planner's testimony and discussion of the exhibit marked PB-8, the Board finds and concludes that the Deer Valley property (Block 93, Lots 19, 44 & 60) is not suitable as a compliance site.
16. Additionally, Hopewell Township's compliance sites are well situated to accommodate the inclusionary developments from several perspectives, as follows:
 - Geographic distribution – 5 of the 6 compliance sites are distributed across the Township from east to west within the regional sewer service area; the 6th site is the Bristol Meyers Squibb (BMS) campus, which this pharmaceutical giant has announced will be closed; given the likelihood that the site will be redeveloped for uses other than the permitted industrial uses, affordable housing will also be provided in this redevelopment node
 - Traffic access – each of the compliance sites has advantageous traffic access as follows:
 - a) CF Hopewell and Capital Health have dualized 4-lane highway access to the site and direct access to Scotch Road interchange with I-95
 - b) The Enourato site has direct access to Route 31
 - c) The Zaitz, et al site has direct access to Route 31 and County Route 546
 - d) The Woodmont site has direct access to Federal City Road and the interchange with I-95
 - e) The BMS site has direct access to County Route 624 and Titus Mill Road
 - The neighborhoods where the proposed inclusionary developments are planned will be suitable for residential living and include the following land uses:
 - a) CF Hopewell/Capital Health (East Side) – research, offices, hospital & medical offices
 - b) CF Hopewell (West Side) – farmland (north & south), single family residential (west & south), hospital and offices (east)
 - c) Enourato – professional offices (south), cluster housing (east), tree service (north), open space (west across Rt 31)
 - d) Zaitz et al – commercial (east), moderate density residential (west & north), open space (south)
 - e) Woodmont – low and moderate density residential, church, offices
 - f) BMS – low and moderate density residential, research, offices

WHEREAS, based upon the foregoing information, testimony and evidence as well as the Plan, the Planning Board makes the following ultimate findings of fact and conclusions of law:

1. All jurisdictional requirements have been met.

2. The compliance sites will result in the construction of the 653 affordable units required in the Plan.
3. Each of the compliance sites included in the Fair Share Plan are
 - Approvable by all agencies with jurisdiction
 - Available for development with unencumbered title
 - Developable with access to water and sewer and within an existing or planned sewer service area
 - Suitable – adjacent to compatible land uses, streets and consistent with the environmental policies of N.J.A.C. 5:93-4
4. The Planning Board finds and concludes that the Housing Element Plan of the Plan does address Hopewell Township's cumulative housing obligation for the period commencing in 1987 and extending to June 30, 2025.
5. The Planning Board finds and concludes that the Plan has been prepared pursuant to the New Jersey Fair Housing Act (N.J.S.A 52:27D-310, et seq).
6. Since the specific information relating to site suitability criteria for each of the compliance sites as testified to by the Township Planner were not included in the text of the Plan, the Planning Board finds and concludes that a public hearing on an amended Third Round Housing Element Plan and Fair Share Plan to incorporate the site suitability criteria set forth in this record should be the subject of a public hearing to take place before the Planning Board at its December 7, 2017 meeting.
7. In reviewing the Plan (Exhibit PB-1), the Planning Board noted typos and directed the Township Planner to correct the typos as follows:
 - Page 17, Prospective need would be for the period 1999 to 2024
 - Page 18, Table 25, the Klockner inclusionary development should be "Woodmont"
 - Page 19, Table 27, the Klockner entry should be "Woodmont"

WHEREAS, at the conclusion of the public hearing, the Planning Board took action by voting to approve and adopt the Plan identified as "Hopewell Township Mercer County, New Jersey Third Round Housing Element and Fair Share Plan" dated November 6, 2017;

NOW, THEREFORE, BE IT RESOLVED on this 16th day of November, 2017, by the Planning Board of the Township of Hopewell, County of Mercer, New Jersey, that the Planning Board hereby approves and adopts the Plan entitled "Hopewell Township Mercer County, New Jersey Third Round

Housing Element and Fair Share Plan," dated November 6, 2017, which is a part of the record in these proceedings and a copy of which is attached hereto.

BE IT FURTHER RESOLVED that the Planning Board will give notice of the adoption of this Third Round Housing Element and Fair Share Plan of the Master Plan by publication together with actual notice to the Mercer County Planning Board including a copy of the Plan as adopted.

BE IT FURTHER RESOLVED that a copy of the Plan as adopted will be submitted to the Hopewell Township Committee.

BE IT FURTHER RESOLVED that the public hearing on an amended Third Round Housing Element Plan and Fair Share Plan to incorporate the site suitability criteria set forth in this record will take place before the Planning Board at its December 7, 2017 meeting.

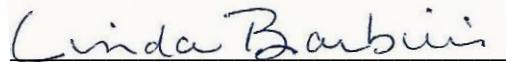
ROLL CALL VOTE ON THE RESOLUTION – November 16, 2017

Yes - 6 No - 0 Absent - 4 Abstain - 0 Not Voting - 0

Belmont:	Yes	Murphy:	Yes
Blake:	Absent	Parker:	Yes
Clarke:	Absent	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 16, 2017, at which a quorum was present.


Linda Barbieri
Assistant Secretary