

**TOWNSHIP OF HOPEWELL
MERCER COUNTY, NEW JERSEY**

RESOLUTION #17-412

RESOLUTION ACCEPTING RECOMMENDATION OF TOWNSHIP PLANNING BOARD AND DESIGNATING BLOCK 93, LOT 5.02 AS AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE NEW JERSEY LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 et seq.,

WHEREAS, the Local Redevelopment and Housing Law ("Redevelopment Law"), N.J.S.A. 40A:12A-1 et seq., grants broad powers to municipalities to create and implement redevelopment plans for areas determined to be in "need of redevelopment," and

WHEREAS, by Resolution No. 17-367, adopted November 13, 2017, the Township Committee of the Township of Hopewell authorized and directed the Hopewell Township Planning Board to conduct a preliminary redevelopment investigation to determine whether certain properties within the municipality qualified under the statutory criteria as "Areas in Need of Redevelopment", or alternatively, "Areas in Need of Rehabilitation" within the meaning and intent of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Study Area"); and

WHEREAS, the property in question, and comprising the Study Area, includes: Block 93, Lot 5.02; and

WHEREAS, the Hopewell Township Planning Board, pursuant to all notices required by law, conducted a public hearing on December 7, 2017 to determine whether the Study Area meets the statutory criteria of an area in need of redevelopment and considered any public comments and objections thereto, and

WHEREAS, as the result of the hearing, the Planning Board made recommendations to the Township Committee regarding the property within the Study Area, which recommendations were memorialized in Hopewell Township Planning Board Resolution No. 17-027 adopted by the Planning Board on December 7, 2017; and

WHEREAS, the Township Committee reviewed this Resolution, as well as the report of the Township Planner Banisch Associates, Inc. entitled, "Preliminary Investigation Report to Determine Whether Block 93, Lot 5.02 Should Be Designated an Area In Need of Redevelopment" and dated November 2017 for the area specified in the Resolution; and

WHEREAS, said report recommended the designation of "Redevelopment Area" for the property identified by the Township Committee in its Referral Resolution; and

WHEREAS, the area recommended for determination as redevelopment or rehabilitation is more specifically described in said report, and the boundaries of same are shown on the maps and exhibits included within said "Preliminary Investigation"; and

WHEREAS, the Township Committee reviewed said report and based upon same, expressed its belief that the recommendations should be adopted and accepted; and

WHEREAS, the Township Committee has further determined that a program of redevelopment as defined in N.J.S.A. 40A:12A-3 is necessary to prevent further deterioration and promote overall development of the above described area within the municipality; and

WHEREAS, as a result of said review and consideration, the Township Committee accepts the Planning Board's recommendations set forth in Hopewell Township Planning

Board Resolution No. 17-027, and accepts the designation of Block 93, Lot 5.02; and as an "area in need of redevelopment"; pursuant to the Redevelopment Law and

WHEREAS, the Local Redevelopment and Housing Law provides for supplementary procedures to establish a Redevelopment Plan for the municipality, and the Township Committee has embarked upon the preparation of such a Redevelopment Plan;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, as follows:

1. The foregoing Recitals are incorporated herein and adopted hereby as the factual predicate, along with those set forth below, for the adoption of this resolution.
2. In accordance with the provisions of N.J.S.A. 40A:12A-6(b)(5), the Township Committee, as the governing body of this municipality, hereby accepts the factual findings set forth in the Planner's reports adopted by the Hopewell Township Planning Board in its Resolution No. 17-027.
3. The Township Committee hereby declares its desire to invite and encourage the participation and involvement of land owners, private investors, private developers and the general public in the process of advancing the interest of the municipality in redeveloping and rehabilitating the area in question.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Hopewell Township Planning Board, to the Mercer County Planning Department, to the Department of Community Affairs of the State of New Jersey; and that a copy be posted on the municipal bulletin board, and that a copy be published in the *Hopewell Valley News* within fourteen (14) days of the date of the adoption of this resolution.

BE IT FURTHER RESOLVED that a true and correct copy of this resolution so designating any Area in Need of Redevelopment be immediately forwarded to the Commissioner of the New Jersey Department of Community Affairs, as well as all interested parties who have submitted written objections to the Redevelopment Area designation during the Land Use Board process, pursuant to the Redevelopment Law.

Date Adopted: December 11, 2017

CERTIFICATION

I HEREBY CERTIFY THE FOREGOING TO BE
A TRUE COPY OF A *Resolution* ADOPTED
BY THE HOPEWELL TOWNSHIP COMMITTEE
AT A MEETING HELD

December 11, 2017

DATE

Laurie E. Gompf

Laurie E. GOMPf, MUNICIPAL CLERK

HOPEWELL TOWNSHIP PLANNING BOARD

RESOLUTION NO. 17-027

**RESOLUTION RECOMMENDING THAT THE SITE DESCRIBED AS BLOCK 93, LOT 5.02
CONSTITUTES AN AREA IN NEED OF REDEVELOPMENT
IN ACCORDANCE WITH THE CRITERIA SET FORTH IN N.J.S.A. 40A:12A-5**

WHEREAS, the Township Committee of the Township of Hopewell, in Resolution #17-367 adopted on November 13, 2017, has authorized and directed that the Hopewell Township Planning Board undertake an investigation of the site described as Block 93, Lot 5.02 to determine whether the proposed area constitutes an area in need of redevelopment in accordance with the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, on December 7, 2017, the Hopewell Township Planning Board conducted a hearing as to Block 93, Lot 5.02 (“study area”) as a potential area in need of redevelopment under N.J.S.A. 40A:12A-5; and

WHEREAS, the Planning Board reviewed a “study area report” entitled “Preliminary Investigation Report To Determine Whether Block 93, Lot 5.02 Should be Designated an Area In Need of Redevelopment” dated November 2017, prepared by Banisch Associates, Inc, (“PIR”) as well as heard the testimony of Francis J. Banisch, III, AICP/PP; and

WHEREAS, the Board in its review considered the testimony, questions and concerns raised by several residents of the Township as to the proposed study area and the designation of the same as an area in need of redevelopment; and

WHEREAS, the public hearing was held on December 7, 2017, with all notice and jurisdictional requirements having been met; and

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

1. The PIR follows the adopted July 27, 2017 resolution (Resolution #17-367) that reviewed the conditions on Block 91, Lots 3.11, 3.14, 3.161, 3.181, 3.191, 3.22, 3.95 and 3.961 and Block 93, Lots 3.01, 5.01 and 6.01. The Planning Board made findings that those properties met the statutory criteria for designating an area in need of redevelopment.
2. Lot 5.02 is completely surrounded by the area previously designated as an area in need of redevelopment and the Planning Board finds that the conditions described in detail in the July 27,

2017 resolution that justified the redevelopment designation for those lots also are applicable to Lot 5.02.

3. Block 93, Lot 5.02 is a Township owned 4 acre parcel occupied by three special needs units surrounded by parcels designated as an area in need of redevelopment.
4. The study area qualifies for designation according to the provisions of N.J.S.A. 40A:12A-5(c) and (h) as demonstrated below:
 - N.J.S.A. 40A:12A-5c – 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. Lot 5.02 is owned by Hopewell Township and, as such, is not likely to be privately developed.
 - N.J.S.A. 40A:12A-5h – The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation. Designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation. The State Development and Redevelopment Plan includes Lot 5.02 within PA-3 – the Fringe Planning Area (west of Scotch Road). The intent of the State Plan for PA-3 is to
 - 1) Accommodate growth in centers;
 - 2) Protect the environs primarily as open lands;
 - 3) Revitalize cities and towns;
 - 4) Protect the character of existing stable communities;
 - 5) Protect natural resources;
 - 6) Provide a buffer between metropolitan and suburban planning areas and less developed rural and environmentally sensitive planning areas;
 - 7) Confine programmed sewers and public water services to centers.Policy objectives for redevelopment in Planning Area 3 seek to:
 - 1) Encourage appropriate redevelopment in existing centers and existing developed areas that have the potential to become centers, or in ways that support center-based development, to accommodate growth that would otherwise occur in the environs;
 - 2) Redevelop with intensities sufficient to support transit, a broad range of uses, efficient use of infrastructure, and physical design features that enhance public safety, encourage pedestrian activity and reduce dependency on the automobile

5. The Board finds and concludes that the designation of an area in need of redevelopment provides more flexibility and municipal control with respect to the development of property as opposed to standard zoning ordinance control. Therefore, such a designation is more beneficial to the Township as a method of regulating land use.

WHEREAS, at the conclusion of the hearing, based on the foregoing findings of fact and conclusions, the Board took action and voted to recommend to the Township Committee that the site

described as Block 93, Lot 5.02 constitutes an area in need of redevelopment in accordance with the criteria set forth in N.J.S.A. 40A:12A-5.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Hopewell, County of Mercer, New Jersey, that the Planning Board recommends that the Study Area (Block 93, Lot 5.02) be designated as an area in need of redevelopment.

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

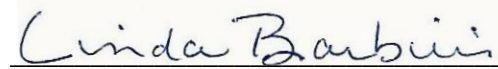
VOTE ON THE RESOLUTION – December 7, 2017

Yes - 5 No - 1 Absent - 4 Abstain - 0 Not Voting – 0

Belmont:	Yes	Murphy:	Yes
Blake:	Absent	Parker:	Absent
Clarke:	No	Swanson:	Yes
Kiss:	Yes	Khare:	Absent
Kuchinski:	Absent (Recused)	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 December 7, 2017, at which a quorum was present.



Linda Barbieri
Assistant Secretary

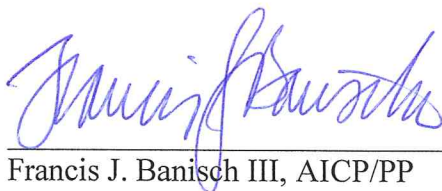
Preliminary Investigation Report
To Determine Whether
Block 93, Lot 5.02
Should Be Designated An
Area In Need Of Redevelopment

Hopewell Township
Mercer County, New Jersey

November 2017

Adopted December 7, 2017

Prepared By:
Banisch Associates, Inc.
111 Main Street, Flemington, NJ 08822



Francis J. Banisch III, AICP/PP
License # 1686

12-8-17

Date

Purpose

Pursuant to the requirements of N.J.S.A. 40A:12A-6, the Hopewell Township Committee adopted Resolution No. 17-367, directing the Hopewell Township Planning Board to undertake an expedited investigation to determine whether Block 93 Lot 5.02 constitutes an area in need of redevelopment in accordance with the criteria set forth in N.J.S.A. 40A:12A-5”.

This Preliminary Investigation Report (PIR) follows on the adopted July 27, 2017 PIR that reviewed the conditions on Block 91, Lots 3.11, 3.14, 3.161, 3.181, 3.191, 3.22, 3.95 and 3.961 and Block 93, Lots 3.01, 5.01 and 6.01 and found that they met the statutory criteria for designating an area in need of redevelopment. Because Lot 5.02 is completely surrounded by the area previously designated as an area in need of redevelopment, the Planning Board finds that the conditions described in detail in the July 27, 2017 PIR that justified the redevelopment designation also affect Lot 5.02. As noted below, the Planning Board recommends that, like the surrounding parcels, Lot 5.02 be designated as a non-condemnation area in need of redevelopment.

Description of the Study Area

Block 93, Lot 5.02, shown on Exhibit 1 (aerial photo) and Exhibit 2 (tax map) is a Township-owned 4-acre parcel occupied by three special needs units surrounded by parcels designated as an area in need of redevelopment. The conditions that justified the designation of Block 91, Lots 3.11, 3.14, 3.161, 3.181, 3.191, 3.22, 3.95 and 3.961 and Block 93, Lots 3.01, 5.01 and 6.01 also justify the designation of Lot 5.02, as noted in the following sections.



Existing Land Use

Exhibit 3 depicts the land cover character of the study area and Exhibit 4 illustrates the property tax class for each parcel in the Scotch Road study area. In addition to the regionally significant office and medical facilities along Scotch Road, a ribbon of residential development, on lots of varying sizes, spans the frontage of Nursery Road near the interchange. Limited residential development also occupies a small portion of the frontage of Scotch Road.

Beyond the lands east of the dualized portions of Scotch Road, the Township is generally rural in character with low density and medium density residential neighborhoods to the north and west.

Application of Statutory Criteria to Study Area Properties

The study area qualifies for designation according to the provisions of N.J.S.A. 40A:12A-5c, and h, as demonstrated below.

N.J.S.A. 40A:12A-5c – *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.*

Lot 5.01 is owned by Hopewell Township and, as such, is not likely to be privately developed.

N.J.S.A. 40A:12A-5h - The designation of the delineated area is *consistent with smart growth planning principles* adopted pursuant to law or regulation.

Designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation. The State Development and Redevelopment Plan includes Lot 5.02 within PA-3 - the Fringe Planning Area (west of Scotch Road). The intent of the State Plan for PA3 is to:

- accommodate growth in Centers;
- protect the Environs primarily as open lands;
- revitalize cities and towns;
- protect the character of existing stable communities;
- protect natural resources;
- provide a buffer between Metropolitan and Suburban Planning Areas and less developed Rural and Environmentally Sensitive Planning Areas;
- confine programmed sewers and public water services to Centers.

Policy objectives for Redevelopment in Planning Area 3 seek to:

- Encourage appropriate redevelopment in existing Centers and existing developed areas that have the potential to become Centers, or in ways that support Center-based development, to accommodate growth that would otherwise occur in the Environs.
- Redevelop with intensities sufficient to support transit, a broad range of uses, efficient use of infrastructure, and physical design features that

enhance public safety, encourage pedestrian activity and reduce dependency on the automobile.



The State Plan encourages compact development in PA-3 that protects resources and community character while providing for growth in appropriate locations. In light of the circumstances that affect Lot 5.02, a redevelopment area designation is clearly supportive of the intent of the State Plan.

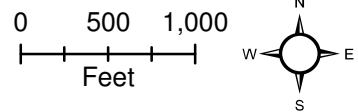
Summary of Findings and Recommendations

Block 93, Lot 5.02 qualifies for designation as an area or areas in need of redevelopment, both on its own merit and as a result of being surrounded by lands previously so designated.

Exhibit 1
Aerial Photography
Preliminary
Investigation Area
Block 93; Lot 5.02
Portion of
Hopewell Township
Mercer County, NJ
November 2017

Legend

-  Block 93; Lot 5.02
-  Designated Redevelopment Area



Data Sources:
NJGIN Parcels 2011
NJDOT Roadway Network
NJOGIS 2015 Aerial Photography

This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been NJDEP verified and is not State-authorized.

BANISCH
ASSOCIATES, INC.
Planning and Design

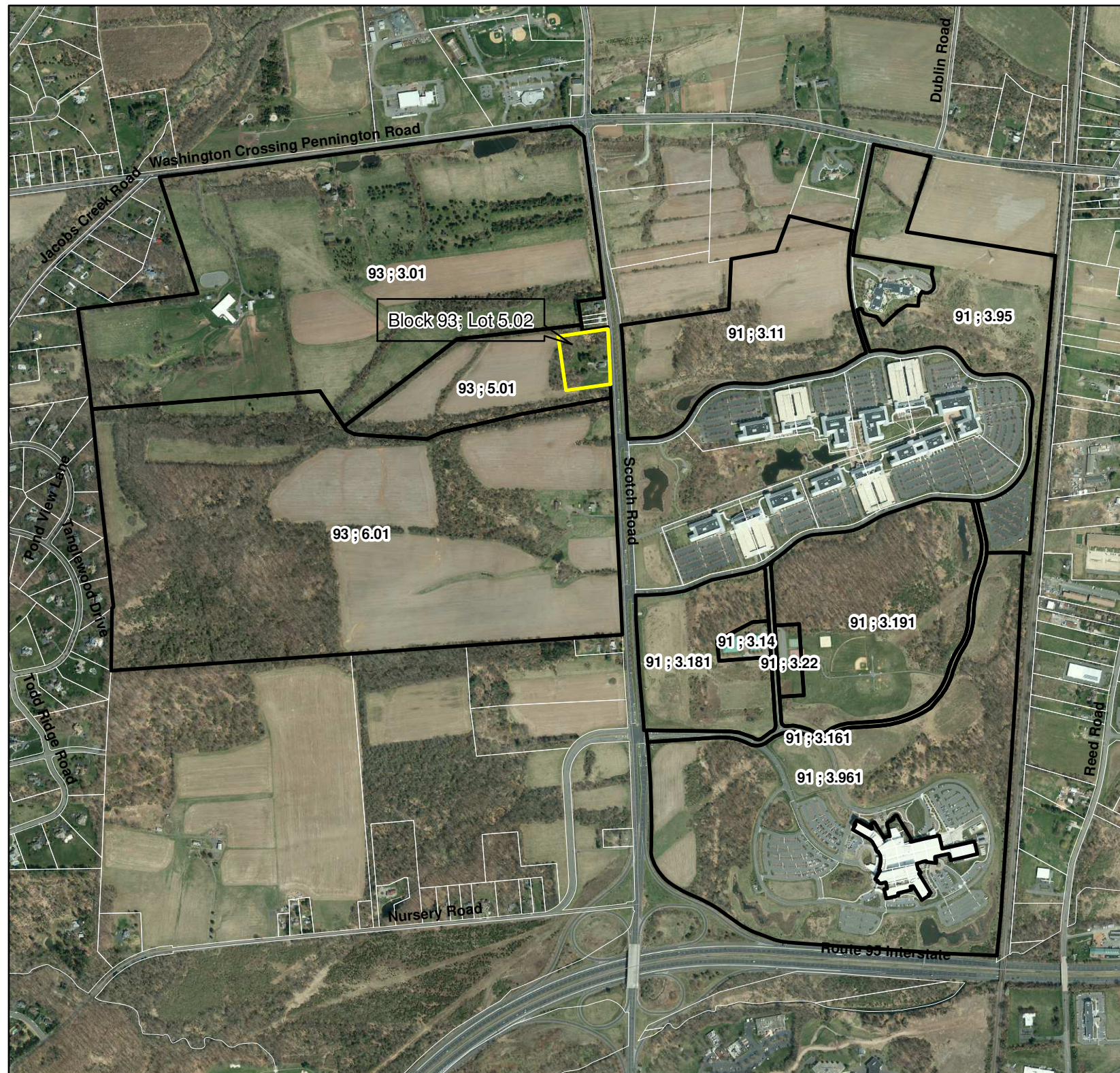


Exhibit 2: Tax Map Sheet 22, Hopewell Township

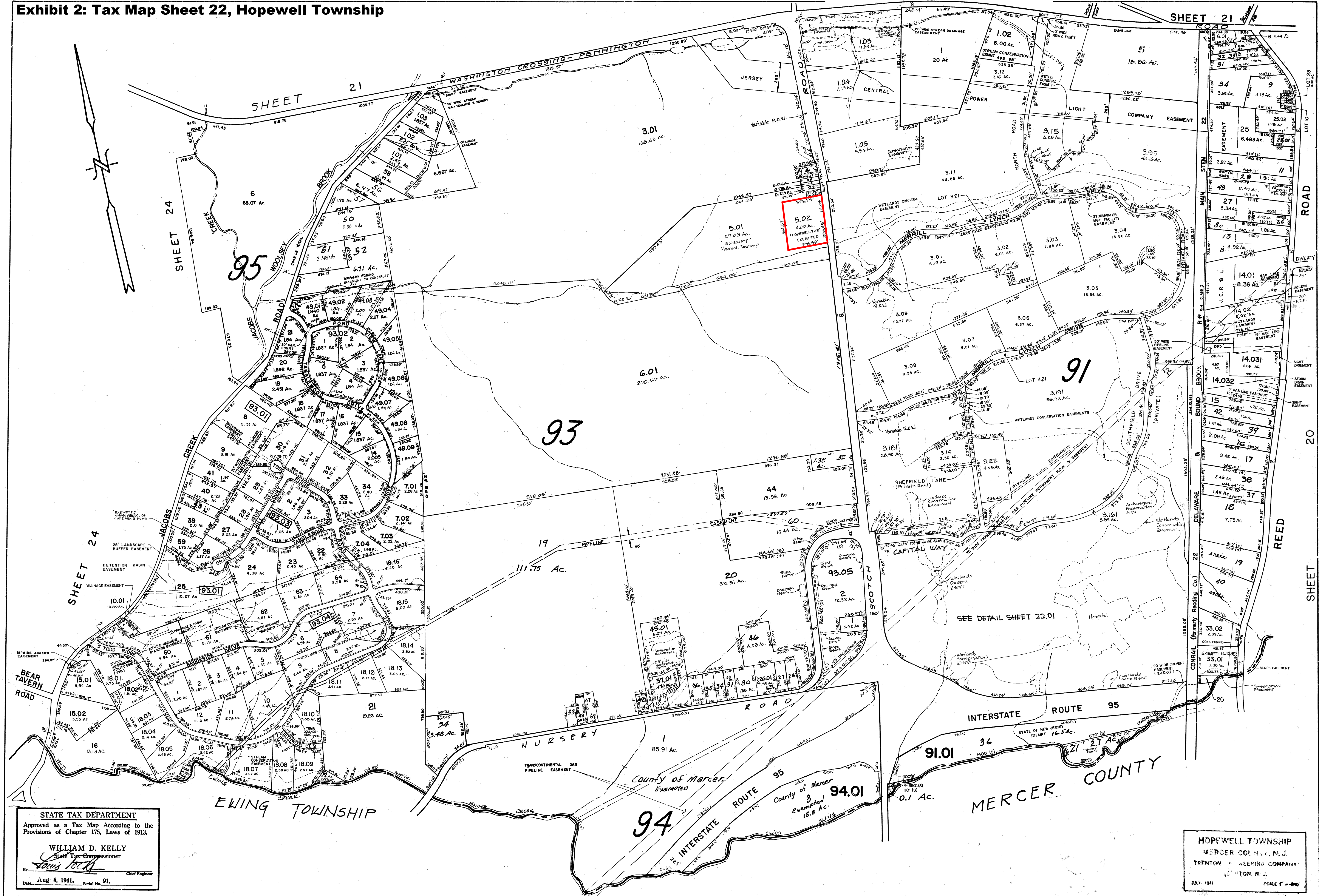


Exhibit 3

Land Use/Land Cover

Preliminary

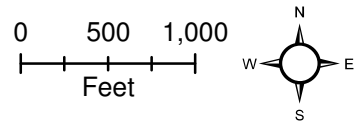
Investigation Area

Block 93; Lot 5.02

*Portion of
Hopewell Township
Mercer County, NJ
November 2017*

Legend

-  Block 93; Lot 5.02
-  Designated Redevelopment Area
-  Commercial
-  Industrial
-  Residential, Rural
-  Residential, Low Density
-  Agricultural
-  Barren Land
-  Forest
-  Other Urban
-  Water
-  Wetlands



Data Sources:
NJDEP 2012 Land Use/Land Cover
NJGIN Parcels 2011
NJDOT Roadway Network

This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been NJDEP verified and is not State-authorized.

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ASSOCIATES, INC.
Planning and Design

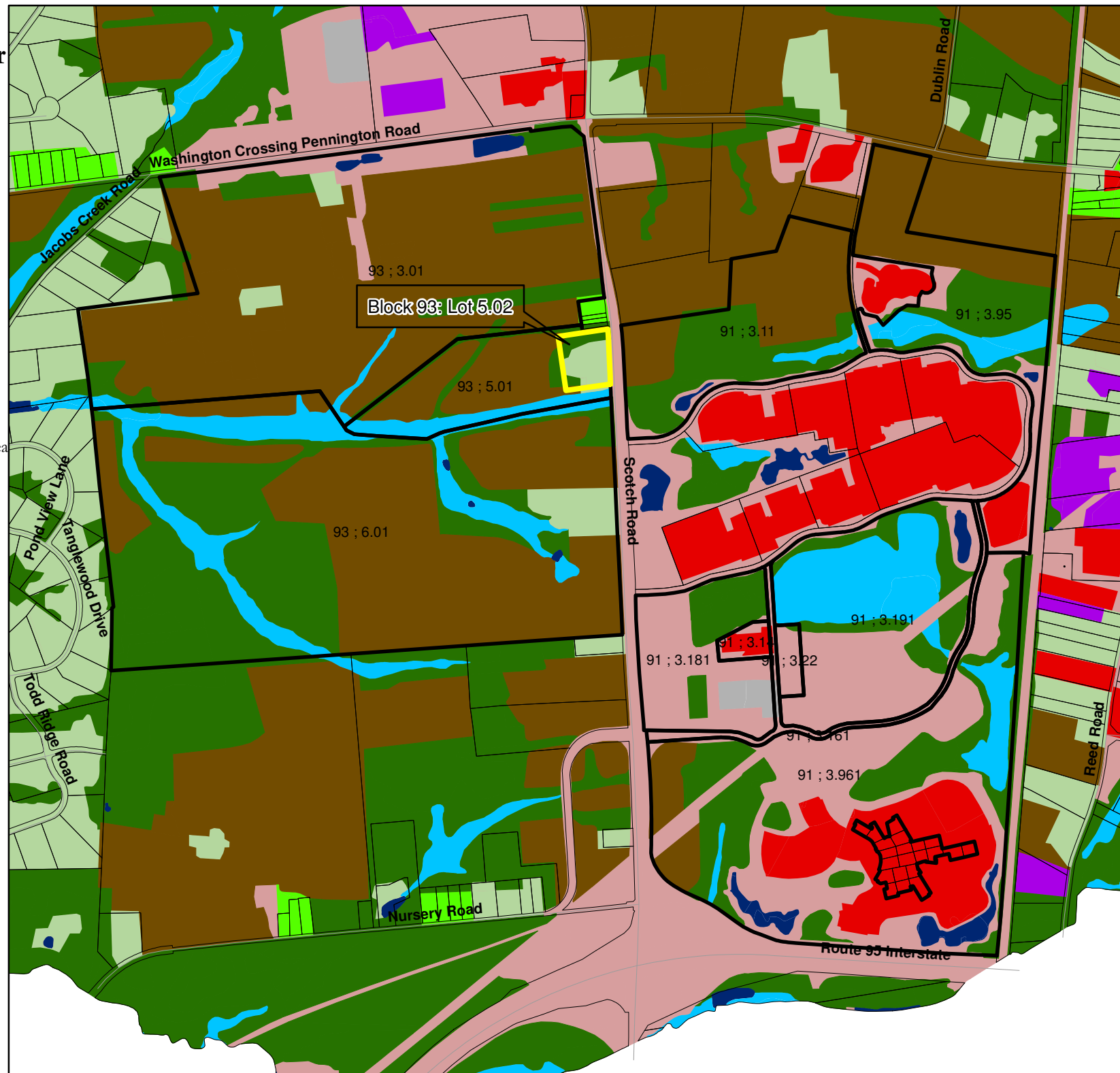










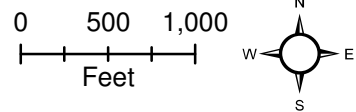


Exhibit 4
Property Tax Class
Preliminary
Investigation Area
Block 93; Lot 5.02
Portion of
Hopewell Township
Mercer County, NJ
November 2017

Legend

-  Block 93; Lot 5.02
-  Designated Redevelopment Area
-  No data
-  Vacant
-  Public Property
-  Other Exempt
-  Residential
-  Farm Qualified
-  Commercial
-  Railroad



Data Sources:
 NJGIN Parcels 2011
 NJDOT Roadway Network
 NJOGIS 2015 Aerial Photography

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