

*Preliminary Investigation Report
for Designation of a
Non-Condemnation
Area in Need of Redevelopment*

*Block 85, Lot 30
Block 86, Lots 32, 33, 34 and 130*

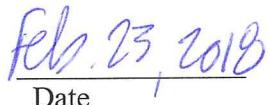
*Hopewell Township
Mercer County, New Jersey*

February 2018

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License # 1686



Date

Purpose

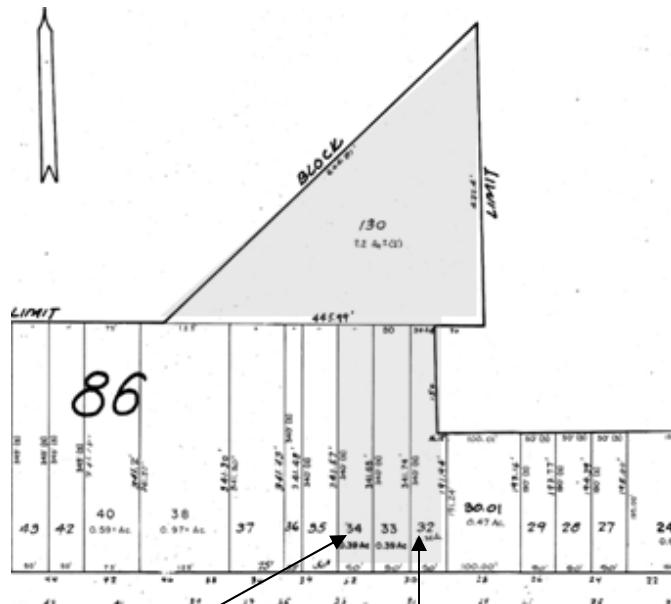
Pursuant to the requirements of N.J.S.A. 40A:12A-6, the Hopewell Township Committee adopted Resolution No. 17-174, directing the Hopewell Township Planning Board to undertake an investigation into whether Block 85, Lot 30 and Block 86, Lots 32, 33, 34 and 130 constitute *a non-condemnation area in need of redevelopment* in accordance with the criteria set forth in N.J.S.A. 40A:12A-5.

The lots under review are adjacent to lots previously found to qualify as an area in need of redevelopment pursuant to a *Preliminary Investigation Report for Designation of a Non-Condemnation Area in Need of Redevelopment- Block 85 Lots 3, 4, 5.01, 7 and 24*. The lots under consideration here are also strategically located to provide roadway improvements that will ease traffic in and around the redevelopment area and improve traffic safety in and around this portion of the Township.

Description of Study Area

The parcels referred to the Planning Board for evaluation include five lots in Block 86: Lots 32, 33, 34 and 130, along with Lot 30 in Block 85.

Lots 32, 33, 34 and 130 lie just south of and adjoin the previously designated “Zaitz” Redevelopment Area (seen on tax map excerpt at right). They are situated along Diverty Road, which intersects Route 31 at a 90 degree angle at an unsignalized intersection, where left turns are prohibited onto Route 31 and access is difficult when Route 31 is busy.

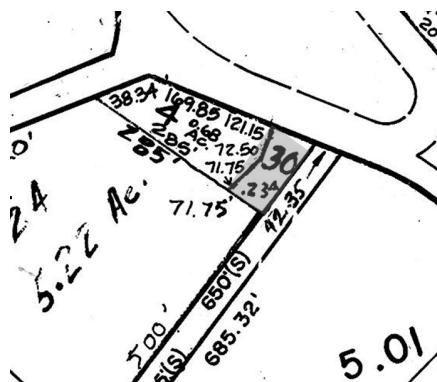


Block 85, Lot 30, (seen below and in the photos) is in common ownership with Lot 24 and is used as a driveway to Route 31 from the Wells Fargo bank branch on Lot 24.

The primary access to the drive through and parking is from CR 546, but Lot 30 provides an

important alternate access. These parcels are identified on an aerial photo labeled as Figure 1. The size and current uses of the parcels under study are as follows:

Block/Lot	Tax Map Acreage	Current Use
85/30	.23	Wells Fargo Bank Driveway
86/32	.34	Single Family Dwelling
86/33	.39	Single Family Dwelling
86/34	.39	Single Family Dwelling
86/130	2.2	Vacant



View of Lot 30 from Wells Fargo



View of Lot 30 from Route 31

The locations of these parcels are depicted on Figure 2 – Tax map Sheets 20 and 20.02.

Existing Land Use

The character of land uses in the vicinity of the PQ is depicted in two ways in this report. Figure 3 – “Land Use Land Cover” illustrates the type of land use/land cover by the extent of coverage across various portions of the PQ. Figure 4 – “Property Tax Class” illustrates the tax classification for the entire parcel. Together these data illustrate the type and extent of land uses surrounding the PQ.

Block 85, Lot 30

Lot 30 adjoins the southbound lanes of the Pennington Circle where it provides access to Wells Fargo, roughly $\frac{1}{2}$ mile south of Pennington Borough.

The Pennington Circle is encumbered with a multiplicity of driveways to adjoining land uses, including the liquor store and convenience gas station to the north and an irregular arrangement of entrance and exit drives to Shop Rite to the south. It is situated between the driveway exiting the Exxon Station and the entrance drive to Shop Rite.

Block 86, Lots 32, 33, 34 and 130

Diverty Road in this vicinity is occupied exclusively by single family dwellings, as seen on Figures 2 and 3.

Statutory Criteria for Evaluation of Whether Study Area is an Area in Need of Redevelopment

According to [NJ Rev Stat § 40A:12A-3 \(2015\)](#),

"Redevelopment area" or "area in need of redevelopment" means an area determined to be in need of redevelopment pursuant to sections 5 and 6 of P.L.1992, c.79 (C.40A:12A-5 and 40A:12A-6) or determined heretofore to be a "blighted area" pursuant to P.L.1949, c.187 (C.40:55-21.1 et seq.) repealed by this act, both determinations as made pursuant to the authority of Article VIII, Section III, paragraph 1 of the Constitution. A redevelopment area may include lands, buildings, or improvements which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area of which they are a part.

NJ Rev Stat § 40A:12A-5 provides that after investigation, notice, and hearing as set forth in Section 6 of P.L. 1992, c.79, an area may be determined to be in need of redevelopment if the Planning Board recommends and the governing body concludes by resolution that the delineated area contains any of the following conditions:

- a. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.
- b. The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenantable.
- c. 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.

- d. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.
- e. A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real property therein or other conditions which impeded land assemblage or discourage the undertaking of improvements, resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general.
- f. Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.
- g. In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act," ... (*Applies only in a municipality containing an Urban Enterprise Zone.*)
- h. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

As noted above, a redevelopment area may include lands, buildings, or improvements which do not demonstrate blighting characteristics but which, nonetheless, are important for the effective redevelopment of the area of which they are a part.

Conditions on the Parcels-in-Question

Block 85, Lot 30

Lot 30 is not occupied by any building and is exclusively occupied by a two-lane asphalt driveway with a divided entry/exit and a Wells Fargo sign at Route 31. The access provided by this lot is important to Wells Fargo as an alternative access route, but it also has strategic value for the redevelopment plan that will seek to combine and improve access into the circle and onto Route 31.

Block 86, Lots 32, 33, 34 and 130

Lots 32, 33 and 34 are occupied by two older single family dwellings in generally poor condition. Lot 130 is a landlocked vacant parcel.

Application of Statutory Criteria to Study Area Parcels

Block 85, Lot 30

Since *Lot 30* is not occupied by any building and is exclusively occupied by an asphalt driveway, it is principally an area of impermeable coverage. Lot 30 need not be proven to meet the redevelopment criteria, since it can qualify for inclusion because, while conditions on the parcel are not of themselves detrimental to the public health, safety or welfare, the inclusion of Lot 30 is found necessary for the effective redevelopment of the area of which it is a part.

Block 86, Lots 32, 33, 34 and 130

Lots 32, 33 and 34 are occupied by two older single family dwellings in generally poor condition that are part of the southerly extension of the site that will be used for improved access. Lots 32, 33, 34 are found necessary for the effective redevelopment of the area of which they are a part.

Lot 130 is a landlocked vacant parcel that will accommodate portions of the redevelopment including new roadway improvements. Lot 130 is found necessary for the effective redevelopment of the area of which it is a part.

Together *Lots 32, 33, 34 and 130* are situated in a location where they can provide both a more expansive area for redevelopment and enable better roadway connections for the redevelopment area and beyond.

Inclusion of these lots in the designated redevelopment area offers unique strategic transportation advantages for this portion of the Township and as such are found necessary for the effective redevelopment of the area of which they are a part. A future connection to the traffic signal at Denow Road will be enabled by the inclusion of these lots as part of the redevelopment area and a recent dedication of right of way by PSEG.

The additional lots also facilitate the ultimate connection to Denow Road, which provides an alternate access to the Zaitz redevelopment area that will serve to alleviate potential congestion along Route 31 and CR 546 in the vicinity of the Route 31 circle. This new connection will improve both traffic safety and convenience as new and improved access offers advantages for this portion of the Township.

Notwithstanding the fact that there need be no further showing of qualification as an area in need, given their role in improving traffic access and safety in the redesigned redevelopment area, the use of these lots as part of the redevelopment area represents smart growth and enables better roadway connectedness.

Summary of Findings and Recommendations

A non-condemnation area in need designation permits establishment of a duly adopted redevelopment plan but does not enable the municipality to take property through eminent domain, commonly referred to as condemnation. Establishment of a non-condemnation redevelopment area must be based upon a demonstration that at least one of the statutory requirements of the LRHL is satisfied or that a parcel is otherwise necessary for the effective redevelopment of the area in need of redevelopment.

This Preliminary Investigation Report reviews the conditions on the properties in question and the statutory criteria for designating an area in need of redevelopment and recommends that all of the subject properties be designated as a non-condemnation area in need of redevelopment.

These parcels supplement the previously designated non-condemnation redevelopment area, which occupies a strategic portion of the Township, where Route 31, the principal north-south State highway serving this portion of the State, encounters one of the several confusing and complicated traffic circles that make safe and efficient travel through this area a challenge. The supplemental lands in this study allow for the connection of the redevelopment area and its multiple family residential neighborhoods to be connected to Denow Road at the traffic light. This new connection will reduce congestion at the circle by offering alternative routing from the redevelopment area to points south.

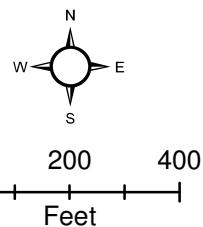
This preliminary investigation is not designed to recommend any specific reuse alternatives for this area, since such recommendations can only be outlined in a redevelopment plan. After a Planning Board resolution is adopted memorializing the recommendations from the hearing in this matter, the governing body may adopt a resolution designating the area in question as an area in need of redevelopment.

Following any redevelopment area designation by governing body resolution, the governing body will direct the preparation of a redevelopment plan setting out the goals and objectives for these areas, and outlining the actions to be taken to accomplish these goals and objectives.

Figure 1
Aerial Photography
Block 85; Lots 30
Block 86; Lots 32, 33,34 & 130
*Portion of
Hopewell Township
Mercer County, NJ
January 2018*

Legend

-  Preliminary Investigation Report Parcels
-  Designated Redevelopment Parcels

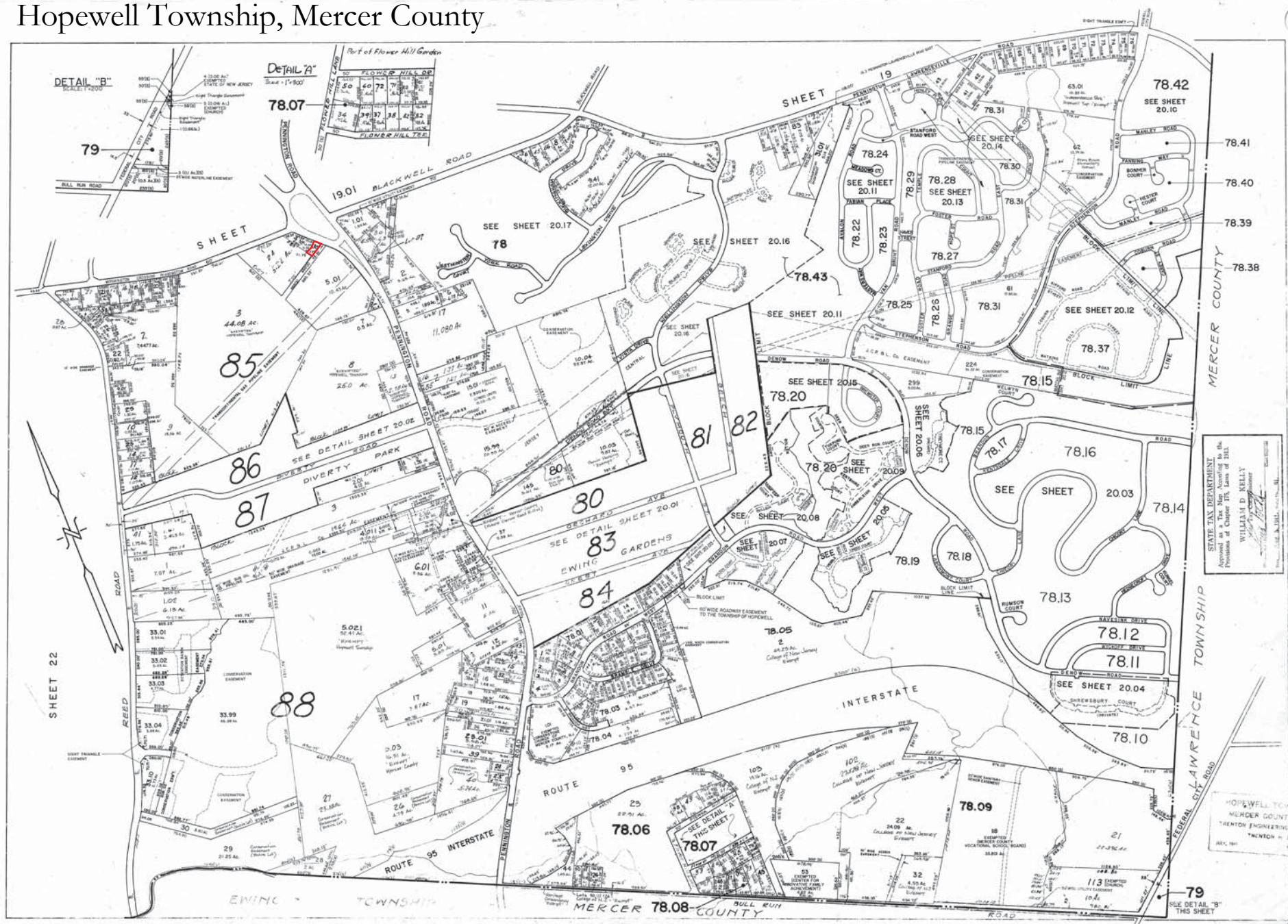


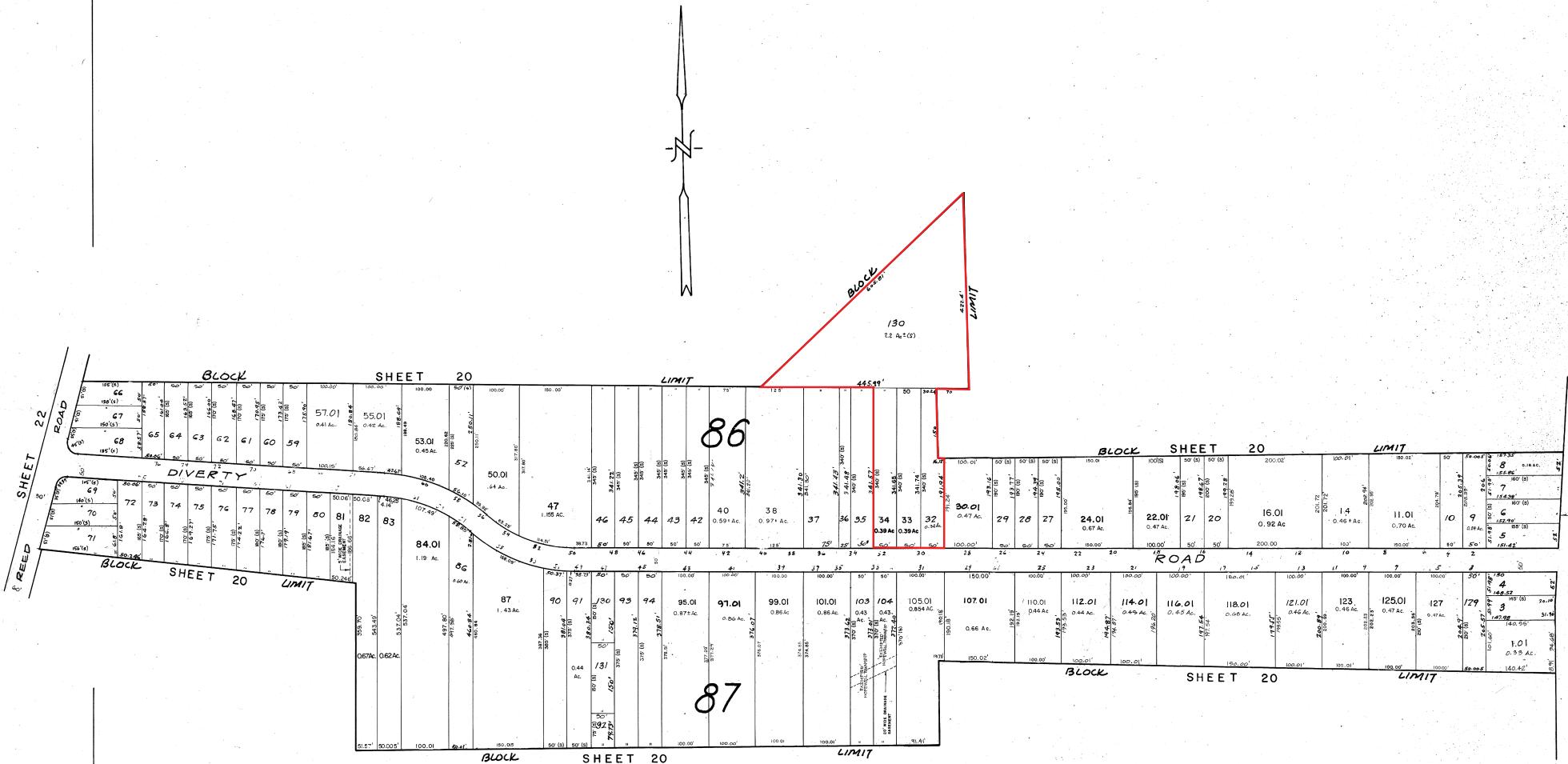
Data Sources:
NJGIN Parcels 2011
NJDOT Roadway Network
NJOBIS 2015 Aerial Photography

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.



Figure 2: Tax Map Sheets 20 and 20.02
Hopewell Township, Mercer County





DIVERTY PARK TRACT

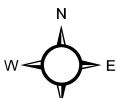
STATE TAX DEPARTMENT

WILLIAM D. KELLY
State Tax Commissioner
By Louis Koch Chief Engineer
April 5, 1944

Figure 3
Land Use/Land Cover
Block 85; Lots 30
Block 86; Lots 32, 33, 34 & 130
*Portion of
 Hopewell Township
 Mercer County, NJ
 January 2018*

Legend

-  Preliminary Investigation Report Parcels
-  Designated Redevelopment Parcels
-  Commercial
-  Residential, Rural
-  Residential, Low Density
-  Residential, Medium Density
-  Agricultural
-  Forest
-  Other Urban
-  Water
-  Wetlands



0 200 400
 Feet

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

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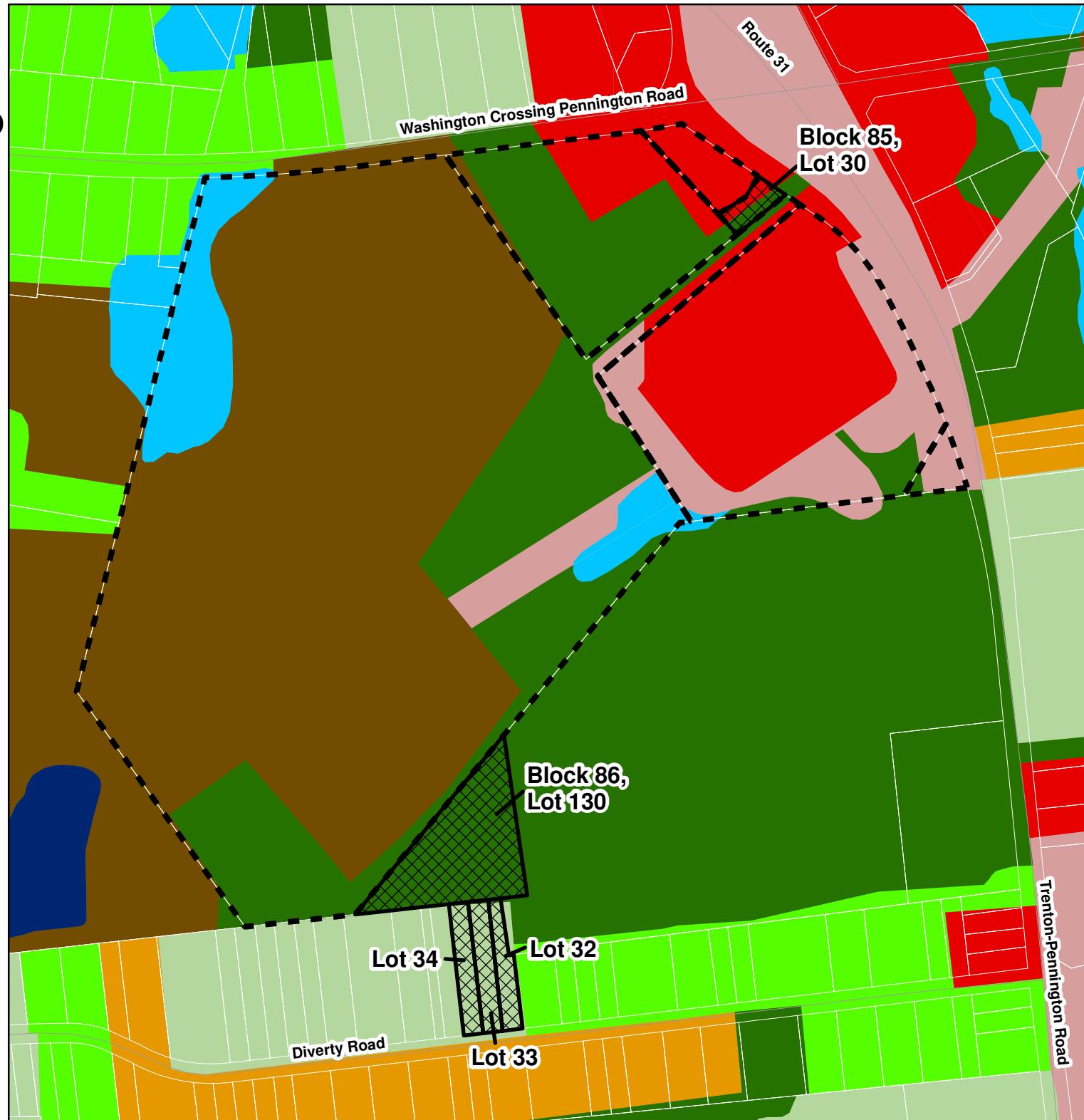
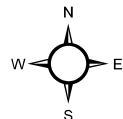


Figure 4
Property Tax Class
Block 85; Lots 30
Block 86; Lots 32, 33,34 & 130
*Portion of
 Hopewell Township
 Mercer County, NJ
 January 2018*

Legend

- (diagonal lines) Preliminary Investigation Report Parcels
- (dashed line) Designated Redevelopment Parcels
- (white circle) No Data
- (light gray) Vacant
- (blue) Public Property
- (yellow) Residential
- (dark green) Farm Qualified
- (red) Commercial
- (purple) Industrial



0 200 400
 Feet

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

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