

## **HOPEWELL TOWNSHIP PLANNING BOARD**

### **RESOLUTION NO. 19-017**

#### **RESOLUTION GRANTING APPROVAL OF HOPEWELL TOWNSHIP'S AMENDED 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, the Third Round Housing Element and Fair Share Plan (which included the Spending Plan) 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 16, 2017 (“Third Round Housing Element and Fair Share Plan” was approved and endorsed by the Hopewell Township Planning Board at a hearing on November 16, 2017 in Resolution No. 17-025; and

WHEREAS, an amended Third Round Housing Element and Fair Share Plan (which included the Spending Plan) was approved and endorsed by the Hopewell Township Planning Board at a hearing on December 7, 2017 in Resolution 17-026; and

WHEREAS, an amended Third Round Housing Element and Fair Share Plan (which included the Spending Plan) was approved and endorsed by the Hopewell Township Planning Board in Resolution No. 18-9 at a hearing on February 22, 2018; and

WHEREAS, an amended Third Round Housing Element and Fair Share Plan (which included the Spending Plan and the Affirmative Marketing Plan) was approved and endorsed by the Hopewell Township Planning Board in Resolution No. 18-19 at a hearing on September 27, 2018; and

WHEREAS, pursuant to the terms of the settlements and the rules adopted by the New Jersey Council on Affordable Housing, on August 27, 2018, the Township Committee of the Township of Hopewell adopted Resolution No. 18-257 formally endorsing the current amended Third Round Housing Element and Fair Share Plan; and

WHEREAS, the Amended Third Round Housing Element and Fair Share Plan now requires amendments (hereinafter the “Amended Plan”); and

WHEREAS, the Amended 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 proposed Amended Plan was duly noticed and held on July 18, 2019 at a special meeting of the Planning Board; and

WHEREAS, notice of the hearing was given in accordance with N.J.S.A. 40:55D-13; and

WHEREAS, the Planning Board reviewed the Amended Plan as set forth in a document 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 July 8, 2019; and

WHEREAS, Francis J. Banisch, PP/AICP, License No. 1686, presented the Amended Plan dated July 8, 2019 (P-1) to the Planning Board and the public at the July 18, 2019 meeting; and

WHEREAS, Mr. Banisch proposed revisions to the Amended Plan (P-2); and

WHEREAS, members of the public were invited to participate in the hearing and provide their comments; and

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

1. The Amended Plan has been prepared in accordance with the Municipal Land Use Law, specifically, N.J.S.A. 40:55D-28b(3) to address Hopewell Township's cumulative housing obligation for the period commencing in 1987 and extending to June 30, 2025.
2. The Amended Plan has also 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 including an inventory and projection of the municipal housing stock, an analysis of the demographic characteristics of the Township's residents and a discussion of municipal employment characteristics.
3. The Amended Plan for Hopewell Township utilizes the Court approved affordable housing obligation that resulted from settlement of lawsuits between Hopewell Township, the Fair Share Housing Center (FSHC) and a number of intervenors. The Township's affordable housing obligation per the settlement is as follows:

Prior Round (1987-1999)	520
Third Round Prospective Need (1999-2025)	1,141
Present Need (Rehabilitation)	0

4. Regarding the Fair Share Plan Element of the Amended Plan, the Planning Board finds and concludes that the Fair Share Plan utilizes the Court approved affordable housing obligation for Hopewell Township and specifically finds as follows:

- Hopewell Township will address the 1,141 unit third round obligation with a combination of at least 831 affordable units and 317 rental bonus credits which results in an actual affordable unit third round prospective need of 626 units, summarized as follows:

THIRD ROUND SUMMARY:

Total Round 3 Fair Share obligation	1,141
Less prior round surplus	149
Less Hopewell Gardens carryover credits	49
<u>Less Third Round rental bonus</u>	<u>317</u>
Actual Affordable Units needed	626

- The 626 affordable units to be constructed will completely satisfy the 1,141 unit third round obligation, all as set forth in Table 25 of the Amended Plan.
- Included in the Amended Plan is a 50 affordable housing unit opportunity for the BMS Campus. Should that opportunity not be realized, Hopewell will require development of 30 additional affordable housing units at the Zaitz site for a potential total of 108 affordable units.
- As per the revisions suggested by Mr. Banisch, in the event that Lots 20, 46. 19, 45.01 and part of 60 do not have common ownership at the time of development, 150 units, 30 of which shall be age restricted affordable, shall be allocated to Block 93, Lots 19, 45.01 and part of 60.
- As per the revisions suggested by Mr. Banisch, it is possible that the residential component of Block 93, Lots 19, 20, 45.01, 26 and part of 60 will ultimately yield fewer than 625 total units. To the extent there is a shortfall in the resulting number of affordable housing units from applying a 20% set aside to the number of units deemed feasible to construct on the site, the Township shall address the shortfall either through (a) modification to the CF Hopewell/Capital Health development through agreement with Van Princess Realty Group LLC or its successors or assigns to provide additional senior affordable housing units in that development; or (b) a municipally sponsored group home or homes to address the shortfall.
- The Township, as part of a mid-point realistic opportunity review, if such shortfall exists or is reasonably anticipated, must show how it provides a realistic opportunity for one of these options to address the shortfall.

5. The municipal rental obligation, a required component of meeting the fair share obligation, is calculated at 25% of the prospective need. This calculation results in a requirement of 130 rental units for the prior round and 285 affordable rental units in the third round for a total of 415 rentals for the period 1987 to 2025.

- As per Table 26 of the Amended Plan, there are a total of 184 rental units provided for the prior round where 130 are required consisting of 85 senior rentals, 73 family rentals and 26 group homes.

- With regard to the obligation to provide affordable rental units in the third round (where 285 are required), the Amended Plan provides a total of 425 to 445 rental units as depicted in Table 27 of the Amended Plan. This will consist of 84 senior rentals and 341 or 361 family rentals.

6. The Planning Board examined the site suitability of lands in the Township that could qualify for inclusionary zoning according to COAH criteria and finds that except for the Deer Valley site (which is not yet in an approved sewer service area), each of the compliance sites included in the settlement is

- 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

7. Pursuant to a settlement agreement with Deer Valley, Hopewell Township will cooperate with Deer Valley in securing a site specific amendment to the Mercer County Wastewater Management Plan amendment or, failing that, will reexamine whether Deer Valley remains a realistic opportunity for the provision of affordable housing.

8. At the hearing, Mr. Banisch proposed the following revisions to the Amended Plan:

- The second paragraph on page 12 should provide that the 2010 tabulation for family and non-family households does not account for any of the units or beds at Brandywine Senior Living.
- Section D on page 18 should be revised to provide that going forward by zoning or otherwise, 633 affordable units will completely satisfy the 1,141 unit third round obligation.
- The second paragraph on page 19 should be revised to state that in the event Lots 20, 46, 19, 45.01 and part of 60 do not have common ownership at the time of development, 150 units, 30 of which shall be age restricted affordable, shall be allocated to Block 93, Lots 19 and 45.01 and part of 60. Additionally, it is possible that the residential component of Block 93, Lots 19, 20, 45.01, 46 and part of 60 will ultimately yield fewer than 625 total units.
- Pages 20 and 21 regarding age restricted units should be revised to delete the 85 senior rentals in the prior round provided by Hopewell Gardens as well as the third round 219 age units/beds. Table 28 of the Amended Plan should identify the age restricted affordable units included for the period 1987 to 2025. The prior round and third round cumulative total of age restricted units is 309 units which is 56 units below the cumulative age restricted cap.

- With respect to rental bonus credits, page 21 should be revised to state that additional rental bonuses beyond the 25% limit through 2025 may be available in the future for rental units not receiving bonuses in the current Fair Share Plan.
- The tables on page 22 should be revised to state that Table 28 is now Table 29 and Table 29 is now Table 30.
- The geographic distribution on page 23 should be revised as follows: “Seven compliance sites are distributed across the Township from east to west within the regional Sewer Service Area. The eighth site is on the current Bristol Meyers Squibb (BMS) campus slated to be closed and sold.”
- Table 30 on page 23 should be relabeled Table 31.
- The map in the Deer Valley Site Suitability section should be revised to include the pipeline easement.

9. The Board found and accepted the revisions to the Amended Plan as set forth hereinabove in finding of fact #8 and further acknowledged and added that the HEFSP conforms to the settlement agreement approved by the court in the mediation agreement which shall be included in P-2.

10. Hopewell Township’s eight (8) compliance sites are well situated to accommodate the inclusionary developments from the following perspectives:

- All sites are served by public potable water systems and are in a sewer service area (except Deer Valley)
- Each of the 8 compliance sites has advantageous traffic access
- The neighborhoods where the proposed inclusionary developments are planned will be suitable for residential living
- When Deer Valley is included in an amended wastewater management plan, as provided for in the settlement agreement, all the inclusionary sites in this Amended Plan will be available, approvable, developable and suitable

11. No members of the public participated in the hearing and provided any comments.

WHEREAS, based upon the foregoing information, testimony and evidence as well as the presentation of the Amended Plan with proposed revisions, 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 support the construction of the 626 affordable units required in the Amended Plan.
3. The Planning Board finds and concludes that the Amended Plan with revisions does address Hopewell Township’s cumulative housing obligation for the period commencing in 1987 and extend to June 30, 2025.

4. The Planning Board finds and concludes that the Amended Plan with revisions has been prepared pursuant to the New Jersey Fair Housing Act (N.J.S.A. 52:27D-310, et seq.)
5. The Planning Board continues to find and concluded that the Amended Plan with revisions incorporates specific site suitability for each of the compliance sites and further concludes that based on that criteria, all compliance sites are suitable.

WHEREAS, at the conclusion of the public hearing, the Planning Board took action by voting to approve and adopt the Amended Plan with revisions identified as “Hopewell Township Mercer County, New Jersey Third Round Housing Element and Fair Share Plan” prepared by the Hopewell Township Planning Board with assistance from Banisch Associates, Inc, dated July 8, 2019 as amended by P-2;

NOW, THEREFORE, BE IT RESOLVED on this 18<sup>th</sup> day of July, 2019, by the Planning Board of the Township of Hopewell, County of Mercer, New Jersey, that the Planning Board hereby approves and adopts the Amended Plan entitled “Hopewell Township Mercer County, New Jersey Third Round Housing Element and Fair Share Plan,” prepared by the Hopewell Township Planning Board with assistance from Banisch Associates, Inc, dated July 8, 2019 as amended by P-2, 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.

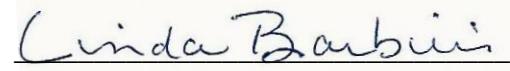
**VOTE ON THE RESOLUTION – July 18, 2019**

Yes - 7      No - 0      Absent - 4      Abstain - 0      Not Voting - 0

Belmont:	Yes	Murphy:	Yes
Khare:	Yes	Parker:	Absent
Kiss:	Absent	Peters-Manning:	Absent
Kuchinski:	Absent	Swanson:	Yes
McLaughlin:	Yes	Sandom:	Yes
		Peterson:	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 July 18, 2019, at which a quorum was present.

  
\_\_\_\_\_  
Linda Barbieri  
Recording Secretary

# HOPEWELL TOWNSHIP MERCER COUNTY, NEW JERSEY

## THIRD ROUND HOUSING ELEMENT and FAIR SHARE PLAN

Adopted: November 16, 2017

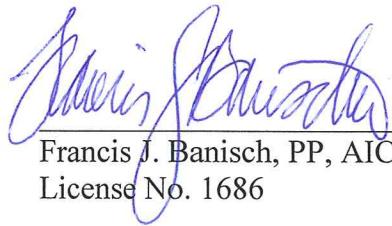
Adopted as Amended: December 7, 2017

Adopted as Amended: February 22, 2018

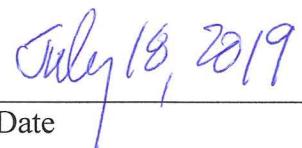
Adopted as Amended: September 27, 2018

Adopted as Amended: July 18, 2019

Prepared by the  
Hopewell Township Planning Board  
with assistance from Banisch Associates, Inc.  
111 Main Street  
Flemington, NJ 08822



Francis J. Banisch, PP, AICP  
License No. 1686

  
Date

The original of this document has been signed and sealed pursuant to N.J.A.C. 13:41-1.3

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## **I. INTRODUCTION**

This Housing Plan Element has been prepared in accordance with the Municipal Land Use Law, specifically N.J.S.A. 40:55D-28b(3), to address Hopewell Township's cumulative housing obligation for the period commencing in 1987 and extending to June 30, 2025. This Plan has also 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, including an inventory and projection of the municipal housing stock; an analysis of the demographic characteristics of the Township's residents and a discussion of municipal employment characteristics. As required by the New Jersey Fair Housing Act, municipalities that choose to enact and enforce a zoning ordinance are obligated to prepare a Housing Element as part of the community's Master Plan.

The Council on Affordable Housing (COAH) adopted third round rules in 2004 (N.J.A.C. 5:94 Procedural and N.J.A.C. 5:95 Substantive) that were subsequently invalidated by the Appellate Division on January 25, 2007. COAH then adopted modified rules in June 2008 (N.J.A.C. 5:96 Procedural and N.J.A.C. 5:97 Substantive) which, in turn, were followed by additional legal challenges. In a decision issued on October 8, 2010, the Appellate Division invalidated a number of provisions in N.J.A.C. 5:97 including its central component, the "growth share" methodology; a decision later upheld by the New Jersey Supreme Court on September 26, 2013.

COAH again drafted revised third round rules (N.J.A.C. 5:98 Procedural and N.J.A.C. 5:99 Substantive) which were to apply to a period commencing on November 17, 2014. However, COAH deadlocked on a vote to officially adopt the rules at its October 20, 2014 meeting, which resulted in the March 15, 2015 Mt. Laurel IV decision by the N.J. Supreme Court [In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing]. Finding COAH unable to perform the duties assigned it under the law and regulation, the Supreme Court removed COAH from the process, placing jurisdiction back with the courts.

This third round Housing Element and Fair Share 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
Third Round Prospective Need (1999-2025)	1,141
Present Need (Rehabilitation)	0

## **II. HOUSING ELEMENT**

The Municipal Land Use Law, at N.J.S.A. 40:55D-28(d)3 requires a housing plan element to be prepared "...pursuant to section 10 of P.L. 1985, c. 222 (C.52:27D-310), [New Jersey Fair Housing Act] including, but not limited to, residential standards and proposals for the construction and improvement of housing"

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.

This first part of this HE/FSP will address the Township's housing stock and demographic characteristics. This is followed by the Fair Share Plan which addresses Hopewell Township's affordable housing obligation.

#### **A. INVENTORY OF MUNICIPAL HOUSING UNITS**

The primary sources of information for the inventory of the Township's housing stock are the 2010 U.S. Census Summary File 2 and the 2015 American Community Survey 5-Year Estimates (herein ACS).

It is important to recognize the data limitations when interpreting the two different types of tables in this document. The 2010 SF2 data are specifically for the period around April 2010, and as a hundred percent count are the most precise figures. Limitations include a) a narrow scope confining to basic demographic and housing information, b) no coverage on economic information, and c) out of date (seven years old).

The 2015 ACS data, which represents estimates from a 2011 to 2015 pooled sample, and the 2010 SF3 data (April 2010 sample) provide a wider coverage. However, one should NOT relate the 2011-2015 ACS figures to a single 2015 figure, because the sample estimates are from data collected throughout a five year period.

Table 1 identifies the units in a structure by tenure; as used throughout this Plan Element, "tenure" refers to whether a unit is owner-occupied or renter-occupied. The ACS recorded 6,796 housing units in the Township, of which 6,431 (95.0%) were occupied. Hopewell's housing supply grew by roughly 1,000 units since 2000. The Township's housing stock consists primarily of one-family, detached dwellings (85.9%) and 8.89% of housing units are single-family attached dwellings. The Township has a very low percentage of renter-occupied units (7%) compared to the County (34.2%) and State (33%).

**TABLE 1: Units in Structure by Tenure for Occupied Units, 2011-2015**

Units in Structure	Occupied Units		
	Total (%)	Owner (%)	Renter (%)
1, detached	85.9%	89.4%	38.1%
1, attached	8.89%	9.1%	5.8%
2	.87%	.3%	8.6%
3 or 4	.16%	0%	2.3%
5 to 9	1.36%	.2%	16.9%
10 to 19	.48%	.5%	0%
20 to 49	.44%	.5%	0%
50 or more	1.9%	0%	28.3%

*Source: 2011-2015 American Community Survey 5-Year Estimates, B25032.*

Table 2 indicates the year housing units were built by tenure, and Table 3 compares the Township to Mercer County and the State. Four out of five housing units in Hopewell were built after 1950 and less than 14% of owner-occupied units were constructed prior to 1940, as compared to 41% of renter-occupied units.

**TABLE 2: Year Structure Built by Tenure for Occupied Units, 2011-2015**

Year Built	Total Units	% of Total	Occupied Units	
			Owner	Renter
2010 or later	6	0%	6	0
2000 - 2009	738	11%	600	138
1990 - 1999	1,822	28%	1,770	52
1980 - 1989	705	11%	705	0
1970 - 1979	612	10%	600	12
1960 - 1969	771	12%	720	51
1950 - 1959	601	9%	601	0
1940 - 1949	204	3%	204	0
Pre-1940	972	15%	794	178
<b>Total</b>	<b>6,431</b>	<b>100%*</b>	<b>6,000</b>	<b>431</b>

*Source: 2011-2015 American Community Survey 5-Year Estimates, B25036.*

\*due to rounding

Hopewell Township has a comparatively young housing stock, with nearly 750 units constructed since 2000. Table 3 compares the year of construction for all dwelling units in the Township to Mercer County and the State.

The most striking comparison in the table is that of the percentage of units constructed between 1990 and 1999. The Township had a much higher percentage of units constructed during these years (at 28.3%) compared to the County (9.5%) and the State (9.5%). It also had a somewhat higher percentage of units constructed between 2000 and 2009 (11.0% as compared to 9.2% for Mercer County and 9.4% for the State).

The Township has a newer overall housing stock than both the County and the State, and the percentage of units constructed between 1940 and 1949 and the percentage of those constructed before 1940 were lower than both the County and the State.

**TABLE 3: Comparison of Year of Construction for Occupied Units in Township, County, and State, 2011-2015**

Year Built	% Year Built		
	Hopewell Township	Mercer County	New Jersey
2010 or later	.1%	.9%	1.1%
2000 – 2009	11.5%	9.2%	9.4%
1990 – 1999	28.3%	9.5%	9.5%
1980 – 1989	11%	12.3%	11.8%
1970 – 1979	9.5%	11%	12.9%
1960 – 1969	12%	13.6%	13.8%
1950 – 1959	9.3%	16%	15.8%
1940 – 1949	3.2%	7.2%	7.9%
Pre-1940	15.1%	20.3%	17.1%

Source: 2011-2015 American Community Survey 5-Year Estimates, B25036

Table 4 documents household size in occupied housing units by tenure, and Table 5 documents the number of bedrooms per unit by tenure. Table 4 shows that a greater percentage of renter-occupied units house smaller households (76% have two persons or fewer) as compared to owner-occupied units (54% have two persons or fewer).

**TABLE 4: Household Size in Occupied Housing Units by Tenure, 2011-2015**

Household Size	Total Units	Owner-occupied Units	Renter-occupied Units
1 person	1,137	947	190
2 persons	2,436	2,298	138
3 persons	1,020	975	45
4 persons	1,229	1,220	9
5 persons	424	385	39
6 persons	158	158	0
7+ persons	27	17	10
<b>Total</b>	<b>6,431</b>	<b>6,000</b>	<b>431</b>

Source: 2011-2015 American Community Survey 5-Year Estimates, B25009

Most of Hopewell Township's housing has 3 bedrooms or more (87%), with owner-occupied units generally larger than rentals. Table 5 demonstrates that most of renter-occupied units had 1-2 bedrooms (269 units) compared with 162 rentals with 3 or more bedrooms.

**TABLE 5: Number of Bedrooms per Unit by Tenure for Occupied Units, 2011-2015**

Number of Bedrooms	Total Occupied Units	(%) of Total Units	Occupied Units	
			Owner	Renter
No bedroom	0	0%	0	0
1 bedroom	225	3%	72	153
2 bedrooms	606	9%	490	116
3 bedrooms	2,239	35%	2,137	102
4 bedrooms	2,519	39%	2,508	11
5+ bedrooms	842	13%	793	49

*Source: 2011-2015 American Community Survey 5-Year Estimates, B25042.*

Table 6 compares the Township's average household size for all occupied units, owner-occupied units and renter-occupied units to Mercer County and the State. The Township's average household size for renter-occupied units is lower than those of the County and State, while the average household size for owner-occupied units is higher than that of Mercer County, and nearly equal with that of the State.

**TABLE 6: Average Household Size for Occupied Units for Township, County, and State, 2010**

Jurisdiction	All Occupied Units	Owner-occupied units	Renter-occupied units
Hopewell Township	2.75	2.80	2.23
Mercer County	2.61	2.71	2.42
New Jersey	2.68	2.79	2.47

*Source: 2010 U.S. Census, SF-2, PCT1, HCT5 for Township, County, and State.*

As seen in Table 7, the Township had a significantly higher percentage of four or more bedroom units (52.3%) than either the County (27.7%) or the State (25.2%). The Township also had a lower percentage of units with one or fewer bedrooms (3.5%) than the County (15.2%) and the State (16.3%).

**TABLE 7: Percentage of Occupied Units by Number of Bedrooms, 2009-2013**

Jurisdiction	None	One	Two or Three	Four or More
Hopewell Township	0.0%	3.5%	44.2%	52.3%
Mercer County	1.9%	13.3%	57.1%	27.7%
New Jersey	2.4%	13.9%	58.5%	25.2%

*Source: 2011-2015 American Community Survey 5-Year Estimates for Township, County and State, S2504.*

The ACS also includes indicators of the condition of the housing stock. These indicators are used by the Council on Affordable Housing (COAH) in calculating a municipality's deteriorated units and indigenous need. In the first two rounds of COAH's fair share allocations (1987-1999), COAH used seven indicators to calculate indigenous need: age of dwelling; plumbing facilities; kitchen facilities; persons per room; heating fuel; sewer; and water. In the proposed Round Three rules, COAH reduced this to three indicators, including the age of the unit (Pre-1940 units in Table 2) and whether there are complete kitchen and plumbing facilities. The Supreme Court upheld this approach in March 2015. ACS defines these features as follows:

**Plumbing Facilities** – Complete plumbing facilities include hot and cold piped water, a flush toilet, and a bathtub or shower. All three facilities must be located inside the dwelling unit.

**Kitchen Facilities** – Complete kitchen facilities include a sink with piped water, a range or cook top and oven, and a refrigerator. All three facilities must be located inside the dwelling unit.

Table 8 compares the Township, County and State for the above indicators of housing quality. The Township has almost no units with incomplete plumbing or kitchen facilities.

**TABLE 8: Housing Quality Indicators for Township, County, and State  
2011-2015**

<b>Condition</b>	<b>%</b>		
	<b>Hopewell Township</b>	<b>Mercer County</b>	<b>New Jersey</b>
Complete plumbing facilities	99.8%	99.6%	99.6%
Complete kitchen facilities	99.8%	99.3%	99.2%

*Source: 2011-2015 American Community Survey 5-Year Estimates for Township, County and State, S2504.*

The complexion of the municipal housing stock is also gleaned from housing values and gross rents for residential units. The ACS summary of housing values presented in Table 9 indicates that the majority of owner-occupied units (79%) are valued between \$300,000 and \$999,999, with 38% of units priced about \$500,000. The median residential housing value in the 2011-2015 ACS was \$464,200.

**TABLE 9: Value of Owner Occupied Residential Units, 2011-2015**

<b>Value</b>	<b>Number of Units</b>	<b>%</b>
\$0 – 50,000	76	1%
\$50,000 – 99,999	48	1%
\$100,000 – 149,999	109	2%
\$150,000 – 199,999	35	1%

\$200,000 – 299,999	603	10%
\$300,000 – 499,999	2,473	41%
\$500,000 – 999,999	2,263	38%
\$1,000,000 +	393	7%

*Note: Median Value \$464,200. 2011-2015 American Community Survey 5-Year Estimates, B25077.*

*Source: 2011-2015 American Community Survey 5-Year Estimates, B25075.*

In 2000, 51% of units rented for more than \$500 and 38% rented for over \$1,000/month. Table 10 indicates that in 2011-2015, nearly 60% of leased housing units rented for \$1,000 or more, and 53% of the units rented for \$1500 or more. No units rented for under \$750. The median gross rent has risen by almost 86% from 2000 to 2011-2015.

**TABLE 10: Gross Rents for Renter-Occupied Housing Units, 2011-2015**

Monthly Rent	Number of Units	--% (of those who paid rent)--
Under \$200	0	0.0%
\$200 – 299	0	0.0%
\$300 – 499	0	0.0%
\$500 – 749	0	0.0%
\$750 – 999	152	40%
\$1,000 – 1,499	24	6%
\$1,500 or more	200	53%
No rent paid	55	--

*Note: Median gross rent for Hopewell Township is \$1548/month, as compared to \$833/month in 2000.*

*Source: 2011-2015 American Community Survey 5-Year Estimates, B25063.*

As seen on Table 11, 43% of renter households earned less than \$50,000 per year, and all of these households were paying more than 35% of their income for rent. At the other end of the spectrum, 37% of households earned more than \$100,000 per year, and all of these households were paying less than 29.9% of their income for rent, with 86% of them paying less than 19.99% of their income for rent. A figure of 30% is considered the limit of affordability for rental housing costs.

**TABLE 11: Household Income by Gross Rent as a Percentage of Household Income, 2011-2015**

Income	Number of Households	Percentage of Household Income					
		0 – 19.99%	20 – 24.9%	25 – 29.9%	30 – 34.9%	35% +	Not computed
< \$10,000	17	0	0	0	0	0	17
\$10,000 - 19,999	52	0	0	0	0	52	0

\$20,000 - 34,999	78	0	0	0	0	62	16
\$35,000 - 49,999	39	0	0	0	0	0	39
\$50,000 - 74,999	42	17	13	0	0	12	0
\$75,000 - 99,999	42	19	0	11	0	12	0
\$100,000 or more	161	138	13	10	0	0	0

Source: 2011-2015 American Community Survey 5-Year Estimates, B25074.

## B. ANALYSIS OF DEMOGRAPHIC CHARACTERISTICS

As with the inventory of the municipal housing stock, the primary sources of information for the analysis of the demographic characteristics of the Township's residents are the 2010 U.S. Census and the 2009-2013 American Community Survey (ACS). These two sources provide a wealth of information concerning the characteristics of the Township's population in 2010.

The 2010 Census indicates that the Township had 17,304 residents, or 1,199 more residents than the 16,105 residents in 2000, representing a population increase of approximately 7.4%. The Township's 7.4% increase in the 2000's compares to a 4.5% increase in Mercer County and a 4.5% increase in New Jersey.

Nearly 60% of Township residents were over 35 in 2010 when the Township had relatively few millennials. The age distribution of the Township's residents is shown in Table 12, broken down by gender. Males outnumbered females in the youngest age groups (0-17) and in the 55-64 age group. Females predominated in all other age groups.

**TABLE 12: Population by Age and Sex, 2010**

Age	Total Persons	Male	Female
0-4	799	412	387
5 - 17	3,777	1,949	1,828
18 - 34	1,978	981	997
35 - 54	5,808	2,763	3,045
55 - 64	2,493	1,258	1,235
65 +	2,449	1,146	1,303
<b>Total</b>	<b>17,304</b>	<b>8,509</b>	<b>8,795</b>

Source: 2010 U.S. Census, SF 2, PCT3/PCT5.

Hopewell Township is aging, and millennials are in short supply in the Township. As seen in Table 13, the Township had a much lower percentage of its population in the 18-

34 category (11.4%) than both the County (23.7%) and the State (21.3%). The Township also had a higher percentage in the 35-54, 55-64 and 64+ age categories. Consequently, the median age for Hopewell Township was 44.4 as compared to 37.8 for the County and 39.0 for the State. The percentage of persons over 65 nearly doubled since 2000.

**TABLE 13: Comparison of Age Distribution for Township, County, and State  
(% of persons), 2010**

Age	Hopewell Township	Mercer County	New Jersey
0-4	4.6%	5.9%	6.2%
5 – 17	21.8%	16.8%	17.3%
18 – 34	11.4%	23.7%	21.3%
35 – 54	33.6%	29.3%	29.8%
55 – 64	14.4%	11.7%	11.9%
65 +	14.2%	12.6%	13.5%
<b>Median</b>	<b>44.4</b>	<b>37.8</b>	<b>39.0</b>

Source: 2010 U.S. Census, SF 2 for Township, County and State, PCT3/PCT5.

Table 14 provides the 2010 Census data on household size for the Township, while Table 15 compares household sizes in the Township to those in Mercer County and the State. The Township had fewer 1-person households and more 3- and 4-person households than the County and the State. The average number of persons per household was 2.75.

**TABLE 14: Persons in Household, 2010**

Household Size	Number of Households
1 person	1,118
2 persons	2,100
3 persons	1,194
4 persons	1,214
5 persons	483
6 persons	128
7 or more persons	45
<b>Total Households</b>	<b>6,282</b>

Source: 2010 U.S. Census, SF 2, PCT20/HCT6.

**TABLE 15: Comparison of Persons in Household for Township, County, and State  
(% of households)**

Household Size	Hopewell Township	Mercer County	State
1 person	17.8%	26.9%	25.2%
2 persons	33.4%	29.9%	29.8%
3 persons	19.0%	17.0%	17.4%
4 persons	19.3%	15.1%	15.7%
5 persons	7.7%	6.6%	7.2%

6 persons	2.0%	2.5%	2.7%
7 or more persons	0.7%	1.8%	1.9%
<b>Persons per household</b>	<b>2.75</b>	<b>2.61</b>	<b>2.68</b>

Source: 2010 U.S. Census, SF 2 for Township, County and State, PCT20/HCT6.

Table 16 presents a detailed breakdown of the Township's population by household type and relationship. There were 4,928 family households in the Township (78.4% of total households) and 1,354 non-family households (householder living alone or with non-relative). The percentage of family households dropped slightly from 2000 to 2010, as 80% of households were family households in 2000.

In terms of the proportion of family and non-family households, the Township had more family households than the County and the State (78.4% for the Township, 67.2% for the County, and 64.6% for the State) in 2010. The 2010 tabulation does not account for any of the units or beds at Brandywine Senior Living.

**TABLE 16: Persons by Household Type and Relationship, 2010**

	<b>Total</b>
<b>In family Households:</b>	<b>15,630</b>
Householder	4,928
<i>Spouse</i>	4,339
Child	5,711
Other relatives	485
Nonrelatives	167
<b>In Non-Family Households:</b>	<b>1,664</b>
Male householder:	556
Living alone	425
Not living alone	131
Female householder:	798
Living alone	693
Not living alone	105
Relatives living with householder	310
<b>In group quarters:</b>	<b>10</b>
Institutionalized:	0
Nursing facilities/skilled nursing facilities	0
Mental (psychiatric) hospitals	0
Other institutions	0
Non-institutionalized	10
Group homes for adults	10
Other non-institutional facilities	0

Source: 2010 U.S. Census, SF 2, PCT22/PCT 28 and PCT38/39.

Hopewell has more wealth and less poverty than Mercer County and New Jersey. Table 17 provides 2011-2015 income data for the Township, County and State. The Township's per capita and median household and median family incomes were significantly higher

than those for the County and State. The definitions used for households and families in Table 17 are similar to those identified in the description for Table 16, so that the household figure in Table 17 includes families. By way of comparison, in the 2000 Census, Hopewell's per capita income jumped to 49% (almost \$21,802) from \$43,947 to \$65,749. Increases for the County and State were modest (roughly 1/3).

**TABLE 17: 2011-2015 Income for Township, County, and State**

Jurisdiction	Per Capita Income (\$)	Median Income (\$)	
		Households	Families
Hopewell Township	65,749	141,003	158,385
Mercer County	37,680	72,804	94,908
New Jersey	36,582	72,093	88,335

*Source: 2011-2015 American Community Survey 5-Year Estimates for Township, County and State, DP03 and S1901.*

Table 18 addresses the lower end of the income spectrum, providing data on poverty levels for persons and families in 2009-2013. The determination of poverty status and the associated income levels is based on the 2013 cost of an economy food plan and ranged from an annual income of \$11,770 for a one-person family to \$40,898 for an eight-person family (three-person family is \$20,090). Many federal programs, including food stamps, use the economy food plan as the determining guideline. According to the data in Table 18, the Township has a lower proportion of persons and families qualifying for poverty status than the County or State.

Since 2000, the percentage of persons and families in poverty status increased across the board, the Township's increase for families in poverty was less dramatic than the increases seen in the County and State. Table 18 also compares poverty status from the 2000 Census to poverty status from the 2011-2015 ACS for the Township, County and State.

**TABLE 18: Comparison of Poverty Status for Persons and Families for Township, County, and State, 1999 to 2011-2015**  
(% with 1999 or 2011-2015 income below poverty)

Jurisdiction	Persons (%)		Families (%)	
	1999	2011-2015	1999	2009-2013
Hopewell Township	1.1%	1.9%	0.9%	1.3%
Mercer County	8.6%	11.5%	5.9%	8%
New Jersey	8.5%	10.8%	6.3%	8.2%

*Source: 2011-2015 American Community Survey 5-Year Estimates for Township, County and State, DP03; 2000 U.S. Census, SF-3 for Township, County and State, DP-3*

A variety of interesting insights into an area's population can be gathered from the ACS, which includes a vast array of additional demographic data. For example, Table 19 provides a comparison of the percent of persons who moved into their current homes prior to 2000; this is a surrogate measure of the mobility/stability of a population. These data indicate that

the percentage of current Township residents residing in the same house in 2011-2015 as in 2000 exceeds that of the County and State.

**TABLE 19: Resided in Current Dwelling prior to 2000 for Township, County and State, 2011-2015**

Jurisdiction	Percent living in dwelling prior to 2000
Hopewell Township	48.7%
Mercer County	35.1%
New Jersey	36.3%

Source: 2009-2013 American Community Survey 5-Year Estimates for Township, County and State, DP04.

Hopewell's population is comparatively quite well educated, as seen on Table 20. While the percentage of residents with a high school diploma or higher exceeds that of the County and State, the percentage with a bachelor's degree or higher far exceeds that of the County and the State. The figures for the Township have increased since 2000, when 94% of residents had a high school degree or higher and 66.8% had a bachelor's degree or higher.

**TABLE 20: Educational Attainment for Township, County and State Residents, 2011-2015**  
(Persons 25 years and over)

Jurisdiction	Percent (%) high school graduates or higher	Percent (%) with bachelor's degree or higher
Hopewell Township	94.6%	66.8%
Mercer County	87.4%	39.6%
New Jersey	88.6%	36.8%

Source: 2011-2015 American Community Survey 5-Year Estimates for Township, County and State, S1501.

The ACS also provides data on the means of transportation which people use to reach their place of work. Table 21 compares the data for the Township, County, and State relative to driving alone, carpooling, using public transit, and using other means of transportation. A lack of public transit here virtually assures that a relatively high percentage of workers will drive alone, and a relatively low percentage of workers who carpool or use transit. Of the 9.9% using other means, 8.1% work from home and 1.1% walk to work.

**TABLE 21: Means of Transportation to Work for Township, County and State Residents, 2011-2015**  
(Workers 16 years old and over)

Jurisdiction	Percent who drive alone	Percent in carpools	Percent using public transit	Percent using other means
Hopewell Township	79.9%	4.4%	5.8%	9.9%
Mercer County	72.2%	9.6%	8.1%	10.2%
New Jersey	71.9%	8.1%	11.1%	9%

Source: 2011-2015 American Community Survey 5-Year Estimates for Township, County and State, DP03.

### C. SUMMARY OF EMPLOYMENT DATA

The ACS provides detailed information on a municipality's resident population regarding their means of employment. Nearly 2/3 of Hopewell Township residents are in management, business, science and arts occupations. Employment characteristics are described in two ways: first, by occupation, which is the type of work the employee performs; and second, by industry, or the type of business in which the employee works. Table 22 provides data for these two characteristics.

**TABLE 22: Selected Employment Characteristics of Resident Population, 2011-2015**

<b>Employed civilian population 16 years and over</b>	<b>9,206</b>	
<b>OCCUPATION</b>		
Management, business, science, and arts occupations	6,010	65.3%
Service occupations	967	10.5%
Sales and office occupations	1,465	15.9%
Natural resources, construction, and maintenance	500	5.4%
Production, transportation, and material moving	264	2.9%
<b>INDUSTRY</b>		
Agriculture, forestry, fishing and hunting, and mining	178	1.9%
Construction	488	5.3%
Manufacturing	762	8.3%
Wholesale trade	254	2.8%
Retail trade	458	5%
Transportation and warehousing, and utilities	120	1.3%
Information	304	3.3%
Finance and insurance, and real estate and rental and	996	10.8%
Professional, scientific, and management, and administrative and waste management services	1,306	14.2%
Educational services, and health care and social assistance	2,840	30.8%
Arts, entertainment, and recreation, and accommodation and food services	602	6.5%
Other services, except public administration	421	4.6%
Public administration	477	5.2%

Source: 2011-2015 American Community Survey 5-Year Estimates, DP03.

Table 23 indentifies the types of industries that are found within the municipality. Unfortunately, for Hopewell Township, data from the New Jersey Department of Labor

and Workforce Development is incomplete and does not provide an accurate picture of the distribution of employment opportunities between industries.

**TABLE 23: Employment and Wages by Industry, Hopewell Township, 2016**

	Average Annual Units	Average Annual Employment	Average Annual Wages
Agriculture	3	25	\$25,327
Construction	17	45	\$52,888
Manufacturing			
Wholesale trade			
Retail trade	6	46	\$17,327
Transportation and warehousing			
Information			
Finance and insurance			
Real estate			
Professional and technical	16	542	\$197,652
Management			
Administrative and waste remediation	25	223	\$34,293
Education			
Health care and social assistance	6	68	\$24,542
Arts and entertainment	6	68	\$20,379
Accommodations and food service	4	67	\$25,360
Other services	17	39	\$18005
Unclassified			
<b>PRIVATE SECTOR TOTAL</b>			
<b>FEDERAL GOVERNMENT TOTAL</b>	1	3	\$56,512
<b>LOCAL GOVERNMENT TOTAL</b>	2	145	\$63,337
<b>STATE GOVERNMENT TOTAL</b>	1	7	\$77,053

*Source: N.J. Department of Labor and Workforce Development, Office of Research and Information, Quarterly Census of Employment and Wages, Annual Municipal Data by Sector, 2016 Fourth Quarter.*

*DP = Data do not meet publication standards*

### III. FAIR SHARE PLAN

## A. SUMMARY OF FAIR SHARE PLAN

A Fair Share Plan is defined as a “...plan or proposal, which is in a form that may readily be converted into an ordinance, by which a municipality proposed to satisfy its obligation to create a realistic opportunity to meet its fair share of low and moderate income housing needs of its region and which details the affirmative measures the municipality proposes to undertake to achieve its fair share of low and moderate income housing...”<sup>1</sup>

This Fair Share Plan utilizes the Court-approved affordable housing obligation for Hopewell Township which are as follows:

Prior Round (1987-1999)	520
Third Round Prospective Need (1999-2025)	1,141
Present Need (Rehabilitation)	0

This plan conforms to the terms of an affordable housing settlement agreement approved through Court-supervised mediation.

**B. UNITS AND CREDITS ADDRESSING THE PRIOR ROUND**

Table 24 indicates the sources of the 669 units and credits applied against the 520-unit prior round as it was presented to the Court.

Table 24: Affordable Units and Bonus Credits Applied to Prior Rounds (1987-1999)				
Sources of Units/Credits	Units	Bonus	Reduction	Total
Substantial Compliance			46	46
Regional Contribution Agreement				
	Trenton	198		198
Alternative Living Arrangements				
	CIFA group home	4	4	8
	Community Options	4	4	8
	Homefront	3	3	6
	Wrick Avenue	1		1
	Minnietown Lane	2		2
	Project Freedom	72	72	144
Accessory Apartments		1		1
100% Affordable Housing Developments				
	Hopewell Gardens	100	15	115
Inclusionary Housing Developments - Constructed				
	Brandon Farms	135		135
	Pennington Pointe	5		5
<b>Total</b>	525	98	46	669

<sup>1</sup> N.J.A.C. 5:93-1.3

Hopewell Township applied a total of 525 units to its prior round obligation and qualified for a total of 669 affordable housing credits after application of the 46-unit substantial compliance reduction and 98 rental bonus credits. This total provides 149 excess credits to the third round. Limits on the number of age-restricted units are being calculated on a cumulative basis for the period 1987-2025 and are described in the third round compliance discussion below.

### C. PRESENT NEED

The Township does not have a present need (rehabilitation) obligation.

### D. UNITS AND CREDITS ADDRESSING THIRD ROUND PROSPECTIVE NEED

Hopewell Township will address the 1,141-unit third round obligation with a combination of at least 831 affordable units and 317 rental bonus credits.

#### THIRD ROUND SUMMARY:

<b>Total Round 3 Fair Share obligation</b>	<b>1,141</b>
<b>Prior Round Surplus</b>	<b>149</b>
<b>Hopewell Gardens Carryover Credits</b>	<b>49</b>
<b><u>Third Round Rental Bonus</u></b>	<b><u>317</u></b>
<b>Actual Affordable Units needed</b>	<b>626</b>

As shown in Table 25, the 831 affordable units include 198 that have already been constructed (49 at Hopewell Gardens plus 149 excess over prior round). Thus, going forward, zoning or otherwise providing for an additional 633 affordable units will completely satisfy the 1,141-unit third round obligation.

<b>Table 25: Affordable Units and Bonus Credits Applied to Third Round Obligation</b>			
<b>Sources of Units/Credits</b>	<b>Units</b>	<b>Bonus</b>	<b>Total</b>
<b>Prior Round Surplus</b>	149		149
<b>100% Affordable Housing Developments</b>			
Hopewell Gardens	49		49
<b>Inclusionary Housing Developments - Proposed</b>			
CF Hopewell	305	185	490
CF Hopewell/Capital Health*	35		35
Woodmont	48	48	96
BMS**	50 or 0		50 or 0
Enourato	12	6	17
Deer Valley***	125		125
Zaitz**	78 or 108	78	156 or 186
<b>Total</b>	831 minimum	317	1,148 minimum

\* Medicaid beds

\*\*The Settlement Agreement with Fair Share Housing Center requires a midpoint realistic opportunity review. Should the 50 affordable housing unit opportunity included in this plan for BMS campus not be realized, Hopewell Township will require development of 30 additional affordable housing units at the Zaitz site.

\*\*\* In the event that Lots 20, 46, 19, 45.01 and part of 60 do not have common ownership at the time of development, 150 units, 30 of which shall be age restricted affordable, shall be allocated to Block 93, Lots 20 and 46. 475 units, 95 of which shall be age restricted affordable, shall be allocated to Block 93, Lots 19, 45.01 and part of 60. Additionally, it is possible that the residential component of Block 93, Lots 19, 20, 45.01, 46 and part of 60 will ultimately yield fewer than 625 total units. To the extent there is a shortfall in the resulting number of affordable housing units from applying a 20% set-aside to the number of units deemed feasible to construct on the site, the Township shall address the shortfall either through (a) modification to the CF Hopewell/Capital Health development through agreement with Van Princess Realty Group LLC or its successors or assigns to provide additional senior affordable housing units in that development or (b) a municipally sponsored group home or homes to address the shortfall. The Township as part of the midpoint realistic opportunity review, if such shortfall exists or is reasonably anticipated, will show how it provides a realistic opportunity for one of these options to address the shortfall.

As part of meeting this obligation, affordable units will be required to satisfy the following parameters:

#### *Rental Unit Obligation*

The municipal rental obligation, a required component of meeting the fair share obligation, is calculated at 25 percent of the prospective need. This calculation results in a requirement for 130 rental units for the prior round ( $520 \times .25$ ) and 285 affordable rental units in the third round ( $1,141 \times .25$ ) for a total of 415 rentals for the period 1987-2025.

As seen in Table 26, there are a total of 184 rental units provided for the prior round, where 130 are required.

<b>Table 26: Units Addressing Prior Round Rental Obligation</b>			
<b>Sources of Units/Credits</b>	<b>Senior rentals</b>	<b>Family rentals</b>	<b>Group homes</b>
<b>Alternative Living Arrangements</b>			
CIFA group home			4
Community Options			4
Homefront			3
Project Freedom		72	
<b>Accessory Apartments</b>		1	
<b>100% Affordable Housing Development</b>	85		15
<b>TOTALS</b>	85	73	26

With regard to the obligation to provide affordable rental units in the third round, where 285 are required, this plan provides a total of 425 to 445 rental units applicable to the third round, as seen on Table 27.

<b>Table 27: Units Addressing Third Round Rental Obligation</b>		
<b>Source of Units/Credits</b>	<b>Senior Rentals</b>	<b>Family Rentals</b>
<b>Inclusionary Housing Developments - Proposed</b>		
Zaitz		78(108)*
CF Hopewell		185
CF Hopewell/Capital Health	35	
Woodmont		48
BMS		50*
Hopewell gardens	49	
<b>SUBTOTAL</b>	<b>84</b>	<b>341 or 361</b>

\* Should the 50 affordable housing unit opportunity included in this plan for BMS campus not be realized, Hopewell Township will require development of 30 additional affordable housing units at the Zaitz site.

#### *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/credits (1,141 / 2). The only non-family units in the third round plan are the potential age restricted units. The third round compliance plan includes a total of 219 age-restricted units, 66 units below the 285-unit third round cap, as noted below. When these 219 age restricted units are subtracted from the 851 actual units to be developed under the third round plan, there will be a total of 632 family units (or 612 if the additional units on Zaitz option is exercised).

#### *Low-Moderate Split and Very-Low Income Obligation*

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.

#### *Age-restricted Units*

Combining the prior round age-restricted cap (80 units) and the third round age-restricted cap (285 units) yields a combined prior and third round age-restricted cap of 365 units. Table 28 identifies the age-restricted affordable units included for the period 1987-2025. The prior round and third round cumulative total of age-restricted units is 309 units, which is 56 units below the cumulative age-restricted cap.

**Table 28: Age Restricted Units – 1987-2025**

Source of Units/Credits	Senior For Sale	Senior Rentals
CF Hopewell/Capital Health		35
Hopewell gardens		149
Deer Valley	125	
<b>TOTALS</b>	<b>125</b>	<b>184</b>

#### *Rental Bonus Credits*

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 credits is thus 415 for both rounds. As seen on Tables 24 and 25, a total of 415 bonuses have been applied, including 98 rental bonus credits to the prior round and 317 for Round 3. Additional rental bonuses, beyond the 25% limit through 2025, may be available in the future for rental units not receiving bonuses in the current Fair Share Plan.

#### **E. HOPEWELL TOWNSHIP'S AFFORDABLE HOUSING SITE SELECTION PROCESS**

*Suitable Sites* - Hopewell Township's Planning Board examined site suitability of those lands in the Township that could qualify for inclusionary zoning according to COAH criteria. Except for the Deer Valley site, which is not yet in an approved sewer service area, each of the compliance sites included in the settlement is:

- 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

Pursuant to a Settlement Agreement with Deer Valley, Hopewell Township will cooperate with Deer Valley in securing a site specific amendment to the Mercer County Wastewater Management Plan amendment, or failing that, will reexamine whether Deer Valley remains a realistic opportunity for the provision of affordable housing.

The eight (8) compliance sites included in this Fair Share Plan consist largely of developable uplands, although there are fingers of wetlands and/or stream corridors that affect these sites to a limited degree. Development standards will be crafted to permit the full extent of the development authorized by the settlements.

The extent of total acreage and developable acreage is indicated in Table 29 below, which illustrates that between 63% and 86% of the inclusionary site acreage is developable for all sites except BMS, where a 35-acre upland area is to be provided.

<b>Table 29: Total Acres and Developable Acres for Inclusionary Sites</b>				
<b>Inclusionary Site</b>	<b>Block/Lot</b>	<b>Total acres</b>	<b>Developable Acres</b>	<b>Developable portion of Site</b>
CF West	93/3.01, 5.01, 5.02, 6.01	389.03	257.66	66%
CF North East	91/3.11, 3.95	92.6	77	83%
CF/CHS - Southeast	91/3.14, 3.191, 3.22, 3.161, 3.181, 3.961	219.24	179.18	81%
Zaitz	85/3	46	39	85%
Enourato	78/17	11.1	7	63%
Woodmont	78.09/21	21.8	16	73%
BMS	46/8.01	NA	35 acres (inside loop)	100%
Deer Valley	93/19, 45.01, 20, 46, 60	182.85	157.67	86%

Additionally, Hopewell Township's compliance sites are well situated to accommodate the inclusionary developments from several perspectives, as noted below.

#### *Sewer and Water Service*

All inclusionary sites are served by or have access to public potable water systems. As seen on Table 30, sewer service is available to all sites except Deer Valley, which will be included in a sewer service area (SSA) and rezoned pursuant to the settlement agreement.

<b>Table 30: Sewer Service for Inclusionary Sites</b>			
<b>Inclusionary Site</b>	<b>Block/Lot</b>	<b>SSA in WMP</b>	<b>Status</b>
CF West	93/3.01, 5.01, 5.02, 6.01	ELSA	Redevelopment plan adopted
CF North East	91/3.11, 3.95	ELSA	Redevelopment plan adopted
CF/CHS - Southeast	91/3.14, 3.191, 3.22, 3.161, 3.181, 3.961	ELSA	Redevelopment plan adopted
Zaitz	85/3	ELSA	Redevelopment plan adopted
Enourato	78/17	ELSA	Rezoned
Woodmont	78.09/21	ELSA	Rezoned
BMS	46/8.01	All residential flows will be managed by the Stony Brook RSA.	Rezoned

Deer Valley	93/19, 45.01, 20, 46, 60	no	To be rezoned and included in SSA per settlement
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*Geographic distribution* – Seven compliance sites are distributed across the Township from east to west within the regional Sewer Service Area. The eighth site is on the current Bristol Meyers Squibb (BMS) campus, slated to be closed and sold.

*Traffic Access* – Each of the compliance sites has advantageous traffic access as seen on Table 31:

<b>Table 31: Regional Highway Access to Inclusionary Sites</b>	
<b>Compliance Site</b>	<b>Highway Access</b>
CF Hopewell, Capital Health	Dualized 4-lane highway access to the site and direct access to Scotch Road interchange with 1-295
Enourato	Direct access to Route 31
Zaitz et als.	Direct access to Route 31 and County Route 546
Woodmont	Direct access to Federal City Road and the interchange with 1-295
BMS	Direct access to County Route 624 and Titus Mill Road
Deer Valley	Dualized 4-lane highway access to the site and direct access to Scotch Road interchange with 1-295

*Compatible Land Uses* – The neighborhoods where the proposed inclusionary developments are planned will be suitable for residential living, and include the land uses seen on Table 32:

<b>Table 32: Neighborhood Character surrounding Inclusionary Sites</b>	
<b>Compliance Site</b>	<b>Neighborhood Character</b>
CF Hopewell/ Capital Health (East Side)	Research, Offices, Hospital and Medical Offices
CF Hopewell (West Side)	Farmland (north and south), single family residential (west and south), Hospital and Offices (east)
Enourato	Professional offices (south), cluster housing (east), tree service (north), open space (west across Rt. 31)
Zaitz et als.	Commercial (east), moderate density residential (west and north), open space (south)
Woodmont	Low and moderate density residential, church, offices
BMS	Low and moderate density residential, research, offices
Deer Valley	Farmland (north), single family residential (west and south), Hospital and Offices (east)

In summary, when Deer Valley is included in an amended wastewater management plan, as provided for in the settlement agreement, all the inclusionary sites in this Fair Share Plan will be available, approvable, developable and suitable.

**CHAPTER V**  
**SITE SUITABILITY INFORMATION**

**DEER VALLEY**



# TOWNSHIP OF HOPEWELL

## MERCER COUNTY

### SITE SUITABILITY INFORMATION

#### Deer Valley

July 2, 2019

Page 1 of 1

**Block:** 93  
**Lots:** 19, 20, 45.01, 46 and 60  
**Street Access:** Nursery and Scotch Roads  
**Present Owners of Record:** Deer Valley Realty, Inc. / subsidiary and CF Hopewell / subsidiary  
Deer Valley / Subsidiary Lots  
Travaline Farms, Inc. (Lot 19)  
Deer Valley Realty, Inc. (Lot 45.01, 60)  
CF Hopewell Subsidiary Lots  
CF Hopewell South, LLC (Lot 20)  
CF Hopewell CC&L LLC (Lot 46)  
**Existing Zoning:** VRC (Lots 19, 20 and 60)  
R-100 (Lots 45.01 and 46)  
**Proposed Zoning:** Inclusionary Multi-Family and Commercial (IMF-C)  
**Planning Area:** PA-3  
**Sewer Service:** Not in SSA  
**Water Service:** Trenton Water (Included in existing franchise area)

### SITE SUITABILITY

**Gross Lot Area:** 182.85 Acres

**Constrained Areas:** 25.18 Acres

**Net Area for Development** **157.67 Acres**

- Schedule

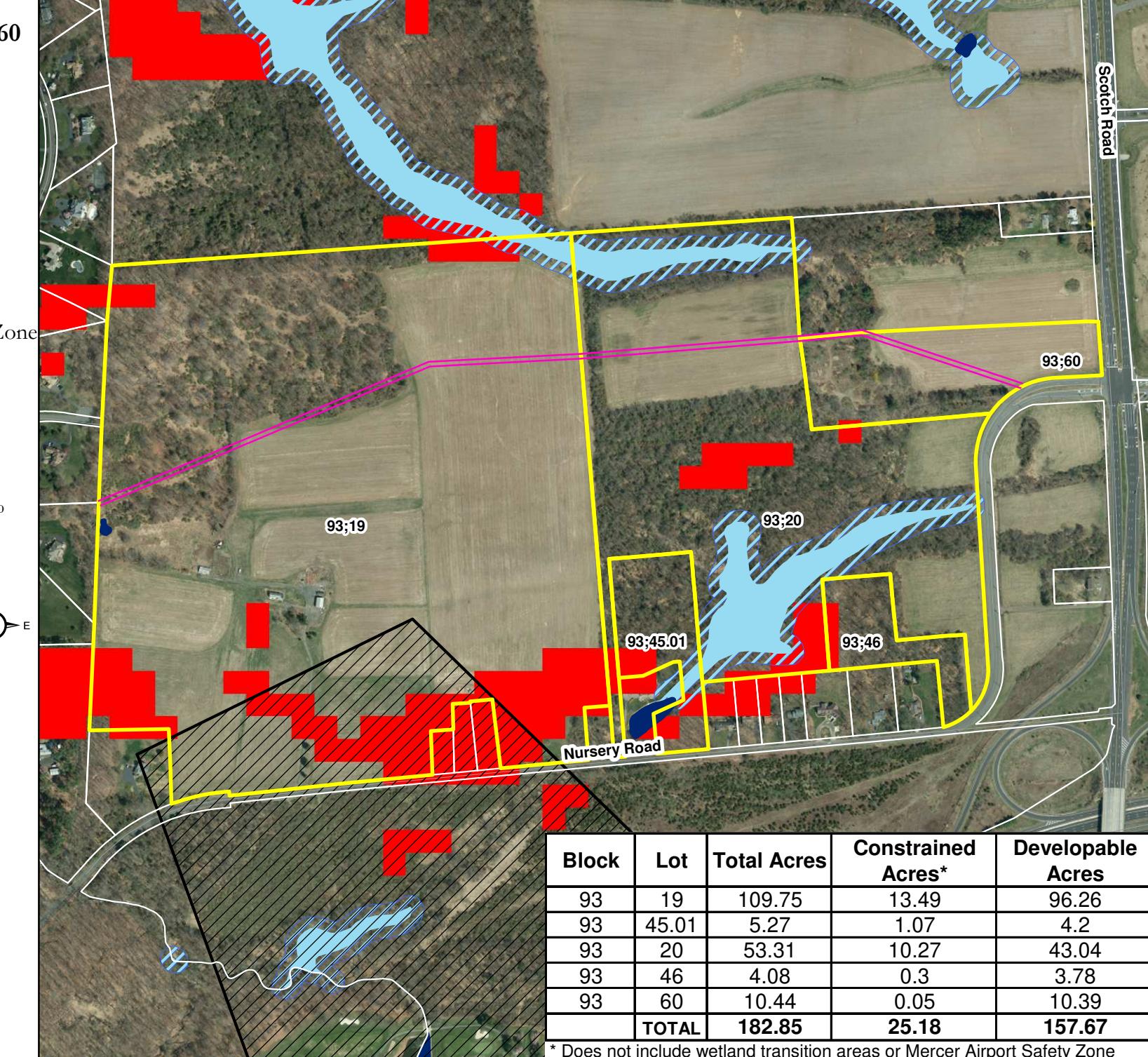
DEVELOPMENT PROCESS ACTION	DATE ANTICIPATED TO BEGIN	DATE ANTICIPATED TO BE COMPLETED
Change Zoning to IMF-C	7/1/2019	7/29/2019
Amend WWMP to include site in SSA	7/10/2019	12/31/2019

**Environmental Constraints**  
**Block 93;**  
**Lots 19, 20, 45.01, 46, and 60**  
*Portion of*  
*Hopewell Township*  
*Mercer County, NJ*  
*July 2019*

**Legend**

- Subject Properties
- Mercer Airport Safety Zone
- Water
- Wetlands
- 50' Wetlands Buffer
- Slopes greater than 12%
- Pipeline Easement\*

0 500 1,000  
 Feet



\*Approximate Location of pipeline easement based on Hopewell Township Tax Map page 22. Location of easement is not verified.

**Data Sources:**  
 NJGIN Parcels 2011  
 NJDOT Roadway Network  
 NJOGIS 2015 Aerial Photography  
 NJDEP 2012 Land Use/Land Cover  
 NJDEP 10 Meter DEM's  
 FEMA Floodzones

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.

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

**ORDINANCE NO. 19-**

**ORDINANCE AMENDING CHAPTER XVII OF THE CODE OF THE  
TOWNSHIP OF HOPEWELL ENTITLED “LAND USE AND  
DEVELOPMENT ORDINANCE” (IMF-C DISTRICT:  
INCLUSIONARY MULTI-FAMILY AND COMMERCIAL DISTRICT)**

**BE IT ORDAINED**, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that Chapter XVII, entitled “Land Use and Development,” Article IX, entitled “Zoning Districts,” of the Revised General Ordinances of the Township of Hopewell, shall be supplemented as follows:

**SECTION 1. The following section shall be added at Section 17-174:**

**17-174 IMF-C DISTRICT: INCLUSIONARY MULTI-FAMILY AND COMMERCIAL DISTRICT.**

a. Purpose and vision: The IMF-C District provides for a mixed-use community of inclusionary, age-restricted housing and non-residential commercial and office uses. This district responds to the terms of a Settlement Agreement between Deer Valley Reality, Inc., CF Hopewell CC&L, LLC, their respective successors or affiliate companies, Fair Share Housing Center, and Hopewell Township. This agreement requires that the subject area will include a 20% set aside of all residential units (up to 125 units) which will be deed-restricted affordable to very low, low and moderate income households. A variety of housing types are encouraged to meet the needs of a variety of potential residents. The residential uses are primarily envisioned to be located primarily toward the interior of the District with some residential uses on the southern portion of Block 93, Lot 60.

Additionally, non-residential opportunities along the District’s eastern roadway frontages are provided to capitalize on the area’s adjacency to minor (Scotch Road) and primary (Interstate Route 295) arterial roadways, and the pass-by trips those roadways command. Potential customers will also be drawn from nearby major employers as well as the planned new and existing communities in the area. Neighborhood-scale uses are envisioned, rather than regionally-scaled facilities.

The intent of the ordinance is to re-zone Block 93, Lots 19, 20, 32, 44, 45.01, 46, 60 and Block 93.05, Lots 1 and 2 to IMF-C.

- b. Permitted Residential Principal Uses / Unit Types
  - 1. A maximum 625 total age-restricted dwelling units are permitted in the IMF-C District; a 20% affordable unit set-aside is required, including a maximum of 125 affordable units.
  - 2. Residential units are permitted on Lots 19, 20, 45.01, 46, and 60 (south of the existing pipeline easement that traverses the property) in Block 93 in accordance with the IMF-C District standards.
  - 3. Single-family detached
  - 4. Single-family semi-attached (duplexes)
  - 5. Single-family attached (townhouses)
  - 6. Multi-family buildings (stacked townhouses or stacked flats)
- c. Permitted Non-Residential Principal Uses. The following uses are permitted if, other than a hotel and conference center, they are comprehensively planned in conjunction with an inclusionary housing project and are wholly located, excluding stormwater management facilities and required buffers, within 1,300 feet of Scotch Road. A maximum 75,000 square feet of non-residential space is permitted in the District, not including hotel or a restaurant associated with a hotel.
  - 1. Hotel with a minimum 100 rooms
  - 2. Conference center, or hotel / conference center with at least 100 hotel rooms
  - 3. Pharmacy\*
  - 4. Bank\*
  - 5. Restaurant associated with hotel, with no drive-thru
  - 6. Restaurant\*
  - 7. Convenience-oriented store; general retail store; retail sales and services
  - 8. Office
  - 9. Health club; commercial recreation
  - 10. Same-day surgery center; medical clinic; veterinary clinic or hospital
  - 11. Retail sales and services or office with residential units on upper floors
  - 12. Municipal uses
  - 13. Farms and agriculture
  - 14. Financial Institutions
  - 15. Indoor recreational facilities

\* - Drive-thru lanes are permitted provided they, including the queuing lanes, are located at the side or rear of the building and not in a front yard.

- d. Additionally Permitted Non-Residential Principal Uses. The following uses are permitted in addition to those non-residential uses listed above if they are wholly located within 525 feet of Scotch Road.
  - 1. Motor fueling station, which shall mean an establishment offering the sale of fuels and lubricants for motor vehicles, but not repair or storage services, and which may be combined with the sale of convenience items, including food and seating for food consumption, to the general public.
  - 2. Automobile service and repair within an enclosed building, not including body shops or truck rental.
- e. Permitted Residential Accessory Uses and Structures.
  - 1. Customarily accessory uses and structures.
  - 2. Facilities and structures designed for recreation or community use, including solar canopies.
  - 3. Patios and decks directly adjacent to the rear of any homes, which shall be no greater than 144 square feet in area.
  - 4. Privacy fences separating units shall not exceed ten feet in length or 6 feet in height and shall not enclose a patio or deck.
  - 5. Outdoor storage other than that which can be accommodated on a deck or patio is not permitted. Free standing or attached storage sheds outside of a patio or deck are not permitted.
  - 6. Off street parking; private garages and carports.
  - 7. Community amenities including the following:
    - (a) Swimming pools with outdoor dining areas.
    - (b) Tot lots; dog parks.
    - (c) Pedestrian and bicycle paths and outdoor stationary fitness equipment and stations.
    - (d) Community clubhouse with fitness room, club room business center and furnished model, not to exceed 35 feet in height.
    - (e) Management and leasing offices including directional signage not exceeding 5 square feet each.

- (f) Maintenance office/garage building not to exceed one (1) story in height and 1,500 square feet in floor area. The façade design shall match the residential structures.
- (g) Entry roads into residential sections may include a gate house structure, setback no less than 200 feet from Nursery Road and Scotch Road and not to exceed 160 square feet each and 15 feet tall.
- (h) Monument signs located at an entrance to be constructed of stone or brick, not to exceed 100 square feet in area total on either side of the primary entrance driveway and eight (8) feet in height each.
- 8. Utility structures and facilities needed to provide the direct service of gas, electricity, telephone, water, sewerage and cable television.
- 9. Temporary furnished sales model homes within the respective home types, including related directional signage to identify the home(s) as a model.
- 10. One temporary construction trailer and one temporary marketing/sales trailer, each with associated parking and directional signage.
- f. Permitted Non-residential Accessory Uses and Structures.
  - 1. Customarily accessory uses, facilities and structures.
  - 2. Outdoor areas and structures such as gazebos for outdoor events and dining.
  - 3. Off-Street parking.
  - 4. Tot lots; dog parks.
- g. Overall or Entire Residential Tract Bulk and Area Requirements.
  - 1. Max. residential density (gross, no deductions): 5 du/ac.
  - 2. Min. tract area (gross, no deductions): 100 acres
  - 3. Min. tract frontage: 750 feet
  - 4. Min. tract depth: 1,000 feet
  - 5. Min. perimeter buffers:
    - a. Where tract abuts existing residential lots / districts, and:
      - 1. Proposed lots within tract contain single family dwellings: 25 feet
      - 2. Proposed lots within tract contain multi-family dwellings: 50 feet
    - b. Where tract meets existing roads: 50 feet
    - c. Perimeter buffers may be established within the boundaries of individual lots within the tract, or may be established as a separate lot within the tract.

- d. All required building setbacks on lots containing perimeter buffers shall be measured in addition to the required buffer.
  - e. Proposed construction shall not encroach perimeter buffers.
  - f. Landscape screening within the perimeter buffers shall be provided at the Planning Board's discretion to supplement existing vegetation.
- 6. All required perimeter buffers shall be contained within a conservation easement as part of any site plan or subdivision plat approval. The conservation easement shall restrict disturbance within its boundaries other than what is required to establish the vegetative screening required as a part of any approvals granted.
- 7. Min. open space: 20%, which may include wetlands, wetland buffers, riparian zone, stormwater management basins, and outdoor recreation space. Perimeter buffers shall not be counted towards minimum open space requirements.
- 8. Min. width of boulevard right-of-way: 80 feet
- 9. Min. drive aisle width for privately-owned streets: 24 feet for 2-way traffic/access
- 10. Residential parking requirements shall be per RSIS.
- 11. Residential parking areas, not including driveways serving individual units, shall be set back at least 20 feet from buildings and 50 feet from streets.
- 12. Stormwater facilities, patios, decks, and fences are permitted to be located within setbacks of individual lots, but shall not encroach perimeter buffers.
- 13. Utility plan. All dwelling units within a structure shall be connected to approved and functioning public water and sanitary sewer systems prior to the issuance of certificates of occupancy.
- 14. Phasing plan. Phasing shall be indicated for all project elements. This shall include the phasing of construction of utilities, access roads and key service components of the development, which may occur independent and in advance of building construction.

h. Standards for Single-family detached units.

1. Min. setback to Scotch Road: 200 feet
2. Min. setback to Nursery Road: 75 feet
3. Min. lot area (gross, no deductions): 5,500 square feet
4. Min. lot width (interior lot): 50 feet
5. Min. lot width (corner lot): 60 feet

6. Min. lot depth: 110 feet
7. Min. front yard setback from back of curb if no sidewalk, or back of sidewalk: 20 feet
8. Min. side yard setback: 5 feet for one side yard; 15 feet combined
9. Min. rear yard setback: 20 feet; 10 feet if lot contains a tract perimeter buffer
10. Max. lot coverage: 60%
11. Max. building height: 35 feet / 2.5 stories

- i. Standards for Single-family semi-attached (duplex) units.
  1. Min. setback to Scotch Road: 200 feet
  2. Min. setback to Nursery Road: 75 feet
  3. Min. lot area (gross, no deductions): 4,675 square feet
  4. Min. lot width (interior lot): 42.50 feet
  5. Min. lot width (corner lot): 52.50 feet
  6. Min. lot depth: 110 feet
  7. Min. front yard setback from back of curb if no sidewalk, or back of sidewalk: 20 feet
  8. Min. side yard setback: 10 feet; may be 0 feet if units are connected horizontally
  9. Min. rear yard setback: 20 feet; 10 feet if lot contains a tract perimeter buffer
  10. Max. lot coverage: 60%
  11. Max. building height: 35 feet / 2.5 stories
- j. Standards for Single-family attached (townhouse) units.
  1. Min. setback to Scotch Road: 200 feet
  2. Min. setback to Nursery Road: 200 feet
  3. Min. lot width for individual unit: 16 feet
  4. Min. lot depth: 60 feet
  5. Min. front yard setback from back of curb if no sidewalk, or back of sidewalk: 20 feet
  6. Min. rear yard setback: 20 feet
  7. Min. side yard setback: 0 feet
  8. Min. distance to other buildings: 25 feet
  9. Max. units per townhouse building: 8
  10. Max. lot coverage: 60%
  11. Max. building height: 35 feet / 2.5 stories

- k. Standards for Multi-family buildings (stacked townhouses or stacked flats).
  - 1. Min. setback to Scotch Road: 200 feet
  - 2. Min. setback to Nursery Road: 200 feet
  - 3. Min. width of individual unit: 16 feet
  - 4. Min. depth of individual unit: 60 feet
  - 5. Min. front yard setback from back of curb if no sidewalk, or back of sidewalk: 20 feet
  - 6. Min. distance to other buildings:
    - Front to front – 50 feet
    - Front to side – 40 feet
    - Side to side – 20 feet
    - Rear to rear – 50 feet
    - Rear to side – 30 feet
  - 7. Max. units per market rate building: 18 (stacked townhomes); 24 (stacked flats)
  - 8. Max. units per affordable building: 27 (stacked townhomes); 45 (stacked flats)
  - 9. Max. lot coverage: 60%
  - 10. Max. building height: 45 feet / 3 stories
  - 11. There shall be no parking between the building and Scotch Road.
- l. Standards for Hotel and Hotel / Conference center:
  - 1. Min. lot area (gross, no deductions): 6 acres
  - 2. Min. lot width: 200 feet
  - 3. Min. lot depth: 200 feet
  - 4. Min. front yard setback: 100 feet for buildings over 35 feet
    - 75 feet for buildings up to 35 feet
  - 5. Min. side yard setback: 75 feet
  - 6. Min. rear yard setback: 75 feet
  - 7. Max. building height: 65 feet (35 feet within 100 feet of Scotch Road)
  - 8. Max. lot coverage: 65%
  - 9. Min. parking requirement: 1 space per room
  - 10. Min. parking setback from streets: 50 feet
  - 11. There shall be no loading or storage in a front yard.
  - 12. Min. perimeter buffer to existing off-site residential lots: 200 feet
- m. Standards for Motor Fueling Station:

1. Min. lot area (gross, no deductions): 3 acres
2. Min. lot width: 200 feet
3. Min. lot depth: 200 feet
4. Min. front yard setback: 75 feet to building  
50 feet to canopy, fueling dispensers, kiosks, air stations
5. Min. side yard setback: 50 feet
6. Min. rear yard setback: 50 feet
7. Max. building height: 30 feet
8. Max. canopy height: 20 feet
9. Max. lot coverage: 65%
10. Min. parking requirement: 1 space per 300 square feet convenience store/restaurant GFA plus 1 per employee on maximum shift; plus at least 3 spaces for tractor trailers
11. Max. number of fueling dispensers: eight with two fueling positions at each. There shall be no rapid-dispense diesel or other fuel stations suitable for use by tractor-trailers.
12. Min. parking setback from streets: 25 feet
13. There shall be no loading or storage in a front yard.

n. Standards for all other non-residential uses and mixed-use:

1. Min. lot area (gross, no deductions): 2 acres
2. Min. lot width: 200 feet
3. Min. lot depth: 200 feet
4. Min. front yard setback: 50 feet
5. Min. side yard setback: 25 feet
6. Min. rear yard setback: 25 feet
7. Max. building height: 40 feet / 2 stories; 55 feet / 4 stories if residential mixed use; 35 feet if within 100 feet of Scotch Road or Nursery Road
8. Max. lot coverage: 65%
9. Min. Parking Requirement 3 spaces per 1,000 square feet GFA plus residential parking minimums per RSIS; parking requirement may be reduced by the Board if shared parking arrangements are found acceptable.
10. Min. parking setback from streets: 25 feet

11. There shall be no loading or storage in a front yard.
12. Min. perimeter buffer to existing off-site residential lots: 200 feet
- o. Age-Restriction.

All units shall be age-restricted. In accordance with the provisions of the federal Fair Housing Act, 42 U.S.C. Section 3601 *et seq.*, as amended by the Housing for Older Persons Act of 1995, 42 U.S.C. 3607(b)(2)(C), the applicable zoning provisions of the Township of Hopewell and the requirements of the New Jersey Department of Community Affairs, eighty percent (80%) of the Units must be occupied by at least one (1) person age 55 or older (the “Age-Qualified Occupant”) and no person under the age of 19 may reside in any of the units on a full time basis, except for any occupant who is the widow or widower or life partner of a deceased Age-Qualifying Occupant may continue to occupy a unit so long as at least eighty percent (80%) of the occupied units are each occupied by at least one (1) Age-Qualifying Occupant.

p. Affordable Housing Requirements

1. Very low, low and moderate-income housing shall be constructed and rented in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 *et seq.* and Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 *et seq.* including standards for the split between very low, low and moderate income housing except as more particularly specified in (p)(3) below.
2. Twenty-percent (20%) of the total residential units are to be set-aside as affordable housing (very low-, low- and moderate-income units) up to a maximum of 125 units.
3. A minimum of 13% of the affordable units shall be very-low-income units, affordable to households earning 30% of the median income; and 37% of the affordable units shall be low-income units. The balance of units (50 percent) shall be moderate-income units.
4. The affordable housing units may be located in 100 percent affordable buildings, (multi-family stacked townhouses or stacked flats), however the buildings shall be integrated into, and not segregated from, the market rate project to the extent feasible.
5. Unless the developer elects at its sole expense to act as Administrative Agent for the affordable units after a demonstration to the Township that it is qualified to do so, and to be overseen by the Township’s Municipal Housing Liaison, the

Township-designated Administrative Agent shall be responsible to affirmatively market, administer and certify the occupant of each affordable unit, with all administrative costs to be paid by the Developer.

6. The production of deed-restricted affordable units and market units shall be in accordance with the following schedule:

Minimum Percentage of Deed-Restricted Affordable Units Completed	Percentage of Market Units Completed
0	25
10	25 + 1 unit
50	50
75	75
100	90

7. All affordable residential units shall be subject to a control period pursuant to N.J.A.C. 5:80-26.11 of not less than forty (40) years.

- q. Additional Requirements. Any application for development shall include at least the following elements:

1. Site design demonstrating the features of a human-scale, compact, walkable and bicycle-compatible community, which encourages the conservation of environmental features and the creation of open spaces and improved neighborhood recreation areas.
2. Architectural elevations of all elevations by unit type, renderings and floor plans.
3. For a development including any of Lots 32, 44, 60, 20, 46, 19 or 45.01, a circulation and streetscape plan, indicating the overall design with a roundabout at Nursery Road, located between 400 and 600 feet from the Scotch Road intersection, and a boulevard street entry into the main portion of the site. The plan shall also provide the locations and types of materials to be used, including pavement and crosswalk types, trees and other plantings and any street furniture. Pedestrian and/or bicycle-compatible circulation systems shall be designed to extend throughout the development and connect with open space and common areas.
4. Parking, loading and vehicular access plan. A traffic circulation analysis shall analyze traffic conditions in the project vicinity and identify existing traffic

problem areas as well as the cumulative effect of traffic from the project on adjacent and affected roadways. Shared parking arrangements are permissible, subject to the demonstration of parking sufficiency.

5. Landscape plan. Indigenous and non-invasive species shall be used to the greatest extent practicable. There shall also be provisions for the shading/screening of parking areas.
6. Stormwater management plan - Stormwater designs shall use as naturalized designs and shall promote water quality, minimize maintenance and provide for groundwater recharge. Low impact development design techniques shall be used to the greatest extent practicable. Where possible, geologic formations shall be used to enhance groundwater recharge.
7. Building Design. An integrated architectural theme shall be utilized throughout the project, including principal and accessory buildings and structures and all signage.
  - (a) Maximum building length shall not exceed 225 feet unless a 4' offset is provided in the facade. Variations in setback, materials, colors and design including breaks in the building façade shall be encouraged to reduce and separate the building mass.
  - (b) Rooflines shall be pitched. If flat roofs are provided, they shall incorporate decorative devices such as a parapet wall. If feasible, flat roofs shall incorporate either green-roof vegetation or solar collection and shall be designed to shield any roof-mounted equipment.
  - (c) All HVAC and mechanical equipment on non-residential structures shall be adequately screened from view.
  - (d) Building design shall include spare electrical conduit to permit future installation of rooftop mounted solar.
- r. Severability. The various parts, sections, and clauses of this ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.
- s. Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

t. Effective date. This ordinance shall take effect upon final passage and publication pursuant to law, but not before 45 days after complete execution of the Settlement Agreement in the matter of the Application of the Township of Hopewell (Docket No. MER-L-1557-15 (Mount Laurel)), Deer Valley Realty, LLC v. Township of Hopewell, et. al. (Docket No. MER-L-2326-17), and Appellate Docket No. A-2665-17-T01, approval of the Settlement by the Superior Court, and issuance of a Final Judgement of Compliance and Repose by the Superior Court that is no longer subject to appeal.

Date Introduced: July 1, 2019  
Date Advertised:  
Date Adopted:

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Kristin L. McLaughlin  
Mayor

Attest:

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Laurie E. Gompf, RMC, CMC  
Municipal Clerk

I hereby certify the foregoing to be a true and correct copy of an ordinance introduced by the Hopewell Township Committee at a meeting held on the 1<sup>st</sup> day of July, 2019.

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Laurie E. Gompf, RMC, CMC  
Municipal Clerk