



TOWNSHIP of HOPEWELL MERCER COUNTY

**201 WASHINGTON CROSSING – PENNINGTON ROAD
TITUSVILLE, NEW JERSEY 08560-1410**

PROJECT / APPLICATION

BLOCKS:

LOTS:

ADDRESS:

PROJECT NAME:

CORRESPONDENCE

File No. 453337-02842

Frank J. Petrino
6096-989-5029
fpetrino@eckertseamans.com

June 24, 2021

CORRECTED COPY

VIA EMAIL

Francis P. Linnus, Esq.
21 Clyde Road, Suite 101
Somerset, NJ 08873

Re: PBA 20-09
Applicant: US Home at Hopewell Urban Renewal, LLC
Preliminary and Final Major Subdivision Approval
And Preliminary and Final Site Plan Approval
Block 85, Lots 3 and 9; Block 86, Lots 32, 33, 34 and 130

Dear Mr. Linnus:

You have requested an opinion regarding the need for variance relief (d variance or otherwise) for the road proposed to be constructed on Lot 9, which Lot is located in a R-100 Zoning District. Based upon the facts and circumstances related to the pending application for The Collection at Hopewell and relevant law, a variance is not required.

As depicted on the Concept Plan for the Project dated December 17, 2017, attached to the Redevelopment Agreement as Exhibit B (the Plan included 30 affordable units subsequently transferred to the BMS site), internal roads were initially planned as 2-lane public non-boulevard roads connecting Washington Crossing-Pennington Road Road to Diverty Road. After the execution of the Redevelopment Agreement, the parties began the Progress Meetings process (See Section 4.1). In those Meetings, the Township directed the Redeveloper to: (1) relocate an enlarged Senior/Community Center to Lot 9 (eventually located on Lot 3 due to sewer service

issues with Lot 9); (2) limit Diverty Road to emergency access only, (3) add two way public roadway access from Reed Road in place of Diverty Road to facilitate access to its expanded concept for the Senior/Community Center to the parking lot for the Center to be located on Lot 9 and other complimentary features located on Lots 9 and 3; and (4) modify the public roads to divided boulevard style roads and to add stormwater recharge areas in the road medians.¹ The summary of the evolution of the Plan the Board is being asked to approve (Exhibit A-3.2) is corroborated by Mr. Kataryniak's in his June 22, 2021 memorandum to the Planning Board, a copy of which is enclosed.

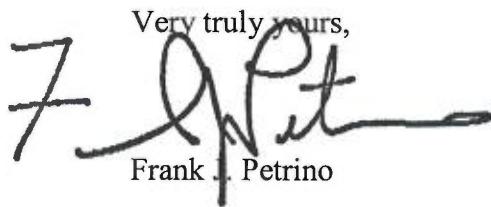
The following recommendation in Mr. Kataryniak's memorandum and set forth below is acceptable to Lennar:

"I therefore recommend that the Planning Board make a formal request to the Township Committee that the proposed roadway segment traversing Block 85 Lot 9, as presented on the Preliminary & Final Subdivision and Site Plan application materials presently before the Planning Board, be designed as a public street. The Township Committee has the ability to establish the proposed roadway segment as a public street through several means that would advance independent of the subject application. Therefore, I recommend that the Planning Board, as a Condition of any Approval granted for the subject application, require the Applicant to post the appropriate bonds and enter into a Developer's Agreement, as permitted by the Land Use and Development Ordinance and the Municipal Land Use Law, for the construction of the planned public street through Block 86, Lot 9, as depicted on the pending application or as modified through the course of these proceedings." (Emphasis Added)

¹. With or without full access to either Diverty Road or Reed Road and only emergency access near Diverty Road, it is our Traffic Consultant's opinion that (a) the single boulevard road connection or access point to Washington Crossing-Pennington road is sufficient to serve full development of The Collection at Hopewell and provide safe, efficient and adequate circulation for emergency/fire vehicles and (b) satisfies all RSIS requirements.

The granting of a variance is not required in connection with the pending application to implement Mr. Kataryniak's recommendation nor the Township's desire that the road through Lot 9 be a "public road".² The Township Committee can do so by amending its Official Map. To do so, the Township must introduce on first reading an ordinance amending the "Official Map" to designate the proposed boulevard road on Lot 9 as a "public" road. The proposed ordinance is referred to the Planning Board for a report, and thereafter the Township Committee may schedule a date to hold a public hearing to consider adoption of the proposed ordinance notwithstanding a determination by the Planning Board that the Ordinance is inconsistent with any Element of the Township's Master Plan. The procedure for amending the Official Map is set forth in NJSAC55D-32, and the referral to the Planning Board is set forth in NJSAC55D-26a.

I trust this is responsive to your request.

Very truly yours,

Frank J. Petrino

Enclosure

cc: Mark Kataryniak, Board Engineer (w/o enc. – Via Email)
Francis J. Banisch, III, PP/AICP (w/enc. – Via Email)
Linda Barbieri, Asst. Comm. Dev. Coord. (w/enc. – Vial Email)
Mitchell Newman, Esq. (w/o enc.)
Sean Delany, P.E. (w/o enc.)
Eric Keller, P.E., P.P., LEED AP (w/o enc.)
Christina M. Spangler, LC (w/o enc.)
Creigh Rahenkamp, P.P. (w/o enc.)
Diane L. Shafer

² Both the owner of Lot 9 and the Township as the Contract Purchaser consented to the filing of applications submitted by Lennar to NJDEP for various Permits required for the proposed improvements to Lot 9.



Paul W. Ferriero, PE, PP, CME, LEED AP, CFM
Robert C. Brightly, PE, PP, CME

Steven B. Bolio, PE, CME
Mark S. Denisiuk, PE, CME, LEED AP
Mark Kataryniak, PE, PTOE
Joseph S. Kosinski, PG, CFM, LEED
C. Richard Quamme, PE, CME
Jess H. Symonds, PE

MEMORANDUM
(via email)

TO: Hopewell Township Planning Board
FROM: Mark Kataryniak, P.E., P.T.O.E.
Redevelopment Consultant to Hopewell Township
CC: Francis Linnus, Planning Board Attorney
Applicant, US Home at Hopewell Urban Renewal, LLC
DATE: June 22, 2021
SUBJECT: Technical Review Update
PBA 20-09 – The Collection at Hopewell
Preliminary and Final Major Subdivision and Site Plan
US Home at Hopewell Urban Renewal, LLC
Block 85, Lot 3; 12 Washington Crossing Pennington Road
Block 85, Lot 9; 1646 Reed Road
Block 86, Lots 32, 33, 34 & 130; 24 & 26 Diverty Road
Inclusionary Multi-Family (IMF-X) Zone
FEI Project No.: 21HT202

As the Board heard the referenced application at its June 10, 2021 meeting, a discussion took place between the Applicant, Board members and Board professionals regarding the evolution of the planned access for the subject redevelopment project. The Applicant provided testimony describing several modifications to the configuration of the site plan and the proposed site access as the design of the project advanced from the conceptual plans developed as part of both the Redevelopment Plan, adopted in November 2017 and amended in February 2018, and the Redevelopment Agreement adopted by the Hopewell Township Committee on April 9, 2018.

During the time period between the initial adoption of the Redevelopment Plan, in November 2017, and the submission of the referenced application in November 2020, progress meetings were held, as permitted by Article IV, Section 4.01 of the Redevelopment Agreement, between the Redeveloper / Applicant (Applicant) and a subcommittee of the township representatives, comprised of representatives of the Township Committee and members of the professional staff (Subcommittee).

As the progress meetings took place, the Applicant provided updates to the Subcommittee on comments received and design constraints that arose as the Applicant advanced discussions with various County and State agencies having jurisdiction over certain aspects of the redevelopment project, and the Subcommittee provided guidance on suggested modifications to the development

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plan. Simultaneously, the Subcommittee informed the Applicant of various concerns raised by the public during outreach meetings conducted in part to satisfy other aspects of the township's settlement agreement with respect to its third-round affordable housing obligations. Several of the concerns discussed at the progress meetings involved issues related to potential traffic impacts, changes to area traffic patterns with the creation of new circulation roads within the site that would connect to the existing street network, and infrastructure needs for the future Senior/Community Center planned for a portion of the subject property, as described in the Redevelopment Agreement.

The Subcommittee required the Applicant to design the main circulation roads within the project as public streets that would be dedicated to the township following completion of the project. In addition to developing the future public streets in conformance with all applicable design requirements of the Township Ordinance and Residential Site Improvement Standards, the Subcommittee directed the Applicant to include elements of traffic calming and stormwater management into the design of these streets, which resulted in the current configuration and layout of the divided main circulation roads that the Applicant described in his testimony at the Board's prior meeting.

As it related to site access, the Subcommittee asked the Applicant to consider an alternative to the secondary site access on Diverty Road. The Subcommittee cited concerns over increased traffic on Diverty Road, given its narrow width, the minimal setback of residences along its length, and the lack of full turning movements permitted at its intersection with Route 31. Also discussed was the need for the site access to serve the planned Senior/Community Center and the need for a public street network through the project that would serve the broader community.

The resulting plan proposes the secondary access from Reed Road to the Applicant's project through property adjacent to the western boundary of the Redevelopment Area, identified as 1646 Reed Road, Block 85 Lot 9 (Lot 9). This property is under contract to be purchased by the Hopewell Valley YMCA, as part of a partnership with the Township to develop and operate the planned Hopewell Valley Senior/Community Center. The availability of this property provided the space to accommodate the township's expanded vision for the Senior/Community Center beyond what was envisioned when the Redevelopment Plan and Agreement were adopted by the township.

As the conceptual site plan was refined through several progress meetings held with the Applicant, the Subcommittee and Applicant recognized the mutual benefit the access road through Lot 9 would have as both a secondary site access and as an extension of the public streets planned within the project to serve the broader community for the planned Senior/Community Center. The Applicant had agreed to include a connection for the planned Senior/Community Center off of the proposed secondary site access to Reed Road that they would construct as part of their project. The Subcommittee, recognizing the benefits to the community that would be advanced with the extension of a public street through Lot 9, directed the Applicant to add the access road through Lot 9 as it is currently depicted on the Site Plan application presently before the Planning Board.

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The Subcommittee further directed the Applicant to configure the road through Lot 9 as an extension of the internal site circulation roads that would be dedicated as public streets. The Subcommittee informed the Applicant that the township would be advancing the Senior/Community Center project with the YMCA and other partners separately, but continued to emphasize the importance of planning the independent projects as one cohesive development.

I therefore recommend that the Planning Board make a formal request to the Township Committee that the proposed roadway segment traversing Block 85 Lot 9, as presented on the Preliminary & Final Subdivision and Site Plan application materials presently before the Planning Board, be designated as a public street. The Township Committee has the ability to establish the proposed roadway segment as a public street through several means that would advance independent of the subject application. Therefore, I recommend that the Planning Board, as a Condition of any Approval granted for the subject application, require the Applicant to post the appropriate bonds and enter into a Developer's Agreement, as permitted by the Land Use and Development Ordinance and the Municipal Land Use Law, for the construction of the planned public street through Block 85, Lot 9, as depicted on the pending application or as modified through the course of these proceedings.

The construction obligation of the Applicant should be inclusive of all of the construction and materials necessary for the excavation, grading and construction of the roadway subbase, pavement subbase, pavement surface, curbs, sidewalks, stormwater drainage infrastructure, landscaping, lighting, striping and signage as depicted on the approved plans and subject to the approval of the Township Engineer. The portion of the access road traversing Block 85 Lot 9 should be considered an improvement constructed by the Applicant that would be dedicated as a public improvement.

I am happy to discuss this matter further with the Board at your request.

July 13, 2021

Via Email (lbarbieri@hopewelltwp.org)

Ms. Linda Barbieri, Asst. Comm. Dev. Coor.
Department of Community Development
Township of Hopewell
201 Washington Crossing Pennington Road
Titusville, NJ 08560

Re: The Collection at Hopewell
US Home at Hopewell Urban Renewal, LLC
Preliminary and Final Major Subdivision and Site Plan
Washington Crossing – Pennington Road
Block 85, Lot 3, Block 86, Lots 32, 33, 34 & 130 and
A portion of Block 85, Lot 9
Hopewell Township, Mercer County, NJ
BCG File # 080661-01-002

Dear Ms. Barbieri:

For purposes of clarification regarding the RSIS **de minimus exceptions** that we are requesting for the Collection at Hopewell project, please note the following;

1. Permitting intersections to be spaced 135 feet apart where 150 feet separation is required.
 - Occurs between Road 2, Road B and Alley BB
2. Right-of-way widths of various internal roads proposed from 24 feet to 50 feet where 50 foot minimum is required
 - Public roads – ROW 50 to 52 feet and includes travel lanes and islands only – no on-street parking areas.
 - Private Roads – ROW varies less than 50 feet.
3. Minimum Center-line Radius of 100 feet required where <100 feet proposed
 - Road 2 at COAH 1 – radius = 38 ft
 - Intersection would change to T intersection and connect to adjacent commercial lot when site redeveloped (See Exhibit A-16)
 - Road 2 at STH 1/COAH 2 – radius = 37 ft (see Exhibit A-3.2)
 - Road 4 at TH 9 – radius = 80 ft
 - Road A at Road 4 (TH 8 & 10) – radius = 37 feet
4. Sidewalk provided on one side where RSIS requires sidewalk on both sides.
 - Road 2 along STH
 - Alley AA – rear of STH
 - Parkway 3 – MF Parking to south
 - TH's – Road 3 and 4
 - Road A south of circle

Ms. Lind Barbieri
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- Road A eastern side of egress onto WCP Road

Should you require any addition material, please do not hesitate to contact me.

Sincerely,



Sean A. Delany, PE, PP, CME
Principal / Sr. Project Manager
sdelany@bowman.com

Cc: Mark Kataryniak, P.E. – Director of Community Development / Township Engineer
Mitch Newman – Applicant
Frank Petrino - Attorney