2007 Periodic Reexamination Report of the Master Plan and Development Regulations for Hopewell Township, Mercer County, New Jersey

Adopted as revised on October 18, 2007
(Resolution memorialized on November 29, 2007)

The Municipal Land Use Law (MLUL), at N.J.S.A. 40:55D-89, includes the following statement relative to the periodic examination of a municipal Master Plan:

"The governing body shall, at least every six years, provide for a general reexamination of its master plan and development regulations by the planning board which shall prepare and adopt by resolution a report on the findings of such reexamination, a copy of which report and resolution shall be sent to the county planning board and the municipal clerk of each adjoining municipality. The first such reexamination shall have been completed by August 1, 1982. The next reexamination shall be completed by August 1, 1988. Thereafter, a reexamination shall be completed at least once every 6 years from the previous reexamination."

The most recent reexaminations completed by the Planning Board were adopted in 1992, 1998 and 2002. The adoption of the 1992 Reexamination Report occurred at the same time as the adoption of a revised Master Plan in 1993 (the 1992 Master Plan), which was prompted by recommendations in the Reexamination Report to update the Master Plan. The 2002 Reexamination Report followed the 2002 Master Plan and preceded the zoning ordinance amendments adopted by the Township Committee in December 2002.

The December 1998 Reexamination Report (the 1998 Reexamination) recommended a series of revisions to the Master Plan and Land Use and Development Ordinance. The recommended revisions to the Land Use and Development Ordinance included, in addition to those relating to an amended Master Plan, recommendations to include changes in the MLUL, revisions to refine issues dealing with procedures, and revisions to clarify language. The 1998 Reexamination Report also recommended the examination of a wide range of policy issues, as further discussed below.

In May 2002 (action memorialized in June 2002), the Planning Board adopted a new Statement of Goals and Objectives, Land Use Plan Element and Conservation Plan Element (the 2002 Master Plan). These Plan Elements recommended a series of changes to the Land Use Plan and Land Use and Development Ordinance, including revisions to the density and distribution of housing; revisions to the existing Master Plan and zoning boundaries; the incorporation of creative land subdivision techniques; and, the incorporation of creative development alternatives. The new Conservation Plan Element recommended a series of policies and strategies to address the preservation, conservation and utilization of a range of natural resources, including energy and air quality, forest resources and native vegetation, groundwater, scenic resources, steep slopes, stream

corridors, surface waters, threatened and endangered plant and animal species, and wetlands.

Since the last Reexamination Report, adopted on September 30, 2002, the Planning Board has completed the following Master Plan elements:

- Farmland Preservation Plan Element (adopted May 27, 2003)
- Open Space and Recreation Plan Element (adopted December 9, 2004)
- Historic Preservation Plan Element (adopted December 9, 2004)
- Stormwater Management Plan Element (adopted March 22, 2005)
- Housing Plan Element and Fair Share Plan (adopted November 29, 2005)
- Circulation Plan Element (adopted March 9, 2006)
- Community Facilities Plan Element (adopted April 12, 2007)

In addition, in December 2002 the Township Committee adopted amendments to the development regulations (Chapter XVII, Land Use and Development Ordinance, also known as the land use or zoning ordinance) to implement the 2002 Master Plan.

The Municipal Land Use Law requires consideration of five areas (N.J.S.A. 40:55D-89a-e) within the Reexamination Report, which are discussed below.

C. 40:55D-89a ***"The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report."***

At the time of the last reexamination report the Planning Board in September 2002 had adopted a new Statement of Objectives, Land Use Plan Element and Conservation Plan Element (collectively referred to as the 2002 Master Plan), and was reviewing land use ordinances to implement the 2002 Master Plan. The 2002 Master Plan included a comprehensive examination of the Township's goals and objectives, land use strategies and conservation objectives, and represented a significant change in the Township's land use policies.

Several recurring themes dominated the problems and objectives identified in the 1998 Reexamination Report. Summarily, these issues related to housing and population, employment, circulation and transportation, and the density and distribution of land uses. The 1998 Reexamination Report also noted the principal influences on planning in the Township, County and State, citing water and sewer service in the Township, the County's Transportation Development District (TDD), the State Development and Redevelopment Plan (SDRP), the proposed (but unrealized) Route 31 highway access management plan, amendments to the MLUL permitting the transfer of development between non-contiguous parcels, and the intergovernmental efforts to acquire parks and open space. These items presented opportunities to the Township that had not been available in the previous 20 years of master planning.

The 2002 Reexamination Report examined all of the recommendations contained in prior reexamination reports. The 2002 Report noted the changing climate in land use

and planning policies, assumptions and objectives, and recommended changes to the Master Plan and land use ordinance to address these policies.

The specific items identified by the Planning Board relative to the Master Plan included the following:

1. The preparation and adoption of a revised Circulation Plan Element, including findings and recommendations from the Hopewell Valley Traffic Management Coalition and the Route 31 Design Guidelines study.

2. The preparation and adoption of an Open Space and Recreation Plan Element, addressing the criteria of both the Municipal Land Use Law and those established by the New Jersey Department of Environmental Protection.

3. The preparation and adoption of a Farmland Preservation Plan Element, in cooperation with the Township's Agricultural Advisory Committee, in order to complete the Township's eligibility for a farmland preservation Planning Incentive Grant.

4. The preparation of a Traditional Neighborhood Development (TND) design study, including a process of consensus-building and public involvement, culminating in a design study that specifies the development regulations and design guidelines for the TND.

5. The preparation and adoption of a Community Facilities Plan Element, showing the existing and proposed location and type of municipal facilities, educational and cultural facilities, and emergency services facilities.

6. The preparation and adoption of a Utility Services Plan Element, analyzing the need for and showing the future general location of water supply and distribution facilities, sewerage and waste treatment facilities, solid waste facilities and related utilities.

7. The preparation and adoption of a Scenic Roads and Views subplan element of the Conservation Plan, including an inventory, analysis and design standards.

8. The preparation and adoption of a revised Housing Plan Element when the Council on Affordable Housing issues its third round of affordable housing obligations, and when the detailed results of the 2000 U. S. Census relative to housing and demographic conditions are available.

9. The preparation and adoption of a Historic Preservation Plan Element and guidelines for historic preservation.

Of the above Items, Items 1, 2, 3, 5, 8 and 9 have been completed. Item 4 is discussed later in this report; Item 6 is currently under preparation; and, Item 7 remains in the Planning Board's work program but has not been funded.

The 2002 Master Plan contains an updated Land Use Plan Element that included revised objectives, policies and standards, and which recommends substantial amendments to the development regulations (Land Use and Development Ordinance). In order to maintain consistency between the Master Plan and Ordinance, the following revisions to the development regulations were recommended in September 2002:

1. The Zoning Map should be amended to comply with the attached map of Recommended Classification and Boundary Changes to Zoning Districts, dated September 2002. The development regulations and Zoning Map must be either substantially consistent with the Land Use Plan Element and Housing Plan Element of the Master Plan or designed to effectuate these plan elements.

2. The development regulations should be amended to incorporate revised bulk standards for the Valley Resource Conservation (VRC, formerly Valley Agriculture) and Mountain Resource Conservation (MRC, formerly Mountain Conservation) Districts, as recommended in the Master Plan.

3. The development regulations should incorporate new development standards for the open lands subdivision option in the VRC and MRC Districts, and should incorporate revised standards for the clustering and lot averaging development options recommended in the Master Plan.

4. The development regulations should incorporate development standards and delineation criteria for the Village development option, including mechanisms to transfer development potential from contiguous and noncontiguous parcels.

5. The development regulations should incorporate standards for the design of a Traditional Neighborhood Development, following the preparation of a design study and implementation of a community consensus-building process.

6. The development regulations should be revised to include the new Research Office Districts (RO-1, RO-2 and RO-3) with the recommended changes to the permitted floor area ratios of 13 percent in the RO-2 District and 5 to 10 percent in the RO-3 District.

7. The development regulations should provide for a combined Office/Commercial Conversion District, as recommended in the Master Plan, which includes the permitted uses formerly permitted in the separate Office and Commercial Conversion Districts.

8. The development regulations should be revised to delete two small Shopping Center Districts on Princeton Avenue and Washington Crossing-Pennington Road; and, one Neighborhood Retail Commercial District on both sides of Route 31 south of the intersection with Route 518.

9. The development regulations should be revised to incorporate the recommendations of the Master Plan relative to the zoning classification for the Quarry District upon depletion of the quarry material.

10. The development regulations should be amended to include the design standards that are developed as part of the Scenic Roads and Views study.

11. The development regulations should be revised to incorporate the recommendations of the Conservation Plan Element relative to energy and air quality, forest resources and native vegetation, groundwater, steep slopes, stream corridors, surface water, threatened and endangered plant and animal species and wetlands.

12. The development regulations should be revised to address procedural issues and organizational problems.

In December 2002 the Township Committee adopted the bulk of these recommendations. Items 5 and 10 have not been addressed; Item 11 has been addressed in part through the adoption of stream corridor and stormwater management ordinances; and, Item 12 has been addressed in part through amendments to the Checklist and General Development Plan sections of the ordinance.

C. 40:55D-89b ***"The extent to which such problems and objectives have been reduced or have increased subsequent to such date."***

With the adoption of the land use ordinance amendments in December 2002, the Township addressed and implemented the recommendations of the 2002 Master Plan relative to the development regulations. By adoption of this comprehensive land use ordinance amendment, the Township reconciled and made consistent the municipality's Land Use Plan Element and land use ordinance. The adoption of zoning amendments to create new Valley Resource Conservation (VRC) and Mountain Resource Conservation (MRC) districts was the culmination of a four year process. In addition to the establishment of these two zoning districts, the ordinance amendments included a reduction in acreage of the nonresidential districts in the Township; and, a reduction in the permitted floor area ratio (FAR) in the Research Office districts.

The adoption of the 2002 land use ordinance amendments prompted a number of legal challenges to the validity of the zoning. Some of these challenges were dropped, and some resulted in settlement agreements. The following is a brief summary of the settlement agreements:

- To settle the Garden Properties litigation, the OP, Office Park District was extended to the west side of Scotch Road, covering 200 acres and permitting 500,000 to 1,000,000 square feet of office. The settlement also provided a 170 acre public recreation area to the Township, and 65 acres were retained in the VRC District.

- To settle the Else litigation, an 8 acre parcel was zoned C-1, Neighborhood Retail Commercial District, while a 100 acre parcel was retained in the VRC District.
- To settle the Trap Rock litigation, a 44 acre parcel was included in a new zone termed the OLI, Office-Light Industrial District. The remaining 400 acres were retained in the VRC and MRC Districts.
- To settle the Pennwell/Kooltronics litigation, Kooltronics was given the right to approximately double the facility, and the remainder of the tract was designated for a Hamlet to accept the transfer of development potential. The new zoning district that was designated is termed the VRC-HLI, Valley Resource Conservation – Hamlet Light Industrial District.

The most significant lawsuit, that which challenged the revised zoning for the VRC and MRC districts, which encompass approximately 78 percent of the Township, went to trial in May 2006. In August 2006 Judge Feinberg issued an 86 page written decision that upheld the Township's actions. This decision is currently under appeal.

Since the time of the last Reexamination Report in 2002, the Township Committee and Planning Board have been actively pursuing refinements to the Township's land use and planning program to address the concerns expressed in the Report, as well as subsequent concerns. These efforts have mitigated previous problems and have resulted in a refinement of the Township's policy objectives.

Among the work items that the Planning Board has addressed are the preparation and adoption of the following Master Plan elements:

- Farmland Preservation Plan Element (adopted May 27, 2003)
- Open Space and Recreation Plan Element (adopted December 9, 2004)
- Historic Preservation Plan Element (adopted December 9,2004)
- Stormwater Management Plan Element (adopted March 22, 2005)
- Housing Plan Element and Fair Share Plan (adopted November 29, 2005)
- Circulation Plan Element (adopted March 9, 2006)
- Community Facilities Plan Element (adopted April 12, 2007)

Since the time of the last Reexamination Report the Township Committee and Planning Board have made a great deal of progress in addressing the recommendations of the Reexamination Report, and in refining the ordinances that apply to land development activities, with the goal of addressing the problems that were seen relative to the protection of public health, safety and welfare, natural resources and the Township's rural character.

Additional initiatives in the Township have further addressed the Reexamination Report's recommendations concerning historic preservation, farmland and open space retention, and traffic. After the Township established a Historic Preservation Commission (HPC), the HPC identified, and the Township Committee designated, numerous historic sites and structures in order to maintain the Township's heritage. Equally important was the HPC's preparation of a Historic Preservation Plan Element,

which subsequently was adopted by the Planning Board in December 2004. This Historic Preservation Plan Element has been used as a model at historic preservation conferences, and led to the preparation of an award-winning set of Historic Design Guidelines, titled "A Guide for Maintaining and Rehabilitating Historic Buildings and Landscapes", September 2005.

With the adoption of the Open Space and Recreation Plan (OSRP) in December 2004, the Township established a comprehensive list of open space and recreation initiatives. In 2003 the Township also commissioned an analysis of the Township and Board of Education facilities by Kinsey Associates. The final report, titled "A Recreation Report for Hopewell Township's Outdoor Recreation System", included recommendations concerning needs, facilities, administration and maintenance. The Planning Board agreed in large part with the analysis, but outlined a series of disagreements and recommendations in the 2004 OSRP.

The Township's Agricultural Advisory Committee (AAC), in accordance with the farmland preservation planning incentive program, prepared a Farmland Preservation Plan. In May 2003 the Planning Board adopted the Township's first Farmland Preservation Plan (FPP), as developed and supported by the AAC. The adoption of this plan element led to the receipt by the Township of a $5 million Planning Incentive Grant (PIG). The AAC also has been active in the preparation of grant applications, and conducting other outreach and educational programs.

To address traffic and circulation issues, the Township initiated, with the cooperation of Mercer County, the NJ Department of Transportation and, most importantly, the Township's major corporate citizens, a unique study of the Township's traffic patterns. The group, termed the Hopewell Valley Transportation Management Coalition, developed an interactive program that allowed employees to chart the routes that were taken to work, utilizing 57 intersections as reference points. These data were then compiled into a composite view of the use of roadways and intersections in the Township, providing an invaluable database for future recommendations concerning roadway improvements. This report was incorporated into the Circulation Plan Element adopted by the Planning Board in March 2006.

C. 40:55D-89c ***"The extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition and recycling of designated recyclable materials, and changes in State, county and municipal policies and objectives."***

Since the time that the 2002 Reexamination Report was adopted, the primary influences on the Master Plan and development regulations have occurred on the State

level, although there also have been changes in municipal policies and objectives. On the State level the following changes have occurred:

- The NJDEP adopted long-awaited stormwater management rules, which resulted in the requirement for municipalities to adopt a Stormwater Management Plan, and established new standards for stormwater treatment and discharge. In addition, these rules established a 300' buffer around all Category 1 (C-1) waters in the State.

- Baldwins Creek, which drains into Baldwin Lake, was designated in the NJDEP's surface water quality rules as a C-1 stream.

- In May 2007, the NJDEP proposed the designation of the Stony Brook from the Pennington-Hopewell Road (Route 654) to Lake Carnegie in Princeton as a C-1 waters, affecting approximately half of the Township in the south and east.

- The Council on Affordable Housing (COAH) proposed and adopted new rules for the provision of affordable housing (Third Round rules). The Township prepared and submitted a new Housing Plan Element and Fair Share Plan (HPE/FSP) to COAH in December 2005. In January 2007 the Appellate Division of the NJ Superior Court issued a decision invalidating portions of COAH's Third Round rules, thus suspending the COAH certification process until new rules are adopted. Once the new rules are adopted the Township will review and revise its HPE/FSP accordingly.

Since the time of the last Reexamination Report the State Planning Commission conducted a review of the State Development and Redevelopment Plan (SDRP) adopted in March 2001. This review, which was initiated with the release of the 2004 Preliminary Plan in April 2004, commenced the cross-acceptance process, which is the mechanism in the State Planning Act for the analysis of State, County and municipal policies with the intent of providing consistency in policies among the various levels of government. The initial part of the cross-acceptance is termed the comparison phase, during which each County, which is the negotiating entity for its municipalities, conducts a detailed analysis of State, County and local policies and identifies consistencies and inconsistencies.

During this phase the County and the Township reviewed the SDRP's Resource Planning and Management Structure (RPMS) that divides the State into five Planning Areas (PA-1 to PA-5), ranging from urban to rural and environmentally sensitive, and provides policy objectives for each Planning Area. Hopewell Township includes five Planning Area designations: PA-2, the Suburban Planning Area; PA-3, the Fringe Planning Area; PA-4, the Rural Planning Area; PA-4B, the Rural/Environmentally Sensitive Planning Area; PA-5, the Environmentally Sensitive Planning Area; and, an area of approximately 4,600 acres designated as Park. Policy objectives for Planning Areas 3, 4, 4B and 5 seek to enhance agricultural viability and rural character, and to protect large contiguous areas of critical environmental resources.

The Township's cross-acceptance committee, appointed by the Mayor, worked throughout 2004 and early 2005 to review the 2004 Preliminary Plan and suggested changes to the Planning Area delineations; the delineation criteria for Planning Areas; definitions; and, population and employment projections. The revisions to the population and employment projections were accepted by Mercer County and forwarded to the Delaware Valley Regional Planning Commission (DVRPC), which is the Metropolitan Planning Organization (MPO) for central New Jersey counties, Philadelphia, and the Philadelphia suburban counties. The DVRPC also accepted the Township's population and employment projections.

After an almost two-year hiatus while the Office of Smart Growth (OSG) reorganized, the cross-acceptance process has resurfaced with the negotiation and issue resolution phases. These phases are anticipated to address the Planning Area delineations and delineation criteria, as well as other policy issues that the County as identified. A July 2007 public meeting between the SPC and Mercer County was held, at which the Township conveyed its objections and revisions to some Planning Area mapping.

In terms of population, land uses and housing conditions, the Wellington Manor age-restricted development has been completed, providing $280,000 for the production of affordable housing, and Hopewell Grant, a 240-unit townhouse development also was completed. The Hopewell Grant affordable housing obligation was satisfied by the construction of Hopewell Gardens, a 149-unit age-restricted, affordable rental building on Denow Road, which is partially occupied.

A State regulation instituting a ban on interstate, 102-inch trucks for Routes 29 and 31, was overturned in Federal court. Following the decision, the State Department of Transportation (NJDOT) issued revised regulations intended to limit the amount of interstate truck traffic on these two roads. The problems with Route 31 serving as a major north/south artery serving west central New Jersey remain. The Township continues to work with the NJDOT, and the Township and a local task force recommended left-turn prohibitions to alleviate safety concerns, which have been accomplished.

In 2003 the Township, with the aid of the consulting firms of Dodson Associates and Robert White, completed the Route 31 Design Study, a project funded in part through a smart growth grant from the State Planning Commission and the Office of Smart Growth. This study is an in-depth analysis of traffic and land use issues along Route 31 from the Township's southerly boundary at Interstate 95 to the CSX railroad overpass. A series of detailed transportation alternatives and design guidelines were provided in the study. The study was incorporated by reference in the March 2006 Circulation Plan Element.

Denow Road has been completed on the east side of Route 31, and provides an important link in the southern part of the Township. The completion of Denow Road on the west side of Route 31 will provide access to additional land, provide a long-

anticipated linkage to Reed Road, and offer opportunities to alleviate the unsafe conditions at Diverty Road.

Land development patterns in the Township have followed the approach established by the 2002 Land Use Plan Element and the 2002 land use ordinance amendments. The development of outlying agricultural and environmentally constrained parcels has diminished, and the residential development that has been proposed follows the pattern outlined in the Master Plan. Nonresidential development, which is anticipated to represent the bulk of development over the next six years, has occurred at manageable levels.

The Township has continued its acquisition of significant open space and agricultural parcels, in conjunction with Mercer County, the State Departments of Agriculture and Environmental Protection, and non-profit partners such as the Friends of Hopewell Valley Open Space and the Delaware and Raritan Greenway. Among the most significant parcels that were acquired are the Martin tract on Carter and Bayberry Roads and the St. Michael's tract on Princeton Avenue and Aunt Molly Road.

In December 2004 the Council on Affordable Housing adopted the long-awaited regulations governing the Third Round (1999-2014) municipal obligation to provide affordable housing. In November 2005 the Planning Board adopted a new Housing Plan Element and Fair Share Plan, which was endorsed by the Township Committee and submitted to COAH in December 2005. In addressing the Third Round rules, which incorporated a new concept termed growth share, the Township provided a plan for 241 affordable units while the projected obligation was 186 affordable units. The Third Round rules were challenged by a number of interested parties, and the Appellate Division of the N. J. Superior Court suspended the rules in January 2007 and directed COAH to conduct additional analysis and rule-making.

C. 40:55D-89d ***"The specific changes for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be proposed."***

The 2002 Reexamination Report outlined a multi-year, multi-phase planning effort intended to provide the Township with a comprehensive, innovative municipal planning program. The planning program has largely achieved this goal. However, there are continuing issues and new initiatives that the Planning Board seeks to accomplish.

One of the Planning Board goals for 2007 is to "Update the Land Use Plan according to the settlement agreements on zoning". This topic addresses the ordinances adopted by the Township to settle challenges to the 2002 zoning; all of these ordinance amendments were reviewed by the Planning Board and a consistency review issued. However, while these revised zoning districts, and some new zoning districts, were incorporated into the Zoning Map, they were not incorporated into the Land Use Plan. For consistency purposes these recommendations are made so that the Zoning Map and

Land Use Plan map agree, and are reflected on the accompanying map, dated October 2007.

- To settle the Garden Properties litigation, the OP, Office Park District was extended to the west side of Scotch Road, covering 200 acres and permitting 500,000 to 1,000,000 square feet of office development. The settlement also provided a 170 acre public recreation area to the Township, and 65 acres were retained in the VRC District.
- To settle the Else litigation, an 8 acre parcel was zoned C-1, Neighborhood Retail Commercial District, while a 100 acre parcel was retained in the VRC District.
- To settle the Trap Rock litigation, a 44 acre parcel was included in a new zone termed the OLI, Office-Light Industrial District. The remaining 400 acres were retained in the VRC and MRC Districts.
- To settle the Pennwell litigation, Kooltronics was given the right to approximately double the size of its facility, and the remainder of the tract was designated for a Hamlet to accept the transfer of development potential. The new zoning district that was designated is termed the VRC-HLI, Valley Resource Conservation – Hamlet Light Industrial District.

The Planning Board has also considered a number of items in the Master Plan that should be reviewed and revised. These include the following:

- The Master Plan Goals and Objectives promote passenger rail service in the Township. The housing demand and traffic imported to towns with service to New York City is substantial. The Planning Board suggests that the endorsement be limited to commerce (transportation of goods or trash) to mitigate some commercial traffic on roads.

- Permitted conditional uses in residential zones (including schools, houses of worship and day-care centers) were not addressed in the 2002 Master Plan. The Planning Board recommends that these uses be put through the same examination process that was used to determine appropriate lot sizes in locations that are not served by public water and sewer. In particular, the current minimum lot size of 3 acres for houses of worship seems undersized when compared to six and 14 acre requirements for residences in the VRC and MRC districts, respectively.

- The definition of schools should be reevaluated and revised.

- Houses of worship, day care centers and schools should be located on roads that have the capacity or are designed to accommodate the traffic these uses may generate.

- The Board and the Township were not successful in identifying and convincing the public on a receiving site for the Traditional Neighborhood Development (TND). The Master Plan makes several references to the TND being sited in the southern tier

but circumstances indicate that it is unrealistic to think that the Board can move forward with this idea. The Board recommends that the overlay district on the Land Use Plan map (Figure 1) be eliminated, as well as any specific mention of the proposed location of a TND. The concept of a TND should be retained, particularly as a desirable form for any community that is part of meeting COAH obligations.

- When the developments at Brandon Farms, Wellington Manor, Hopewell Grant, Hopewell Gardens, and the Hopewell Crossing Shopping Center are examined, the area constitutes a lost TND opportunity, although sidewalk, bike path and circulation improvements (round-abouts) have created a desirable living community

The Board recommends further improvements to the area to provide the missing links to enhance the area. These include a focus on open space opportunities in the area, a focus on housing opportunities that benefit the Township and are compatible with the area, the extension/completion of bike paths and sidewalks, the implementation of traffic safety improvements, and the determination of suitable uses for the remaining vacant land.

- The development regulations should be amended to include the design standards that are developed as part of the Scenic Roads and Views study.

- The development regulations should be revised to incorporate the recommendations of the Conservation Plan Element relative to energy and air quality, forest resources and native vegetation, groundwater, steep slopes, threatened and endangered plant and animal species and wetlands.

- The development regulations should be revised to address procedural issues and organizational problems.

- The Township's development regulations should continue to ensure that some residential growth obligation is addressed.

- The Planning Board should review whether cluster and open lands subdivisions in the VRC and MRC districts should be designated the principal permitted use, and conventional subdivisions only permitted as conditional uses when the other options are not practical.

- The Route 31 Design Study included many valuable recommendations concerning appropriate transportation improvements and design standards for this type of Main Street/highway corridor. The transportation improvements have been partially implemented, and the Township continues in a dialogue with the NJDOT to further address the safety concerns on Route 31. As to the design standards, the Board recommends that the standards be implemented through amendments to the zoning ordinance. The implementation of these standards also should involve Pennington Borough, as the Township and Borough share the gateway to the Hopewell Valley.

- There are several roads in the Township which include segments maintained by Mercer County and segments maintained by the Township. In the future the jurisdiction of these roads may change so that one governmental entity maintains the whole roadway. Should these jurisdictional adjustments occur, the Circulation Plan should be amended to address the change in jurisdiction.

- A new Farmland Preservation Plan should be prepared to address the requirements of the N.J. Department of Agriculture.

- The Planning Board reviewed the Stormwater Management Plan and stormwater management ordinance, as required by the MLUL, and recommends no changes at present. As more experience is gained with the implementation of the new stormwater management standards, revisions may be warranted.

- The Township's Zoning Board of Adjustment (ZBA) annually prepares a report to the Planning Board and Township Committee. This report includes valuable comments concerning the zoning ordinance based on the Board's experience with development applications.

The ZBA recommends that the ordinance be reorganized to clarify the distinction between design standards (which require waivers/exceptions) and zoning standards (which require a variance). An example of this is the standards for signs, which appear as a design standard but which actually are a zoning standard (the Planning Board also has dealt with this issue). The ZBA further recommends amendments to the grandfathering provision in the ordinance, as the Board has found that confusing and contradictory language has made the application of the grandfathering section difficult. The ZBA has provided specific language to address this concern.

In consultation with the ZBA the Zoning Officer also has provided comments on the zoning ordinance concerning deficiencies and problems with the ordinance. Among the items that should be addressed through zoning ordinance amendments are driveway setbacks from residential property lines; permits for temporary activities; standards for pods/pack-rats (storage containers); setbacks for detached and attached structures; location of solar panels, heat houses and windmills; impervious coverage standards as related to porous paving and patio systems with permeable pavers; patio setbacks; conflicts in the ordinance concerning stream corridors; yard requirements for accessory structures in nonresidential districts; and, outdoor displays.

- Given the fact that the Boroughs of Hopewell and Pennington are integral to the Township, and the Township to them, the Board recommends increased integration and cooperation with the Boroughs. Services such as schools, police, emergency services, public works, recreation, and youth and senior activities already are shared by the municipalities. Land use planning issues, particularly as related to land use policies and design standards for Route 31, should also be conjunctively addressed by the municipalities.

C. 40:55D-89e ***"The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law", P.L. 1992, c. 79 (C. 40A:12A-1 et seq.) into the land use plan element of the municipal master plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality."***

The Township has not adopted a redevelopment plan pursuant to the "Local Redevelopment and Housing Law", and therefore the Planning Board does not need to comment on its incorporation into the Land Use Plan Element.

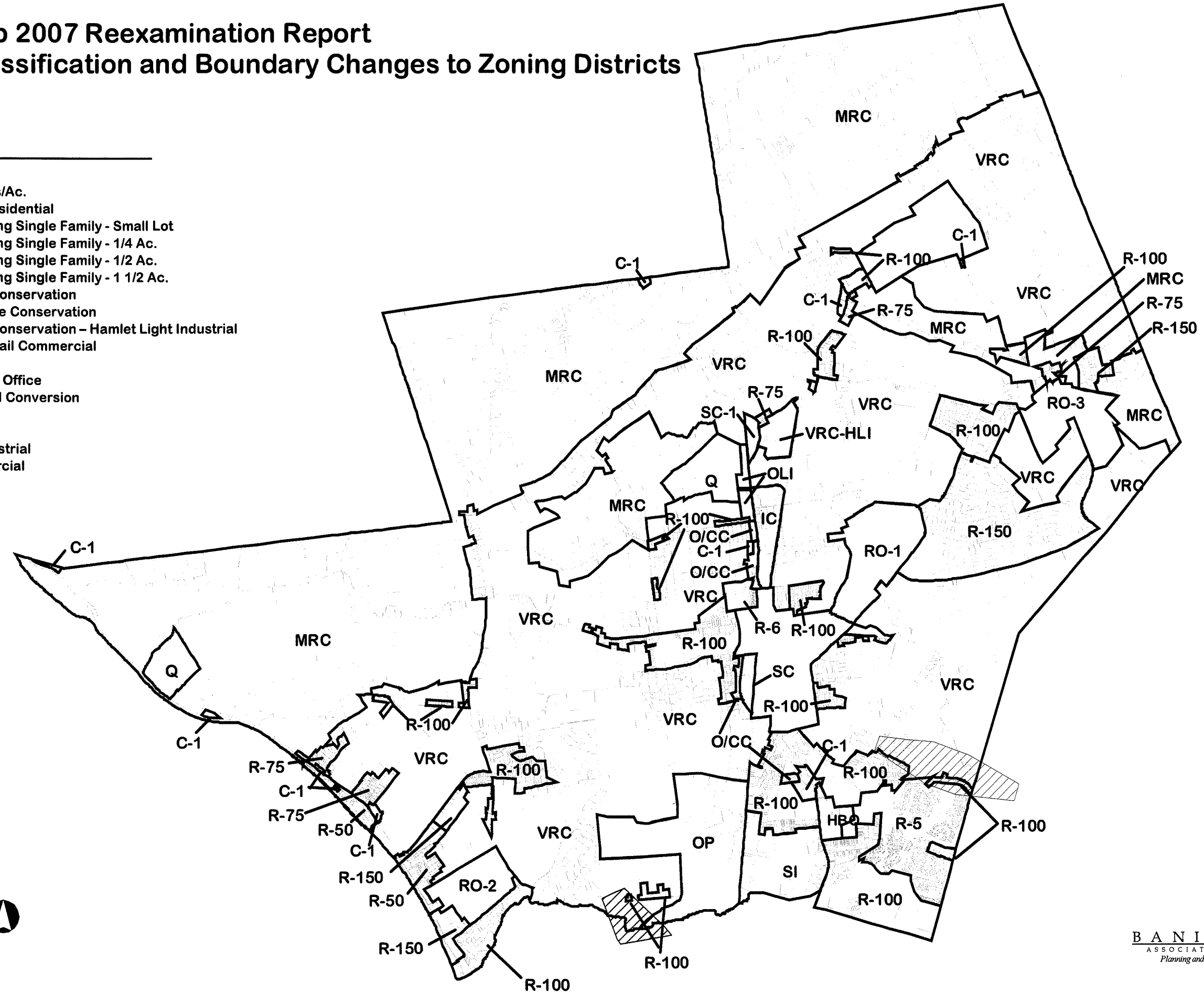
htpb reexamreport2007 adopted

Hopewell Township 2007 Reexamination Report
Recommended Classification and Boundary Changes to Zoning Districts
October 2007

Legend

Zone	Zone Name
R-5	Residential 5 Units/Ac.
R-6	Age Restricted Residential
R-50	Residential, Existing Single Family - Small Lot
R-75	Residential, Existing Single Family - 1/4 Ac.
R-100	Residential, Existing Single Family - 1/2 Ac.
R-150	Residential, Existing Single Family - 1 1/2 Ac.
VRC	Valley Resource Conservation
MRC	Mountain Resource Conservation
VRC – HLI	Valley Resource Conservation – Hamlet Light Industrial
C-1	Neighborhood Retail Commercial
SC & SC-1	Shopping Center
HBO	Highway Business Office
O/CC	Office/Commercial Conversion
SI	Special Industrial
OP	Office Park
OLI	Office – Light Industrial
IC	Industrial/Commercial
RO-1	Research Office
RO-2	Research Office
RO-3	Research Office
Q	Quarry

Airport Hazard Area



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