

PLANNER'S REPORT

Area in Need of Redevelopment



AUGUST 17, 2009

**HOPEWELL TOWNSHIP PLANNING BOARD
MERCER COUNTY, NEW JERSEY**

Clarke Caton Hintz

Architecture

Planning

Landscape Architecture

**Preliminary Investigation of the Pennytown, Kooltronic, PSE&G,
and 84 Lumber Sites**

For a

**Determination of their Suitability to be Designated an
Area in Need of Redevelopment**

In Accordance with N.J.S.A. 40A:12A-1 et seq.

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NJ PP # 1829

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1 Introduction and Purpose of Study

On June 23, 2009 the Hopewell Township Committee adopted Resolution #09-192 authorizing and directing the Planning Board to undertake an “area in need of redevelopment” investigation of properties in the vicinity of Route 31 and Pennington-Hopewell Road commonly known as Pennytown Village, Kooltronic, Inc., PSE&G, and 84 Lumber (the “study area”). Clarke Caton Hintz has been retained by the Township to conduct this study in order to determine whether the properties meet the statutory requirements for designation as an “area in need of redevelopment” pursuant to the New Jersey Local Redevelopment and Housing Law (“LRHL” codified at *N.J.S.A. 40A:12A-1 et seq.*). This report provides an analysis of current conditions at each of the subject sites in the study area including a review of land use, zoning and master plan policies, building conditions, utilities, environmental conditions, and tax and building records. The statutory criteria for redevelopment are then applied to these findings to determine whether they warrant a redevelopment designation. Lastly, next steps and overall conclusions regarding the study area’s potential redevelopment area status are presented. Maps indicating the boundaries and location of the study area are included on page 5 (the regional context), and on pages 6 and 7 (aerial photo and tax map).

2 Statutory Authority and Process

Under New Jersey’s Local Redevelopment and Housing Law municipalities are empowered to determine whether an area is in need of rehabilitation or redevelopment, to adopt a redevelopment plan, and to implement redevelopment projects. The redevelopment statute requires a multi-step process that must be adhered to in order for the municipal governing body and planning board to exercise these powers lawfully. This process is outlined below¹:

1. The governing body must authorize the planning board, by resolution, to undertake an investigation of the delineated area to determine whether it meets the criteria set forth in section 5 of the LRHL.
2. The planning board must then prepare a map showing the boundaries of the study area and the location of the various parcels therein.

¹ This list is adapted from *The Redevelopment Handbook*, Stan Slachetka and Dave Roberts, 2003, p. 34.



3. The planning board must conduct a preliminary investigation and hold a duly noticed public hearing in order to discuss the findings of the investigation and to hear persons who are interested in or would be affected by the contemplated action. The results and recommendations of the hearing are then referred to the governing body in the form of a planning board resolution.
4. Upon receipt of the recommendation from the planning board, the governing body may act to adopt a resolution designating the area in question, or any part thereof, as an area in need of redevelopment.
5. Upon designation, the planning board or governing body then prepares a redevelopment plan, which establishes the land development goals and objectives of the municipality and outlines the actions to be taken to accomplish these goals and objectives.
6. The redevelopment plan, after a public hearing and review by the planning board, is referred to the governing body.
7. Upon receipt of the redevelopment plan from the planning board, the governing body may act to adopt the plan by ordinance. The adopted redevelopment plan may become an amendment to the municipality's zoning district map and zoning ordinance or may be treated as an overlay to existing zoning.

Only after completion of this public process is a municipality able to exercise the powers granted under the Redevelopment Statute. These powers include:

- Acquiring property (including by exercise of eminent domain, if necessary).
- Clearing an area, install, construct or reconstruct streets, facilities, utilities and site improvements.
- Negotiating and entering into contracts with private redevelopers or public agencies for the undertaking of any project or redevelopment work
- Making loans to redevelopers to finance any project or redevelopment work.
- Entering buildings or property to conduct investigations or make surveys; contracting with public agencies for relocation of residents, industry or commerce.

- Making plans for voluntary repair or rehabilitation of buildings.
- Enforcing laws, codes and regulations relating to use and occupancy; repairing, rehabilitating, demolishing or removing buildings.
- Exercising other powers, including the power to do all things necessary or convenient to carry out its plans.

This report meets the requirement listed under step 3, above, for a preliminary investigation and provides the Planning Board and Township Committee with the necessary information to determine the appropriateness of a redevelopment designation for the properties within the study area.

3 Location and Context of the Study Area

The map on page 7 shows the boundaries of the study area. Per Township resolution #09-192, the area of preliminary investigation consists of Block 33, Lot 1.02 (a.k.a. Pennytown) located at 145 Route 31 North; Block 37, Lots 17.01, 17.02, 17.03, 17.04, (a.k.a. Kooltronic, Inc.) located at 30 Pennington-Hopewell Road; Block 37, Lot 31 (a vacant parcel owned by PSE&G); and, Block 37, Lot 21 (a.k.a. 84 Lumber) located at 109 Route 31 North as identified on the official Hopewell Township tax maps.

The study area is located in the central part of Hopewell Township in and around the historic hamlet of Marshall’s Corner, about midway between the Borough of Pennington and the Borough of Hopewell. Three main roadways provide access to the study area-State Route 31, Pennington-Hopewell Road (County Route 654), and Marshall’s Corner-Woodsville Road (County Route 612), all three converging at Marshall’s Corner. In addition to the subject properties, Marshall’s Corner contains about a dozen single family homes on the county roads and several commercial properties located on Route 31. South of the study area, along Route 31, the character along the highway becomes increasingly more suburban as one approaches Pennington Borough with more intense retail, office, and service uses. North of the study area the character becomes more rural with only scattered non-residential uses as Route 31 heads north towards the Amwells and Hunterdon County.

The boundaries of the study area encompass the entire Pennytown Village complex on Route 31, the Kooltronic, Inc. manufacturing facility and its surrounding vacant land, the vacant PSE&G owned parcel, and the parcel occupied by the now closed 84 Lumber store. The 24.94 acre Pennytown property is the third parcel north of the intersection of Route 31 and Pennington-Hopewell Road, after the Delta gasoline station and the Quick-Chek convenience store. Immediately to the east of Pennytown, across Pennington-Hopewell Road, is the 100.67 acre Kooltronic, Inc. site. Also included in the study area is a 1.0 acre vacant, landlocked piece of property (Block 37,

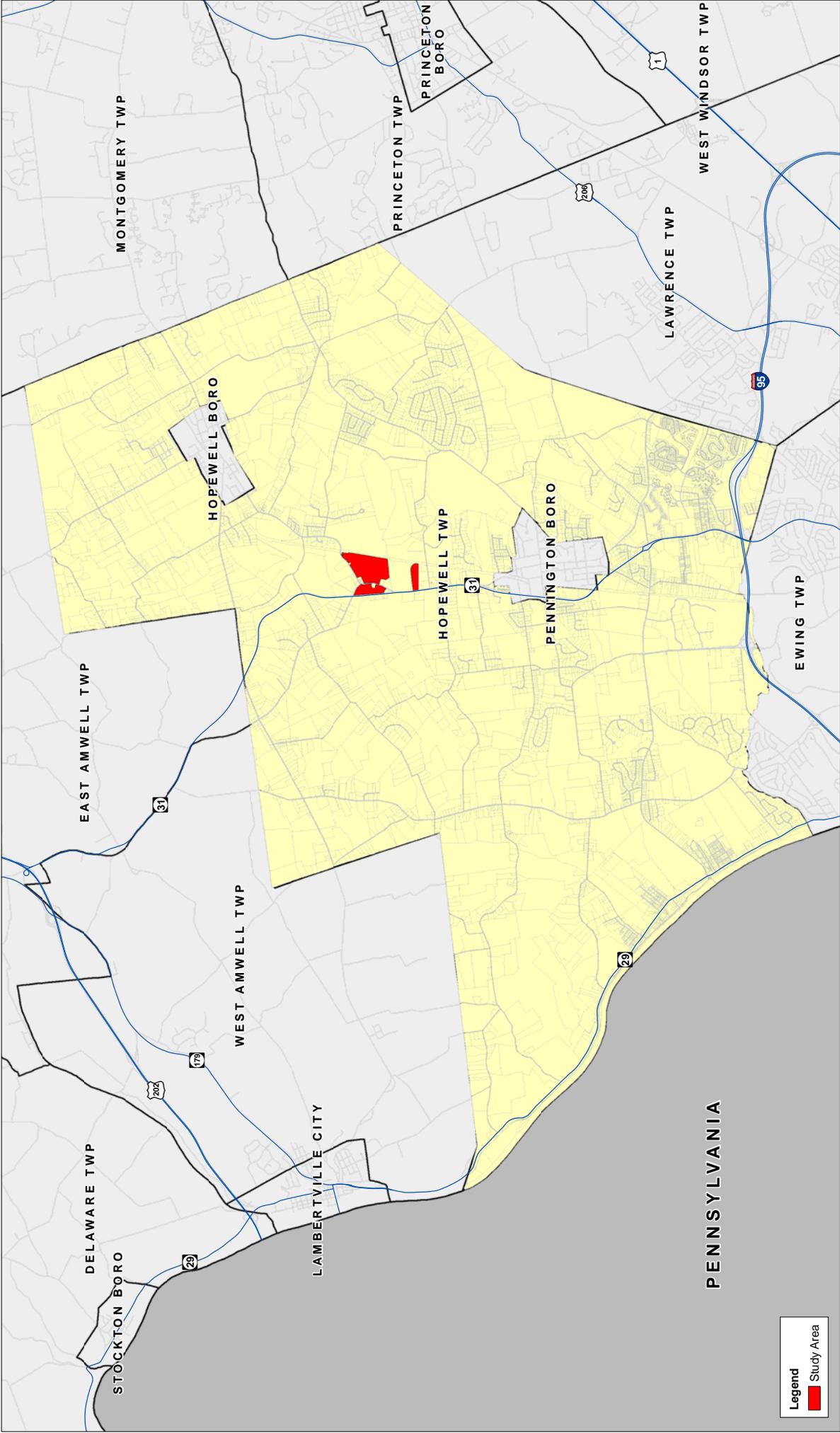


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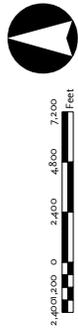
Determination of An Area in Need of Redevelopment: *Pennytown Village – Kooltronic – 84 Lumber
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Lot 31) owned by PSE&G surrounded by the Kooltronic property to the west and the main line of CSX's Delaware and Bound Brook rail line to the east. The 18.06 acre former 84 Lumber store property is located approximately 2,500 feet south of both Pennytown and Kooltronic on the east side of Route 31, north of Titus Mill Road and just south of the train trestle. Just north of the rail siding is the 67.16 acre Township-owned open space parcel known as the "Else" tract. The study area properties will be discussed individually in greater detail in the following sections of this report.





Legend
 Study Area



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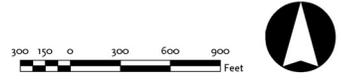
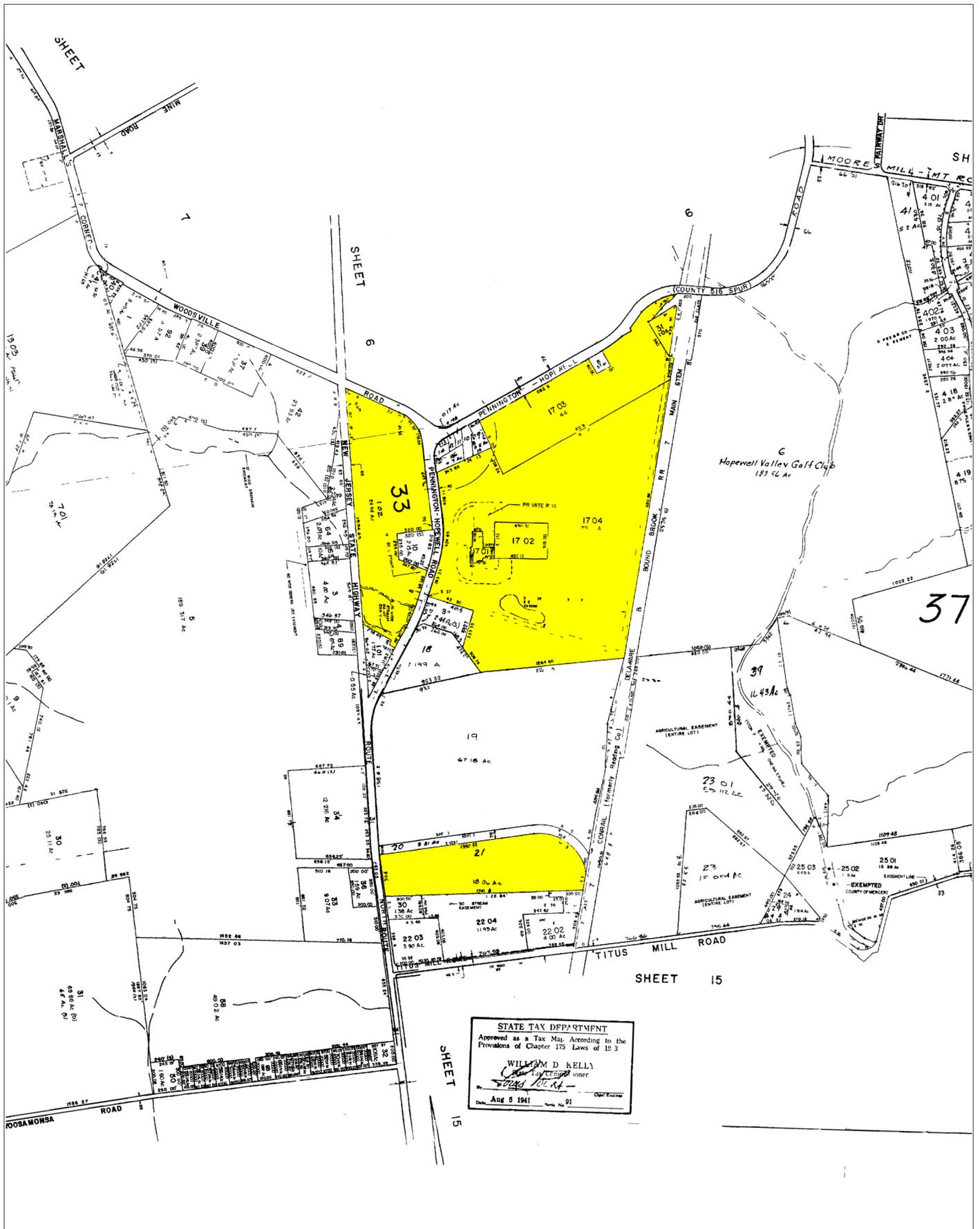
Context Map

Hopewell Township Mercer County, NJ July 2009



Study Area - Aerial Photograph

Hopewell Township Mercer County, NJ July 2009



Study Area on Official Tax Map

Hopewell Township Mercer County, NJ July 2009

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4 Existing Land Use, Master Plan and Zoning Designations for the Study Area

4.1 Land Use

The land use pattern in and around the study area consists generally of retail, service, and some vacant/agricultural land along Route 31 with single family residences clustered along Pennington-Hopewell Road, north of the Kooltronic site. The Pennytown site's only currently active uses are a restaurant and two single family-homes; however, the property also contains a variety of vacant buildings including motels, retail stores, an office building, and apartments. The Kooltronic site contains the company's manufacturing facility and a rental unit leased to a fiber optic company. The remainder of the site is used for agricultural purposes. The 84 Lumber site contains the recently vacated buildings and structures associated with the former lumber yard. The PSE&G site is vacant. Existing conditions in the study area are described in more extensive detail in a following section.

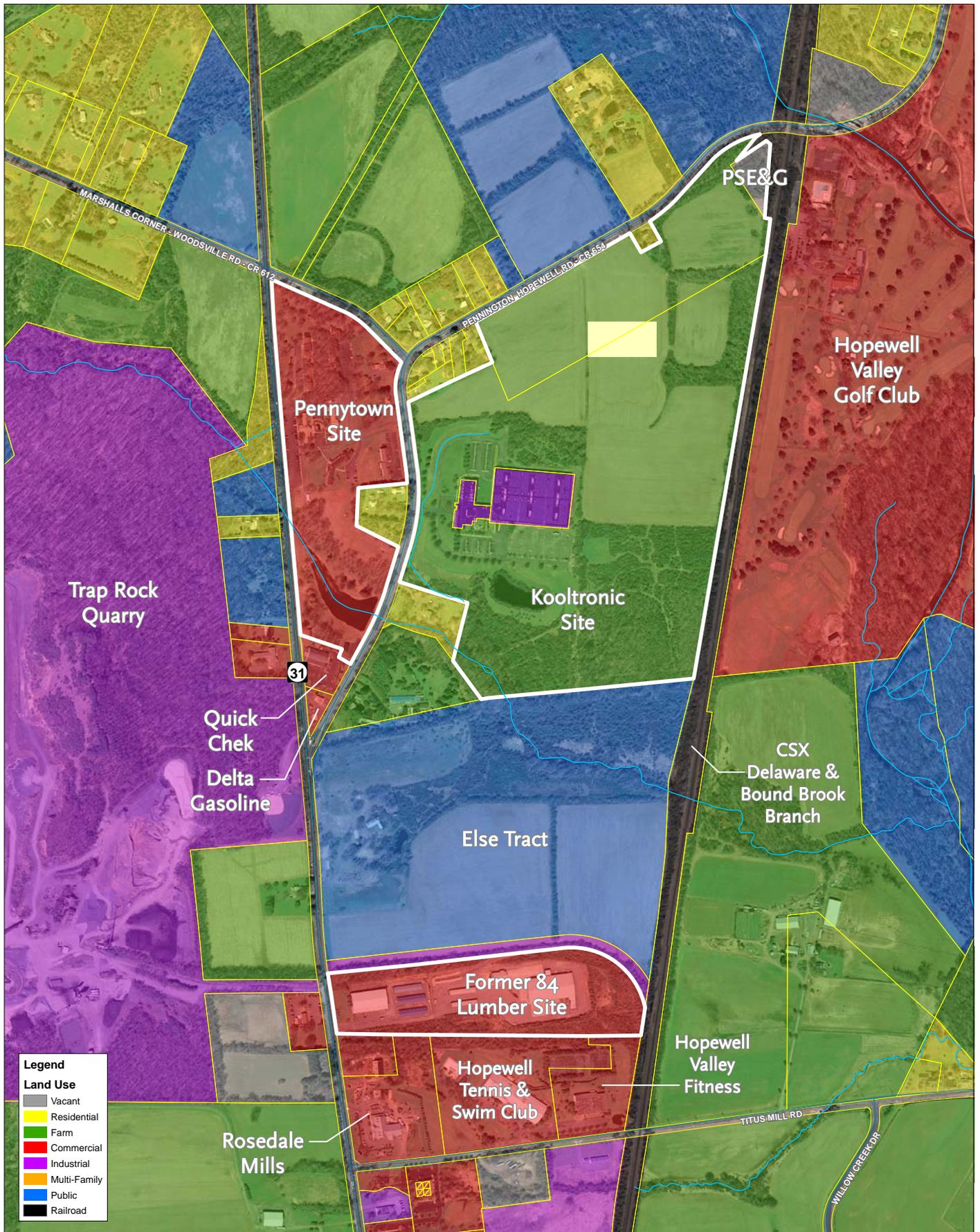
Other notable uses in proximity to the study area include the Trap Rock quarry, located on the west side of Route 31, across from the 84 Lumber site, CSX's Delaware and Bound Brook railroad line, the Hopewell Valley Golf Club, the Rosedale Mills store, the Hopewell Valley Tennis and Swim Center, Hopewell Valley Health and Fitness Center, the Delta gasoline station, and the Quick-Chek convenience store. The land use map on page 9 identifies these uses and depicts the existing land use in the area.

4.2 Master Plan

Hopewell Township last adopted a land use plan element of the Master Plan in May 2002. Prior to that date, it had adopted master plans in 1992, 1985, and 1978. The Planning Board last adopted Reexamination Reports in 2007 and 2009. In 2008, the Township adopted a Housing Plan element.

The 2002 land use plan element introduced a new land use designation for the Kooltronic property called the Valley Resource Conservation (VRC) District. The VRC district was primarily geared towards protecting water quality by lowering permitted densities to the natural carrying capacity of the land. The VRC district also established a system of transferred development rights that allowed the creation of residential "villages" on appropriate sites in the district. Although not specifically identified in this Plan, the Kooltronic property appeared to meet the plan's requirements for the creation of a "Village" based on its size, location, and other physical criteria.²

² 2002 Hopewell Township Master Plan, p. 20-21.



Existing Land Use

Hopewell Township Mercer County, NJ July 2009

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Furthermore, these concepts formalized the idea, first introduced in the 1998 reexamination report, that Marshall’s Corner could be the location of a mixed use village center that would “receive” development transferred from the valley and mountain areas.

The 2002 land use plan did not make any recommended changes for the Pennytown or 84 Lumber properties. These areas were and continue to be identified for “Shopping Center” and “Industrial-Commercial” uses, respectively, in the land use plan. In December 2002 the recommended changes in the land use plan were implemented via revisions to the zoning ordinance.

The 2007 Reexamination Report, adopted in October of that year, made several recommendations for properties within the study area. As a result of litigation from the owners of the Kooltronics property, the report recommended revising the land use plan to reflect the terms of the 2005 settlement agreement which included re-designating the property for the Valley Resource Conservation-Hamlet Light Industrial (VRC-HLI) District. This designation allows for a limited expansion of the existing industrial use on the property and, significantly, the development of a “hamlet”. A hamlet could contain residential uses at densities of 4 units per acre along with office, retail, and park uses.

In November 2008 the Planning Board adopted a revised Housing Element and Fair Share Plan. The plan formally identifies Block 33, Lot 1.02 (the Pennytown property) as a site for municipally sponsored affordable housing. In discussing the property the plan states “[the Pennytown site] is a 25 acre parcel . . . [that] currently has an on-site wastewater treatment plant that could service up to 70 affordable units.”³

In March of this year the Planning Board adopted another reexamination report. This report echoed the recommendations from the 2007 report regarding updating the land use plan to reflect the changes to the zoning map brought about from settlement of the Kooltronic and other litigations. In response to the 2008 Housing Plan, the report states that sites identified for municipally sponsored 100% affordable construction “ . . . that the municipality has acquired or is in the process of acquiring require new zoning and Master Plan designations.”⁴ When specifically discussing the Pennytown property, the report recommends “[t]he current Shopping Center zoning should be changed to a mixed-use zoning district.”⁵ Lastly, when addressing the statutory requirement to discuss any redevelopment plans, the report notes that while no plans have been adopted in the municipality, “. . . in the future, the Township may choose to adopt a redevelopment plan . . .”⁶

³ Hopewell Township Housing Element and Fair Share Plan, adopted November 13, 2008, p.6.

⁴ 2009 Hopewell Township Reexamination Report, p. 12-13.

⁵ *Ibid.*

⁶ *Ibid.*



4.3 Zoning Designations

The current zoning in the study area consists of four designations - the Shopping Center-1 (SC-1) district, the Valley Resource Conservation-Hamlet Light Industrial (VRC-HLI) district, the Valley Resource Conservation (VRC) district, and the Industrial/Commercial (IC) district. The boundaries of these districts are illustrated on the zoning map on page 12. The permitted uses and intensities for each of these zones are reviewed briefly below.

Shopping Center-1 (SC-1) District

The Pennytown property is currently zoned SC-1. The site has been zoned for a shopping center use since at least the late 1970s.⁷ Per §17-170.a of the Township code, this district utilizes the use and bulk standards (with one exception) of the Shopping Center (SC) district. The SC district permits the following uses, provided they are located in a shopping center containing at least six separate businesses:

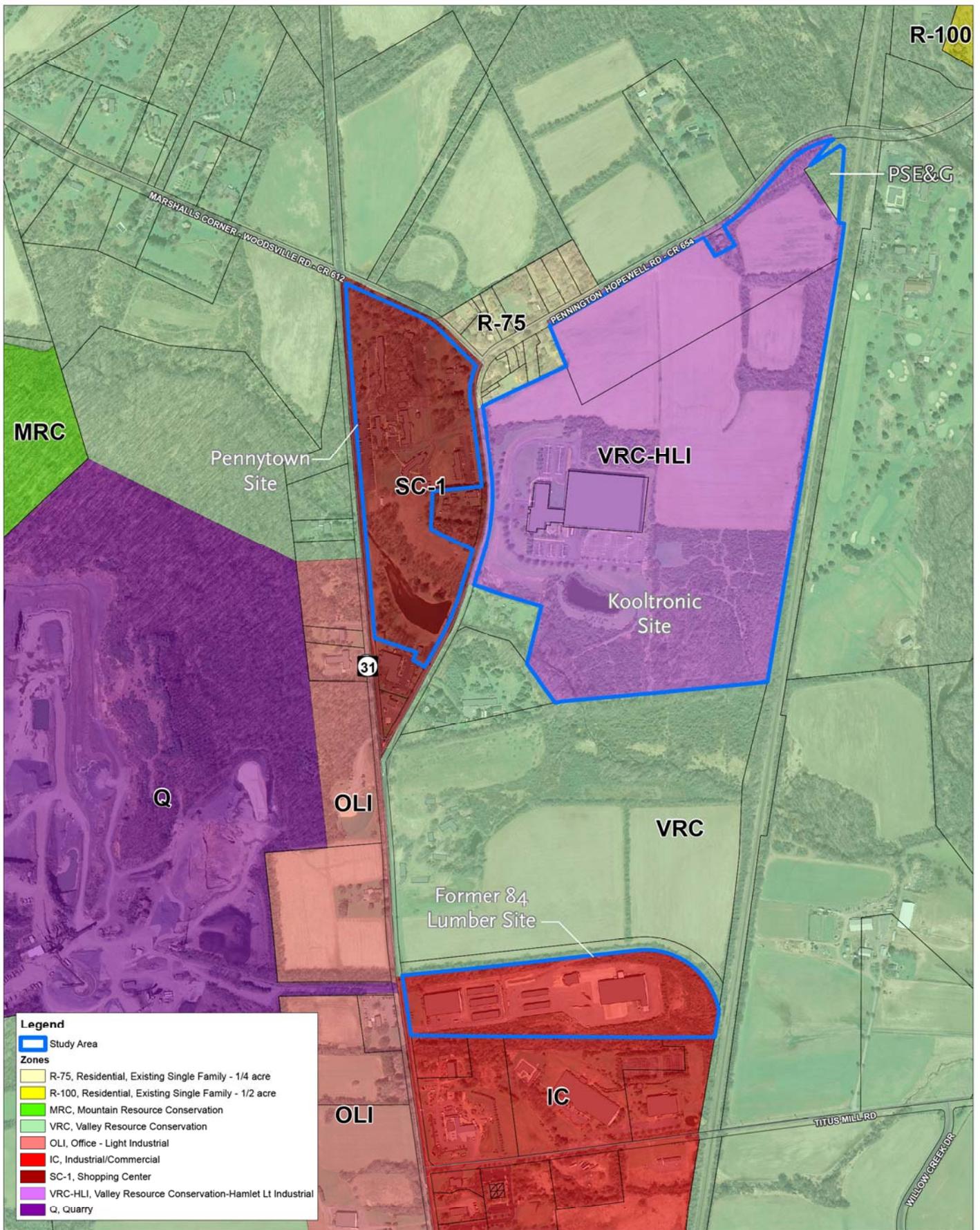
1. retail sale of consumable products, wearing apparel, pharmaceuticals, hardware, appliances, household goods
2. personal services
3. offices, medical clinics, and banks
4. theaters, bowling alleys, gyms, libraries, night clubs, bars, restaurants
5. motel
6. childcare centers

The bulk standards for the SC District are summarized in the following Table:

Table 1 – SC District Standards

Requirement	Standard	Pennytown Site	Conforms
Minimum Lot Size	5 acres	24.94 acres	Yes
Maximum Lot Size	18 acres	24.94 acres	No
Minimum Lot Width	300 feet	>300 feet	Yes
Minimum Lot Depth	300 feet	>300 feet	Yes
Minimum Front Yard	100 feet (SC-1 zone)	<100 feet	No
Minimum Side Yard	75 feet	>75 feet	Yes
Minimum Rear Yard	75 feet	n/a	n/a
Maximum Building Height	35 feet	<35 feet	Yes
Maximum Lot Coverage	60%	20% (approx.)	Yes
Maximum Floor Area Ratio	0.20	0.054	Yes

⁷ 1978 Hopewell Township Master Plan.



Zoning

Hopewell Township Mercer County, NJ July 2009

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Valley Resource Conservation-Hamlet Light Industrial (VRC-HLI) District

All of the Kooltronic, Inc. property is zoned Valley Resource Conservation-Hamlet Light Industrial (HLI). The site had been zoned for industrial and office uses since at least the 1970s until 2001 when it was rezoned to Valley Agriculture (VA) which allowed residential and agricultural uses only⁸. In 2002, it was rezoned to VRC when the VRC district was introduced to replace the VA designation. As a result of a 2005 settlement from litigation, the property was rezoned again in 2006 to its current VRC-HLI zoning. This district was created to allow the existing assembly use to remain and expand while also permitting the creation of a mixed-use hamlet on the undeveloped portion of the tract provided the development is transferred from sites in the VRC or MRC districts. Per §17-172 .b of the Township code, this district permits the following principal uses:

1. Single Family Residential Uses
2. Permitted uses in the “R” Districts
3. Manufacturing, assembly and office uses on a maximum of 40 acres provided that the office uses shall be limited to 25 percent of total floor area.
4. Hamlets in accordance with the standards of §17-172k, §14-160k,1(c) and §17-160k, 1(g).
5. Planned Developments in accordance with the standards of §17-172m.

As the VRC-HLI district allows a wide range of uses and development types, a wide range of bulk standards exist. The existing Kooltronic, Inc. use is permitted and comprises approximately half of the now permitted floor area.

Valley Resource Conservation (VRC) District

The vacant PSE&G-owned property is zoned VRC. The property had been designated for industrial uses through the late 1990s. The 1998 reexamination report recommended that this site be rezoned to low density residential and it was rezoned in 2001 to Valley Agriculture (VA). With the 2002 rezoning it was reclassified as part of the VRC district. Per §17-160.b of the Township code, this permits the following uses:

1. Single family dwellings and conversions
2. Permitted uses in the “R” Districts

The bulk standards for the VRC District are summarized in the following Table:

⁸ 1978 Hopewell Township Master Plan.



Table 2 – VRC District Standards

Requirement	Standard	Lot 31	Conforms
Minimum Lot Size	6 acres	1.0 acre	No
Minimum Lot Width	800 feet	<800 feet	No
Minimum Lot Depth	400 feet	<400 feet (landlocked)	No
Minimum Front Yard	100 feet	<100 feet (landlocked)	No
Minimum Side Yard	60 feet	n/a	Yes
Minimum Rear Yard	60 feet	n/a	n/a
Maximum Building Height	35 feet	n/a	Yes
Maximum Lot Coverage	10%	0%	Yes

Lot 31 is undersized based on the conventional standards of the VRC district and has no street frontage as it is surrounded by the railroad property and the Kooltronic site.

Industrial/Commercial (IC) District

The 84 Lumber site is zoned Industrial/Commercial (IC). The zoning ordinance states that the purpose of this district is to provide wide employment opportunities in proximity to expanding residential areas and in areas which exhibit an existing development character similar to what which is permitted. The property has been designated for commercial land uses since at least the late 1970s up through the most recent 2002 master plan. Per §17-160.b of the Township code, this district permits the following uses:

1. Uses permitted in the Highway Business Office (HBO) district meeting HBO regulations.
2. Uses permitted in the Office Park (OP) district meeting OP regulations.
3. Warehousing, meeting the lot, yard, height, coverage and other bulk requirements of the OP district
4. Manufacturing and assembly
5. Automobile car washes (conditionally permitted)

The bulk standards for the IC district utilize the HBO or OP district standards. At 18 acres, the 84 Lumber site is a conforming lot based on its area and dimensions. It appears some of the structures along the northern property are encroaching into the 100 foot setback required adjacent to a residential zone (HBO district requirement).



It also appears that the site exceeds the 50% maximum impervious coverage limit in the HBO zone, as much of the site is covered with asphalt, compacted gravel, or structures. It is not clear if the retail component of the former lumber yard was a permitted use as retail uses do not appear to be permitted in the IC, HBO, or OP districts. The assembly and warehousing aspects of the prior use would have been permitted.

5 State Planning Area Classification

The State Development and Redevelopment Plan is in the process of revision with the adoption of the third plan tentatively scheduled for late 2009 or early 2010. All of the study area is contained within the Rural Planning Area (PA4), both in the adopted 2001 State Plan and in the pending 2009 draft final plan. The most significant proposed change in proximity to the study area is that Pennington Borough is proposed to be changed from PA3-Fringe to PA2-Suburban. Once north of Pennington Borough, all areas along Route 31 and Pennington-Hopewell Road up to and including the study area are in the PA4 Rural planning area.

The intent of the State Plan is to direct growth and development into areas served by public infrastructure as a means of more efficiently using public resources. This overarching goal has been consistent since the first State Plan was adopted in 1987. The goals for the Rural Planning Area include⁹:

- Maintain the Environs as large contiguous tracts of farmland and open space;
- Revitalize existing rural centers;
- Accommodate future growth in centers and center based development;
- promote a viable agricultural industry;
- protect the character of existing, stable communities;
- Impose impervious cover restrictions and require restoration, maintenance and enhancement of the working landscape; and
- Confine programmed sewers and public water services to centers.

Additionally, the redevelopment Policy Objective for Planning Area 4 is as follows¹⁰:

“Encourage appropriate redevelopment in existing cities and towns and new Centers and existing developed areas that have the potential to become Centers, or in ways that support Center-based development to accommodate growth that would otherwise occur in the Environs. Redevelop with intensities sufficient to support transit, a broad range of

⁹ Draft Final State Development and Redevelopment Plan, Volume I, May 2009, p. 34-35.

¹⁰ *Ibid.*, Volumes 2-4, April 2009, p. 27-28.

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uses, efficient use of infrastructure, and design that enhance public safety, encourage pedestrian activity, reduce dependency on the automobile and maintain the rural character of Centers.”



The predominantly developed character of the study area and its location in a hamlet make it suitable as a node for concentrating development within the rural planning area. This policy is not only consistent with the State Plan, but also with the Township’s zoning for the area as discussed above.

6 Consideration of the statutory Conditions for Establishment of an Area In Need of Redevelopment

For an area to be found to be in need of redevelopment, existing conditions must meet any of the eight criteria that are specified under *N.J.S. 40A:12A-5*. These include:

- a. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light air, or space, as to be conducive to unwholesome living or working conditions.
- b. The discontinuance of the use of buildings previously used for commercial manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair so as to be untenable.
- c. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.
- d. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.
- e. A growing lack or total lack of proper utilization of areas caused by the condition of title, diverse ownership of the real property caused therein or other conditions resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contributing to and serving the public health, safety, and welfare.



- f. Areas, in excess of five contiguous areas, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.
- [g. Criterion (g) only applies to Urban Enterprise Zones and is not applicable.]
- h. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

In addition to the criteria, the Redevelopment Statute states:

“A redevelopment area may include lands, buildings, or improvements, which of themselves are not detrimental to the public health, safety, or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area of which they are a part” (N.J.S.A. 40A:12-3).

7 Description of Existing Study Area Conditions and Individual Property Evaluations

7.1 Overall Conditions

The study area consists of four distinct properties with varied conditions that range from well-maintained and fully occupied buildings to vacant, dilapidated, and/or obsolete structures. The following chart summarizes the ownership information for the properties within the study area and provides current assessment data. The chart also includes a ratio of the assessed value of property improvements to the assessed value of the land. Known as the “improvement-to-land ratio”, this metric can provide a general indicator of productivity and evidence of substandard conditions.¹¹ Typically, economically successful areas have a ratio of 2:1 or greater. Ratios of 1:1 or less provide evidence of underutilized, substandard or dilapidated buildings. Ratios less than 2:1 but greater than 1:1 may or may not indicate a substandard condition. Some caveats must be kept in mind when reviewing this data as uses that contain large open areas with comparatively small buildings may have low ratios but still be successful and viable businesses.

¹¹ *NJ Future Smart Growth Gateway* (http://www.smartgrowthgateway.org/local_redev_criteria.shtml) accessed July 27, 2009.



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Table 3 - Property Ownership and Assessed Values

Block/Lot	Lot Area (acres)	Owner Name/Address	Land Use	2008 Assessed Value (\$) (Land + Improvements = Total)	Improvement to Land Ratio
33/1.02	24.94	Koviloor Aadheenam Vedanta Center/ 216 Stelton Road, Ste. A1, Piscataway, NJ 08854	Pennytown Complex – mixed uses	3,100,000 + 3,000,000 = 6,100,000	0.97
37/21	18.06	84 Lumber Co./ 1019 Rt. 519 Eighty Four, PA 15330	Lumber yard	1,800,000 + 2,500,000 = 4,300,000	1.39
37/17.01	100.67	Pennwell Holding, LLC (The Gadbey Organization) c/o B. Freedman/ 121 Little Brook Road Princeton, NJ 08540	Industrial/ Agricultural*	5,088,400 + 5,050,000 = 10,138,400	0.99
37/17.02					
37/17.03					
37/17.04					
37/31	1.06	Public Service Electric & Gas/ 80 Park Plaza 6B Newark, NJ 07101	Vacant	50,000 + 0 = 50,000	0

Source: Hopewell Township Tax Assessor, Tax year 2008, Assessment Year 2004 * Ag land farm assessed

All of the properties in the study area have a ratio of less than 2:1. Of the sites with improvements, the Pennytown site has the lowest value at 0.97. This figure provides strong evidence of the relatively low value of existing buildings. In the case of the Kooltronic facility the low ratio is a result of the large amount of vacant/agricultural land and is not an indicator of the condition of the property; however, it does evidence the additional development potential in the property. The ratio for the 84 Lumber site, although greater than 1:1, likely results from the large portions of the site that had been improved with sheds and warehouses for the storage of wood products than the conditions of the buildings themselves.

Environmental conditions in the study area were analyzed in order to document the presence of critical features and any natural constraints on development. The main environmental feature in the study area is a tributary of the Stony Brook which flows through the southern portion of the Pennytown site and through the extreme southwest corner of the Kooltronic property. As the maps on the following pages

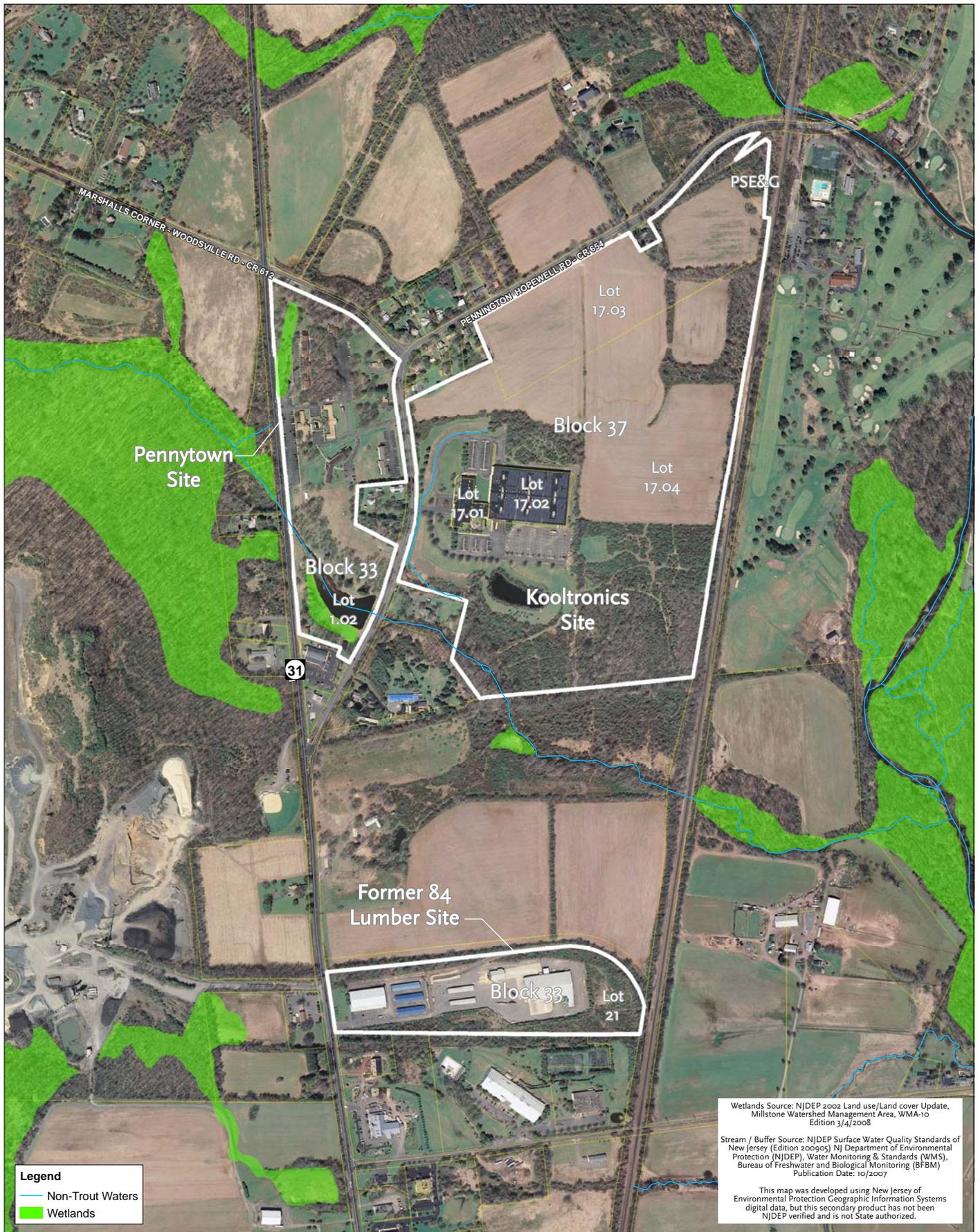


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indicate, areas of wetlands are associated with this stream on the Pennytown property and on a small portion of the Kooltronic property. A small flood prone area is also associated with the stream on the Kooltronic site. All portions of the study area have flat or gently rolling terrain, and no steep slopes are present. Areas of level 3 wood turtle habitat are mapped by the New Jersey Department of Environmental Protection (NJDEP) on portions of all three sites of the study area. A small area of level 4 bald eagle habitat is present on the vacant PSE&G parcel.





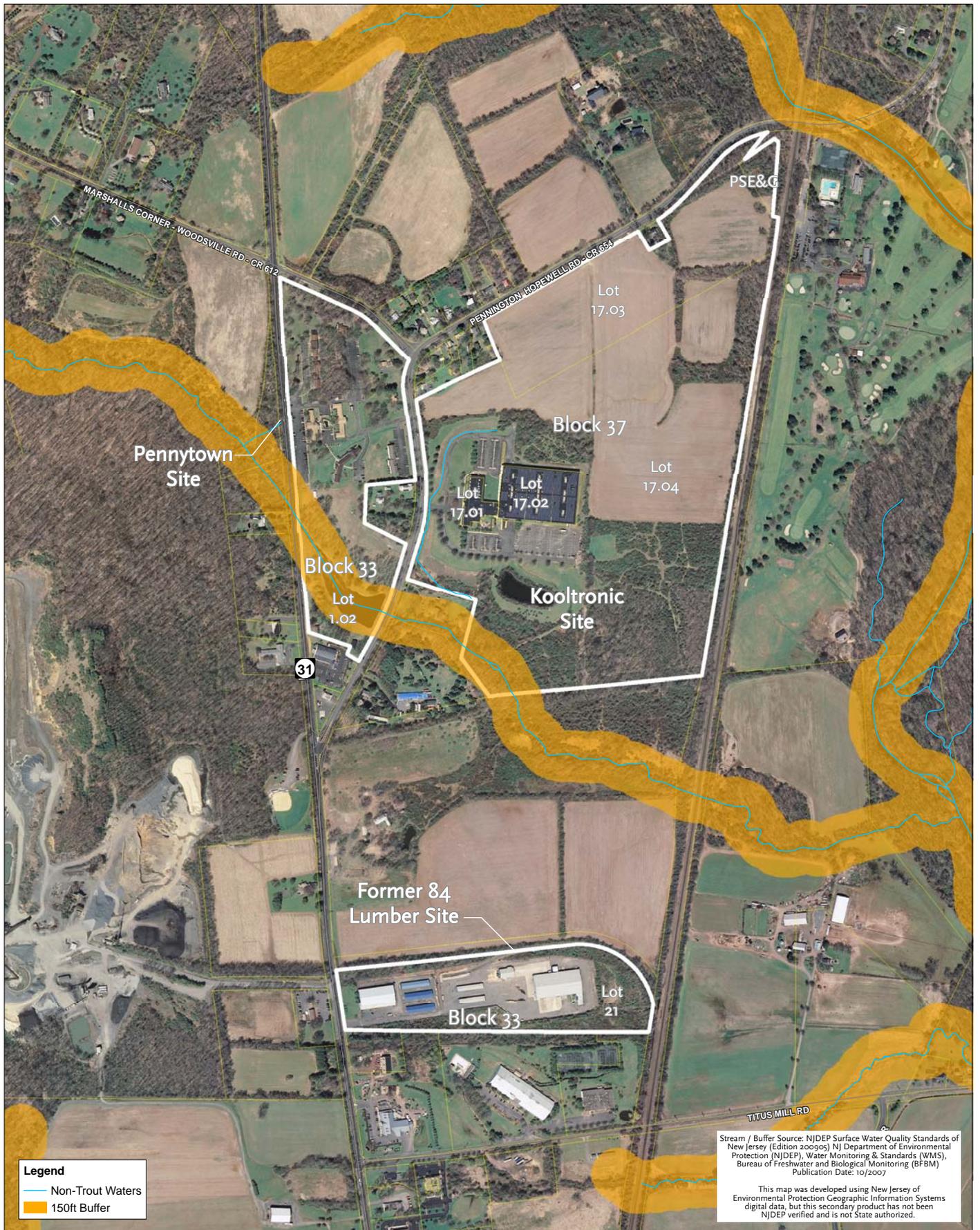
Freshwater Wetlands

Hopewell Township Mercer County, NJ July 2009



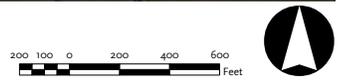
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 Architecture
 Planning
 Landscape Architecture



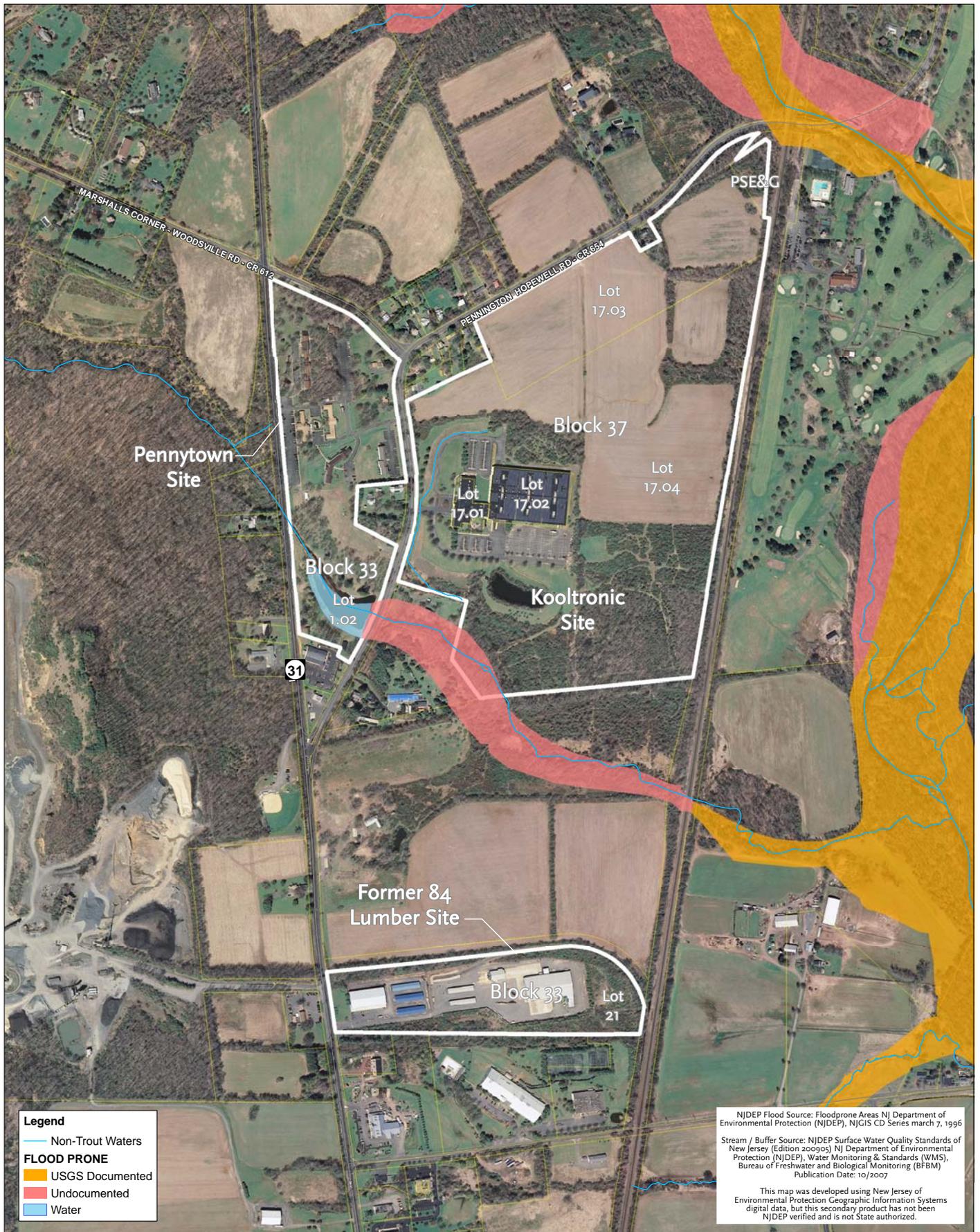


Stream Corridors

Hopewell Township Mercer County, NJ July 2009



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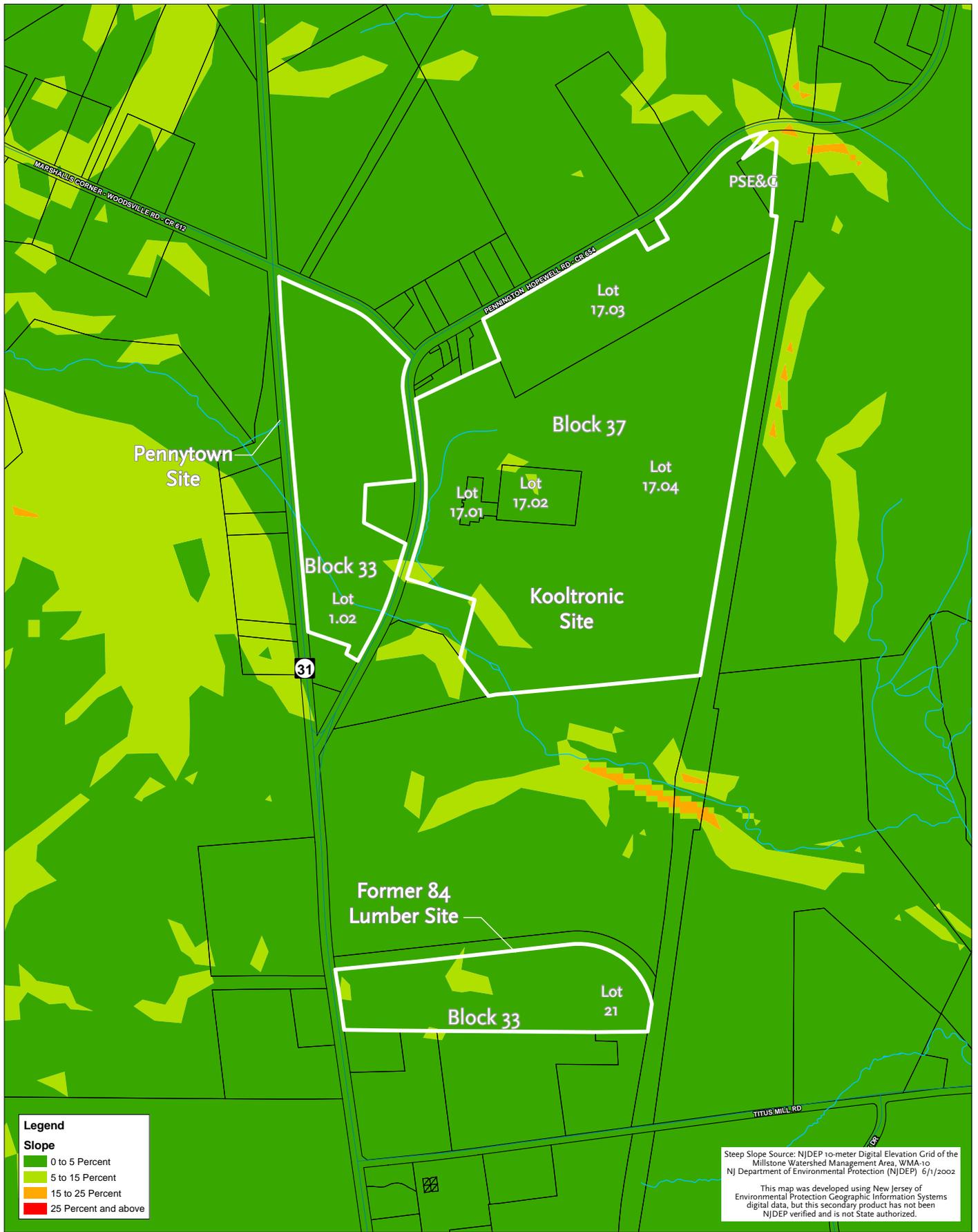


Flood Prone Areas

Hopewell Township Mercer County, NJ July 2009



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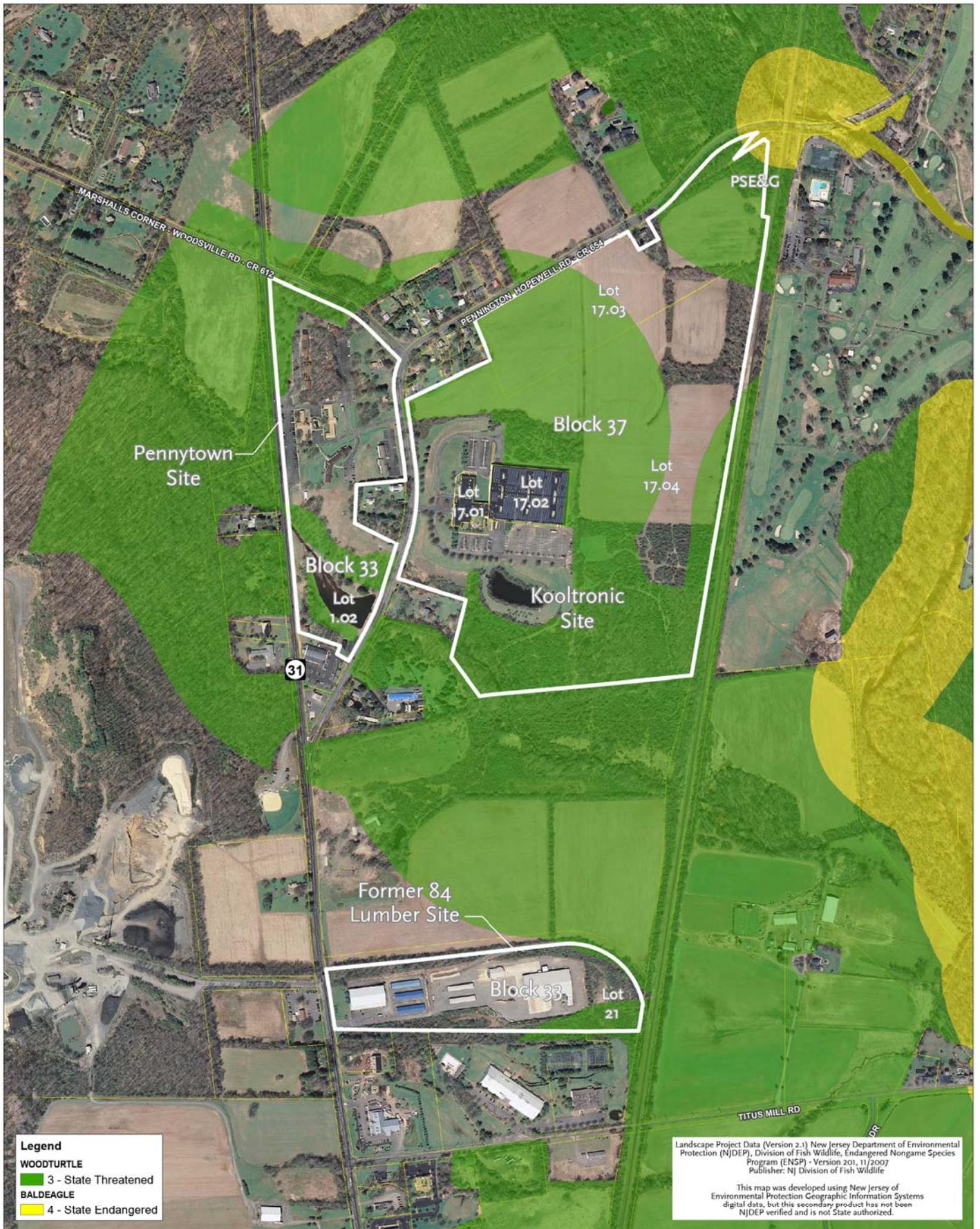
Steep Slopes

Hopewell Township Mercer County, NJ July 2009



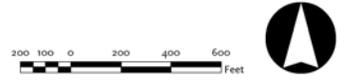
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Critical Habitat

Hopewell Township Mercer County, NJ July 2009



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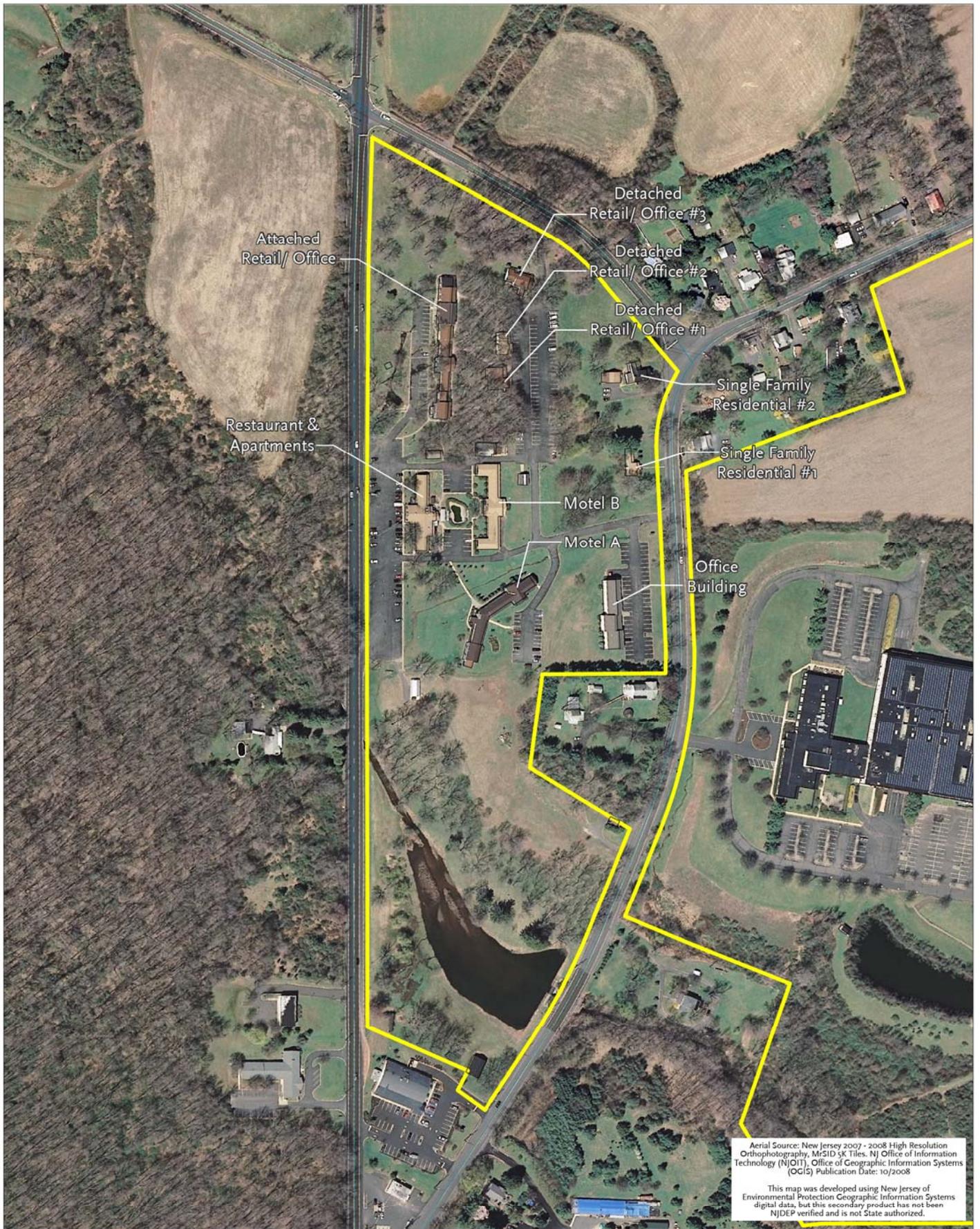
7.2 Individual Property Evaluations

The following analysis details the existing conditions on each of the subject properties in the study area including environmental conditions, physical characteristics, exterior and interior building conditions, code violations, construction activity, and utility availability. Each property is then assessed with respect to the eight redevelopment criteria to determine which, if any, are met.

7.2.1 Pennytown Village (Block 33, Lot 1.02)

Pennytown, also known as Pennytown Shopping Village is an assemblage of multiple commercial and residential buildings on a single 24.936 acre lot located on Route 31, Pennington-Hopewell Road, and Marshall's Corner-Woodsville Road in the center of the hamlet of Marshall's Corner. The site abuts the Quick-Chek convenience store property to the south and is across Route 31 from a single family residence, two township-owned parcels of vacant land, and an office building owned by Trap Rock Quarry. The Kooltronic property and residences in Marshall's Corner are located to the east and northeast across Pennington-Hopewell Road.

The site is level and is mostly open but has stands of mature trees scattered throughout, particularly in the northern third of the property and adjacent to the pond at the southern end of the site. A tributary to the Stony Brook enters at the northern end of the lot and is then channeled underground to the location of a former small pond and dam that has since reverted to a wetland area. The stream is then channeled underground again towards the southwest across Route 31 only to re-enter the site at the southern end of the lot, this time flowing southeast into a larger pond. An outlet structure on the eastern end of the pond allows the stream to flow under Pennington-Hopewell Road and off the site. Mapped wetland areas are associated with the stream at the location of the former pond and adjacent to the existing pond; however, no NJDEP approved LOI has yet been obtained. In addition to the NJDEP riparian area rules and a 15' stream maintenance easement, Township regulations require a 150' buffer from the centerline of the stream (where it is above ground). As discussed earlier in this report, the Township's 2008 Housing plan element identified this site has a location of municipally sponsored 100% affordable housing construction. In the spring of 2009 the Township contracted with the owner of the property to purchase it, and remains in contract as of the writing of this report.



Aerial Source: New Jersey 2007 - 2008 High Resolution Orthophotography, MrSID 5K Tiles, NJ Office of Information Technology (NJ OIT), Office of Geographic Information Systems (OGIS) Publication Date: 10/2008

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



Building Index

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The Pennytown site contains 10 principal structures and numerous outbuildings (garages, sheds, etc.) scattered throughout the property along with several accessory parking areas. The site also contains an on-site sewage treatment plant housed in a Quonset hut structure, south of the main buildings (the status of this system is discussed more fully below). A summary of the existing principal buildings and their current/former use is provided in the following chart. The location and arrangement of the structures are indicated in the key map provided on page 28.

Table 4 – Pennytown Principal Buildings

Principal Building (see key map for location)	Approx. Floor Area (sf.)
2-story office building	11,220
Motel A (23 rooms)	12,898
Motel B (20 rooms) plus restaurant (“backstage”)	6,260
125 seat restaurant (H.I. Rib) with 3 apartments	5,150
Attached Retail/Office plus 7 apartments	20,000
Detached Retail 1	2,400
Detached Retail 2	1,500
Detached Retail 3	2,000
Single Family House 1	2,640
Single Family House 2	800
Total	64,898

The property was developed in stages, mainly beginning in the 1960s; however, one of the single family homes on the property dates to 1920. Construction continued into the 1970’s and 1980’s with the addition of a second motel building and, finally, with the 2-story office building in 1985. An outdoor petting zoo also operated at the site for many years. As the aerial photograph indicates, the buildings are oriented in a haphazard fashion with no clear logic to the building arrangement. With the exception of the restaurant building along Route 31, many of the other structures have poor visibility from surrounding roadways. The buildings are connected by a series of narrow driveways and limited pedestrian walkways.

Multiple site visits were conducted, both by licensed planners and a licensed architect from the firm in order to document existing conditions on the site, including interior and exterior conditions of the buildings. Occupancy at the site has declined significantly in the last several years and the buildings on site today are vacant with the exception of the H.I. Rib restaurant and one of the single family houses. The on-site inspections yielded a range of building conditions from average to poor as well as

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numerous building code deficiencies and potential violations. The full architectural inspection report is attached as Appendix “A” to this investigation. Results of this reconnaissance are summarized in the following descriptions and photographs.

The site inspections revealed that the majority of the buildings were in fair to poor condition, with the exception of the H.I. Rib restaurant, the office building, and single family house #2 that appeared to be in average to good exterior condition. Numerous code deficiencies and potential violations were observed as detailed in the architectural report in Appendix “A”. There were visible signs of mold, mildew, and pests, and some indications of trespassing and vandalism. Multiple buildings including Hotel B, the attached retail building, and detached retail buildings #1 and #3 were dilapidated and did not appear to have functioning bathroom facilities. Multiple safety issues were identified including missing railings, second story doors that opened to the outside with no guardrail, and deteriorated steps that posed a falling hazard. The buildings and the site in general do not conform to modern accessibility laws. The driveways and parking areas were significantly deteriorated and had numerous potholes and cracks. Many light poles were damaged or missing.

With the exception of the H.I. Rib restaurant all other commercial buildings were vacant and most appeared to have deteriorated significantly since they were last occupied. While the circa 1985 office building, motel A, and detached retail building 2, might be retenantable, the retail buildings and motel B, especially, would need significant repairs and modifications to be reoccupied. These repairs would likely be cost prohibitive given the conditions of the buildings. In addition, the poor layout of the site, with limited highway visibility for most buildings and small, inflexible interior spaces would be unattractive to modern retailers.

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Determination of An Area in Need of Redevelopment: *Pennytown Village – Kooltronic – 84 Lumber*
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Side View of Motel A - exterior in fair condition.



Interior of Motel A in fair condition

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Determination of An Area in Need of Redevelopment: *Pennytown Village – Kooltronic – 84 Lumber
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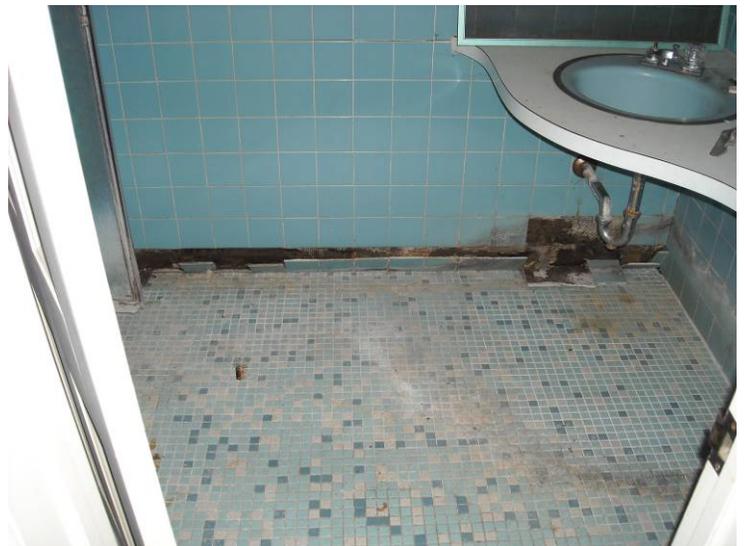


Front View of Motel B – exterior in fair to poor condition



Interior of Motel B in poor condition

No railings – potential code violation

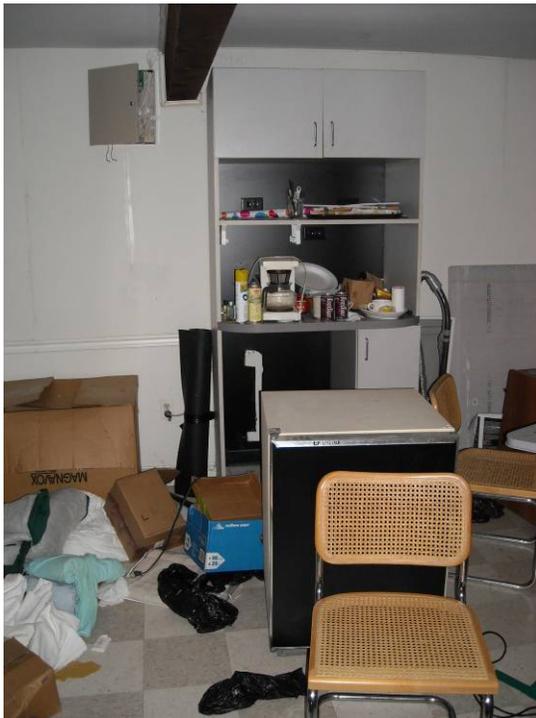


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2-Story office building – exterior in fair condition, note tall weeds and cracked pavement



Interior of office building in fair condition

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Rear View of Motel B – exterior in fair condition note pile of debris by driveway



Front of attached retail building in poor and dilapidated condition

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Rear of attached retail building missing siding and in poor condition



Ceiling damage in attached retail building (unit 24-25)

**Open Sanitary Vent Line in unit 23,
potential code violation**



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Front of detached retail/office building 1 – exterior in fair condition, note weeds and cracked pavement



Interior view of detached retail/office building 1 in fair to poor condition with signs of vandalism

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Front of detached retail/office building #2 in fair condition



Interior view detached retail/office building #2 in fair condition

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Front of detached retail/office building #3 in fair to poor condition



Interior view detached retail/office building 3 in poor condition



Nonfunctioning bathroom facilities

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Single Family Home #1 - exterior in fair condition



Single Family Home #2 - exterior in good condition

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A search of Township building permit records revealed that no new construction or repair work of any kind has been conducted at the property since 2006. That search did reveal, however, that a fire safety violation was issued to the H.I. Rib restaurant in 2009.

The site is served by an on-site sanitary sewer system that was installed in 2004 to address major deficiencies with the previous failing septic system. A report prepared for the Township by Alliance Environmental, LLC. indicated that this system, although functional, was cited 14 times for being out of compliance with NJDEP limits for flow, nitrogen, and fecal coliform counts since it went on-line on 2004.¹² The report also indicates that based on its designed capacity, the system can only marginally accommodate existing uses and would need significant upgrades including back-up systems and an emergency generator, to allow for any expansion of similar uses at the site.

Redevelopment Criteria Met:

The conditions identified above provide evidence that the property meets criterion ‘a’, ‘b’ and ‘d’ as stipulated in N.J.S.A. 40A:12-5. Further analysis is provided in Section 8 below.

7.3 Kooltronic, Incorporated (Block 37, Lots 17.01, 17.02, 17.03, & 17.04)

This 100.63 acre property, with about 2,700 feet of frontage on Pennington-Hopewell Road contains the headquarters of Kooltronic, Inc., a manufacturer of specialized cooling equipment for electronic components. The 170,000 sf. building is located in the southern portion of the tract and contains the Kooltronic manufacturing plant and offices as well as about 10,000 sf. of office space that is currently leased to a fiber optic company. A large accessory parking area is located on the south side of the building as is a detention basin. Two smaller parking areas are located in the front and on the north side of the building, respectively. The remainder of the southern portion of the site is mostly undeveloped wooded land that includes a man made pond. A small portion of the Stony Brook crosses the far southwestern corner of the site, well away from the developed area. The northern portion of the site consists of about 48 acres of undeveloped land that is currently utilized for agriculture. Overall, the site is generally level with no areas of slope greater than 15% present. The site abuts a commercial/residential use to the south (ceramics store), the CSX rail line to the east, and the vacant PSE&G parcel to the northeast.

The Kooltronic property was visited and an interior and exterior inspection was conducted to assess existing conditions. Photographs of the exterior of the site are

¹² Pennytown Village: Wastewater System Evaluation, Edward Clerico, PE, Alliance Environmental, May 2009, p. 8.



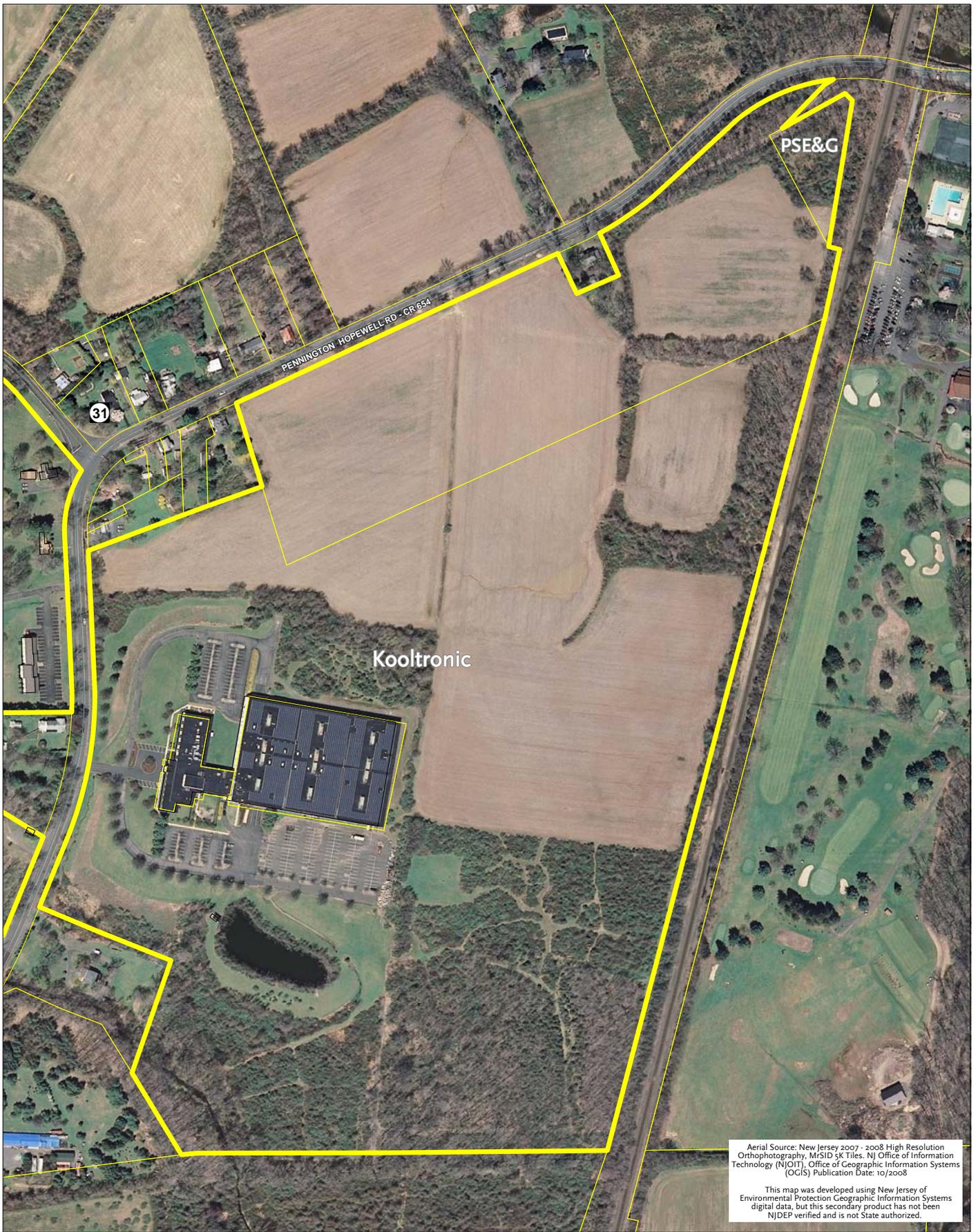
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provided below. The facility, which was originally constructed in the 1960s for the Bell Telephone Company, is separated into two sections. The smaller front section consists of reception, office, and meeting space for Kooltronic and their tenant. The large rear section contains the fabrication and engineering area along with a cafeteria and other support space. According to company officials, Kooltronic, Inc. currently employs over 100 individuals at the site and has been occupying the building since the property was purchased in 1999. The site utilizes an on-site septic disposal system for wastewater and private on-site wells for potable water.



Main entrance of Kooltronic facility – exterior in good condition



Kooltronic Site

Hopewell Township Mercer County, NJ July 2009

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South side of Kooltronic building in good condition



Outdoor Storage at Rear of Parking Area





Trail in wooded area at southern end of property

A review of recent building records indicated that the company received permits in 2006 to install a large solar panel installation on the building's roof. No violations were found in the Township's records. A search of the NJDEP Known Contaminated Sites (KCS) list did reveal one active case initiated in 2000 involving groundwater contamination. No reports of any noise or other quality of life violations were found in Township records.

Overall, the condition of the interior and exterior of the building was good. Despite the age of the building and the industrial activity at the site, the building's interior spaces were clean and orderly. The exterior of the building was well maintained and showed no obvious signs of disrepair or deferred maintenance. The surrounding portions of the site were also well maintained. The parking areas were clean and the lawn and landscaping appeared to be regularly maintained. There were some areas of outdoor storage at the rear of the parking area consisting of pallets, metal structures, and some 50 gallon containers, but there were no signs of any type of material leakage. The undeveloped portion of the site contained some trails that cut through the wooded area and an unpaved drive that provided access to the farm fields from Pennington-Hopewell Road. No unusual conditions were noted in these areas.

Redevelopment Criteria Met:

Overall, no evidence was found that would support a finding that this property meets any of the traditional redevelopment criteria ('a' through 'g') in N.J.S.A. 40A:12-5. Further analysis is provided in Section 8.

7.4 PSE&G Property (Block 37, Lot 31)

This 1.06 acre property is located immediately west of the CSX rail line and northeast of the Kooltronic site, just south of Pennington-Hopewell Road. As these two other properties completely surround the site, it has no direct street access. The site is non-conforming with respect to lot area in the VRC zone. The property is vacant and densely wooded. The site has NJDEP rank 4 bald eagle habitat mapped across the northern portion and rank 3 wood turtle habitat across the remainder of the parcel.

Based on historical records and Township planning documents dating to the 1970s, it is believed this site once contained a passenger rail station.¹³ A station known as the Glenmoore Station was built in the 1870's when the railroad was constructed. Passenger service on this line was discontinued in 1982. Although the date of the station's demolition is unclear, based on township records and aerial photography, it was likely before the 1980's. The land has been vacant for more than 10 years.



Historical photo of Glenmoore Train Station (circa 1900)

Redevelopment Criteria Met:

The conditions identified above are evidence that the property meets criterion 'c' as stipulated in N.J.S.A. 40A:12-5. Further analysis is provided in Section 8 below.

¹³ *Images of America – Hopewell Valley*. Seabrook, Jack and Lorraine Seabrook. Arcadia Publishing, 2000., p.123

7.5 84 Lumber (Block 37, Lot 21)

This 18.06 acre property is the site of the former 84 Lumber store. Measuring about 350 feet wide by 1,800 feet long it is located on the east side of Route 31, north of Titus Mill Road and just south of the rail trestle. The site is developed with the facilities of the former lumber yard, which closed in late October of 2008. The property contains three buildings and five roofed, open-sided lumber storage sheds. The main 23,000 sf. retail building is located at the front site set back about 100 feet from Route 31. A long access drive runs along the southern property line and leads to a series of five large outdoor lumber storage sheds that are situated behind the main building amidst a large expanse of asphalt and gravel. The storage sheds each measure about 5,600 sf in area (35' x 160') and is over 30 feet tall. Further to the rear are the two other buildings – a 3,500 sf building that appears to have been used to process lumber into trusses and other building products, and a large 38,000 sf. warehouse that was used to store materials and also for the processing of lumber products. To the rear of this building are about 2.5 acres of undeveloped land that appears to have been partially used for the site's septic field. The site also contains an active rail siding that was used by the lumber yard and runs along the rear half of the northern property line. The site utilizes an on-site septic disposal system for wastewater and private on-site wells for potable water.

The 84 Lumber site abuts the Rosedale Mills store and the Hopewell Valley Tennis and Swim Center/Health and Fitness Center properties to the south. A long, narrow parcel, owned by Trap Rock Quarry that partially contains a rail siding abuts the site to the north. The main branch of the CSX rail line is located to the east. An auto-repair and used car sales business is located across Route 31 to the west. It should also be noted that just north of the rail siding property is the Township-owned "Else tract", an approximately 65 acre undeveloped agricultural parcel that was purchased by Hopewell Township for open space and recreation purposes in 2007. Overall, the 84 Lumber site is level with no areas of slope greater than 15% present. A small area of rank 3 wood turtle is mapped by the NJDEP at the rearmost portion of the tract.

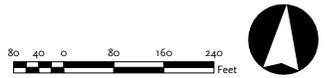
The property was visited and an interior and exterior inspection was conducted to assess existing conditions. Photographs of the site are provided below. As stated above, the operation was closed by the 84 Lumber Company in October of last year, likely as a result of the severe contraction in the real estate market that began in late 2007. Since closing the store, the company has placed the property on the market with an asking price, according to company officials, of \$3,500,000.

A review of recent building records indicated that the company last undertook any renovation or repair as recently as 2008 when a permit was received to "replace damage to a fire wall" in one of the buildings. No violations were found in the Township's records. A search of the NJDEP Known Contaminated Sites (KCS) list



Aerial Source: New Jersey 2007 - 2008 High Resolution Orthophotography, M/SID 5K Tiles, NJ Office of Information Technology (NJ OIT), Office of Geographic Information Systems (OGIS) Publication Date: 10/2008

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



84 Lumber Site

Hopewell Township Mercer County, NJ July 2009

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did not turn up any active, pending, or closed cases. No reports of any noise or other quality of life violations were found in Township records.



Exterior of main building from Route 31 in fair condition



Lumber storage sheds in fair condition

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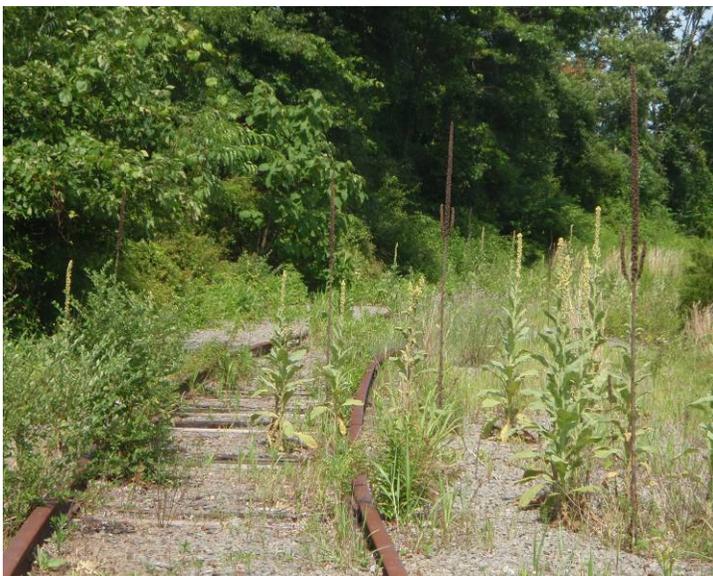
Determination of An Area in Need of Redevelopment: *Pennytown Village – Kooltronic – 84 Lumber*
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Exterior of rear building in fair condition



Interior of rear building in good condition



Rail siding overgrown with weeds



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Overall, the conditions of the interior and exterior of the buildings were fair to good. The site did show evidence that it has been unused for more than 9 months. The most significant signs of disrepair as of the writing of this report were fading paint and several broken doors and windows. Although the buildings were not entirely sealed from the outside, the interiors were in mainly fair to good condition with the only signs of obvious problems being some rodent activity. Given the fact that the buildings are not sealed from the environment, if the site continues to sit unused, conditions could deteriorate further. The buildings were mainly empty but did contain several large pieces of lumber processing equipment, some of which appeared salvageable, others which were rusted and appeared inoperable.

The parking, gravel and asphalt areas were in fair condition. There were areas of cracked and/or disintegrating pavement as well as numerous tall weeds and portions of the barbed wire property fence were in disrepair. One open trailer and a single 50 gallon container were observed, but there were no signs of any leakage. The rail siding was overgrown with weeds, but the tracks were visible. The property owner stated that the siding is in usable condition; however, this claim could not be independently verified.

Redevelopment Criteria Met:

There is evidence to support a finding that part of criterion “b” in N.J.S.A. 40A:12-5 has been met; specifically, that the property owner has discontinued the use of buildings previously used for commercial, manufacturing, or industrial purposes. Moreover, the buildings have been vacant for nine months and there were some signs of disrepair and neglect. While these conditions do not appear to warrant a finding that such buildings have been abandoned or been allowed to fall into so great a state of disrepair as to be untenable, should the site continue to sit vacant and unused, conditions could quickly deteriorate to a point where the other aspects of criterion “b” are met as well.

8 Application of the Statutory Criteria to the Study Area Properties

Upon investigation, criteria “a”, “b”, and “d” were found to apply to the Pennytown Site. Criterion “c” was found to apply to the PSE&G property. Criterion “h” of the statute was found to apply to the Pennytown property, the Kooltronic, Inc. property and the PSE&G property, collectively.

Criterion “a”: The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent and conducive to unwholesome living or working Conditions

The investigation and inspection of the Pennytown site revealed that a majority of the principal buildings on the property are in fair or poor condition. As indicated in the supplied photos, several buildings had deteriorated to the point where they are properly termed dilapidated as they were missing siding, had windows partially boarded up, and significant interior damage. Numerous potential building code violations including mold, electrical problems, and non-working bathroom facilities were documented throughout the site that evidence unsafe and unsanitary conditions. Cumulatively, these conditions contribute to generally unwholesome working and living conditions and are strongly supportive of a finding of criterion “a”. Accordingly, the Pennytown site should be included in the redevelopment area.

Criterion “b”: The discontinuance of buildings previously used for commercial purposes being allowed to fall into a state of disrepair so as to be untenable

With the exception of the H.I. Rib restaurant, the remaining commercial buildings on the Pennytown site are currently vacant, and many have been so for several years. The visual inspections and construction records indicate that no improvements or repairs have been made in at least three years. Over this time, the commercial spaces have deteriorated both inside and out. The retail and parts of the motel spaces, in particular, are in very poor condition. Signs of water damage mold, missing windows, ceiling damage, and numerous other cited deficiencies, constitute a state of disrepair which renders these buildings untenable. As such, criterion “b” is satisfied at the Pennytown site and the property should be included in the redevelopment area.

Criterion “c”: Unimproved vacant land that has remained so for a period of ten years and that by reason of its location, remoteness, lack of means of access, or topography or soil is not likely to be developed through the instrumentality of private capital

The PSE&G-owned property has been vacant for more than ten years and likely for 30 years or more. The site is unusually and remotely situated as it is completely surrounded by the CSX rail line and adjacent private property. It has no means of access to a public street and is currently only accessible by climbing a steep embankment and trespassing across private property. Given this history and conditions, and in consideration of its small size and proximity to the active rail line, it is highly unlikely that the private sector will initiate any type of development on the property. The conditions on the site are strongly representative of criterion “c”. Moreover, due to its adjacency to the vacant portion Kooltronic, Inc. site the parcel is potentially useful if developed as part of this larger area and thus should be included in the redevelopment area.

Criterion “d”: Dilapidation, Obsolescence, and Faulty Arrangement or Design that are Detrimental to the Health, Safety, and Welfare of the Community

The haphazard development of the Pennytown site over many years, without any discernable larger plan resulted in a faulty and now obsolete building arrangement. The site features randomly organized clusters of buildings broken into small, inflexible floor plans. The buildings have no relationship to one another or to the surrounding roadways. The retail buildings are antiquated and have little off-site visibility. All of these conditions are at odds with modern preferences for retail and office development. As discussed above, numerous buildings on the site have deteriorated to the point of dilapidation. Many no longer have working bathroom facilities and, as documented in Appendix “A” of this report, contain numerous code deficiencies and potential violations. The property has recently been cited for fire code violations and its on-site wastewater system was cited 14 times in the last five years by the NJDEP for noncompliance with State regulations. Such conditions are detrimental to the health, safety, and welfare of the community and demonstrate that the evidence necessary for criterion “d” have been met on the property. Based on this finding, the Pennytown site is properly included in the redevelopment area.

Criterion “h”: Consistency with Smart Growth Planning Principles and inclusion of land necessary for effective redevelopment of the area

Criterion “h” permits the inclusion of any property in the redevelopment area if it

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is consistent with smart growth planning principles. In addition, the Redevelopment Statute states:

“A redevelopment area may include lands, buildings, or improvements, which of themselves are not detrimental to the public health, safety, or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area of which they are a part” (N.J.S.A. 40A:12-3).

Therefore, properties that do not meet any of the other criteria can be included in the redevelopment area if it can be shown that their inclusion is in line with smart growth planning concepts or if the property is necessary in order to implement the goals of the redevelopment area as a whole.

After considering the planning goals for the redevelopment area and the particular conditions affecting utility service for the subject properties, it has been determined that the designation of the Pennytown Site, the PSE&G site, and the Kooltronic site as an area in need of redevelopment is consistent with smart growth planning principles (criterion “h”) and necessary for the effective redevelopment of the area comprising the three sites.

These properties are all located in the hamlet of Marshall’s Corner. The Township identified this area as the site for future “hamlet” development when it rezoned the Kooltronic site in 2006 to the Valley Resource Conservation-Hamlet Light Industrial (VRC-HLI) district. This rezoning was the result of a settlement from litigation by the owners of the Kooltronic site. That 2006 zoning ordinance amendment included detailed specifications that permit the design of a mixed-use hamlet that would include residential (at 4 units/acre), office, and retail uses on the undeveloped portion of the Kooltronic site.

The State Plan describes a hamlet as being “. . . primarily residential in character, [with] a small compact core offering limited convenience goods and community activities such as a school, house of worship, tavern, or similar land uses”¹⁴ The goal of a hamlet is to concentrate development in a rural area that might otherwise envelop surrounding environs around a compact center. As the smallest in the State Plan’s hierarchy of centers, development in hamlets (existing or new) is consistent with the State Plan and with the Plan’s goals for smart growth in the Rural Planning Area (PA4).

In addition to the rezoning at the Kooltronic site, the Township has also identified the Pennytown property in its 2008 Housing Plan as a site for up to 70 units of 100% municipally sponsored affordable housing. These two projects, taken

¹⁴ - *The New Jersey State Development and Redevelopment Plan – Draft Final Plan, 2009, p.40.*



together, represent a significant node of development located at a transition point along Route 31 between more developed areas towards Pennington and the rural countryside to the north. Given the adjacency of Pennytown and Kooltronic, it would be beneficial and consistent with smart growth principles if the planning on the two sites were to be coordinated and conducted holistically. This comprehensive approach could help to contain development from sprawling beyond Marshall's Corner. Furthermore, the affordable units at the Pennytown site could conceivably be integrated with the market rate units at the Kooltronic site. Such an "inclusionary" housing configuration for both sites is seen as preferable by the NJ Council on Affordable Housing and is consistent with smart growth concepts about integrating affordable housing within a community. A single redevelopment plan for the area provides the vehicle to accomplish these goals. As such, the inclusion of the Kooltronic site in the redevelopment area supports a finding of criterion "h". The inclusion of the PSE&G site is also supportive of this finding because, based on its size and isolated location, it would be consistent with smart growth planning principles to include it in any larger plans for the Kooltronic site which surrounds it.

Planning for the Pennytown and Kooltronic sites comprehensively also creates the opportunity for retail and commercial uses to be located on the Pennytown property with better visibility and vehicular access from State Route 31. Non-residential uses are unlikely to be able to be accommodated with the proposed 70 affordable housing units if the Pennytown site is planned in isolation.

Another factor that supports the inclusion of the Kooltronic property in the redevelopment area relates to utilities, specifically water and wastewater disposal capacity. Township hydrogeological consultant M2 Associates evaluated the water supply capacity and soil suitability of the two sites and determined there could be significant benefits to the individual properties and the community as a whole if water supply was coordinated between the two properties. The results of this analysis are contained in a July 29, 2009 letter, a copy of which is attached to this report as Appendix "B"¹⁵. In summary, it was found that the wells on the Kooltronic property had greater yields, were sited further from residential wells in Marshall's Corner, and were not located "updip" or upstream from any residential wells as opposed to those on the Pennytown site. This means the existing homes in Marshall's Corner would be much less likely to experience any negative effects from increased pumping from the Kooltronic wells. In addition, the analysis found that the much larger size of the Kooltronic property lowered the potential for "intersecting shallow groundwater impacted by historic wastewater discharges", or in other words, there would be a better chance that any wells on the Kooltronic property would be free from any water quality concerns.

¹⁵ M2 Associates letter to Paul Pogorzelski, prepared by Matt Mulhall, PE, July 29, 2009.



Preliminary investigation by Township consultant Alliance Environmental, LLC into the wastewater issues affecting both sites also found tangible benefits to coordinating utilities at the Pennytown and Kooltronic sites. In a July 2009 memo prepared for the Township (attached as Appendix “C”) several potential advantages to a shared system were identified¹⁶:

- The soils and subsurface conditions generally improve as you move east from the Pennytown Village site, thereby allowing for the wastewater recharge systems to be built in more suitable conditions.
- The Pennytown site could be more freely designed under a combined approach without the constraints imposed by the existing system.
- A larger system serving both sites would be more efficient and less expensive to operate.

In addition to these benefits, the report also discusses the possibility for providing service to some of the surrounding homes in the area with failing septic systems and even allowing the adjacent Hopewell Valley Golf Course to use treated wastewater for its irrigation needs.

Although these analyses are only preliminary, the potential benefits of shared water and/or sewer system are significant. Both analyses have identified advantages to comprehensive planning of the Pennytown and Kooltronic sites. Joint systems could allow both properties to develop fully and with more flexibility, all at reduced overall costs. Also, the reports highlight wider environmental benefits from shared systems including improved groundwater quality. Thus, the inclusion of the Kooltronic site is necessary to effectuating the redevelopment of the larger area and it is recommended that the property be included in the area in need of redevelopment.

9 Consideration of a Redevelopment Area Designation for the Study Area

In summary, the investigation of the study area has identified conditions under *N.J.S.A. 40A:12A.5.a, -b, -c, and -h* and other factors, that are sufficient to designate the Pennytown property (Block 33, Lot 1.02), the Kooltronic, Inc. property (Block 37, Lots 17.01, 17.02, 17.03, and 17.04), and the PSE&G property (Block 37, Lot 31) as an Area in Need of Redevelopment.

¹⁶ Alliance Environmental Memorandum to Paul Pogorzelski, prepared by Edward Clerico, PE dated July 28, 2009.



10 Subsequent Procedural Steps

Upon receipt of this preliminary investigation, the Planning Board is required to hold a public hearing. Notices for the hearing are required to be published in the newspaper of record in the municipality once each week for two consecutive weeks and a copy of the notice mailed to the last owner of record of each property within the proposed Redevelopment Area.

Once the hearing has been completed, the Planning Board can make a recommendation to the Township Committee that the delineated area, or any part, should or should not be determined to be a Redevelopment Area. The governing body may then adopt a resolution determining that the delineated area, or portion, is a Redevelopment Area. Notice of such a determination is then sent to each objector, if any, who has sent in a written protest. The next part of the process is the creation of a Redevelopment Plan to guide development within the delineated area.

11 PREPARATION OF A REDEVELOPMENT PLAN

As previously stated, the creation of a Redevelopment Plan is the second planning document in the redevelopment process. The Redevelopment Plan is required to be adopted by an ordinance of the Township Committee before any project is initiated. Under *N.J.S.A. 40A-7.a*, the Redevelopment Plan is required to address the following:

1. The plan's relationship to local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.
2. Proposed land uses and building requirements in the project area.
3. Adequate provisions for temporary and permanent relocation, as necessary, of residents in the project area.
4. Identification of any property within the Redevelopment Area which is proposed to be acquired.
5. The relationship of the plan to the master plans of contiguous municipalities, the master plan of the county in which the municipality is located, and the State Development and Redevelopment Plan.
6. Pursuant to *N.J.S. 40A:12A-7c*, the Redevelopment Plan must also describe its relationship to pertinent municipal development regulations.



DRAFT

Determination of An Area in Need of Redevelopment: *Pennytown Village – Kooltronic – 84 Lumber*
Preliminary Investigation *Hopewell Township*

Appendix A

Architectural Inspection Report





MEMORANDUM

Clarke Caton Hintz

Architecture
Planning
Landscape Architecture

To: Philip Caton, PP, FAICP
From: Ronald Kopec, AIA *Ronald Kopec*
Re: Pennytown Village Architectural Inspection Report
Date: July 3, 2009

Station Place
400 Sullivan Way
Trenton NJ 08628
clarkecatonhintz.com
Tel: 609 883 8383
Fax: 609 883 4044

The following report summarizes potential building code violations and deficiencies that were visible during on-site inspections of the Pennytown property (Block 33, Lot 1.02), conducted on July 7 and 16, 2009. The report reviews each unit on the property and lists each deficiency found with a reference to applicable code section or standard.

The Pennytown site contains multiple structures and uses that are subject to the standards for a range of UCC/IBC use groups. There are two separate motel units (Use Group R-1), a restaurant (Use Group A-2), a two story office building (Use Group B), a row of attached buildings that contain commercial and residential space (Use Group B and R-2), and several free standing structures used for commercial and residential purposes (Use Group B, M, and R-2/R-5). The building descriptions used below refer to the key map of the property included in the investigation report. The references refer to the following Code Standards:

- New Jersey Uniform Construction Code (UCC) N.J.A.C. 5:23
- New Jersey Uniform Construction Code (UCC) N.J.A.C. 5:23-6 Rehab Subcode
- New Jersey Uniform Construction Code (UCC) N.J.A.C. 5:23-7 Barrier Free Subcode / ANSI A117.1-2003
- 2006 International Building Code
- 2006 International Mechanical Code
- 2006 National Standard Plumbing Code
- 2008 National Electrical Code
- 2004 Energy Code – ASHREA 90.1

John Clarke, FAIA
Philip Caton, AICP
Carl Hintz, AICP, ASLA
John Hatch, AIA
George Hibbs, AIA
Brian Slaugh, AICP
Michael Sullivan, AICP

It should be noted that the Building Officials and Code Administrators (BOCA) Property Maintenance Code applies to the buildings in their present condition. The New Jersey UCC would be invoked in the event the buildings were improved to be returned to a tenable condition.



Motel Buildings	
Code Reference	Deficiency/Violation
<p>Applicable Code Sections: N.J.A.C. 5:23-6.7, 6.8, 6.9, 6.10, 6.11, 6.25</p>	<p>There are two separate Motels located on the property. Motel B is a stick frame constructed structure located behind the restaurant and has eighteen units each consisting of a sleeping area, a closet and a toilet room with a sink, toilet and shower only. There is a main office area which includes a dining area with a kitchen, restrooms and a laundry room. A pool is located in front of the Motel. The motel office is accessed from the parking lot by going up sets of wooden stairs consisting of several risers. Once up the steps you proceed along the walkway and enter into the office/dining area. You can access the units from either side of the office space. The pool is accessible from the parking lot.</p>
<p><u>Motel B – Use Group R-1</u></p>	
N.J.A.C. 5:23-6.25 (i)	1. No rail at steps.
N.J.A.C. 5:23-6.25 (j)	2. No guards at walkway.
N.J.A.C. 5:23-6.25 (t)	3. No accessible units.
N.J.A.C. 5:23-6.25 (a)	4. Confirm smoke alarms are in working order
N.J.A.C. 5:23-6.25 (c)	5. Confirm emergency egress windows
N.J.A.C. 5:23-6.25 (g)	6. No lights at entry doors.
N.J.A.C. 5:23-6.25 (h)	7. Confirm exit signage/illumination due to the fact that there is no electric meter.
N.J.A.C. 5:23-6.25 (u)	8. Confirm fireblocking and draftstopping.
N.J.A.C. 5:23-6.25 (h)	9. Unsound floor surface in units
]



<p><u>Motel A – Use Group R-1</u></p> <p>N.J.A.C. 5:23-6.25 (i)</p> <p>N.J.A.C. 5:23-6.25 (j)</p> <p>N.J.A.C. 5:23-6.25 (t)</p> <p>N.J.A.C. 5:23-6.25 (a)</p> <p>N.J.A.C. 5:23-6.25 (c)</p> <p>N.J.A.C. 5:23-6.25 (g)</p> <p>N.J.A.C. 5:23-6.25 (h)</p> <p>N.J.A.C. 5:23-6.25 (u)</p>	<p>Motel A is also a stick frame constructed structure located to the East of Motel A and has 24 Plus units, two laundry rooms, a managers unit, and a main office area. There is no dining facility associated within this motel. The rear of the motel consists of 13 rooms by which are accessed from wooden stairs onto a wooden walkway. Lighting is limited to light poles located at the ground approximately 10'-0" away from the unit, there are no lights at the entrances of the units. The front of the motel has the remainder of units which have a single step made from field stone and cement allowing access to the units. The main office is centrally located with units off to either side. The mechanical room is adjacent to the office. Here again lighting is limited to the ground area and not at the doors.</p> <ol style="list-style-type: none">10. No rail at steps.11. No guards at walkway.12. No accessible units.13. Confirm smoke alarms are in working order14. Confirm emergency egress windows15. No lights at entry doors.16. Confirm exit signage/illumination due to the fact that there is no electric meter.17. Confirm fireblocking and draftstopping.
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Attached Retail Units and Detached Structures	
Code Reference	Deficiency/Violation
<p>General N.J.A.C. 5:23-6.7, 6.8, 6.9, 6.10, 6.11, 6.17, 6.24, 6.26, 6.27, 6.29</p> <p><u>Unit #24/#25 – Use Group B – one story, formally School of Rock:</u></p> <p>N.J.A.C. 5:23-6.7(k)I</p> <p>N.J.A.C. 5:23-6.8(c)</p> <p>N.J.A.C. 5:23-6.17(j)</p> <p>N.J.A.C. 5:23-6.17(e)(f)</p> <p><u>Unit #23 – Use Group B - one story:</u></p> <p>N.J.A.C. 5:23-6.7(k)</p> <p>N.J.A.C. 5:23-6.8(c)</p> <p>N.J.A.C. 5:23-6.(k)</p> <p>N.J.A.C. 5:23-6.7(k)</p> <p>N.J.A.C. 5:23-6.17(e)(f)</p>	<p>Free standing structures: unit #25, #24, #23, #22, #21, #20, #19</p> <p>There are several stick frame constructed free standing structures located on the site that have various Use Groups associated with them. One is currently a residential house. One was a residential house but was converted into a business group (#24/#25 Rock of Music). And the other two are mixed Use Groups of business, mercantile and residence.(#23-#19)</p> <ol style="list-style-type: none"> 1. No handicap access from the parking lot. 2. No toilet / Open sanitary vent lines within rooms. 3. Collapsed ceiling/damage due to roof leakage 4. Confirm exit signage/illumination due to the fact that there is no electric meter. <ol style="list-style-type: none"> 1. Concrete ramp from parking lot, confirm it meets ADA requirements, two steps into structure. (no handicap accessibility). 2. Hand sink located in front room leads to a bucket, not connected to existing sanitary lines. Toilet located in separate room, limited space mobility. 3. Rear steps made from field stone and concrete, unequal risers. 4. Sidewalk cracked/uneven. 5. Confirm exit signage/illumination due to the fact that there is no electric meter.



<p><u>Unit #23a – Use Group B – one story: (formally Eastern Pedorthics)</u></p> <p>N.J.A.C. 5:23-6.7(k)</p> <p>N.J.A.C. 5:23-6.17(g)</p> <p>N.J.A.C. 5:23-6.17(h)</p> <p>N.J.A.C. 5:23-6.17(h)</p> <p>N.J.A.C. 5:23-6.17(e)(f)</p>	<ol style="list-style-type: none">1. One step up from parking lot, one step up into structure.2. No railing at interior stairs.3. No guard at interior stair/attic office/storage area.4. No guard at second story exterior access door.5. Confirm exit signage/illumination due to the fact that there is no electric meter.
<p><u>Unit #21: Use Group B</u></p> <p>N.J.A.C. 5:23-6.7(k)</p> <p>N.J.A.C. 5:23-6.17(e)(f)</p>	<ol style="list-style-type: none">1. Concrete walkway from parking lot, one step into structure. (no handicap accessibility).2. Confirm exit signage/illumination due to the fact that there is no electric meter.
<p><u>Unit #20: Use Group B (formally a paint shop dealer)</u></p> <p>N.J.A.C. 5:23-6.7(k)</p> <p>N.J.A.C. 5:23-6.8(b)</p> <p>N.J.A.C. 5:23-6.17(e)</p> <p>N.J.A.C. 5:23-6.17(e)(f)</p>	<ol style="list-style-type: none">1. Concrete walkway from parking lot, two steps (uneven risers, field stone set in concrete) into structure. (no handicap accessibility).2. Toilet sets under Apartment #18 wooden stairs).3. Light pulled from siding.4. Confirm exit signage/illumination due to the fact that there is no electric meter.



<p><u>Unit #19: Use Group M (formally Eastern Pedorthics manufacturing shop).</u></p> <p>N.J.A.C. 5:23-6.7(k)</p> <p>N.J.A.C. 5:23-6.7(k)</p> <p>N.J.A.C. 5:23-6.24(g)</p> <p>N.J.A.C. 5:23-6.</p> <p>N.J.A.C. 5:23-6.24(e)(f)</p> <p>N.J.A.C. 5:23-6.24(m)</p> <p>N.J.A.C. 5:23-6.24(o)</p> <p><u>Unit #19a – Use Group S (Storage next to Unit #19)</u></p> <p>N.J.A.C. 5:23-6.24(m)(o)</p> <p>N.J.A.C. 5:23-6.24(e)</p> <p><u>Unit #18 –Use Group R-2 – Apartment on the second floor.</u></p> <p>N.J.A.C. 5:23-6.26(i)</p> <p>N.J.A.C. 5:23-6.26(o)</p> <p>N.J.A.C. 5:23-6.26(g)(h)</p> <p>N.J.A.C. 5:23-6.7(k)</p>	<ol style="list-style-type: none">1. Access from parking lot starts out concrete turns into field stone set in concrete.2. Four steps up into the structure (stone set in concrete, uneven risers, steps are in a state of is disrepair).3. No rail at exterior steps.4. Concrete light pole pad with wires exposed (no light post).(site)5. Confirm exit signage/illumination due to the fact that there is no electric meter.6. Confirm interior finishes comply.7. Confirm fireblocking and draftstopping. <ol style="list-style-type: none">1. Plywood finish on wood studs adjacent to Business Group structure.2. Confirm exit signage/illumination due to the fact that there is no electric meter. <ol style="list-style-type: none">1. Railings at interior stairs.2. GFIC outlets as required.3. Confirm exit signage/illumination due to the fact that there is no electric meter.
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<p>N.J.A.C. 5:23-6.</p>	<p>General Site comment:</p> <ol style="list-style-type: none"> 1. Sidewalk around structure cracked and uneven in locations. 2. Parking lot light pole bases (+/- 1'-6" high) have exposed wiring, no poles exists, (typ. for two).
<p><u>Unit #18-#17- Use Group B – (formally Quilt Works)</u></p> <p>N.J.A.C. 5:23-6.7(k)</p> <p>N.J.A.C. 5:23-6.7(k)</p> <p>N.J.A.C. 5:23-6.17(g)</p> <p>N.J.A.C. 5:23-6.</p> <p>N.J.A.C. 5:23-6.</p> <p>N.J.A.C. 5:23-6.17(e)(f)</p> <p><u>Unit #16 – Use Group R-2, (Apartment above Unit #18/#17)</u></p> <p>N.J.A.C. 5:23-6.7(k)</p> <p>N.J.A.C. 5:23-6.26(i)</p> <p>N.J.A.C. 5:23-6.</p>	<ol style="list-style-type: none"> 1. No handicap access from parking lot. Walk-way is field stone (uneven) set in concrete. 2. Three steps up into the structure (stone set in concrete, uneven risers). 3. No rail at exterior steps. 4. Electric panel in toilet room. 5. GFIC outlets as required. 6. Confirm exit signage/illumination due to the fact that there is no electric meter. <ol style="list-style-type: none"> 1. No handicap access from parking lot. Walk-way is field stone (uneven) set in concrete. 2. Three steps up into the structure (stone set in concrete, uneven risers), no rail at exterior steps. 3. Electric panel in toilet room.



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N.J.A.C. 5:23-6.26(o)	4. GFIC outlets as required.
N.J.A.C. 5:23-6.	5. Mold on the ceiling/walls.
N.J.A.C. 5:23-6.26(h)	6. Confirm exit signage/illumination due to the fact that there is no electric meter.
N.J.A.C. 5:23-6.26A(d)	7. Confirm smoke detectors are in working order.
N.J.A.C. 5:23-6.26(c)	8. Confirm emergency egress windows
N.J.A.C. 5:23-6.26A(e)	9. Confirm vertical opening protection.
N.J.A.C. 5:23-6.26(v)	10. Confirm fireblocking and draftstopping.
N.J.A.C. 5:23-6.26(r)	11. Confirm interior finishes comply.
<u>Unit #15 – Use Group R-2 (Apartment on second floor)</u>	
N.J.A.C. 5:23-6.7(k)	1. No handicap access from parking lot. Walk-way is field stone (uneven) set in concrete.
N.J.A.C. 5:23-6.26(i)	2. Three steps up into the structure (stone set in concrete, uneven risers), no rail at exterior steps.
N.J.A.C. 5:23-6.	3. Electric panel in toilet room.
N.J.A.C. 5:23-6.26(o)	4. GFIC outlets as required.
N.J.A.C. 5:23-6.	5. Mold on the ceiling/walls.
N.J.A.C. 5:23-6.26(h)	6. Confirm exit signage/illumination due to the fact that there is no electric meter.
N.J.A.C. 5:23-6.26A(d)	7. Confirm smoke detectors are in working order.
N.J.A.C. 5:23-6.26(c)	8. Confirm emergency egress windows
N.J.A.C. 5:23-6.26A(e)	9. Confirm vertical opening protection.



N.J.A.C. 5:23-6.26(v)	10. Confirm fireblocking and draftstopping.
N.J.A.C. 5:23-6.26(r)	11. Confirm interior finishes comply.
N.J.A.C. 5:23-6.26(g)	12. No exterior light at entry door.
<u>Unit #14 – Use Group B</u>	
N.J.A.C. 5:23-6.7(k)	1. No handicap access from parking lot. Walk-way is field stone (uneven) set in concrete.
N.J.A.C. 5:23-6.17(g)	2. Four steps up into the structure (stone set in concrete, uneven risers). No rail at exterior steps.
N.J.A.C. 5:23-6.	3. Electric panel in toilet room.
N.J.A.C. 5:23-6.	4. GFIC outlets as required.
N.J.A.C. 5:23-6.17(f)	5. Confirm exit signage/illumination due to the fact that there is no electric meter.
N.J.A.C. 5:23-6.17(e)	6. No exterior light at entry door.
<u>Unit #13 – Use Group B (formally Kids Create)</u>	
N.J.A.C. 5:23-6.7(k)	1. No handicap access from parking lot. Walk-way is field stone (uneven) set in concrete.
N.J.A.C. 5:23-6.17(g)	2. Four steps up into the structure (stone set in concrete, uneven risers). No rail at exterior steps.
N.J.A.C. 5:23-6.	3. Electric panel in toilet room.
N.J.A.C. 5:23-6.	4. GFIC outlets as required.
N.J.A.C. 5:23-6.17(f)	5. Confirm exit signage/illumination due to the fact that there is no electric meter.
N.J.A.C. 5:23-6.17(e)	6. No exterior light at entry door.
N.J.A.C. 5:23-6.8(c)	7. Open sanitary vents.
N.J.A.C. 5:23-6.17(k)	8. Single Toilet room/not handicap accessible.



<p><u>Unit #12/#11 – Use Group B (formally hair dresser)</u></p> <p>N.J.A.C. 5:23-6.7(k)</p> <p>N.J.A.C. 5:23-6.7(k)</p> <p>N.J.A.C. 5:23-6.17(g)</p> <p>N.J.A.C. 5:23-6.</p> <p>N.J.A.C. 5:23-6.</p> <p>N.J.A.C. 5:23-6.17(f)</p> <p>N.J.A.C. 5:23-6.17(e)</p> <p>N.J.A.C. 5:23-6.17(j)</p> <p><u>Unit #10 – Use Group B (formally a bank)</u></p> <p>N.J.A.C. 5:23-6.17 & 29</p> <p>N.J.A.C. 5:23-6.7(k)</p> <p>N.J.A.C. 5:23-6.17(g)</p> <p>N.J.A.C. 5:23-6.17(i)</p>	<ol style="list-style-type: none">1. No handicap access from parking lot. Walk-way is field stone (uneven) set in concrete.2. Four steps up into the structure (stone set in concrete, uneven risers). No rail at exterior steps.3. Electric panel in toilet room.4. GFIC outlets as required.5. Confirm exit signage/illumination due to the fact that there is no electric meter.6. No exterior light at entry door.7. Uneven flooring.8. Confirm Tenant separation. <ol style="list-style-type: none">1. No handicap access from parking lot. Walk-way is field stone (uneven) set in concrete.2. No rail at exterior steps.3. Confirm Tenant separation under the wooden stair case/ confirm in the crawl space.
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<u>Unit #9/#8 – Use Group R-2 (apartments)</u>	
N.J.A.C. 5:23-6.7(k)	
N.J.A.C. 5:23-6.26(i)	
N.J.A.C. 5:23-6.	
N.J.A.C. 5:23-6.26(o)	
N.J.A.C. 5:23-6.	
N.J.A.C. 5:23-6.26(h)	
N.J.A.C. 5:23-6.26A(d)	
N.J.A.C. 5:23-6.26(c)	
N.J.A.C. 5:23-6.26A(e)	
N.J.A.C. 5:23-6.26(v)	
N.J.A.C. 5:23-6.26(r)	
N.J.A.C. 5:23-6.7(k)	
N.J.A.C. 5:23-6.17(e), 6.26(g)	

1. No handicap access from parking lot. Walk-way is field stone (uneven) set in concrete.
2. Three steps up into the structure (stone set in concrete, uneven risers), no rail at exterior steps.
3. Electric panel in toilet room.
4. GFIC outlets as required.
5. Mold on the ceiling/walls.
6. Confirm exit signage/illumination due to the fact that there is no electric meter.
7. Confirm smoke detectors are in working order.
8. Confirm emergency egress windows
9. Confirm vertical opening protection.
10. Confirm fireblocking and draftstopping.
11. Confirm interior finishes comply.

General Site comment:

1. Sidewalk around structure is large field stones set in concrete some areas are cracked and uneven in locations, there are even portions missing.
2. Site lighting pole are +/- 30'-0" apart approximately 15'-0" away from the structures.



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1.) Motel A, wooden stairs no railings.



2.) Motel A, wooden walkway, no guards.





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- 3.) Motel B, No railings and/or guards.
- 4.) Motel B Entry Step into Unit.

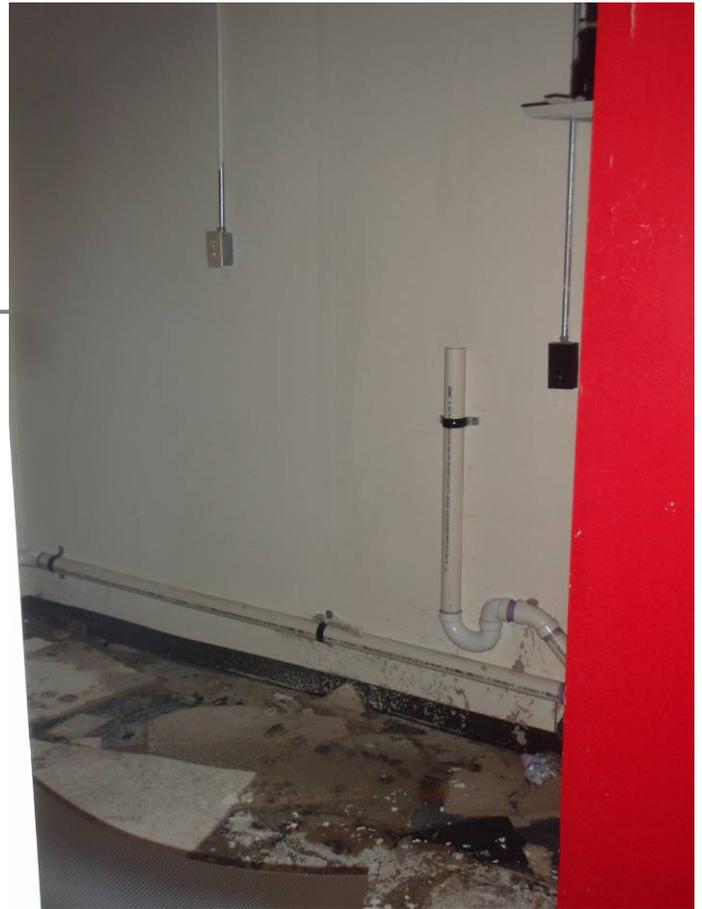




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5.) Open sanitary Vent lines in Unit #25-
#24.

6.) Open sanitary Vent lines in Unit
#25-#24.





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7.) Ceiling Damage at Unit #25-#24.

8.) Open sanitary Vent lines in Unit #23.





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9.) Entrance at Unit #23a

10.) Second Story Opening at Unit 23a (Exterior View)





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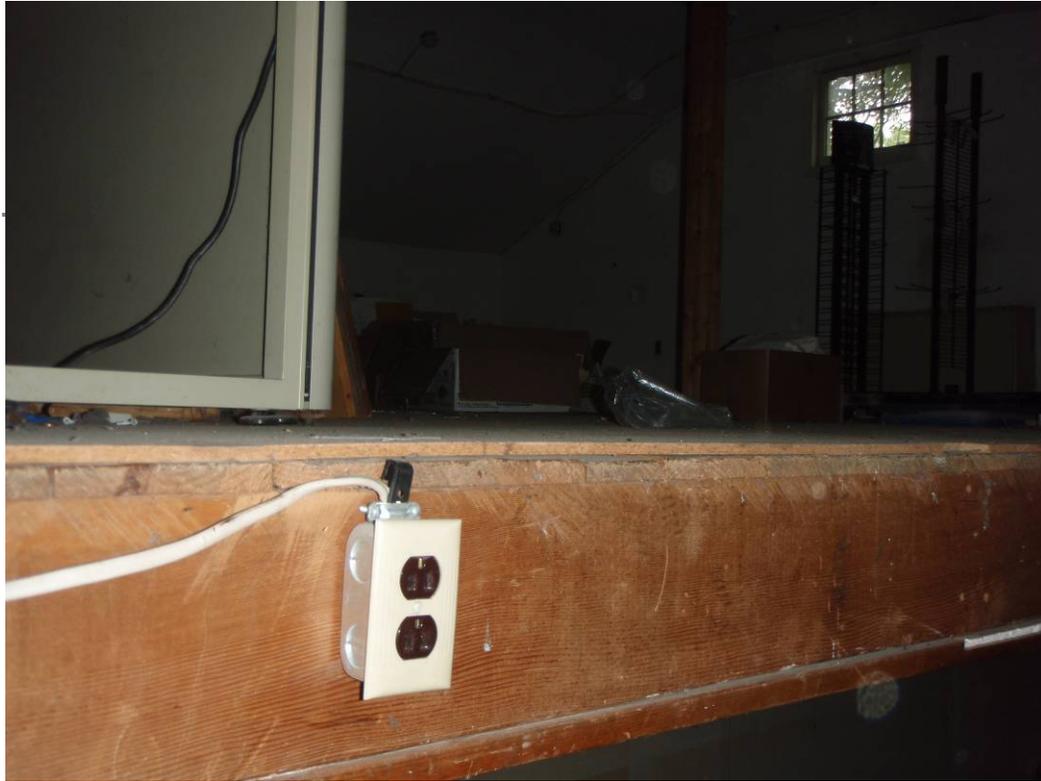
11.) Second Story Opening at Unit #23a (interior view), no guard.

12.) Second Story Office/Storage Area at Unit #23a, no guard/railings at stairs





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13.) Second Story Office/Storage Area at Unit #23a, no guard/railing at stair.

14.) Entrance at Unit #20/#19





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15.) Light Pole Base outside Unit #19 entrance.

16.) Unfinished Storage space at Unit #19a, Mixed use structure, Use Group B and R-2 adjacent to space.





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17.) Light Pole Base at parking lot of Units #25-#18.

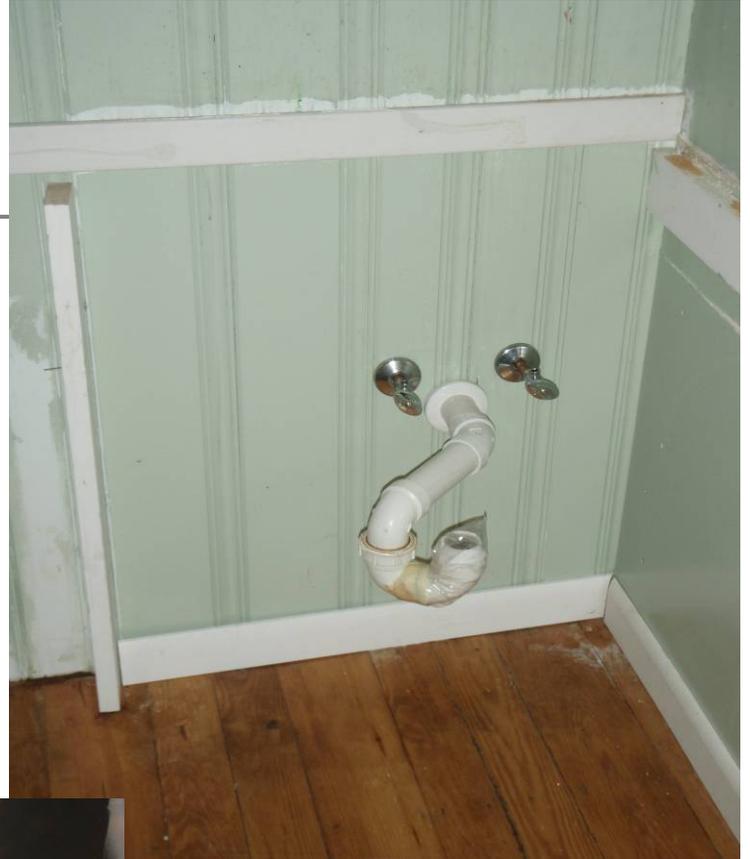
18.) Electrical Panel, Telephone, security wiring located in toilet room at Unit #18 & #17 (Cluster Unit)





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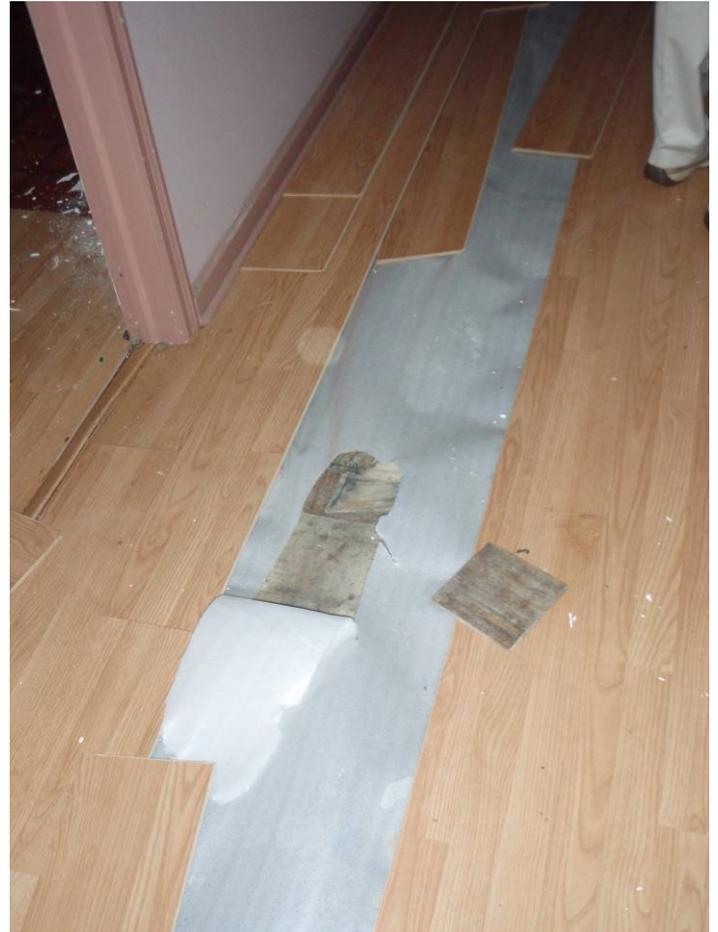
19.) Open sanitary lines at Unit #13.



20.) Entrance at Unit #14.



21.) Uneven flooring at Unit #11-#12.



22.) Stair at Unit #11-#12.



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23.) Rear of Cluster Structure, Units #18-#10.



24.) Rear entry of Unit #11-#12.



25.) Uneven walkway leading to Cluster Units #18-#10.

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Determination of An Area in Need of Redevelopment: *Pennytown Village – Kooltronic – 84 Lumber*
Preliminary Investigation *Hopewell Township*

Appendix B

M2 Associates Letter



From: Matt Mulhall
Sent: Wednesday, July 29, 2009 3:54 PM
To: Paul Pogorzelski, P.E.
Subject: Pennytown and Kooltronics site

Paul,

As we discussed, from both a water-supply and wastewater management perspective, combining the Kooltronics site with the Pennytown site offers significant advantages. First, from a water-supply perspective, there are two existing water-supply wells on the Kooltronics site that continue to be used to meet the commercial and sanitary needs of the businesses on Block 37 Lot 17.02. Wells 1 and 2 have indicated yields of 50 gallons per minute each. The advantage of these wells versus Well 2 at the Pennytown site is the much greater distance to any nearby residential wells. Because of the past wastewater disposal operations at Pennytown, the water-supply wells on the Pennytown site were installed within 150 to 850 feet of the homes in Marshalls Corner. The wells at Kooltronics are located at least 1,900 feet from the nearest residential well in Marshall's Corner. Perhaps more importantly, the homes in Marshalls Corner are not located directly up-dip of the water-supply wells at Kooltronics and therefore, are much less likely to be affected by pumping than they were during the testing of Well 2 at the Pennytown site.

Although the wells at the Kooltronics site have reported yields that should meet the demands imposed by 70 or more residential units, water use has been limited at the site. For example, in 2007, Kooltronics reported to NJDEP-Bureau of Water Allocation that they withdrew approximately 650,000 gallons of water, which is equivalent to approximately 1800 gallons per day. This daily water demand is approximately equal to the demands imposed by 6 residential units. It will be necessary to conduct aquifer tests in the wells at Kooltronics to determine long-term yields and the need for re-locating wells to better intersect major fractures in the underlying bedrock. As was observed at Pennytown, moving the wells to the east approximately 100 feet increased yields by nearly five times. The much larger size of the Kooltronics site versus the Pennytown site and the lowered potential for intersecting shallow groundwater impacted by historic wastewater discharges, provides a much higher potential for locating wells that would meet the residential demands without resulting in adverse impacts.

From the second perspective, wastewater disposal, the Kooltronics site has a much greater potential for infiltrating wastewater discharges than the Pennytown site. The areas of the Pennytown site determined to have the highest potential for wastewater disposal were primarily underlain by Bucks soils. These soils are mapped along a strip of the site near the eastern border parallel to Marshalls Corner-Hopewell Road. The same area where the water-supply wells are located. Bucks soils have been mapped beneath approximately 70 percent of the Kooltronics site. While testing would be necessary to ensure soils are adequate for wastewater disposal and to design disposal fields, the Kooltronics site offers a much greater potential for meeting Township needs simply because of the much larger area of the site underlain by the best soils.

If you have any more questions or require additional information, please call or email.

Matt

*M² Associates
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Hampton, New Jersey 08827
(908) 238-0827*

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Determination of An Area in Need of Redevelopment: *Pennytown Village – Kooltronic – 84 Lumber*
Preliminary Investigation *Hopewell Township*

Appendix C

Alliance Environmental, LLC Memorandum



Memorandum



To: Paul Pogorzelski, Administrator – Hopewell Township

From: Edward A. Clerico

cc:

Date: July 28, 2009

Re: Recommendation – Marshall’s Corner Wastewater Management Planning

It is my recommendation that we further evaluate the potential of creating a Marshall’s Corner Wastewater Management entity to serve the combined Pennytown Village, Kooltronic and possibly even the Hopewell Valley Golf Club properties along with the several homes that exist in this area. The considerations in this regard are as follows:

1. The soils and subsurface conditions generally improve as you move east from the Pennytown Village site, thereby allowing for the wastewater recharge improvements to be built in better conditions on one of the other sites.
2. A combined approach would allow you to freely design the Pennytown Village site without the constraints imposed by the recharge trenches as currently envisioned.
3. Each of the three sites has specific needs for future wastewater improvements and the implementation of independent systems will be less efficient overall with regards to site designs and cost.
4. The HVGC offers the opportunity to employ spray irrigation of the golf course with treated wastewater so as to offset the current groundwater withdrawal that presently supplies the irrigation system. This will provide for a much preferable wastewater reuse system that will be less costly on a dollar per gallon of capacity basis plus it will help maintain the water supply within the aquifer.
5. A larger system which served two or three of these properties would offer better economics of scale with regards to the capital and operating cost of the system. From our experience on other projects of this nature, the savings in this regard could be significant.

Whereas, there are some complications with regards to combining these properties into one wastewater and water system, the opportunities for better overall efficiency suggest that further evaluation is warranted.